

## HOUSE OF ASSEMBLY

Thursday, 30 July 2015

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:30 and read prayers.

### *Bills*

#### **APPROPRIATION BILL 2015**

##### *Estimates Committees*

Adjourned debate on motion:

That the proposed expenditures referred to Estimates Committees A and B be agreed to.

(Continued from 29 July 2015.)

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:32):** I rise to speak on this motion to receive the reports from Estimates Committee A and B and, in doing so, indicate that I will be the lead speaker. I commence today's contribution by acknowledging the passing of the late Adrian de Bruin and note that members of the parliament will be attending his funeral today, including our leader. In so recognising his contribution to the state, I am following the lead of the Premier in recognising eminent South Australians, which we did earlier this week.

Can I say first some preliminary comments in respect of the process of which I have had the responsibility to contribute to for the last 14 years in respect of what was, I think, clearly intended by the late David Tonkin, as premier of this state, to be a process of enlightenment for the parliament of the executive's published proposals for the future of the state over the following four years and, in particular, the following financial year, arising out of their budget. Disappointingly, in that 14 years, it has not fulfilled the expectation of late premier Tonkin and, I think regrettably, fallen considerably short.

Can I say that, in making a contribution on the process, I want to acknowledge those who were members of the government party who chaired those committees and thank them for doing so. Largely it is an unrewarding task, and the management of recalcitrant ministers is an ongoing difficulty for them.

I think it is fair to say that, whilst it was premier Tonkin's intention that there would be an opportunity for ministers in his government and in following governments to be able to proudly expand on the identified projects for funding and to pursue the policy initiatives that were announced as a result of the budget address given by the Treasurer each year, clearly this year the government again failed to take hold of that opportunity.

Certainly, there are circumstances where, in some of the committee contributions by ministers, they invited questions to be answered from those of the same political persuasion, which added to the expansion of information—most of which was already on the public record but nevertheless helped to advise the committee on important new initiatives, many of them quite commendable.

Where we strike some difficulty—and I think the late Hon. David Tonkin would be turning in his grave to see this—is over the behaviour of ministers, consistently displaying their ignorance and incompetence at gross insult to those sitting next to them, and the wilful contempt of the parliament, in some examples that I propose to give today. It is concerning because we as a parliament are expected to provide some scrutiny and opportunity to be here on behalf of the public of South Australia to promote what is good and highlight what is not.

You will hear repeated speeches in the parliament post budget and post estimates which highlight those who are disappointed with what they have not got, and those who are singing the praises of what they have got. It usually covers some fairly strict lines according to political allegiance. We have had Independents over the past 14 years who have sometimes slipped from one side to

another, cherry-picking projects of merit or being critical of expenditure which is unwarranted and which displays a level of priority that is not in the best interests of South Australians.

But, those speeches pretty much highlight the plight of members of this house who are espousing the views of people in the community and their expectation that, when we are spending about \$15 billion a year of the public's money, it is spent wisely and in a manner which will actually provide the services for which governments are responsible, and ensure that programs which are good public policy are promoted.

Let us return to what has happened this year. Again, the estimates committees comprised of members of the House of Assembly, not members of the Legislative Council. For those who are new members, that is a practice which has endured since the establishment of estimates. It is done on the basis that the House of Assembly is the house which accommodates the government, and it is the government which is accountable through this process. So, it is unsurprising to me that we would continue that practice.

It is true that there has been a practice of various governments, over the past 35 years or so in which we have this estimates process, to appoint members of the cabinet in the other place. They make themselves available for scrutiny by members of this house who form the committee. They have an opportunity—in fact, a responsibility—to attend for that scrutiny. It is a process of scrutiny of the House of Assembly. I think that is a practice which should continue.

Can I say that, for all of the criticism of the government's performance, which I am about to outline some aspects of, it is a process which is still important. What is even more important is that the government ministers understand the opportunity they have to present and enhance what they claim is of merit but, also, the responsibility they have to provide information and have full and frank disclosure of material.

Again, before I address the individual committees which I sat on and present the opposition's scrutiny, can I say that, generally, the observation that I have made this year is that the people who attended with the ministers—indeed, the Premier and the ministers, I should say, because, of course, the Premier also attended—were senior men and women of the respective departments. These are the people I call the million dollar men and women. Most of the people seated adjacent to the minister in question, or the Premier, have aggregate incomes over \$1 million. These are senior people in the Public Service who had very substantial folders in front of them which represented the hard work of many other people in their respective departments in preparing responses and advice to the ministers on every possibly conceivable issue that might be raised in the estimates.

I know that that is a comprehensive list of issues and an extraordinary amount of work because, when I first came into the parliament after 2002, there was a practice of seeking to produce these folders under the freedom of information process. Before the government had the wit to present these folders through a cabinet process in an attempt to protect them against viewing by potential members of these committees, they disclosed to us a very comprehensive schedule of advice, sometimes running for pages on areas of importance.

I can remember starting with my first portfolio responsibility of education and having a folder centimetres deep of material that had been produced under freedom of information on everything from seatbelts on country buses to class sizes to the enterprise bargain agreement with the teachers union: you name it. It was not just A to Z: it was multiples of the alphabet in the number of issues that were canvassed.

Quickly, the government realised that this was something they did not want to make available to members of the committees because the fulsome work that had been done by members of the department might alert them to issues that they were not even aware of and would be of concern to the government if they were questioned about it. It was interesting to see how quickly they promoted a process which then enveloped these folders with cabinet protection against freedom of information applications. Now they have been a secret I think for the last 12 or so years and we no longer have access to them: but the ministers do.

So, when I say that they present here to the committee with a huge folder of advice, with the million dollar men and women sitting next to them, often with an entourage of other people from their department who have undertaken an extraordinary amount of work, it is extraordinary to note the

lack of detail that is then provided to the committee in response to questioning. It is absolutely extraordinary.

They not only have the answers in front of them in folders to many of these questions, but indeed they have got the very people who are responsible for managing and implementing a number of the projects that are under scrutiny sitting right next to them, yet again this year we have seen ministers, and even the Premier, attend before these committees and represent answers which are repeatedly taken on notice for production at a later time. Instead of being this opportunity of enlightenment and promotion by the government to the people of South Australia, it remains a dark cloud of concealment.

I mention, first, the ignorance and/or incompetence of the ministers. The standout for me this year is the same minister who presented to the estimates committee last year for the first time as a new minister, the Minister for Transport and Infrastructure. I think that last year he was asked 44 questions and he gave zero answers. This year, I think he set a new record for the number of questions he took on notice, notwithstanding that he had Mr Deegan sitting next to him, the chief executive, a senior member of experience in public service prior to coming to South Australia and now in the Public Service in his second year of service.

He continued to be the champion of the minister's displaying either an ignorance or an incompetence. It may be naivety, it may be a level of arrogance that he displays, which suggests that he thinks that it is somehow or other clever or cute or smart to refuse to answer questions that clearly are within his portfolio. Let me give members an example of one of the answers he gave when asked a question in respect of the abandoned courts precinct project of the government, which was announced to be abandoned in March this year because it was not value for money by the Attorney-General.

When the Attorney gave evidence to the committee he explained that it was his colleague minister Mullighan who had the management of the tender process and matters associated that fell within the purview of the department and that it would be a matter, he believed, for minister Mullighan and/or Mr Deegan in his words 'to probably be the best placed to assist you with' in respect of answers to questions about that aborted project.

When we came to minister Mullighan, his helpful, informative response was not only to refuse to answer any questions unless there was an item line (notwithstanding the Attorney-General's indication to the committee), but to say, 'I'm not interested in what the Attorney-General does. I'm interested in my portfolio of responsibilities.' His rude and dismissive approach to the committee highlighted for me that he has learnt nothing in the last year.

He displayed a wilful contempt of the committee in refusing to consider or to provide information, when clearly his more senior cabinet minister, the Deputy Premier, had outlined whose area of responsibility it is in. It has been an ongoing project in the Department of Planning, Transport and Infrastructure and it is clearly within his responsibility. He is not only dismissive of the committee's inquiry but he rudely insults his senior member of cabinet, the Deputy Premier. Regrettably he has learnt nothing.

One of the things he might like to consider prior to next year's estimates hearings, assuming he remains in the cabinet, is that to be helpful to the committee gives him an opportunity to present the best from his department. He had a dismissive approach to matters that are clearly relevant, matters that were referenced in the statements of the Attorney-General, which would have been helpful to the committee and ought to have been seen as a promotion. To continue to grossly insult the men and women sitting next to him, from Mr Deegan down, by not even inquiring of them as to whether there might be information they would have that would be helpful to the committee is a lesson that he could learn.

If he thinks it is cute or clever, let me say this: even members of the committee of his own political persuasion, by the body language they exhibited during that performance, were not impressed. Some of them—and I will not name them—have been members of this parliament for a long time. Some of them have even been former ministers and some of them understand the benefit in actually making a contribution which is helpful and that does not expose the minister as being ignorant or incompetent.

If you were to add to that the body language of others listening to that contribution to the committee, including members of the media, it would be a lesson of instruction for the minister to appreciate that he is impressing no-one. He just continues to insult those who have done the work. He continues to display a level of arrogance and, quite clearly, rudeness towards even a senior member of his cabinet. Assuming he is here next year, I invite him to have a more respectful approach to the parliament and indeed the committee.

The other general matter is the conduct of the Deputy Premier. I will come to his general contribution. He spent a long day before the estimates committee covering multiple portfolios. It takes quite a sustained effort to be available for questioning over the long day, and I thank him for that. What I found extraordinary was that, although he provided quite a bit of information to the committee, again he almost completely ignored the people sitting next to him, including the Chief Justice of the Supreme Court, who I think had the opportunity to make one comment in respect of the failure to replace judges in judicial vacancies. There may have been other comment, but it was certainly minor to the extent of having an opportunity to present material to the committee. But at least he did provide some answers. I will come to some areas where he had not before.

Let's just go back to last year's estimates and the performance of the Deputy Premier, who at that time also had responsibility for the Attorney-General's Department, the courts, housing and urban planning, Renewal SA, and a number of other matters on which I was not in the committee to question him. Last year he took a number of questions on notice. He answered some questions and took a number of them on notice. The wilful contempt of ministers is illustrated this year by the Deputy Premier providing to the parliament yesterday answers to questions that were put to him on 17 July 2014.

So, not only has he not made any contribution in those answers within the 14 days as recommended to respond to at estimates, having not made the inquiry even on the day in the estimates committee, but over a year later after the 2015 estimates committee he approves the production of answers for the 2014 hearings of those estimates committees. If that is not a wilful contempt of this parliament, I do not know what is.

The data that was provided largely related to the 2013-14 financial year because obviously it was the subject of inquiry at the 2014 estimates hearings. We have a situation where the government has perpetuated again insult to those who sit next to them and undertake an extraordinary amount of work in their departments, contempt to those of us in the committee who make reasonable inquiry of matters of significance and a display of ignorance and/or incompetence of ministers.

The situation, as I would see it, has not improved because, even after inquiry this week in respect of matters relating to the Urban Renewal Authority, in question time yesterday the Deputy Premier still could not answer questions in respect of that matter, and I will refer to that in detail shortly, but it is very concerning. I would have to say that it is also significant that the media, who are really the eyes and ears, to a large degree, on behalf of the people of South Australia, who we have the benefit of providing a lot of material to the public, did appear to highlight areas of merit and deficiency subsequent to the budget.

However, during the estimates committee, I would have to say that appeared to be more interested in the performance or lack thereof in respect of the committee process, rather than in the substance of the information that was either elicited or refused to be provided. That is disappointing in itself as well because if, as members of the public, we are to continue to rely on the scrutiny of us in the parliament and the publication of that by our mainstream media outlets, and they are to continue to have respect for that, I would ask them to look carefully at what level of publication they are giving to matters raised in estimates.

One of those issues I think relates to the Urban Renewal Authority. It is disappointing that the government's approach in its presentation of this entity in the budget, and then during estimates, was less than transparent and about which there appeared to be little concern from our friends in the media. During Estimates Committee A of the Attorney-General, the Attorney was asked about the payment of the \$11.6 million dividend to the government that was published in the budget. In short, he told the committee that it had not been paid and that it would not be paid.

Further, and I paraphrase this, he indicated that it arose as a result of various conversations between the Urban Renewal Authority Board, himself and the Treasurer or Treasury, and that it would not be paid. Why is that so significant in its first instance? What is significant in the first instance is that the Urban Renewal Authority, under the new structure instituted by the Premier, was to have a completely novel approach by making the chief executive responsible to the minister directly and not responsible to the board. It is a novel approach. It is not a structure which I think actually serves the competent management of such an important entity as the Urban Renewal Authority, which is the keeper of public asset and has a responsibility to sell and develop various assets of the government. It holds assets and deals with assets to the value of millions of dollars, so it is a very important entity.

The Premier introduced a new structure, as I said, where he made the chief executive accountable to the minister and not the board. The deficiencies of that structure in itself have been highlighted in the tawdry story surrounding the government's development of a parcel of land at Gillman and the refusal to put it out to public tender and the ultimate exercising of an option to a preferred unsolicited proposal consortium. Coupled with that, the Premier appointed Mr Fred Hansen some three years ago to head this new structure. He has since been sent back to the United States, clearly an abject failure in respect of the management of the Urban Renewal Authority, the Gillman project in particular.

However, let's return then to the importance of understanding how this affects the operation of the Urban Renewal Authority. When the government hands down its budget and includes a summary of activity of the Urban Renewal Authority and the projects which they have promoted and pursued and the financial position of that entity, the public are entitled to rely on the information that is published (in this year on 18 June, but in fact in every year) in the budget.

The budget said that there was an estimated dividend to be paid of \$11.6 million. This is an entity which, since its restructure by the Premier, every year has delivered for South Australia an appalling financial outcome—major deficits in its balance sheet. Each year they have provided an explanatory position in the budget to suggest that there has not been a progression of the sales and settlement of sales of property that they had forecast, being largely reflective of the market conditions and the circumstances under which this entity was not able to fulfil its projected sales and provide a healthy response to government and, therefore, South Australia to be demonstrating itself as being a productive entity, one which complied with its charter, namely to operate in a commercial manner and to provide best value for money for taxpayers.

So after a history, year after year since its inception, of complete financial disaster and pathetic excuses being presented to estimates over the last three years (the last answers from which came in yesterday, from 2014, to tell us what they sold or did not sell or what their forecast was for estimated revenue, etc.), it is even more important that the information in the budget this year for Renewal SA—that is, the Urban Renewal Authority trading as Renewal SA—is accurate.

The fact that it presented a dividend of \$11.6 million to the government just five weeks ago when the budget was handed down was, at first blush, encouraging. In fact I read it, and I am sure that others in South Australia read it and were comforted in some degree by that publication, because they would have thought, 'Well, it got off to a pretty rotten start financially, but it seems to be turning around, so much so that it is able to provide a dividend to government in the order of \$11.6 million.' Great.

However, within four weeks we had the minister responsible, the Deputy Premier in his role as Minister for Housing and Urban Development, tell the committee that, in fact, no payment had been made: not the \$11.6 million, not any lesser amount, nothing, not one single dollar. Furthermore, there had been this discussion, this conversation, which resulted in the expectation that nothing would be paid.

It is concerning to me, and I think it should be to other members of the house, that there was no public statement by the minister on that issue, post the budget, to advise South Australians that what was published in the budget was not going to happen, that there had apparently been a change of circumstances, and that there was an expectation that that money would not be paid. Far from it, in fact. The minister, in his role as minister, came into this parliament in the weeks after the budget

had been published and made statements, including in respect of projects managed by Renewal SA—in particular, I recall a statement to the parliament a week before the end of the financial year in respect of the progress of the conditions precedent being fulfilled under the Gillman consortia project—yet he still did not tell the parliament or make any public statement to correct the record.

It was not only him as the minister, but indeed the Treasurer, who also presented to this parliament in the weeks following the budget; not a single word from him to say that there had been a change in that. There had been no disclosure to the people of South Australia until this committee convened and questions were asked as to the payment of that dividend. It gets worse, because the Treasurer has also been asked how this matter was to be pursued and what had happened, and what his answer might be as to when he had apparently approved the release from the obligation to pay the dividend as published in the budget.

On 28 July, during Estimates Committee A hearings, my colleague, the member for Schubert, asked the Treasurer when the Urban Renewal Authority board had considered the payment of the dividend and in particular the release from it. His response to the committee was:

As required under the Urban Renewal Authority Act 1995, the Urban Renewal Authority board considered the payment of a dividend before the end of the financial year. The board recommended to the Minister for Planning and Urban Development that no dividend be paid. The board would prefer to use the funds to pay down their debt rather than pay a dividend to the government.

I am aware that in this estimates committee the minister indicated he is supportive of the Urban Renewal Authority retaining these funds. As required under the act, the minister is required to consult with the Treasurer prior to this matter being finalised and I understand that the minister has recently written to me on the issue. I will consider his correspondence.

Let us just consider that statement. The Treasurer has told the estimates committee that, some time in the 12 days from 18 December, when he published the budget, and the end of the financial year, the Urban Renewal Authority board had considered the payment of the dividend and had put a recommendation to the Minister for Planning and Urban Development. On 22 July 2015, when the Minister for Planning and Urban Development answered questions about the Urban Renewal Authority, he indicated that there had been conversations for the release. He made no mention of having written to the Treasurer, as the Treasurer had indicated to our committee on 28 July. He made no mention of the fact that the approval by the Treasurer was yet to be received.

In fact, yesterday, on 29 July, a day after, minister Koutsantonis told the committee that he could not even provide the date of the board meeting, that we would need to refer back to the Minister for Planning and Urban Development, who, incidentally, did not know when he gave his evidence to the committee on 22 July. Then, the minister yesterday tells the parliament that, yes, a letter was sent and that it had been sent since 22 July, since he had given evidence to the committee and that he still did not have a date for when this board meeting had occurred.

All of this just confirms to the committee, and it ought to this parliament and to the people of South Australia, that the government is prepared to publish a statement suggesting at least the improved if not flush circumstances of one of its bodies, namely the Urban Renewal Authority, rather than admit to South Australians that it is in this mess. They will do whatever it takes to keep the circumstances surrounding it a secret from the people of South Australia. It gives no confidence to the people of South Australia that these people have any clue about whether they know what they are doing in relation to the financial management of the state or the responsibility to supervise the operations of this entity.

Remember that this is an entity for which the chief executive is directly legally responsible and accountable to the minister, not even to the board. He or she who is appointed—it is currently filled by Mr John Hanlon, who was appointed earlier this year—attends the board meetings and they are a member of the board in a role that is obviously important, but they have a direct line to the minister.

They have a direct line of responsibility to the minister, not even to the board, yet we have sat through an estimates committee in which, in the last five weeks (but according to the Treasurer, in the last 12 days of June), the board has met and determined that it would request a relief from the dividend to be paid, yet the minister responsible was neither able to give a date to the parliament on 22 July, nor was he able to give it to the parliament on 29 July.

We are not talking about some new minister that was appointed yesterday. We are talking about a senior member, the Deputy Premier, of the government who is clearly an experienced minister who is capable of giving a number of answers to questions during his day contribution to the estimates committee and who had Mr Hanlon sitting right next to him as the chief executive of the Urban Renewal Authority (trading as Renewal SA) throughout the questioning in respect of this matter and who is a member of this board, and he is still not able to give that information to us. At first flush, the government clearly—even on the best interpretation of this—is wanting to give a good impression of the functioning of this entity at the time of publication of the budget and has done nothing to inform the community of the proposed relief of payment of \$11.6 million.

I do not know whether the government thinks \$11.6 million is just nothing or whether it is something so minor in the scheme of things that it does not really deserve any attention, but any right-minded member of the community and any right-minded member of this parliament would have to say that \$11.6 million is a lot of money, especially when we have people out there begging for consideration by the government for grants or allowances to be made or an increased contribution for the services they are providing. In that environment, and in an environment in which the state is faced with the highest unemployment in the country and in which services are under pressure, for the government to be somehow rather dismissive of \$11.6 million, I think, is disgraceful.

In any event, the government, I suggest, have a long way to go in explaining to the people of South Australia what has happened in relation to this and why they were not prepared to make that clear in the explanatory material in the budget, even if it was an aspirational target of payment and to be able to indicate that in the published material. They have made no public statement subsequent to that and then continue to, frankly, absolutely refuse to provide information to this parliament. They might think they are cute. They might think they are clever. They might think they are able to avoid questioning by the committee and therefore will avoid public scrutiny.

I will say that I am so concerned about this matter that I have referred it to the Auditor-General for further inquiry. Late last year, the previous Auditor-General tabled a damning report in respect of the functioning of the Urban Renewal Authority and, in particular, its failure to properly manage the unsolicited bid proposal, amongst other things, in respect of the Gillman fiasco.

The process was so exposed to be of inferior application that in fact the government published, at the same time, a new process for the consideration of unsolicited bids, and a new set of guidelines were promulgated. A new person (the Coordinator-General) was appointed to undertake the scrutiny of that, so it has been taken away from the Urban Renewal Authority, who handled that disaster.

We are in a situation where the Auditor-General has been highly critical of a number of aspects in respect of dealing with that unsolicited proposal. They were all critical of the Urban Renewal Authority. There was some fairly damning comment about individual members of the board in respect of conflict of interest issues and of the disclosure of information by the relevant ministers of the time to the cabinet and the like. But, on this issue, in respect of the operation of the Urban Renewal Authority, the Auditor-General's office has already had, in recent history, some damning report to his parliament about how it is operated.

The other scathing reports were provided by a judge of the Supreme Court, and in fact even more recently, in the dissenting judgement as to the conduct of the Urban Renewal Authority and members of cabinet, in particular, the Treasurer. This is not the place to go into that today. It just seems to me that the government, if it even read last year's report and took any serious notice of it as to the operation of this entity, it would have been absolutely scrupulous in the information that the Treasurer published in the budget, and it would have been scrupulous in its attempt to implement the disclosure of changed information about this entity. It would have disclosed that to the parliament, and would not go through this pantomime of contribution by ministers refusing to even give a date of the apparent board meeting, to resolve to seek relief from payment of this dividend.

We will see what the Auditor-General has to say when we have his report. A new Auditor-General has been appointed, and I wish him well in his challenges in managing to audit not just the finances but also the processes of this government. In the time that I have been here, the report seems to be an ever-thickening number of volumes that come to the parliament each year. I did

actually recently have a look at an Auditor-General's Report from about 25 years ago; it was one volume. Now, I think we get about five volumes, which probably tells us something about the concerns that are raised.

It may be that there is just a much greater scrutiny of government operations by the Auditor-General's Department and that there are many more rules and processes to follow. But, sadly, we have an extraordinary and ever-increasing number of matters of concern and matters for comment which are published in the annual report of the Auditor-General. Frequently, we have interim reports relating to entities where there has been some very specific and further investigation by the Auditor-General. That in itself is concerning.

We pay hundreds of millions of dollars to operate the Auditor-General's Department, and we do so because this parliament, through processes of committee referral and the like, appoints the Auditor-General on behalf of the people of South Australia to undertake this very important role of scrutiny.

I have personally sent him this issue. It is, of course, entirely up to him to consider it but I, for one, say to this parliament: I think the government have been derelict in their responsibility—multiple ministers, particularly the Treasurer and Deputy Premier—in advice that they have given in the publication of this budget and in the evidence they have given to this committee and, therefore, they have taken a course, I suggest, of deliberate concealment from the people of South Australia of the real state and plight of this entity.

That is, I think, a disgrace, and they should hang their heads in shame and, quite frankly, it is a matter which the Premier should address. We had this absurd situation, as I say, just in the last couple of days where the Treasurer says, when you ask for further information, 'I don't have that,' and he says, 'I would refer you to the Minister for Planning.' What a joke. He did not have a clue, either, according to his evidence to the committee.

I turn now to other matters which were raised during the course of the estimates committee and I refer, firstly, to the Attorney-General's and courts areas. On the courts matter, the parliament would be aware that we have a separate statutory body, the Courts Administration Authority, which is headed by the Chief Justice of the Supreme Court, who is responsible for the general management of the courts. I put that in a general sense. It is not a universal practice for heads of the judiciary to be a head of a government department but, for several decades now, it has operated in South Australia.

I think it has some merit, certainly in its establishment. It was important as an extension of the significant aspects of having a separation of power and independence of the judiciary that the head of the judiciary be the head of the department and, in that way, there would be at least some form of independence in the application of the budgeted money of the government of the day towards the operation of courts and the services that are provided to the public for that important service.

Except for a small amount of court work that is within the purview of the High Court and federal courts, South Australia's state parliament and the state courts deal with the overwhelming majority of court matters for South Australians. They almost exclusively deal with criminal matters. There are some customs and other aspects that are dealt with at a federal level but the criminal conduct of South Australians and the prosecution of those are put through our state courts, and still a very significant amount of our civil litigation and applications made by South Australians to have access to injunctions, protection, compensation and the like are dealt with by our state courts. So it is a very, very important service.

During the course of estimates, the Chief Justice, accordingly, attended the committee as the head of the Courts Administration Authority. I thank him for doing that. He is, obviously, in a senior position. He has an important role to carry out as the chief judicial officer of the state. I want to particularly thank him because, as I say, except for a very small opportunity for him to give some comment to the committee, largely on the government's failure to fulfil judicial vacancies in the District and Magistrates courts, he sat through the estimates time, which was, I think, a couple of hours covering that part of the scrutiny, without any invitation otherwise to make a comment or contribution.

Again, this is an area for which I have been responsible on behalf of the opposition and therefore asked a number of questions on during estimates hearings. In that time former chief justice

His Honour John Doyle appeared. He was, particularly under the previous attorney (now Speaker), given the opportunity to outline to the committee aspirations that he had for the development of the Courts Administration Authority and its services, including its infrastructure.

However, this year, even more stunning than the last few years, was the effective exclusion of the invitation to the Chief Justice to be able to make any contribution to the committee. What was even more concerning to me was the frequency at which the Attorney-General would answer questions without even conferring with the Chief Justice. Now, it is possible they had a long briefing before and the Attorney said to the Chief Justice, 'Look, I'm likely to be asked by Chapman a whole lot of questions on this, this and this, what do you think I should say?', or 'What's your view on it?', so that he was fully briefed and able to say to the committee, 'Look, this is the situation'.

But time and time again he had the Chief Justice sitting next to him and time and time again the Attorney-General just said, 'Well, I'll take that on notice.' He did not even have the decency, some level of civility and respect, to the turn to the Chief Justice—whose time is precious, who is trying to run a court system in archaic infrastructure and without his full complement of judges—and inquire, question after question which were taken on notice, what the government's response ought to be.

I think that is indecent, and I think that it shows a level of respect which should be a concern to South Australians, especially in this important area. I will not go through the detail again, but I will say that similarly when the Deputy Premier in his role as Attorney-General for the Attorney-General's Department similarly had the chief executive of that department (who had given evidence this year, as you would expect, before the Budget and Finance Committee of the parliament on a number of the issues raised during estimates) sit next to him, with again an army of advisers who had information either in their head or at their fingertips to be able to provide information to the committee, and he was effectively excluded from both consultation and contribution to the committee. That is, again, contemptuous and insulting, and I think a gross insult to the senior members of the departments.

On the particular issues that were raised was the questioning and request for information to the committee on the abandoned courts precinct project. That is a project which in March this year the Attorney-General announced after years of promises and after two years of direct planning since the announcement of a scoping report was being funded (I think, at some \$300,000) to develop a courts precinct and which previous reports given to the committee indicated it was advancing.

In fact, if it had progressed, building would have already started and finished by early 2017. In any event, the government announced that it had been abandoned. As to simple questions to the Attorney up until the abandonment in March this year about the money spent in the nine months of the preceding financial year and any funds that are there for future allocation of this infrastructure project in a new rescope form or otherwise—again, little information.

Yet the government were clearly on notice because, again, the head of the Attorney-General's Department, Mr Perse, and others (I think Ms Burgess, for example) had just in recent months given extensive evidence to the committee about the ongoing project and their involvement in it. So, even a simple question about how much money had been spent so far was unable to be answered.

Here, again, is a classic example of our not only not getting answers from the Attorney-General—who had been publishing the great commitment of the government to build a new courts precinct over the last few years, espousing its virtue, understanding its necessity, obviously promoting its haste up until the day of abandonment—but of his coming to the committee and not being able to answer questions. When pursued about a number of questions in respect of the tender process and the like, he says:

...I think you would probably need to direct those questions to my colleague minister Mulligan because the management of the tender process and all matters associated with that fell within the purview of his department.

Then later:

That would be a matter which I believe minister Mulligan and/or Mr Deegan would probably be best placed to assist you with, because that was their bailiwick.

After a further question, he says:

But, then again, because it is not specifically my business, if you understand what I mean, I have not had myself tuned into those matters in any particular way. So, again, I think I can do nothing better than suggest you inquire of minister Mulligan about those matters.

That was on 22 July. Of course, as I have indicated to illustrate the juvenile behaviour of the Minister for Transport and Infrastructure on these matters, he responded in his committee on 23 July, the next day:

I am not interested in what the Attorney-General does. I am interested in my portfolio of responsibilities—

Well, we have been through how disrespectful that is to his own cabinet colleague. In any event, having been furnished with page of the *Hansard* on which the Attorney-General had made these statements of which I have just read out, he declined to give any answer to the committee.

Then, of course, on this matter, interestingly again, on the merry-go-round of inquiry, this wild goose chase of inquiry with no answers the committee is sent on—there is certainly no goose at the end—was the statement on 28 July this week when the Treasurer was asked questions by again the member for Schubert about the details of any compensation the government had paid to any of the bidders involved in the courts precinct PPP and other questions in relation to the value of that and other liabilities. And guess what the Treasurer said? This is the Treasurer who is supposed to be in charge of our money, who would be aware that his own government has paid out other compensation payments when the government has failed to advance projects, including, as some members would remember—I am sure the member for Hammond would remember—the aborted prisons project, of which I think there was about \$10 million paid out to bidders who had gone to the expense of presenting material.

I can remember statements of treasurer Foley to the parliament explaining that for some reason they suddenly could not afford a \$500 million new set of prisons. I bet they wish they had built them now, given the overflowing nature of what we have. They are hanging off the rafters. In fact, I think we have the biggest number of prisoners in prison in the history of the state, as we speak. So, the current Minister for Correctional Services would have been pleased if that had happened. In any event, it was aborted and money had to be paid out in compensation.

Guess what the Treasurer says when he was asked, on 28 July (for members' benefit), only a few days ago? He says, 'I would refer you to minister Mulligan.' Well, what a joke. What a joke. Mr Mulligan says he is not going to answer, after it has been referred to him by the Attorney-General, and when the Treasurer is asked he says, 'Go back to minister Mulligan.' It is just laughable.

If it was not so serious, if we were not talking about the abandonment of the one and only, the most significant, the highly promoted promises of this government to build a new courts precinct and the abandonment of it and the, clearly, years of energy and expertise, including that of the Chief Justice, who has supervised committees and panels for the purposes of looking into the design and development of this project, and the cost that clearly has been associated with that, including a scoping study which we know had a budget of \$300,000, it would be laughable if it was not such a serious matter. But here we have this comedy playing out in estimates of the most senior ministers, on the face of it, not having a clue about what is going on and referring it back and forth to each other. I mean, what level of competence is in this cabinet?

So, it is a disturbing situation. For a matter which had been the basis of, I think plea is not an unreasonable word to use, of members of the legal fraternity, not just the former chief justice who had given evidence year after year in the time I have been here of the desperate need for an infrastructure upgrade of the courts. He gave evidence about his incapacity to even access his own courts at one stage when he had an injury overseas and was in a wheelchair. So, not only were the facilities not contemporary but they were of such a poor state and such inaccessibility for wheelchair—

**The DEPUTY SPEAKER:** Non-BDA compliant.

**Ms CHAPMAN:** Indeed. Certainly, the existence of a number of our heritage buildings are plagued with some of the difficulties in accommodating new facilities but because there had not been an upgrade, because there had not been a new precinct for the courts being built, he could not even get into his own court.

Then we had, last year, the extraordinary situation where it was disclosed that there was what I described as a mattress, a plastic covered foam piece of equipment about the size of a single bed mattress, as has subsequently been exposed on mainstream television media, placed at the end of a stairway in the Supreme Court building to avert injury for anyone who might slip down the stairway. It is a disgrace. When I asked this year about the Attorney-General's knowledge of this mattress, now that it had been exposed on statewide television, his answer was that it is not a mattress. Well, what a joke!

Again, that is just dismissive and disrespectful of those who work in the precincts of this court and the South Australians who appear there as claimants, plaintiffs, witnesses, support persons, interpreters—the people who are employed there on a daily basis—all the court staff, reporters and the like. These people have to work in a building in those conditions. Year after year we have heard about that and we have heard from the chief justices who come here, now two of them over a sustained period, and from bodies such as the Law Society of South Australia, the Bar Association and representatives from the Legal Services Commission about the failure to provide that for the people who, at a professional level, work on a daily basis in the precincts of these facilities.

Whilst we have had this public persona and profile of the government espousing this important project, we saw in March this year the government's abandonment of it. The abandonment of this state-of-the-art, highly necessary piece of infrastructure that was being promoted by the government about how good they were in getting a pat on the back for proposing to do it and how they had spruiked it had another direct consequence of not having a reasonable standard of infrastructure and contemporary design.

It has very substantially delayed the introduction of e-technology into the courts—whether that is the electronic filing system or the provision of the tabling and reference to documents that are tendered during trials in relation to video technology that is available for adjacent or off-site witnesses. All sorts of processes have been impeded in their implementation as a result of the inaccessibility into a heritage listed site, which includes the facade around the Sir Samuel Way Building, but particularly relates to the Supreme Court house, the original Supreme Court house on 1 Gouger Street.

I think it is fair to say that the profession and others who were working with the government on developing the new court system had a general understanding of the false economy of progressing to try to implement a number of these advances and technologies that would help to make it more accessible to justice, reduce the cost of administration of justice and the operation of our courts, if the government pursued an attempt to retrofit the old infrastructure rather than building the new. So there was a level of patience—stretched to the limit, but a level of patience—exercised by repeated presidents of the Law Society, presidents of the Bar Association, other leaders and important law stakeholders who accepted on the face of it that it was going to be cheaper, quicker and easier and a lot less waste of money if they just waited until the new courts infrastructure came forward rather than trying to retrofit the old.

I commend them for that. I think they displayed an enormous amount of patience and certainly were keen to work with the government in developing the new project. So they were, understandably, very disappointed at the ultimate announcement of the abandonment of this project.

I also place on the record, in respect of this project and its abandonment and apart from the lack of detail provided to the committee, the disappointment of, and again, the failure to recognise, on behalf of the government and particularly the Attorney-General, the independent judiciary and the profession, but largely those who work in this field. When the government made the announcement—which occurred on 12 March 2015 with a published position in the paper—the prompt response, within a very short time, was that the President of the Bar Association, Mr Andrew Harris QC, published his disquiet (and that is an understatement) and obviously concern about the announcement that there would be a delay in the proposed new court development. He made some fairly scathing comments in respect of the publication on behalf of the South Australian Bar Association.

Bear in mind that at this point the government had not given any notice, other than, 'Look, you can read it in the paper that this project has gone west,' but it was certainly talking about a delay.

Shortly after that Mr Harris was sent a letter from the Attorney-General, as the President of the Bar Association from the Attorney-General, which said:

As you have no doubt seen reported in the media, the government recently terminated the existing procurement process for the Courts Precinct Renewal Project. I want to explain to you why the government made this decision.

Government must ensure that value for money considerations are paramount when making decisions concerning infrastructure spending. The proposal put to government did not meet this requirement, although the design was certainly fit for purpose.

The government continues to recognise the need for the courts to be renewed, although not at a cost that does not represent value for taxpayers. The government will now consider further options

I will continue to advocate for investment in the courts. Further consideration of a courts precinct development and IT provision will now occur in the context of regular budget deliberations. I will keep you updated on progress.

Well, guess what? There was not much of an update. There was an announcement by the government in the budget speech by the Treasurer that there would be some window-dressing in maintenance of the facade of the Sir Samuel Way Building, that there would be provision of some funds to overhaul the current primitive case filing system, and that there was an allocation of \$20 million in funding for an electronic case management system in the courts. However, it is a far cry, as one would expect them to say, from the proposed state-of-the-art court building that was being spruiked by the government.

There was further disappointment that day. Whilst the Attorney had allocated his department money to do some justice reinvestment review and inquiries, there is absolutely no money in the budget to follow through with any projects that might be recommended from that inquiry with the view to, in theory at least, reduce the dependence and use of the court systems—length of trials, etc.,—so that whatever was to come out of those trials would be more effective (crime prevention models and the like). There was absolutely no money to them for initiation. We will have to wait until next year for any advance, it seems, on whether the government is going to even progress those initiatives with any funding.

Quite clearly, during estimates the Attorney-General talked about a five to eight year time frame realistically before this is even back on the agenda as far as the court precinct project goes. That means that we will continue to have archaic infrastructure. We will continue to have what the former chief justice described as the worst superior courts in the nation. We will continue to have what I suggest is an unsafe and unsatisfactory workplace and a public precinct where members of the public, when they require the services of the courts for enforcement of their rights, their lawful protection and entitlements to compensation, are faced with that disgraceful level of infrastructure.

Secondly, in the estimates was the indication by the government that they are not giving any commitment to fulfil the vacancies for judges in the District Court and Magistrates Court, two in the first and one in the latter, or even a commitment to replace the Chief Judge of the District Court. Whilst the Attorney was prepared to say that there would always be a chief judge, because of course he has power to appoint one of the existing judges to undertake the role, a commitment to replace the Chief Judge on his retirement in the next 18 months or so has not been provided for.

After quite a bit of questioning about that, the Attorney-General then announced, I think to the shocked surprise of the Chief Justice sitting next to him, that he is considering a restructure of the courts. From the media that followed that—although the Chief Justice made no public statement that I am aware of—from other legal stakeholders, it was totally new to them. His ultimate excuse for not filling the vacancies so that the courts can administer its services and obligations to South Australians was to say that he is now considering a restructure of the courts. That could appear, on the face of the model that he floated—that is, having a permanent appeal court and one superior court and a magistracy—effectively the abolition of the District Court.

I had occasion to reread the debates of the late Len King, who was member for Coles, attorney-general in the 1970s in this parliament and later a long-serving and well-respected chief justice of the Supreme Court. He was, at the time of the establishment of the District Court, the attorney-general responsible. Very powerful arguments were presented to the then parliament, under the Dunstan administration, about the efficiency of operating a District Court to do a significant amount of criminal law—that it would be cheaper, more efficient, and so on. They were very

persuasive arguments, sufficiently so that the then Dunstan government established a District Court. The parliament passed that and the government appointed District Court judges to undertake the role.

I have not heard the Attorney make any public statement in his time as Attorney since 2010 to suggest that there is some deficiency in the operation of the District Court or the Supreme Court. There may be a valid reason for introducing a permanent court of appeal; some other state jurisdictions have that. I have not heard of that personally, but I think by the sort of shocked look on the Chief Justice's face, it was probably the first time he had heard about this novel approach that was apparently under active consideration by the Attorney.

I would suggest to the house that, whilst he might have been thinking about it, he certainly had not shared it with the general legal fraternity, let alone the judicial hierarchy, as to what his intentions are in this regard and what he is thinking, and he certainly has not brought it in here for consideration at the public debate level or extended any issues paper. His department has been pretty prolific in putting out issues papers on every possible thing you can think of since the 2014 election, probably because he has run out of ideas and needs to harvest a few from the rest of the state, but there is no mention of the restructure of the courts that I can find in the documentation he has produced to date. In any event, that was his answer to not filling the judicial vacancies that are currently vacant, separate from those which are long standing which have not been filled over a number of years.

Finally, can I just say in respect of his contribution to the estimates committee, which I thought was appallingly deficient at best, there was his attempt to present to the committee about the ongoing profit making of the Victims of Crime Fund under his jurisdiction, which is now running at a net \$40 million a year increase to that fund. It is a fund which is now over \$200 million and which is now running at an estimated \$40 million a year that it is going to make over and above payments out for legislated purposes, including provision of victims' services, the operation of the Victims of Crime Commission, various other projects that it has, and the payment of compensation to victims of crime.

Even with the foreshadowed legislative increases to the amount available to the most catastrophically injured, the extra provision for bearing costs and the provision of service for counselling for children of victims of murders—even with all of those initiatives which are under consideration by the parliament in another bill—it is going to make \$40 million a year.

What came out of the committee inquiry in relation to this, I suggest, was a pathetic attempt by the Attorney to make it look like he did not have any choice in the ever-accumulating fund that was burgeoning with money and that that was all under the control of the Treasurer. He gave some weak, limp-wristed, pathetic contribution on the fact that he was thinking about some men's training program to deal with domestic violence which, incidentally, when I come to minister Gago shortly, she did not seem to have a clue about.

In any event, that was his excuse for allowing this fund to keep increasing at \$40 million, that he was thinking about dealing with this pressing and clear problem of domestic violence in this state, and that he is thinking about some projects that he might bring to the parliament for consideration. Why? Because, more than likely, he will need amendment to the legislation to implement them.

I and other members of this house have made public statements here and in the general public arena which support the fact that domestic violence is a scourge in our community, that there are women and children in particular who are victims daily, including of murder, in this state, and yet we have a burgeoning fund for victims of crime and the Attorney comes into the estimates and tells us he is thinking about a possible program that he might activate.

So, when he is asked, 'Well, we have got the victims of crime legislation open; do you think you might consider adding into it a charter to develop some programs to apply for the benefits of these victims in order to help with anger management training and the like of people who perpetuate these crimes, or directly to the victims, or advertising campaigns to make people more aware, or information that might be available to victims or to people who suspect they may be in a risk situation as to where they might get protection, or extra provisions to deal with the coronial inquiries in which

women and children have been victims of domestic violence and have died at the behest of crimes such as these?', the answer is no, he did not even think about whether he might do that.

Did he think about whether he might, on the other hand, with this burgeoning amount of money accumulating, which is there to bolster the Treasurer's budget, give some relief to some of the people who are convicted of crimes, and in particular, children? He admitted to the committee he was aware that magistrates had no capacity to have any discretion to relieve the obligation for levies to be imposed when those children are convicted. So, unless their parents come up with the money (assuming they have parents who are in a position to make those contributions), we have this burgeoning amount of unpaid levies and fines that apply to children. He, as the Attorney-General, knows about that.

Did he offer to the committee, when asked about whether there might be some relief to children who are victims, anything in relation to whether there could be some discretion to give to magistrates to suspend the operation of that, in light of the circumstances where we have this burgeoning amount of money accumulating in the coffers of the Treasurer's office? No. He came back with this pathetic excuse that he was really under the control of the Treasurer—the Treasurer had all the power.

The Attorney-General happens to be the Deputy Premier and he is a member of the cabinet, and I think it woefully irresponsible on his part to not have acted to ensure that these funds are either applied for the purpose which they are being harvested, or that there be some relief from the operation of those, particularly in circumstances where the government has no hope in hell of recovering that money.

I have dealt with the Minister for Transport and Infrastructure. His contribution was arrogant and juvenile, and I am not going to keep going on about it. I will just make one observation in respect of his puff and wind about the great contribution his government is giving to infrastructure in this state. Every single group, whether it is Business SA, the CCF, the Master Builders Association and SACOME (which of course deals with mining and resources), has been publishing submissions and repeatedly presenting to the government the need for infrastructure in this state, whether it is in roads, bridges, or deep sea ports.

These are things that have been around for years, and yet we have seen a plummeting in the allocation of funds for infrastructure in an environment which I think is very dangerous: namely, high unemployment and a number of large and small entities who rely on a continuous flow of work in this area to be able to stay financially alive, or alternatively, to stay in the state and not go to greener pastures in other states to be able to pursue it.

To see a situation where we have gone from \$1 billion, \$1½ billion to \$2 billion a year in infrastructure down to something like half a billion dollars a year is despairing. I do not know whether the minister walks with his hands over his head saying, 'I can't hear, I'm not listening,' like some two year old or whether he has actually read some of these submissions and understands the importance of the continuous and regular provision of government contracts for infrastructure. Our own leader has invited him to bring forward some of what the Treasurer has already allocated to use to advance further infrastructure. I just think it is juvenile and arrogant.

Finally, I conclude on the performance of the Minister for the Status of Women. The current minister, who is a member of the other place, I think is the longest serving minister for the status of women in the parliament. Previously, I can recall the Hon. Steph Key (the member for Ashford) was the first minister I dealt with and worked with, I think, quite cooperatively, at the time of the establishment of the then new Rann government. Anyway, the current minister is long serving, and can I just highlight a couple of things about her contribution to Estimates Committee B.

It fulfilled my general expectation that it would be disappointing, at best, and display a level of ignorance, at worst. I do not think it was incompetence, and she has, generally, a desire to do good things for the recognition of women in public and private life; I think she is genuine in that regard. But she came to the committee again, after all those years of experience, petulant in her refusal to even address the fact that ministers in the cabinet are not doing what the government promised in their targets and their obligations to ensure that women are represented not just on boards and in high levels of departments, but in ministers' offices.

Under the Hon. Steph Key, we used to have not just compliance but also pride in ministers' offices recognising a complement of women advisers and the like, but now we do not even get that. She could not even tell me the breakdown of females in her own ministerial offices.

**Mr Picton:** Yes, she did.

**Ms CHAPMAN:** No, she didn't.

**Mr Picton:** She did. I was there.

**Ms CHAPMAN:** She claimed that there was a majority.

**Mr Picton:** She said that there was only one guy.

**Ms CHAPMAN:** That was in the office of the Minister for the Status of Women, not all areas of her ministerial responsibility, and the interjecting member might observe she does have some areas of responsibility. I know it would be hard to pick sometimes, but she does. There was a wealth of advisers, which she is entitled to have appointed, in her other areas of ministerial responsibility. She had the opportunity to come to the parliament and say, 'Look what I've done. This is important. This is an advance of the government.' Has she had a little bo-peep at what is happening in the Premier's office or the Deputy Premier's office or the Treasurer's office (that is a real winner)?

She came back to the committee again this year and did not even say, 'I've actually taken this up with my cabinet colleagues and our government is committed to this not just in statements but in deed and, as the representative for the status of women, I have been taking this matter up and I can report to the committee, confidently, that there has been an advance in this area and this area.' She said, 'The member for Bragg asks me that question every year and I'm not going to give it to her.'

Here is an opportunity for her to make a difference. She is a senior member of the cabinet. She is the Leader of the Government in another place. She is not someone who has just been preselected for the Labor Party last week. She has been here all the time I have been here in the last 14 years. She has been a minister and in a senior role for a large part of that, yet we have this pathetic rejection of any invitation to advise the parliament what they have been doing and doing well.

For all the rhetoric about domestic violence, the biggest disappointment to me this year was the minister's advice to the committee that the Premier's Council for Women had not even been sent or referred the amendments to the intervention orders which were recently passed in this parliament for the protection of women and children in domestic violence situations. Now she says, quite correctly (and I agree with this, and I did in the committee and I do every year), that the Premier's Council for Women set their own agenda—they look at the matters they consider important; and, in fact, apparently they did a survey to identify what the community thinks important and they have taken up and identified a number of issues.

One of them is domestic violence. So would you not think that the first thing that the Minister for the Status of Women would do would be to send a letter to the chair or co-chairs of the Premier's Council for Women and say, 'Dear council, given your indication of commitment to working with and developing processes and programs to deal with domestic violence, the scourge of this issue in our community, I would like to bring to your attention the proposed legislation by the government (it's going to be introduced by the Attorney-General) to deal with the fix-up in relation to improving, apparently, the intervention order process for you to have a look at.' Would you think that you would even have just the wit to do that—not to direct them, not to insist that they look at it but to even ask for their advice to consider it? No. As usual, she is asleep at the wheel on this, and it is very concerning.

I listened to the minister's statements on a number of occasions in respect of her personal commitment to the advancement of women, the representation of women in public and private life and the protection of women in a number of areas and I accept that they are genuine, but, frankly, she has either got to follow through or the Premier has to rethink who is going to be in charge of this important area.

Finally, can I say that the budget is, of course, generally a disappointment. The processes of the government in its elaboration of its budget in the Estimates Committee does not resolve the fact that the government has decided to increase the emergency services levy revenue, to close the Repatriation General Hospital, to significantly downgrade and close in some areas the emergency departments at The Queen Elizabeth Hospital and the Noarlunga and Modbury hospitals and that the state debt will still reach a massive \$37.7 billion by 2017.

There were no new major infrastructure projects that have even been earmarked. The government has broken its commitment to create the 100,000 new jobs by 2016—and daily we hear the pathetic response of the government, particularly the Premier, as to the capacity for that to ever be anything other than a dream—and the government's broken promise not to sell state-owned assets, including the sale of the Motor Accident Commission.

I mention the privatisation of the insurance in respect of this area (and I think a bill is to be introduced today) for the future regulation of that area (currently government business) which is going to be open to the general private market, but in addition to that the failure to put back any funds which it has previously raided out of the Motor Accident Commission and its further carnivorous raid on the Motor Accident Commission all are to be condemned.

South Australians are already in a situation where we have a massive unemployment rate, the worst in the country, a scandalous rate in the northern suburbs of youth unemployment and no recipe or pathway out of it, and in that sense the budget is very disappointing. I just see it as a misrepresentation. If the government were in the corporate world it would be prosecuted for misrepresentation to suggest that this is a budget which is designed to be a jobs budget when clearly it is not.

Can I ask the government, as I have been watching the publications of the Centre for Economic Studies—from time to time the government seem to pick up its recommendations when it suits them and ignore when it does not—to read a series of current publications, and the second was published just this week, dealing with, essentially, the demise of certain manufacturing industries in South Australia—some of them are prominently well known, of course, the car industry for example, but there are a number of others—and how we might ensure that we have and maintain manufacturing industries and job opportunities for South Australia.

The publication in this series is titled: 'Where do we go from here? South Australia's Economic Prospects Going Forward and the Role of Government'. Can I urge that they read it, every single one of the cabinet, and recognise that the policy deficiencies that they are proposing are in direct contradiction to what is being recommended here, and what is given, and what is known.

What they highlight is that certainly total manufacturing employment in South Australia has continued to be under pressure, largely because of the demise of manufacturing and the overall loss relating to motor vehicle and motor vehicle parts manufacturing. However, there have been some signs of hope, they tell us, in relation to the development of jobs in food production. They particularly highlight meat and meat products, seafood, dairy and fruit and vegetable processing, and grain milling and bakery products as an area for opportunity.

They make the important observation, which the government should take notice of, that other identifiable areas showing some growth are in transport equipment, specialised machinery and equipment manufacturing, and other machinery and equipment manufacturing, which they point out largely appears to be on the back of the growth of sectors in agriculture, horticulture, etc., and the development of manufacturing they have identified. But they say that the focus for policymakers, business and employees should be on, and I quote:

- what are the sustainable factors, natural and created, that South Australia can use to advantage to have competitive and growing manufacturing businesses in very specialised areas; and
- what are the regulatory; other public policy issues, such as defence or nuclear cycle policies; and cost and training issues that might hinder or support such growth?

They talk about the comparisons with other states, which is rather distressing reading actually, but, nevertheless, it gives us a wake-up call as to South Australia's position in this, but they say here, on page 17 in particular:

The public policy responses are particularly important in the South Australian context as on current trends our workforce and local tax base will be declining faster in relation to the overall South Australian population than will be the case in most other States. How we sustain our living standards relative to the other States will therefore likely depend increasingly critically on how effectively local public policy responses impact workforce productivity; business investment and profitability; industrial adaptiveness and flexibility; and the efficiency and efficacy of public sector spending.

They later say:

Returning to the issues of which sectors can grow relatively faster to help improve South Australia's economy relative to the rest of the States, we should not try to pick winners. We can, however, discuss what may be the 'right conditions' for increasing sectoral and overall employment and income growth.

So I ask the government to have a little look at what is being done to try and help the government understand where it is to go. The Treasurer seems to be clueless. The Premier keeps defending his aspirational targets of employment and trying to pretend that it is all still a problem from the GFC and other nonsense. The Minister for Trade, who is pretty new to his job, has been making, I think, some general statements which support the direction in which we should be going, but his influence in cabinet seems to be zilch because he has not actually attracted any outcome from that. In fact, he has not even been able to convince the representatives of the cabinet to stay at the ALP National Conference last week to insist, as Simon Crean suggests, that the China-Australia Free Trade Agreement be advanced.

Surely he would have said, 'Look, Premier, if you're going to dip out of the conference and not hang around for that debate, can you send me or send somebody else so that we can have a say on this and make sure this is passed and that they are not playing politics with it over there to prop up the federal Labor leader in Canberra in further debate on it. Get it passed. It is important for South Australia.'

So, for the Minister for Trade to stand here as a member of the government, of the cabinet, and say, 'Yes, well, actually it's got some merit,' and then have the Premier of the cabinet he sits in abandon even the opportunity to make sure it passes in the federal convention of the ALP is just ridiculous. It is absolutely ridiculous. It indicates to me that they are all very good on the rhetoric but refuse to actually address the big issue.

If I could give you one example of how absurd the policy of the government is, it is that it is in direct contradiction to what groups such as the Centre for Economic Studies at the universities of Adelaide and South Australia contribute to public policy debate. Just let me give you a little insight into an example of the ridiculous, superficial and ineffective policy they perpetuate without understanding the significance to the state.

When the government announced its new WorkReady program which was to have a new regime of how they would fund training places, in particular to provide for training within the TAFE structure and to rip away from the independent sector those training organisations that had developed and taken on employees in the genuine expectation that they would have a longstanding and productive contribution to the provision of training for South Australians, because this was a repeated policy direction of the government, before that was ripped away the government announced that instead of there being a major expansion for funding in rural training places in certificate III in agriculture, it announced that there would be 20.

The Centre for Economic Studies says this is an area of high performance. It has actually been an area of high performance in value-adding in manufacturing and food production. It actually is in the equipment that goes with it and the transport and other development of material that is necessary to pursue that. What does the government do? It not only totally sabotages a well functioning training industry in this state and rips out the jobs of people who are in those industries, it then announces a policy for 20 funded rural training places.

Compared to that—and this is what I want to highlight here—this is the government's priority. The government's priority in this ill-fated WorkReady program it has introduced for training is it wants to have 120 places for a diploma in screen and media, it wants to have 110 places for a certificate II in retail make-up and skin care, it wants 100 places for design and decoration, unlimited places for a certificate in painting and decorating, unlimited places for retail baking for cake and pastry, unlimited places for watch and clock service and repairs. I mean, I ask you: where is there a

document from any reputable economist that tells you that the future of South Australia's prosperity, and in fact survival, is in make-up? It is scandalous.

Let's not pretend that you can have a blueprint policy revival for everything that is a train wreck financially in this state—we cannot. The government pretends and comes in here making statements about small projects, boutique and embryonic as they might be. If there is some advance in some major makeup and skincare company that is going to move to South Australia and set up their headquarters here, I have not heard it. In any event, if there is going to be some burgeoning industry in this field, let's have a look at it. Let's see if we are going to have a lipstick-led recovery in this state or whether we are going to have a cabinet that wakes up and understands the responsibility it has.

The cabinet needs to think about those children out in the northern suburbs. The Premier came in here this week to say that he is going to have the formal launch for the Stretton Centre later this week to develop public policy to help the people of the north. He could think about whether that is going to be the answer. He needs to have a good think about his future decisions and understand that the performance of his ministers in the estimates has been a disgrace, and the ignorance of the Treasurer in presenting some of these proposals for publication in this year's budget has been an utter failure to the people of South Australia.

**Mr PICTON (Kaurana) (12:31):** I promise you I will speak for less time than the deputy leader.

**Mr Pederick:** Well, that is because you have to.

**Mr PICTON:** Because I have to. I note that we heard a good two-hour contribution from the member for Bragg and I think it is a good lesson for new members such as myself to never plan on speaking directly after the deputy leader because you are never quite sure at which point you are going to be speaking. You wonder whether you should go to the toilet, but what if she finishes? Then occasionally she will say things like 'in conclusion' and you think here is my chance, I am ready to go, and then out comes another pile of papers and another whole speech starts.

I will speak briefly on the estimates process that we have just gone through. I was very happy to be a member of estimates committee B throughout the process. I was not lucky enough to be part of your committee, Deputy Speaker, on estimates committee A, but I hear that you did a very good job there. I can certainly congratulate the chair of estimates committee B, the member for Little Para, on the excellent work he did in chairing that committee. I think that all the ministers who presented to our committee did a good job in explaining their aspects of the budget and answering the many and varied questions that we had.

**The Hon. A. Piccolo:** That was my committee.

**Mr PICTON:** That's right. The Minister for Disabilities and Police was certainly there as one of the witnesses and I think he did a very good job. I have to say I think that the level of aggression and the tone of the committee was a lot better than estimates committee A from what I read in *Hansard* and it was generally quite pleasant on both sides. People asked their questions and got the opportunity to hear a response and it all worked quite well.

**The Hon. A. Piccolo:** Because the member for Hammond wasn't there.

**Mr PICTON:** That's right. That's a bit of a slur.

*The Hon. A. Piccolo interjecting:*

**Mr PICTON:** Did he? Outrageous! I congratulate all the ministers we had. The Minister for the Environment was the first up, then the Minister for Higher Education, the Minister for Communities, the Minister for Disabilities as I said, and the Minister for Local Government were those I was there for. I sadly missed one day of the committee but I am sure that worked really well as well. I congratulate the many staff who spent an outrageous amount of time preparing for the estimates process so that they could be asked questions on a very slim range of topics that they had prepared for. I am informed that the general process provides some benefit in terms of the government in being up-to-date with all of its briefings, so I am sure that that is of some benefit.

I think this whole process when we come back from estimates and have the opportunity to make speeches on what happened in the estimates process is quite an interesting time. It usually

seems to be where members of the opposition get up and either (a) tell the parliament what great things they have found out in estimates to score some political point or other or (b) get up and complain about the estimates process and say that the government was stonewalling or the whole system is skewed against them and we need some new system. I think that people who give a speech in category (b) tend to be the ones who did not really have much of a strategy going into estimates and did not really find out anything of any political value to them, so they get up and complain about the process.

This is, of course, the same process that has been around for a very long time, it is the same process that was in place when we were in opposition and, I am reliably informed, there were a lot of revelations that came out about the Brown and Olsen governments through the estimates process whereas we have seen very few revelations come out in this estimates process. We have had a lot of speeches complaining about the process itself but nobody on the other side has actually come up with any ideas on what they would like to do that is different; they just complain and say that we have a bad process and it should be fixed.

No matter what the process is, I think we have very good ministers and they will present well no matter what estimates process there is. If there were good people in the opposition then they would find good questions to ask and they might find some interesting revelations. Unfortunately for the opposition that did not happen in this estimates, and we had very few revelations.

One change to that usual flow of the two complaints—or either a complaint or success at some revelation—that we hear in opposition speeches is that today we have heard, from the Deputy Leader of the Opposition, a third category of estimates speech: that is, complaining about the media during estimates.

**Mr GARDNER:** Point of order. I am not sure that the member for Kaurna is either correct in that assertion or indeed reflecting on the merits of the motion in question.

**The DEPUTY SPEAKER:** I will listen carefully, and will ask you to listen in silence. We have listened mostly in silence to the member for Bragg for a long—

**Mr Gardner:** Up until now I have been—

**The DEPUTY SPEAKER:** No; there is no excuse for it. I have listened to the member for Bragg, as has nearly everybody else in this chamber, almost entirely in silence this morning. I just—

*Mr Gardner interjecting:*

**The DEPUTY SPEAKER:** I said almost entirely, and I ask you to extend the same courtesy to the member for Kaurna, to whom I am now giving my total and undivided attention.

**Mr PICTON:** Thank you very much, Deputy Speaker. The member for Morialta, in his interjection (as I will call it, rather than a point of order), said that he was not sure whether I was correct in saying that the deputy leader did criticise the media in her speech about estimates. I have to confirm for him that, sadly, she did. She stood up in this place and said that the media was more interested in the performance or lack thereof of the committee process than the substance of the information being provided. She said that was disappointing, and she asked them to look carefully at the level of publication they are giving to matters raised in estimates. She said, in relation to the Urban Development Authority, that there appeared to be 'little concern from our friends in the media'.

That is an outrageous slur upon the media in this state, and I think the media deserves an apology from the deputy leader. My impression is that we have a very good media in this state and that they do an excellent job. If the deputy leader is upset about any reporting, or lack thereof, that she got from the estimates process, then that is because of the opposition's strategy or lack of strategy during that process. If she had wanted to highlight any particular matters she could have done that, she could have sent out press releases, she could have held press conferences (she did not do any of those things) about the matters she was so concerned about. She is now blaming the media for not reporting on particular matters when it is she herself who should look at her conduct during estimates and consider whether her strategy was right or not.

I think that generally, in government, the media is usually criticising us; that is what happens. However, we do not get in here every time the media criticises us and make a speech about how

awful the media are and that they need to look carefully at themselves, that they show little concern and are not caring about the substance of the information—but that is exactly the deputy leader did today.

I think that if she wants to be leader of her party, as we understand she does, then she needs to stop attacking the media and needs to actually do some hard work in the estimates process and outside the estimates process in terms of developing policies, developing what the Liberal Party stands for. Then she might get some better media reporting than the reporting she is complaining about. I would like to hope that before question time she will stand up and offer a personal explanation and apologise for what she said about the media, because I think that was absolutely disgraceful conduct from such a senior person in the Liberal Party.

**Mr PEDERICK (Hammond) (12:40):** I rise after a blistering performance from the member for Bragg and a less than insightful performance from the member for Kaurua. Be that as it may, I rise to speak in the aftermath of estimates, which is a rather interesting process—and some people think it is an absurd process. Certainly, the member for Kaurua reflected that the opposition do not put up any ways the process can be improved. Well, yes we do and yes we have many years running in respect of some ministers who have the courage to sit up and say, 'Well, give it to me,' like the former member for Port Adelaide, Kevin Foley, which he did regularly. That is the one thing that I will give him credit for. One or two ministers in this place for estimates and in the other place basically did the same thing, but they were very much in the minority.

The sad thing is that we have got ministers who seek the protection from that dinosaur of parliament, Dorothy—Dorothy Dixier, the dinosaur. She raised her ugly head many times during estimates. I think it is, quite frankly, an abuse of process when the government ask questions of themselves that could be asked inside closed doors, inside their own party room. It would certainly give us a lot more opportunity to ask questions on our side, when we do not have department of thousand or more behind us, so that we can get some valuable information for our electorates.

I certainly note that in one of the estimates I was involved in the Minister for Regional Development was constantly shielded with either Dorothy, that ageing dinosaur, or with his staff providing answers. I congratulate the ministers that take it on the chin and say essentially the same as the former member for Port Adelaide, 'Well, give it to me,' but the others, well, I think it leaves a lot to be desired.

The interesting thing in the budget, and what we found during estimates, is that there are fewer jobs this year than were proposed in last year's budget. We have got a jobless rate of 8.2 per cent currently. I note that in a major town in my electorate the jobless rate is currently at 10.6 per cent. We have increased registration costs for our good people throughout the state and we have a rise in the emergency services levy once again, which essentially, for a homeowner with a \$500,000 house, would mean a rise of \$205. This was in regards to the cost of the Sampson Flat bushfire.

Well, I would hate to see, when we have a very busy bushfire season, and maybe five, six or seven, or worse, big events, what is going to happen then. Are we just going to have the emergency services levy jacked right up every time we have an incident? It is absolutely outrageous to think that the government can throw this land tax on the good people of this state and then expect our 13,000 plus volunteer firefighters and the CFS, of which I am one—and there are many members on the side who are—to go out and fight these fires.

I think there should be better management of what goes on instead of coming up with ideas of reform, as the Minister for Emergency Services did and then had to drop, but not until he lost a very good man, the head of the Metropolitan Fire Service, Grant Lupton. We need far better ideas about how we manage these events instead of just slugging the poor taxpayers of this state.

We also see that it was said in the budget that the Daw Park Repatriation Hospital will close, and I congratulate the veterans and their friends out the front of this place who are into well over 100 days of protest over that closure. I just cannot understand. It just shows that the member for Waite has become one of the comrades. The Daw Park Repatriation Hospital is right in his electorate, just on the edge of his electorate.

Not only has he been a traitor and gone over to the other side from this side of the house, and signed up as a minister with all the perks, the car and the money, but now he has obviously had the secret handshake and said, 'Yes, I will go along with that because I probably won't get elected again anyway.' He is shafting not only the constituents of his electorate but the state of South Australia, and I think it is utterly disgraceful not just for him but for the whole Labor Party.

What will happen with hospitals like Daw Park and the other changes that are happening is that it will mean more travel for regional residents. We are already seeing the impacts of changes in Goolwa, in that end of my electorate, where people cannot be triaged at Goolwa Medical Centre anymore: they have to go to Victor Harbor, which is at least half an hour by road.

There are many elderly citizens in Goolwa and in aged-care facilities and the like, and it is affecting them. I have written to the health minister about several of these people who have had terrible experiences, and he had better come back with a good answer to why the health services in the south have suddenly gone backwards. Also, we see in the budget that there are no new major infrastructure projects to keep this state going and get employment back on track.

What I want to talk about now is the Department of Primary Industries and Regions estimates and a subject I have been campaigning on for quite a while now, that is, the New Zealand/long-nosed fur seals, which is the new name so that people realise that they are actually a native seal. I acknowledge that, but for many years now they have been called the New Zealand fur seal. I asked whether the government had instigated a new management plan for the commercial Lakes and Coorong fishery.

I reminded the minister that three years ago I called for a plan to implement an overabundant native species management plan to tackle the New Zealand fur seal problem which, as I stated in the estimates, has now become a crisis. I asked whether the management plan noted in the targets included such management of fur seals, whether the minister had received any advice from the department on what measures would be used to tackle the fur seal problem and whether any assistance was being offered to the Lakes and Coorong fishers.

The minister said that he shared the concerns and noted that, yes, from SARDI research there are about 100,000 and that they are growing at about 5 per cent. The minister noted, 'One thing we have ruled out is a cull,' but he is saying that pretty much every other option is out there. He talked about the acoustic deterrents that are going to be tried and, from my understanding, explosive underwater crackers are also going to be tried. These things should have been tried at least three years ago. This has been an issue that has been in the Coorong and Lower Lakes—Lake Albert and Lake Alexandrina—for at least eight years.

Professor Mehdi Doroudi, who I have a great respect for, helped the minister out with some of the answers on what they are going to do. I will quote this section from Mehdi:

To start with, in collaboration with the environment department we came up with about a \$100,000 cash investment to investigate modified gear and technologies that could address the issue by separating seals from attacking the fish tangled in their mesh nets.

Also, when he was asked about how they are going to assist fishermen (and I am thinking more along the regulatory process and the managing of the licence), he said:

For instance, we have a policy of owner-operator in marine scale fishery where you need to own the licence to be able to operate on the boats.

He also mentioned how they came up with 28 days of relief for boat masters, and also that:

[They] are in discussion with industry to increase that to about three months for the Lakes and Coorong because one of the ways that they can better address their fishing activity is if they could have relief masters and get inspections of their nets quicker than the normal way they do; therefore, they can collect the fish and harvest the fish before they are damaged by seals.

This is a constant conversation. The minister in the other place (Hon. Ian Hunter) keeps saying, 'We are asking the fishers to change their practices.' Well, they have been doing that for years and still getting hit with a huge impact by these New Zealand/long-nosed fur seals. In fact, one fisher, who has a 100-net licence, only strings 12 nets at a time because he cannot get around them quick enough before they are severely damaged.

Professor Mehdi Doroudi also talked about relief of fees, and he did admit that matter is under consideration and that the government are looking into that. He said there is a possibility to work with those with mesh nets, or withdraw the fees to stop them from paying that. He also said:

That is a matter that needs further discussion with the Treasury and we need to look into regulatory aspects to see how we can help them.

During estimates, I also asked about the \$100,000 that was recently announced by the minister in the other place, and the percentage that PIRSA were paying. I also asked:

...when this fishery is decimated, and I believe it will be, because this is just ridiculous how slowly any action needed is taken, will the minister buy out licences and fully compensate fishers..?

The minister said that cost of the \$100,000 trial process of acoustic and explosive devices is being shared on a fifty-fifty basis, and, 'in relation to the buyout we are not ruling anything in or out'. I guess that gives some hope to people who are actually considering getting out of the industry. To be truthful, some of these people are right on the edge, and their families are very concerned for their wellbeing.

In another question, I asked about time payment licence relief. I did note, in my question, the huge support for my motion in relation to an overabundant native species management plan, including a sustainable harvest of New Zealand/long-nosed fur seals. In regard to that, I will be tabling a petition later today that has close to 1,600 signatures calling for the same thing.

In light of that, I note that Coorong council has unanimous support for my motion and certainly the Ngarrindjeri (the local Aboriginal tribe), through the Ngarrindjeri Regional Authority, have full support for getting rid of this feral pest out of the waters of the Coorong, Lakes Albert and Alexandrina, and the River Murray. In fact, when I talked to one of their representatives earlier this week and asked him about support for my motion, he said, 'We want it eradicated; work that out for yourself.'

I know there is a meeting tomorrow between the Ngarrindjeri and the minister, because the government needs to take on board what they are saying. The Ngarrindjeri are over having their totems, pelicans, native birds, swans and musk ducks attacked. You only have to go to the 'Save Mr Percival' Facebook page to see the damage that these fur seals are impacting on our environment. I believe they are posing a major threat to our Ramsar status in the Coorong and lakes Albert and Alexandrina.

I note that the minister commented, 'To talk about the cull, we all remember the images out of Canada a few years ago of fur seals.' Never have I said that we should be clubbing fur seals, but the comment I did make during estimates was, 'It did not stop tourists going to Canada, minister.' There is a huge amount of work that needs to be done, and it should have been done long ago. The professor talked about issues of buyback and that sort of thing and it is under consideration, evidently.

One thing that was not brought out in estimates in the answers from the minister was the simple fact that of all the absurd things that have been looked at by this government in the last 12-month period on the seal issue was the fact that there had actually been a conversation between the tourism department and the Department of Environment, Water and Natural Resources in regard to building a viewing platform at the Goolwa Barrages. What an outrageous proposal, to spend \$112,000 to put up a viewing site so that people could look at the fur seals coming in to attack our native birds, our pelicans and our fish, and just cause havoc. Of all the absurd proposals I have ever heard, for a viewing platform! Some of the email conversation went along like this:

It has been brought to [someone's] attention that the South Australian Tourism Commission (SATC) has several million dollars available to fund projects that promote tourism in SA. They have contacted the DEWNR as they have had trouble spending the money. You mentioned a viewing platform for Long-nosed fur seals—

I assume DEWNR have mentioned that in all their wisdom—

—at our meeting a few weeks ago, but that didn't eventuate due to lack of funding. Wondering if this funding might be an opportunity to get your idea about a viewing platform happening?

The project needs to be matched dollar for dollar and be ready by September, but, as this was an existing idea, plans may already be created.

Yes, there are plans put to work through water-engineering technologies at SA Water for the design, fabrication and installation of an anodised aluminium walkway platform. It specifies that the walkway will have three gates with key-type locks, walkway mesh, 316 stainless steel fasteners insulated from aluminium components, chemical anchors to be used to fasten the walkway to the weir, and the list goes on.

The thing that gets me in all of this carnage that is happening to our environment in my electorate and in adjoining electorates, is the stupidity of the ministers in charge of these departments to let this type of work go on when this should never happen—it should never happen. It never fails to amaze me the fact that, after all the pleading of industry, after all the people in my electorate to get some action, the government makes out it has done a good job to come up with \$100,000 to try out some acoustic devices and some underwater crackers to scare the seals. Yet here we see something that was certainly in discussion in December 2014—over seven months ago now—plans were drawn up by then to put a viewing platform at the Goolwa Barrages. How outrageous!

The next thing we will see is a ridiculous proposal to lay bitumen along Goolwa Beach so that people can watch the New Zealand/long-nosed fur seals invade the Coorong from that angle. I have seen some crazy things in my time, but this one tops the cake; it tops the list. It is just crazy stuff and it shows how out of touch this South Australian government really is. It really needs to stand up and listen to the Ngarrindjeri and have a look at what is going on down there, the carnage that is happening to pelicans especially, the musk ducks and swans. As we approach the native bird and migratory bird breeding season, the government really needs to have a proper look at this and stop coming up with mickey mouse ideas about viewing platforms at the Goolwa Barrages. One local said to me, 'What are they going to do? Put gun rests on there as well?' That is how ridiculous a notion this is.

The people of my community want to see some real action and some real funding. I know it is not Labor electorates but the world will stand up and take notice when our Ramsar listing for the Coorong, Lake Albert and Lake Alexandrina comes under threat, and I believe it will. Perhaps then we might see a minister sit up and take notice. They may not care about the 33 fishing licences that are down there.

Time expired.

Debate adjourned on motion of Mr Gardner.

*Sitting suspended from 13:00 to 14:00.*

#### *Petitions*

### **FUR SEALS**

**Mr PEDERICK (Hammond):** Presented a petition signed by 1,594 residents of the Hammond electorate and greater South Australia requesting the house to urge the government to immediately implement a management plan, which should include a sustainable harvest of New Zealand fur seals/long-nosed fur seals.

### **COUNCIL RATE CONCESSIONS**

**Mr WILLIAMS (MacKillop):** Presented a petition signed by 311 residents of greater South Australia requesting the house to urge the government to retain and index state government concessions on council rates.

#### *Parliamentary Procedure*

### **VISITORS**

**The SPEAKER:** I welcome to parliament today pupils from Mitcham Primary School, who are guests of the member for Waite (Minister for Investment and Trade); and I also welcome pupils from Ridgehaven Primary School, who are guests of the member for Newland.

### **PAPERS**

The following papers were laid on the table:

By the Minister for Health (Hon. J.J. Snelling) on behalf of the Attorney-General (Hon. J.R. Rau)—

South Australian State Election 2014—  
Election Report by the Electoral Commission SA Report  
Election Statistics by the Electoral Commission SA Report

By the Minister for Health (Hon. J.J. Snelling)—

SA Health Response to the Health Performance Council's Four Yearly Review—2011-14

*Question Time*

**EMPLOYMENT FIGURES**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:03):** My question is to the Premier. Does the Premier agree with Mr Nick Reade, the chief executive of Bank SA, that South Australia's unemployment rate will soon reach 10 per cent?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:04):** No, I agree with the author of *Turning back time in SA* who observed that in South Australia: 'While Labor wants this state to put the clocks forward, it is the Liberal opposition which is content with turning them back to the days of Tom Playford.' That is who I agree with.

There really is a choice here in South Australia about whether you want to be part of the future, whether you want to be part of transforming the South Australian economy, or whether you want to turn the clock back to the Playford era. And I do know that those opposite hanker for a different age when they were—

**Ms CHAPMAN:** Point of order: unless the Premier is about to join up his half-hour time zone change proposal to the unemployment of rate of 10 per cent, it's not relevant.

**The SPEAKER:** Yes, I uphold the point of order. The Premier has, perhaps, 15 seconds to segue into the substance of—

**The Hon. J.W. WEATHERILL:** Well, here is the segue, sir: it is going to require a change of attitude if we are actually going to avoid a 10 per cent unemployment rate—a change in attitude, a change in mindset from everybody in this state and, in particular, from those opposite who are absolutely stuck in a former age, people who are so addicted to failure that they come in here year after year with their empty criticisms, their inability to put a sensible, coherent package before the people of South Australia, and they want to lecture us about what—

**Mr VAN HOLST PELLEKAAN:** Point of order, Mr Speaker: standing order 98. I think that the Premier has more than used his 15 seconds and has not returned to Bank SA's assessment of unemployment.

**The SPEAKER:** So, the point of order is relevance?

**Mr VAN HOLST PELLEKAAN:** Yes, sir.

**The SPEAKER:** I uphold the point of order. Premier.

**The Hon. J.W. WEATHERILL:** My assessment of South Australia's future will be linked to our capacity to change and to transform the South Australian economy, our capacity to meet the challenges by adopting a different mindset, and let me offer this explanation about what is the greatest risk and the greatest challenge to South Australia.

If we do not change it is the reason why we will not actually achieve this objective of turning the state around, and it is the very attitudes which are implicit in the Liberal Party of South Australia. The Liberal Party of South Australia is what is wrong with attitudes in South Australia.

**Mr GARDNER:** Point of order: standing order 98. The Premier continues to debate. He is defying you, sir. He needs to show more respect.

**The SPEAKER:** We will ask the Premier, perhaps, to answer the question without reference to the opposition, which, after all, hasn't been in government since early 2002.

**The Hon. J.W. WEATHERILL:** It is difficult, sir, because the Liberal Party of South Australia, which I will not refer to again in my answer, and the perspective that they represent, is one that does exist in the South Australian community. It is a major party and it does represent a perspective about South Australia—that is, that nothing should change ever.

**Ms CHAPMAN:** Point of order.

**The SPEAKER:** The Premier is just about to move on from the South Australian Liberal Party.

**Ms CHAPMAN:** Thank you, sir.

**The Hon. J.W. WEATHERILL:** I am talking about attitudes generally, sir; I am not necessarily talking about—

**Ms Chapman:** Then answer the question.

**The Hon. J.W. WEATHERILL:** Those attitudes which are abroad in the South Australian community represent the greatest threat to our capacity—

**Ms CHAPMAN:** Point of order, Mr Speaker: for the fourth time the Premier has disobeyed your ruling. He continues—

**The SPEAKER:** I will listen carefully to whether, as the deputy leader alleges, the Premier is defying my ruling.

**The Hon. J.W. WEATHERILL:** Sir, I am trying to stay very much within the foursquares of your ruling, which is to respond to the challenges in front of South Australia, which are essentially about resisting this increase in our unemployment rate. We are going to have to change mindsets and attitudes in this state. There is no doubt about that. It is going to require us to do things which we have not done before—that, essentially, is a challenge to the conservative mindset. It requires a reforming mindset, and that is why this side of the chamber is best placed to actually meet this challenge.

#### EMPLOYMENT FIGURES

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:08):** Supplementary: does the Premier honestly think that a 10 per cent unemployment rate is acceptable?

**The SPEAKER:** Before the Premier answers, we had this contretemps yesterday when the leader asked a rhetorically charged question and got, oddly enough, a rhetorically charged answer. So, the peril of asking the Premier 'does he really believe' is that he might and say so. Premier.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:09):** Thank you, Mr Speaker. I think it just needs to be disposed of in short form by saying that, of course, we don't want to see unemployment levels reaching those levels. But, make no mistake, if we are not able to successfully transform the South Australian economy, that is what is ahead of us. We have a massive challenge in front of us. Can I just urge those opposite, and indeed anybody in the community who simply wants to raise their voice and be part of the cheer squad of opposition and the cheer squad of negativity, that we cannot afford the luxury of that at the moment.

What we need to do is to all put our shoulder to the wheel, to actually make the changes necessary to grow jobs in South Australia, and if those opposite have any creative ideas—we have set out 10 economic priorities, our economic plan for South Australia; there are lots of different ways that we can achieve those objectives—and if those opposite want to propose an initiative which advances our economic plan, we would be more than happy to work with them to achieve that.

We don't have the luxury of wallowing in self-criticism here in South Australia. We need to take action. We are getting on with the job. We are putting a positive reform agenda before South Australia. There is a bit of kelp on the keel. I won't refer to who that might be because that apparently would be disorderly, but there is a bit of kelp on the keel which is slowing our progress in the water, but we would like to accelerate the pace of reform and we would like those opposite to cooperate.

### EMPLOYMENT FIGURES

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:10):** A further question to the Premier: what specific actions, apart from putting the clock forward half an hour, Premier, are you undertaking to address this distressing unemployment rate, in particular of the 21.9 per cent of those South Australians aged between 15 and 19?

**An honourable member:** Was that a Dorothy Dixier?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:11):** That's right. Unfortunately, we only have four minutes, but let us begin. Let's just chronologically go backwards: the most recent announcement, obviously, tackling the time zone; before that, the budget and the largest single tax reform initiative which has been put forward in South Australia in living memory, leading the nation in reforming transaction taxes. It has been noticed all the way throughout the financial press and increasingly South Australia is the focus of attention for national businesses, and I hope to make some very exciting announcements about companies that are seeing South Australia as an investment destination.

Going through each of the 10 economic priorities: making South Australia the best place to do business; WorkCover, from 1 July, \$180 million worth of levy reductions for businesses in South Australia, absolutely dwarfing any of the commitments those opposite made before the last election concerning tax cuts—\$180 million per annum. If we look at innovation, Tonsley Park, increasingly attracting an exciting group of businesses which are trialling new technologies—just the other day, out there with driverless car technology being trialled at Tonsley Park.

The internationalisation of the South Australian economy: the largest single trade mission ever taken to Shandong Province, and the largest trade mission ever to leave South Australia, and literally dozens of deals done off the back of that which will create prosperity and jobs for South Australia. We have also seen exciting changes that have occurred off the back of our investment in the Riverbank Precinct, where increasingly tourists are coming to South Australia to experience what South Australia has to offer. Domestic tourism: very strong growth, and our \$50 million investment in the budget in tourism will accelerate our international tourist opportunities.

We have also seen a fantastic set of commitments around renewable energy. The government is seeking to make South Australia and the city of Adelaide a showcase by making it the world's first carbon-neutral city. This will attract attention and investment in South Australia as we showcase to the world the sorts of technologies that will allow us to cope with a carbon-constrained future.

We also in the budget did not ignore the imperatives of our construction sector. Not only are we sustaining growth off the back of our public investments, with the now private investments coming on with four hotels that are under construction and another four in the pipeline, we have also put a stimulus into the housing sector with a \$60 million stimulus into the social housing sector, which is providing much-needed homes for people who need affordable housing, but also, importantly, much-needed investment for the construction industry.

We also, in the food and wine sector, have announced recently one of the most exciting and innovative new business models we've seen, with Beston announcing the purchase of a dairy factory at Murray Bridge, which had closed, which is now going to reopen, with many prospects for growth for the benefit of our food and wine sectors.

*Members interjecting:*

**The SPEAKER:** Before the deputy leader asks her third supplementary, I call to order the member for Morialta, the member for Schubert, the Treasurer, the Minister for Investment and Trade, the Minister for Health, and the members for Chaffey and Stuart. The member for Stuart continues to interject out of his seat. The deputy leader.

### EMPLOYMENT FIGURES

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:15):** My supplementary to the Premier is: if these initiatives and actions are so successful, why has youth unemployment gone up to 21.9 per cent?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:15):** One of the reasons why youth unemployment is so high is that there is a very small proportion of the population that now fit into that cohort. Increasingly, that statistic is becoming more and more meaningless, because the number of young people who are actually in that cohort has reduced very substantially because most of them are at school or at university or in some form of other training or education. Increasingly, that statistic is small. The absolute numbers of young people in that category is actually quite small, and you'll find it has not comparatively changed very much in recent years. So, it is a statistic I know those opposite do hang on to because it sounds dramatic, but because the size of the workforce in that area has shrunk so dramatically it is a relatively small base.

That is the first thing to say about that statistic. But, look, Mr Speaker, I have not sought to hide from the fact there are massive challenges in front of South Australia. The question is not the size of the challenge, as those opposite are fond of repeating: it's the measures that are actually directed at meeting that challenge. If those opposite could offer something other than empty criticism and tired old lines and something of a positive agenda for South Australia, maybe more people would be attracted to their cause.

We are trying to advance positive ideas for the future of South Australia. We are doing that in a way which does create from time to time some upset, because change is difficult and it upsets the existing order. I know those opposite like the way things are; they like the existing order and they don't like upsetting vested interests. But we are prepared to make change in the public interest, to argue our case, but at the moment it's one hand clapping; there's nothing on the other side. There's nothing to press up against because there really is—how was it described? They are not my words. 'They are the most unsuccessful Liberal or Labor party around the country over the past 40 years.' These aren't my—

**Ms CHAPMAN:** Point of order: the Premier has defied your order.

**The SPEAKER:** The point of order is?

**Ms CHAPMAN:** For the fifth time the Premier has defied your order.

**The SPEAKER:** Yes; the point of order is?

**Ms CHAPMAN:** Relevance.

**The SPEAKER:** Relevance?

**The Hon. J.W. WEATHERILL:** I'm sorry, sir, I thought she was going to ask me to table the document. I'm happy to—

*Members interjecting:*

**The SPEAKER:** No; the answer is, alas, not germane to the question. The question was not about the merits of the opposition. In that pause, I'll call the deputy leader to order and warn for the first time the members for Schubert, Morialta, Stuart, who continues to interject out of his seat, and the member for Chaffey. The member for MacKillop.

**Mr WILLIAMS:** Could I have a supplementary question?

**The SPEAKER:** Supplementary question, member for MacKillop.

#### EMPLOYMENT FIGURES

**Mr WILLIAMS (MacKillop) (14:19):** Premier, do you realise that the average duration for people looking for work in the South-East is over 147 weeks?

**Ms Sanderson:** Wow!

**Mr WILLIAMS:** That means that this problem has been going on for at least three years.

**The SPEAKER:** The member for Adelaide is called to order for being 'wowed'. The Premier.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:19):** Of course, at the level of the individual, it is always a personal tragedy for somebody who is seeking to find a job and is unable to find one. The longer that goes on, the more distressing that is. Behind these statistics, of course,

each of them is a personal story, and that is what motivates us to try to make the changes necessary. It is important to draw attention to the personal tragedies that each episode of unemployment represents, but really, that is not sufficient. What also needs to be added to the discussion is, 'What are you going to do about it?'

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** I am happy to continue my answer. I was only about halfway through our rather substantial agenda for trying to address this issue, but we are all ears for any positive ideas that might emerge from those opposite or cooperation with some of the ideas that we have been promoting. Of course, I accept what the member for MacKillop raises as a very substantial problem with people who are long-term unemployed. This is not solely confined to his region of South Australia, but of course wherever it exists it requires our attention.

**The SPEAKER:** The deputy leader and the member for Adelaide are warned and the member for Chaffey is warned for the second and final time. The member for MacKillop.

### EMPLOYMENT FIGURES

**Mr WILLIAMS (MacKillop) (14:21):** My further supplementary question to the Premier is: does the Premier accept that the government's sale of the forests in the South-East and the subsequent export of logs has had any impact on unemployment in the South-East?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:21):** No, I don't actually. In fact, I saw some statistics recently that suggest that one of the growth areas in manufacturing is actually in wood and wood products. So, not only is there no evidence of there being a deleterious effect of the sale, it seems that, if anything, that sector seems to be growing. I will look more carefully at those statistics, because they were surprising to me, I must say, but there just simply is no evidence that the sale has had that effect.

In fact, one only needs to look at the fires that occurred in the forests in the Mid North to know the sort of risks that we bear as a government in actually holding onto forests of that sort. If you asked the question today, 'Would the government start up a business in forests?', the answer would be no. It was an important industry back in the day when it was started, I think by a Labor government, to actually support the building industry, and it has been an important part of South Australia's economic future, but if you asked us today whether we would be starting a business in forests, I think the answer is no.

Do we have the balance sheet capacity to grow and expand the ambition for the forests? No. Does a private sector company that has come in and invested in the forests have the capacity and willingness to do that? Yes, and they are doing that. I think this is securing the South-East's economic future, and it is indeed surprising to hear the modern Liberal Party hankering back to what was essentially a Labor Party initiative after the turn of the last century, which was necessary at that time but does not meet modern circumstances.

**Mr GARDNER:** Point of order, sir.

**The SPEAKER:** Point of order, member for Morialta?

**Mr GARDNER:** The Premier has been defying you for 19 minutes now: standing order 98.

**The SPEAKER:** Only 19 minutes? The Premier is finished? The member for Chaffey.

### CHINA-AUSTRALIA FREE TRADE AGREEMENT

**Mr WHETSTONE (Chaffey) (14:23):** My question is to the Premier. Given the decision made by the ALP National Conference to oppose the China free trade agreement, is the Premier concerned about the prospect of his Labor government limiting South Australia's opportunities in our new Chinese markets?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:23):** No, and I don't think that was the effect of the national conference resolution: it was to actually support the China free trade agreement. I think it raised questions about elements of it, and in particular the idea of foreign workers coming over here and working on Australian projects. That is, I think, frankly a concern all of us would share, and I think we would, as I said yesterday, be wanting to assert the very high standards that

we have in relation to occupational licensing to ensure that such a thing was not used in a way which was improper.

We certainly support the agreement. We are very proud of our relationship with China. Indeed, we are proud of the fact that it is this government that has secured a consulate-general, which we will be setting up, from the Chinese government here in South Australia. That is a massive achievement for South Australia.

We also will have a high-level delegation coming to South Australia in September from the Shandong Province, which is another exciting opportunity for our state. We have established a very regular relationship in May of each year, where we move between each of our jurisdictions, and invite them back during our show period in August. So, the relationship is very strong and we are very much looking forward to inbound investment.

We resisted the move that occurred in other states to place a taxation arrangement in relation to overseas investors in our residential sector. We wanted to send a very clear message to Chinese investors that they are welcome here in South Australia. So, yes, the China free trade agreement is a massive opportunity for us, especially in our wine and food sector, where the possibilities it opens up are extraordinary. Indeed, I think when we were in China it was probably the first substantial delegation after the signing of that agreement and referred to it in very positive and constructive terms.

#### *Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** I welcome to parliament today one of the longest serving members of the chamber and an outstanding Speaker, the member for Eyre and the member for Stuart, Graham McDonald Gunn. I apologise to him for the rather effete penalties I am about to impose.

#### *Question Time*

**The SPEAKER:** I call the member for Kavel to order—he is taking advantage of the absence of his nemesis, the Deputy Premier—I warn for the first time the member for Schubert, and I warn for the second and final time the deputy leader. The member for Chaffey.

#### **CHINA-AUSTRALIA FREE TRADE AGREEMENT**

**Mr WHETSTONE (Chaffey) (14:26):** Sir, I am not the deputy leader. Supplementary: Premier, have you or any of your South Australian ministers made representations to the federal Labor government or to the Coalition to explain the impact of the decision to oppose the free trade agreement before it was signed?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:26):** It is a decision of the federal government. The federal government has entered into this agreement; I do not think the federal opposition have any role in it, frankly. But, in the position—

#### *Members interjecting:*

**The Hon. J.W. WEATHERILL:** Well, they are for these purposes, and our attitude is that we support the agreement. We will insist on standards, having regard to our own regulatory system. We will defend local jobs, there is no doubt about that, but we are very much open for business and for inbound investment from the country of China.

I think the Chinese government know that they have a friend in South Australia. They place a high value on the sister-state relationship that South Australia enjoys with Shandong Province. Indeed, it has won national awards in China as representing a relationship which is of the highest quality, and it is because it not simply based on dollars and cents. It is based on a deep cultural understanding which privileges friendship ahead of commerce, and I think that has been the secret of our success. I think they were greatly honoured by being the focus region for the OzAsia Festival—the nation's pre-eminent Asian cultural festival—and every time we lift the ambition in our relationship with Shandong Province, they reciprocate.

After the last election I was there within weeks, meeting with the new Governor of Shandong Province. He congratulated me on my electoral victory and I did mention to him it was a rather narrow victory. He said, 'How many people voted?' and I said, 'A million,' and he said, 'Well why don't I send a million people over next time?' It does demonstrate that we have a very close relationship. I think that might run into some logistical difficulties, but I am certainly prepared to enter into discussions with him about that matter.

**The SPEAKER:** The member for Adelaide is warned for the second and final time. Member for Chaffey.

#### CHINA-AUSTRALIA FREE TRADE AGREEMENT

**Mr WHETSTONE (Chaffey) (14:29):** Minister, in your answer yesterday, you said you were not at the ALP National Conference on the Sunday. Who did you hand your proxy to?

*Members interjecting:*

**The Hon. J.J. SNELLING:** Mr Speaker, there have to be some limits about what the Premier is responsible to the house about.

**The SPEAKER:** Yes, I uphold the point that the Minister for Health makes. I do not think the person to whom the Premier proxies, in his capacity as a national conference delegate, is a matter for—

**Mr Whetstone:** Someone opposed the free trade agreement.

**The SPEAKER:** —the house. If members want to put some submission to me after question time that that is within the Premier's ministerial persona, then you are welcome to do so.

**Mr van Holst Pellekaan:** The question was answered yesterday.

**The SPEAKER:** How the Premier votes at the national conference in person I ruled was a matter fit for question time, but to whom the Premier proxies seems to me remote unless, of course, the member for Chaffey knows who that is and wishes to make some reflection on their voting record?

*Members interjecting:*

**The SPEAKER:** Yes, well, if there were a vote.

**Mr Knoll:** So we can't ask questions without knowing the answer first?

**The SPEAKER:** No, I don't think the member for Schubert is fairly representing my ruling there. The deputy leader.

#### COURTS PRECINCT

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:30):** My question is to the Premier. Will the Premier confirm whether his government has paid any form of compensation to any bidders involved in the courts precinct proposal after the government's decision to cancel the procurement process and, if so, how much and to whom?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:31):** I will get a detailed answer for the member, hopefully before the close of question time today.

#### COURTS PRECINCT

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:31):** If I might just ask a supplementary then to the Treasurer: given that in the last few days the Attorney has said in response to that question, 'Ask the Minister for Transport,' and the Minister for Transport hasn't answered and you said only two days ago to ask the Minister for Transport and Infrastructure, can he identify who is responsible for this project in the government?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:31):** There is no project. The government entered into arrangements to seek an

expression of interest from the market. The offers were unsatisfactory for the government, and the government decided not to proceed. I want to get an accurate answer to the opposition; I don't want the opposition in any way misled. It is often very important to get very simple answers to the opposition so we will get a detailed response, and I'll try and get it to you as fast as I can.

#### **DONATELIFE WEEK**

**Ms COOK (Fisher) (14:32):** Today's question is for the Minister for Health. Minister, can you tell the house about this year's DonateLife Week?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:32):** I thank the member for Fisher for this very, very important question. Everyone in the house would be familiar with the member for Fisher's own, personal connection to DonateLife since she tragically lost her son, Sam. Sam was an organ donor and, in what is often a bittersweet tale, her family's loss became another family's source of joy as his organs were used to save the lives of others.

This year marks 50 years since the first successful living kidney transplant in Australia which was performed at our very own Queen Elizabeth Hospital. It is incredible to think of what relief would have gone through the minds of the doctors, nurses and medical staff, let alone the first patient and his family, when this first successful procedure was performed.

It is remarkable to think of what our medical professionals have been able to achieve over the last 50 years. Ten years after the first procedure in 1965, the success rate was around 60 per cent, and that has now increased in the past 40 years to a current success rate of 94 per cent. In the past 50 years since this first life-improving procedure was undertaken, there have been 2,575 kidney transplants performed in what is now known as the Central and Northern Renal & Transplantation Service, with over 1,000 of them still functioning—the best ratio of functioning graphs to population in the country.

On Saturday, I'm looking forward to joining Professor James Lawrence AO, retired nephrologist, as well as Mr Peter Knight, the first transplant surgeon, and Mrs Stella Tirimacco, widow of Peter Tirimacco, who was the first recipient, as well as around 300 kidney transplant recipients, for afternoon tea to commemorate this important medical breakthrough. Saturday's event will kickstart this year's DonateLife Week.

DonateLife Week will again focus on having the conversation with your loved ones about your desire to have your organs donated. It is an unfortunate reality that, when the time comes, many families are unsure about what the patient's wishes are around this important issue. A simple conversation about your wishes goes far to helping them say yes in the event they need to make that difficult decision.

Last year, I oversaw the implementation of the advance care directive legislation, which allows people to write down their wishes should they become mentally incapacitated. Writing down your wishes to be an organ donor in your advance care directive is yet another way to ensure that through death you can give life to others. I encourage all members of the house to get involved with this year's DonateLife Week, to have the conversation with your families and help save the lives of others.

#### **HEALTH REVIEW**

**Dr McFETRIDGE (Morphett) (14:35):** My question is to the Minister for Health. How are the minister's comments in estimates that the service moves under Transforming Health were yet to be determined consistent with Professor Dorothy Keefe's comments on a video blog on Sunday night that 'the other things that have happened in Transforming Health in the last few weeks are the signing off on the master schedule and the top-down planning for all of the reconfigurations and moves that need to occur'?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:35):** It is quite simple really. The top-down process or top-down planning that is happening is the overall helicopter view of

the planning, the big decisions, macro decisions we have to make—things like the future of the Repat Hospital and where the big services there go.

Underpinning all of that is a whole lot of microplanning that has to go on: individual small services have to move; we have to determine how many beds are required in all of these small services. That is the planning which is ongoing at the moment, but the macro moves that we have to make across the system, that is part of the process which is substantially complete, but there is still a lot of work that has to happen.

#### HEALTH REVIEW

**Dr McFETRIDGE (Morphett) (14:36):** Supplementary: will the minister release the list of the moves that are being considered?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:36):** We already have. We have already announced what our plans are with the Transforming Health document that we released earlier in the year.

#### HEALTH REVIEW

**Dr McFETRIDGE (Morphett) (14:36):** That is the reconfiguration that was talked about in the video blog?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:36):** I would need to have a look and see what exactly Professor Keefe was referring to in her video blog; I am more than happy to have a look. I can simply say this: will the government have announced what its plans are? Of course there will be more announcements in due time about things that have to move and to change and we will announce that as we go.

#### ROYAL ADELAIDE HOSPITAL

**Dr McFETRIDGE (Morphett) (14:37):** My question is to the Minister for Health. Can the minister tell the house what are the costs of the building variations now being issued to accommodate major equipment being purchased for the new Royal Adelaide Hospital, such as the MRI scanners and the linear accelerators?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:37):** I will need to get a report on it and get back. I am not sure what I can reveal, but the way it works is a ledger of any alterations we need to make which sit against that ledger, and that is the arrangement under the contract with the consortium that we have. I am happy to have a look and see what information I can provide to the house.

#### ROYAL ADELAIDE HOSPITAL

**Dr McFETRIDGE (Morphett) (14:37):** Supplementary on that: can the minister tell the house whether completed building work is being pulled down to fit this new equipment?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:37):** I'm not sure. I would need to have a look and get some advice back to the house.

#### POST-TRAUMATIC STRESS DISORDER CENTRE FOR EXCELLENCE

**Mr DULUK (Davenport) (14:37):** My question is also to the Minister for Health. Given that on 21 July the PTSD Expert Advisory Panel reached a unanimous decision on a potential site for the new centre of excellence for PTSD, can the minister advise where the expert advisory panel thinks the new centre should be located?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:38):** They have not provided me with their report yet, but that is imminent and we will be making a decision very, very soon.

**The SPEAKER:** Supplementary, member for Davenport.

#### **POST-TRAUMATIC STRESS DISORDER CENTRE FOR EXCELLENCE**

**Mr DULUK (Davenport) (14:38):** Can the minister advise if the Daw Park site was one of the sites that the expert advisory panel assessed as a potential location for the new PTSD service?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:38):** Well, I'm not going to go into what discussions have happened within the committee; that is not for me to do. When we do make an announcement, Professor Susan Neuhaus, who is the chair of the committee, will be able to answer questions about what the committee's deliberations were and reasons for why or why not they landed on various sites.

#### **TAFE SA**

**Mr WILLIAMS (MacKillop) (14:39):** My question is to the Premier. Can the Premier confirm that plans are currently afoot to sell the TAFE facilities at Millicent in my electorate?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:39):** I don't know the answer to that question; that would be a matter for TAFE if they were to do that. The guiding principles that we have established from a state government perspective for TAFE are that it should be focused on quality and accessibility, which is highly relevant to country areas such as the one you mentioned.

Any changes that do take place in country regions should have regard to the ability to enhance rather than detract from accessibility to TAFE services and, of course, relevance—the link between the training and making sure somebody gets a job. That's the essence of our WorkReady reforms. TAFE has to live within the envelope of funding that it now has to carry out its activities. It has an independent board which, together with its chief executive, makes those decisions.

#### **ROYAL ADELAIDE HOSPITAL**

**Dr McFETRIDGE (Morphett) (14:40):** My question is again to the Minister for Health. The minister told the estimates committees that the new Royal Adelaide Hospital was going to be opened in April 2016. Given that there are two completion stages for the new Royal Adelaide Hospital—that is, the technical completion and then, three months later, the commercial acceptance—and it's the latter when the state can use the facility, can the minister tell the house whether it's a fact that both the South Australian Health Partnership and the state Department for Health (the government) have independently done third-party reviews and come up with a commercial acceptance for September next year?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:40):** The Treasurer and I have both been on the public record about this since December last year, that our expectation, based upon independent advice, is the hospital is more likely than not to be delivered in the second half of 2016. We have been saying that for the last nine months; there is no surprise there.

The member for Morphett has either deliberately or unwittingly, perhaps, misstated what I said in the estimates committee. What I said in the estimates committee was consistent with what I have always said. The government has had its own advice, independent advice from consultants that we have engaged who have looked at the work schedule, and their advice to government suggests that the time for us being able to run the hospital—so closure, I guess—and our ability to move from the old hospital to the new hospital was more likely to be in the second half of 2016.

At the Mid-Year Budget Review, the Department of Treasury and the Treasurer made a decision to reprofile that on the basis of that independent advice but, from December last year, we have always been very, very clear that, while that is the expectation of government and we have budgeted accordingly, the builder has not sought to change the contract and, publicly and privately, has said that they are still working towards April 2016 for being the date that we take possession and run the hospital.

As far as my department and our preparations for moving into the new hospital are concerned, we are working on the basis of April 2016 because we certainly don't want there to be

any delays on our account. However, we do so in the knowledge that we had this independent advice, which the member for Morphett has just alluded to, which says that it's more likely to be in the second half of 2016. So, all we can do is wait until such a time as the builder comes to us seeking an alteration of the contract.

They may or may not do that, we will see, but if they do seek an alteration of the contract, then we will engage with them, we will negotiate that in good faith with them and we will inform the public at such a time as that should occur, but the builder has said nothing privately to me that they have not said publicly. I have stood next to Mr Peter Salvesson, who is the director of the project, in front of all the TV cameras. He has been directly asked the question and he has been unambiguous in his answers.

**The SPEAKER:** I have a note from Hansard asking members to make sure their microphones remain upright. The two microphones I see down are those of the member for Stuart and the member for Adelaide. I will, whether their microphones are up or not, hear their disorderly conduct, if there is any. The member for Morphett.

### ROYAL ADELAIDE HOSPITAL

**Dr McFETRIDGE (Morphett) (14:44):** Thank you, Mr Speaker, a supplementary: just to be clear, minister, the commercial acceptance of the new Royal Adelaide Hospital will be September next year rather than April?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:44):** I'm not saying September: what I am saying is in the second half of next year. We haven't put a date on that, but we do expect it to be in the second half of 2016 and, yes, that is the date upon which we will start moving patients. To make it as clear as we possibly can, that would be in the second half of 2016. Under the contract, there is a process by which we are able to do testing and so on at the hospital to make sure that the services and so on are all working, basically to enable us to make sure that the building is in a state ready to use as a hospital. There is 90 days for that, and that 90 days, yes, is prior to us moving into the hospital.

As the contract currently stands, that would be in January 2016 with us moving to the hospital in April. As I have said, our independent advice would suggest that it is more likely to be in the second half of 2016, but let's be quite clear about this. I am not sure if many people here have built a house but it is not unusual when you are building a house for significant alterations to the date of delivery. I know there were dates pushed back consistently when I was building my house 10 years ago. AVJennings did a great job, but it took substantially longer than the builder had initially indicated. With the new Royal Adelaide Hospital, we are talking about something of complexity infinitely greater than the building of even my residential house, which is a fairly simple four-bedroom, modest property.

**The SPEAKER:** With pizza oven.

**The Hon. J.J. SNELLING:** With pizza oven, indeed. Thank you, Mr Speaker. I have to say it is a rather amazing feat of modern engineering that five years since they actually started the construction, they will land this hospital within at very worst a few months after it was meant to. I think it is quite extraordinary. For the opposition to be jumping up and down making a huge deal about a hospital perhaps being a few months late is quite extraordinary, given that you are talking about something of such enormous complexity. I think it is remarkable that they are able to land this hospital within at very worst a few months of when we are expected to.

*An honourable member interjecting:*

**The Hon. J.J. SNELLING:** Indeed, but I am always more than happy to take questions in the chamber and talk at length about our new Royal Adelaide Hospital.

**The SPEAKER:** I warn the member for Stuart for the second and final time. Normally he is well behaved but he is sitting in the member for Unley's seat today.

**ROYAL ADELAIDE HOSPITAL**

**Dr McFETRIDGE (Morphett) (14:47):** In his answer the minister talked about accessing the new hospital for testing of equipment. Will there be stress testing of equipment and facilities such as the main water mains and main power services? I understand that has not been catered for.

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:47):** I am not familiar with the exact testing that is to be done, other than to make sure that the hospital essentially is fit for purpose and the builders have fulfilled the obligations that they have under the contract we have with them. With regard to particular testing they do, I am more than happy to provide information to the member for Morphett as much as I am able to.

**COUNTRY FIRE SERVICE**

**Dr McFETRIDGE (Morphett) (14:48):** My question is to the Minister for Emergency Services. Can the minister tell the house what process his department will follow with the rolling out of the second sets of protective clothing to all CFS firefighters?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48):** The advice to me is that the agency will do a process on a needs basis. In other words, those people who go to more fires and require a second set will get them first and those who need them less so will get them second, and they will be rolled out over the next few years. I am very proud to say that we are able to increase safety for our volunteer firefighters by providing them with a second unit. In addition, we are providing—

*An honourable member interjecting:*

**The Hon. A. PICCOLO:** Sorry? That was something I heard from feedback from the original process of reform, that was one of the things that came up time and time again. I was able to bring that to the attention of the Treasurer and see if it could be incorporated into this year's budget and it was.

**COUNTRY FIRE SERVICE**

**Dr McFETRIDGE (Morphett) (14:49):** A supplementary, Mr Speaker: as many CFS firefighters now have both bushfire and structural protective clothing, will they now in fact be getting two extra sets of protective clothing, and what is the budget for that extra set?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:49):** I do not have the figures with me—I am happy to get them for you—but we are spending a number of millions of dollars on this program over the next few years. What I can say, and I will verify this, is that my understanding is the set will be appropriate to the needs of that particular brigade and that will vary from brigade to brigade in terms of the work they do. For example, some brigades do a lot more structural work than others and some do no structural fires, so they will get the set to fit the purpose and that, to me, that makes sense.

**STATE GOVERNMENT CONCESSIONS**

**Mr GEE (Napier) (14:50):** My question is to the Minister for Communities and Social Inclusion. Minister, can you provide an update on the implementation of the government's new cost-of-living concession?

**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) (14:50):** I thank the member for the question and his ongoing interest in the government's efforts to support pensioners and low income earners with their everyday expenses. In May this year, the Premier announced the government's new cost-of-living concession. Around 170,000 home owners will benefit from an increase of \$10 per year, from \$190 each year to \$200.

**The Hon. A. Koutsantonis:** Hear, hear!

**The SPEAKER:** Self-praise is no praise and the Treasurer is warned.

**The Hon. Z.L. BETTISON:** For those home owners who previously received the council rate concession, I can advise the house there is no need for them to do anything. Households will automatically receive a cheque through the mail in September this year.

Our government has also expanded eligibility for this new concession, meaning around 45,000 tenants will benefit by an extra \$100 each year in the household budget. For those tenants, applications for the new concession opened on 1 July 2015, and I am pleased to advise the house that, as of this morning, we have received more than 2,700 online applications and more than 14,100 hard copy applications. In order to receive the new concessions in 2015-16, eligible tenants will need to apply by 31 October 2015, with payments being made by EFT in February 2016.

In order to ensure that the estimated 205,000 eligible concession recipients are engaged, we have used a range of communication methods, including direct mail, media releases and newsletters, as well as specific promotional material packages. We have also ensured that letters to tenants have been translated into various languages, including Vietnamese, Cambodian, Italian and Arabic, to make this information as accessible as possible.

Can I take this opportunity to remind all members to encourage eligible tenants to apply for the new concession, either online at [www.sa.gov.au/concessions/cost-of-living](http://www.sa.gov.au/concessions/cost-of-living) or by completing a hard copy application form and returning it to the Department for Communities and Social Inclusion or by calling the concessions hotline on 1800 307 758. Our government is committed to ensuring that South Australia remains an affordable place to live, and the new cost-of-living concession is an important part of this.

Let me just say that, when people ring up, we are talking to them about other concessions that they are entitled to and making sure that we have the opportunity to ensure they are also getting energy concessions and water concessions and finding out whether they might be eligible for the spectacle scheme or low-cost transport.

#### **TARNANTHI FESTIVAL OF CONTEMPORARY ABORIGINAL AND TORRES STRAIT ISLANDER ART**

**Ms HILDYARD (Reynell) (14:54):** My question is to the Minister for the Arts. Minister, what is the progress of the TARNANTHI Festival of Contemporary Aboriginal and Torres Strait Islander Art?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:54):** I thank the member for Reynell for her question. The inaugural TARNANTHI Festival will be the largest gathering of Aboriginal and Torres Strait Islander artists South Australia has ever seen. To be held from 8 October to 18 October, the festival will showcase the work of over 300 Australian artists across 21 cultural venues in Adelaide, attracting national and international guests, artists, collectors, curators, students, cultural industry professionals and academics. I see the member for Schubert—Google boy—working very hard. Good man. The TARNANTHI Festival—

**The Hon. A. Koutsantonis:** The highest paid internet filterer in the country!

**The Hon. J.J. SNELLING:** —flagship exhibition will take over the whole of the Art Gallery of South Australia, and just days after this year's AFL Grand Final over 40 carved and painted wood sculptures of footy players and paintings depicting scenes of bush footy created by Utopia artists Dinni Kunoth Kemarre and Josie Kunoth Petyarre will grace the gallery's vestibule and celebrate the role of Aussie rules in Central Australia.

Dinni and Josie's sculptures and paintings will also be the inspiration for the gallery's Studio space dedicated to children and families. He's still looking. I hope that it is my Dorothy he is looking for on the internet and nothing else, Mr Speaker.

**Mr KNOLL:** I was looking at the website covering this topic. I was trying to give the Minister for Health the benefit of the doubt, but they are on the website and they detail all the information.

**The SPEAKER:** Which ones are they?

**Mr KNOLL:** Well, it says:

TARNANTHI program announced [and] preview of the highly anticipated TARNANTHI program revealed.

So, the question on the dixer here was about the program, and the program details are all online.

**The SPEAKER:** The words the minister has used are not on the news release provided to me. Minister.

**The Hon. J.J. SNELLING:** The curated TARNANTHI Art Fair at Tandanya National Aboriginal Cultural Institute on the opening weekend of 9 October and 10 October will attract first-time buyers and dedicated collectors alike to buy directly from artists representing 40 Australian art centres. With works of art ranging from \$50 to over \$10,000, this will be an opportunity for dedicated collectors or first-time buyers to buy work direct from Aboriginal artists across Australia. The TARNANTHI Festival, which is supported by the state government, the Art Gallery of South Australia and a \$4 million investment from principal partner BHP Billiton, will feature arts installations spectacular in size and impact.

Artist Yhonnie Scare's 2000 individually blown glass bush yams will form the shape of a nuclear bomb blast conducted at Maralinga, while an installation of 500 spears will show how senior cultural law men pass on the traditional knowledge of spear making to young men from the APY lands. The famous name Namatjira features large in the festival, including works of art by Vincent Namatjira, the great grandson of Albert. I am proud to say that Vincent's painting of Captain Cook was recently acquired by the British Museum.

Six artists, all descendants of Albert Namatjira, have also created wearable works of art in the Namatjira Collection of 1950s style skirts, with magnificent round watercolour landscape paintings—a great thing to buy; I would love one, Mr Speaker. TARNANTHI will change our perceptions of Aboriginal and Torres Strait Islander art, and I encourage all members to get along to what promises to be a fantastic celebration of Indigenous art.

#### CHILD PROTECTION

**Ms SANDERSON (Adelaide) (14:58):** My question is to the Minister for Education and Child Development. Can the minister advise whether Families SA is contacting foster care service providers prior to children being placed in residential care facilities or whether they are just sending them there straightaway although there are beds available?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:58):** I imagine that there are different things that happen depending on different circumstances. At times, tragically, a very speedy process of going into the household and removing children is required. I have seen the collection of clothes that are kept in various sizes and colours in one of the offices that I visited recently, because sometimes these children are taken with just the clothes on their backs, and there are little backpacks that are ready to provide the nightwear, the change of clothes, the toothbrushes. Now, under those very distressing circumstances a bed for the night is of paramount importance.

There will be other occasions in which there is more of an extended process of investigation, discussion and determination about the best location for that child, even in the short term. Now if what sits behind the member's question is, I think, a very genuine concern about the desirability for children in the foster care system or in the out-of-home care system to be placed with a family, then I agree with her; it is far more desirable for children to be in a loving and supportive household, and if it cannot be theirs, then it needs to be somebody else's.

I take my hat off to the people who provide emergency care in those circumstances where the children have been taken abruptly, and also the longer-term care arrangements leading up to taking other person guardianship where they, in fact, take on the legal responsibilities otherwise assumed by the minister. I am committed to doing everything I can, and the department is also, to increasing the number of foster care and kinship places. We have a substantial amount of money set aside in the budget for the next four years to increase foster care, and also to increase the other person guardianship which creates that stability.

**FOSTER CARE**

**Ms SANDERSON (Adelaide) (15:00):** Given there are foster carers I know of who are emergency foster carers who have received children in the middle of the night, what is the government policy regarding the placement of children in residential care facilities?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:01):** I will find the specifics of the policy and all of the various permutations and how that is delivered for the member.

**FUND MY COMMUNITY**

**Dr McFETRIDGE (Morphett) (15:01):** My question is to the Minister for Communities and Social Inclusion. Can the minister tell the house whether she agrees that out of a \$1 million Fund My Community fund, spending \$117,815 on setting up that fund, including over \$15,000 on catering, and nearly \$10,000 on a short video, is a good use of that fund? Can she also tell the house how many community fund applicants missed out because of that \$117,000?

**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) (15:01):** Fund my Community is one of the ways that we are reaching out to wider South Australians, about talking to them about being involved in what their community needs. The way we are looking at it is to look at different options, and what we need to do is go out and talk to people and engage them. I know that, when I go out to do metro cabinets or country cabinets, I have my youth forums and I have talked to the youth about what they are interested in; and what they are interested in is participation, and participating within government and government decisions.

We have been very clear about that. That is the way we want to go ahead—we have seen citizen's jury, for example, and the YourSAy website; we are inviting people to put their opinions in, and this is no different. Did it cost some money? Yes it did, because it takes money to go out and spend that time to invite people to put their opinion. I make no apology for asking the people of South Australia how they think their money should be spent. We have things like the Community Benefit SA fund where people can put in for up to \$50,000 a year, and we have a variety of applications that people put in for that.

What we wanted to do here is ask people to put in their opinion, to vote, to say how they will do—now we will review that and see how that process went. Was it accessible enough? Do we need to provide it in different languages? Would we need to go out and talk to more people about this process? I think that is important. I have seen people who have been successful, absolutely delighted that they were to put in their application, say what was important to their community, encourage their community members to vote on their application, and to then be successful.

For those people who were not successful in the application, I do encourage them to apply to the Community Benefit SA fund where, like I said, there are several rounds a year where people can put in applications for up to \$50,000. I am really excited about the way we are asking South Australians what is important to them.

*An honourable member interjecting:*

**The Hon. Z.L. BETTISON:** Well, that is important; it is their money and we ask them how they would like to spend it.

*Ministerial Statement*

**AMY GILLETT FOUNDATION**

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (15:04):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. S.C. MULLIGHAN:** It is difficult to comprehend that just over 10 years ago one of our brightest and most promising sporting stars lost her life. On 18 July 2005, renowned cyclist and

Australian women's team representative Amy Gillett was hit and killed by an out-of-control motorist while training in Germany. Amy had a successful career in rowing that saw her represent Australia at the Atlanta Olympic Games in 1996 before becoming a champion cyclist. Following her tragic death, her family, together with the Australian Cycling Federation, subsequently founded the Amy Gillett Foundation, a national charity that aims to reduce the incidences of death and injury of bicycle riders.

The foundation undertakes work with governments across Australia, road authorities, motoring and cycling safety authorities, and the public to promote safe cycling in Australia. Their vision is to have zero bike rider fatalities. Some of the measures promoted by the foundation include widespread traffic calming, such as lower speed limits in urban areas, better cycling environments via targeted allocations of infrastructure spending on cycling improvements, changes to road rules to make it safer to ride on roads and shared use paths, and improved education for schoolchildren and learner drivers.

In recent years, the foundation has also promoted road safety campaigns, including 'a metre matters', which raises motorists' awareness of the need to provide a metre when overtaking bicycle riders, and 'It's a two-way street', which educates both drivers and bicycle riders about road rules, mutual respect and other important behaviours that are crucial when sharing the road. Ms Mary Safe, Amy Gillett's mother and ambassador for the foundation, delivers a road safety and life skills program, 'Remembering Amy for a Reason', to school-aged children.

In the past four years more than 16,000 children have accessed the program both here in South Australia and in Victoria. This outstanding work is a fitting tribute to Amy Gillett, and the state government is also committed to providing safe cycling environments that will also help us to achieve the targeted reduction in road trauma casualties detailed in South Australia's Road Safety Strategy 2020: Towards Zero Together.

We are reminded that from Amy Gillett's tragic death has come some very important work to help raise public awareness about cycling safety, including increased participation in cycling, greater safety awareness for all road users, and improved infrastructure to enable people to safely enjoy cycling. Along with a bikeway named in her honour, which connects the Adelaide Hills townships of Woodside and Oakbank, these influences will form part of Amy Gillett's legacy in South Australia. It is through all of this work that we will remember Amy.

*Personal Explanation*

**ESTIMATES COMMITTEE PROCEDURE**

**Mr KNOLL (Schubert) (15:07):** I seek leave to make a personal explanation.

Leave granted.

**Mr KNOLL:** Mr Speaker, yesterday in the house the member for Wright made reference to points of order that I made during estimates with regard to publicly available information, suggesting that those points of order were not in fact relevant and that publicly available information is not relevant to estimates. I would like to draw your attention to page 362 of the 24<sup>th</sup> edition of *Erskine May*, which states:

Questions requiring information set forth in accessible documents (such as statutes, treaties etc.) have not been allowed when the Member concerned could obtain the information of his own accord without difficulty.

I would ask, Mr Speaker, for a ruling from you on whether or not that part of *Erskine May* applies during estimates proceedings.

**The SPEAKER:** The committee is a subset of the house, so I rule that the rule applies in committee. The member for Wright.

**The Hon. J.M. RANKINE:** Sir, I seek leave to make a personal explanation.

**The SPEAKER:** Has the member been misrepresented?

**The Hon. J.M. RANKINE:** Yes, sir.

**The SPEAKER:** How has the member been represented?

**The Hon. J.M. RANKINE:** Well, that is what I am asking to explain. So, do I have leave, sir?

**The SPEAKER:** I would like to know how the member was misrepresented.

**The Hon. J.M. RANKINE:** I was misrepresented in that personal explanation, in that in my speech yesterday I said that the member for Schubert was in fact that 'the darling of points of order' and that he was calling points of order in relation to a minister's answer, when in fact, if the same standards applied in estimates as they do in question time, all their questions would have been out of order. That was my point.

**The SPEAKER:** I do not think the house should give leave for that personal explanation.

**The Hon. J.M. RANKINE:** Sir, can I have a point of clarity?

**The SPEAKER:** No, I do not take points of clarity. That is the deputy leader's style.

**The Hon. J.M. RANKINE:** If the answers have to be according to standing orders, so do the questions.

**The SPEAKER:** That is an entirely different question from the one the member for Schubert raised, and that may be raised independently, as the member did yesterday.

**The Hon. J.M. RANKINE:** Sir, and that is exactly what I said yesterday and that is why I am saying I was misrepresented.

**The SPEAKER:** The house has no particular interest in what you said yesterday.

**The Hon. J.M. RANKINE:** I am sorry, but that was his personal explanation.

**Mr GARDNER:** Point of order, sir: the member for Wright is obstructing the house, and under 142 I think there are steps you need to take, sir.

*Mr Goldsworthy interjecting:*

**The SPEAKER:** Is the member for Kavel in pain?

**The Hon. T.R. KENYON:** Point of order.

**The SPEAKER:** Point of order from the member for Newland. This will be as barren as the previous one.

**The Hon. T.R. KENYON:** Sir, the member for Wright sought to make a personal explanation. The usual procedure, in my understanding, is that leave is sought, leave is then granted or not, and it is generally not done by the Chair to interrogate the member before they seek to make their personal explanation.

**The SPEAKER:** When I was much younger in this house, the procedure was that a member sought leave to make a personal explanation and the Speaker asked, 'Has the member been misrepresented?'

**The Hon. J.M. Rankine:** And I was.

**The SPEAKER:** Well, the member said she had been misrepresented, but in my judgement she was not misrepresented.

**The Hon. T.R. KENYON:** On that point of order, sir, you said merely ask the question, 'Has she been misrepresented?' to which the member for Wright said yes. I would have thought, generally, that the personal explanation would then proceed.

**The SPEAKER:** Had we granted leave and heard the member for Wright for any length of time, we would have discovered that there is no substratum of fact for the claim that the member for Wright had been misrepresented.

**The Hon. T.R. KENYON:** You never asked for leave.

**The SPEAKER:** No, that's true. I decided to hear the member for Wright without leave and I reached that conclusion.

*Grievance Debate***STATE ELECTION CAMPAIGN**

**Mr GARDNER (Morialta) (15:13):** Today is the last day before the winter break and it is shaping as a very cold winter for a number of people on the steps of this house, amongst other things, and for some within it. It is also a day on which the Electoral Commissioner has had her report on the 2014 election tabled.

A cursory glance at some of the recommendations has made me pause to contemplate the nature of elections and the way parties conduct themselves before an election, the manner in which they put themselves forward before an election and then the way they behave subsequent to an election if they happen to form government. Our current government gives exactly the reasons for that pause.

Recommendation 24 the Electoral Commissioner has put in her report, released publicly today, suggests in fact that in relation to misleading advertising the parliament should consider removing this provision which is held in no other state or territory in Australia, that is, misleading advertising, the misrepresentation of what a party is that puts itself before an election and behaves in an entirely different way after an election.

I can appreciate that a government that got the votes of about one in three South Australians before being able to form a majority in this house might perhaps not really have believed that it had much merit in the platform it put forward or the policies it took to an election, but it does seem to me to be a reasonable expectation that the South Australian people might have that some of the more bold and radical ideas the government would seek to implement might at least have had some basis in the presentation that party made before an election.

I am thinking back to those people who are going to be suffering through this cold winter as they sleep on the steps of this house to present their point of view that the government should not be closing the Repatriation General Hospital—a government almost all of whose members stood by former premier Mike Rann (the now Ambassador to Italy) as he pledged that a Labor government would never sell the Repat. After 100-something days and 100,000-something signatures on their petition, I commend those people on the steps of the South Australian parliament for the work they are doing for the respect that they seek from this government.

If you are going to do something that is so bold, so radical and so completely against the direction that has been presented by a party throughout its entire history—namely, that they would be standing up for veterans and that they would be supplying the health services they deserve—frankly, I think that the government should have taken that to an election. They should have presented it before an election and they should not act on it until after the next election. It is something that they should take to an election. It is something they will take to the election if they do it, and they deserve to be condemned for that behaviour.

Why would a government do this? It is of a piece with so many other things this government has done: say one thing before an election, do another thing after an election. It is because this government has lost its moral compass. It is because this Labor Party has lost its moral compass. It is not the only thing they have done. It is not the first time that they have acted in this sort of way—for example, the way that this government has taken the axe to the Glenside hospital over a series of years; the way that this government tried to cover up the contamination at Clovelly Park; and, in fact, the way that the government behaved during the last couple of election campaigns.

We remember the 'Put your family first' T-shirts espoused by the Minister for Tourism in his seat and other members in their seats before the 2010 election, misrepresenting to voters the presentation that those volunteers were making. We remember the 'Can you trust Habib?' flyers put out in the member for Elder's electorate, which were a disgusting form of political misrepresentation. I know that so many members of the Labor Party were privately very ashamed of them, yet only a couple of interstate members have publicly had the gumption to come out against their party and label it for the racism that it is.

This is a government that is ready to show its moral colours by jacking up water prices, electricity prices and utility prices with no reflection on the cost that that is going to have on the cost

of living of everyday South Australian. These colours are shown even more by the Premier's recent determination, not they ignoring what they said before an election but saying something different after an election. Before an election, we were told there would be no change to the GST. Even just a couple of weeks ago, the Treasurer said that the only people talking about changing the GST were the government's political opponents. Last week, the Premier was apparently all in favour of raising the cost of living for everyday South Australians by hundreds of dollars a year through the raising of the GST.

It reminds me of George Costanza. This is really a George Costanza government and very much in the frame of the famous George Costanza line: 'Just remember, it is not a lie if you believe it.'

#### **WALSH, MR PHILLIP**

**Mr PICTON (Kaurna) (15:17):** This is the first sitting of state parliament since the shocking and untimely death of the coach of the Adelaide Football Club, Phil Walsh, on the 3<sup>rd</sup> of this month. As this is the first sitting of our parliament since his passing, I thought it appropriate to make some comments of condolence at this time. Walsh's death has had a profound impact upon South Australians, given both the shock of the death and its circumstances as well as the stature and respect of the man.

Walsh was born in Hamilton, Victoria, and played 122 games in the VFL for the clubs of Collingwood, Richmond and Brisbane. He was the inaugural winner of the Brisbane Bears best and fairest medal in 1987. Following his playing career, he started his off-field football career at Geelong, before being appointed assistant coach at Port Adelaide, where he was part of the successful 2004 premiership team. He later worked as an assistant at West Coast Eagles before returning once again to Port Adelaide.

In October last year, the Adelaide Football Club appointed Walsh as its senior coach. That was to be the seventh club he had worked with in the AFL. After 20 years in coaching, and 32 years since he first pulled on the boots to play at Victoria Park, he finally received the call-up to lead a club himself. The reasons he was appointed were clear: the universal respect he had, as somebody who had a great strategic mind for football and someone who always put the team first in the search for success. Over the nine months working at the Crows, Walsh earned even more respect. On the field during the 12 games he coached, the team improved significantly and worked together in unison towards a shared strategy. Off the field, there was strong camaraderie amongst the players and excitement from the fans.

When tragedy happened on the morning of 3 July, there was shock across the state. While most football fans, myself included, had never met Phil Walsh, we still felt profound grief given that he was a part of our daily lives through television, radio, newspapers and the internet. We saw that grief and respect for Phil Walsh displayed in some extraordinary ways in the days that followed.

On that very morning, South Australians—whether they were Crows fans, Power fans, or some not fans of football at all—started arriving at the Adelaide Football Club headquarters at West Lakes with bouquets of flowers, cards, football scarves and jumpers to leave as a mark of respect. Within the week, thousands of people had visited leaving a huge shrine.

Australians also left football scarves outside their homes, not just in the state but around the country. As I doorknocked my electorate in the coming weeks, I saw these on many streets throughout the south. There were some emotional tributes at football games held subsequently, not just at the AFL level but also amateur leagues, including junior football games. The silent tributes by both teams that started with the Hawthorn and Collingwood game will be forever remembered as one of the most emotional football moments ever.

Tens of thousands of fans also flocked to Adelaide Oval at a time that the scheduled game against Geelong was due to happen; and when Adelaide played its first game back at Adelaide Oval since the tragedy—as it happened against Walsh's former club, Port Adelaide—it was a historic moment as both teams entered the stadium through the one joint banner. Of course, while the public felt and displayed this grief, it was his family and friends who were hit the hardest, and in this statement his family said:

He was a devoted father, husband, son and brother. He was a much-loved uncle, brother-in-law and cousin, and a close friend, mentor and colleague to so many.

We should never forget that the tragic events that happened to this well-known man could have been just as tragic if they happened to any other member of the community. One of our most senior police officers was the first to make a statement about the death, and his words were profound. Superintendent Des Bray said:

It's not even just that he's a high profile person, it's just absolutely terrible when families are torn apart in such tragic circumstances. For any family, regardless of who it is, [this is] one of the worst things you could imagine that could happen to you.

I am sure the thoughts of all members of parliament will be with Phil's wife, Meredith, his family, friends and colleagues at this very difficult time.

### TERTIARY EDUCATION SECTOR

**Mr DULUK (Davenport) (15:22):** The revelation last week that the state government was secretly planning to merge South Australia's universities and TAFE system was disturbing, to say the least. The fact that this government was considering amalgamating the third-oldest university in the country and my alma mater, the University of Adelaide, with University of South Australia was reckless and short-sighted in the extreme.

The vice-chancellors of Adelaide and UniSA do not want this to go through. The bulk of educational experts in the city do not want this to go through, and I bet most students do not want this to happen either. More disturbing, however, was the fact that the documents which were released under freedom of information have revealed that the Premier's office sought to shield the media on this issue in March.

If the Premier thinks these amalgamation plans would be good for the sector, why does he want them hidden from the public? I call on the Premier to be up-front and honest with the people of South Australia on this issue. Since none of the vice-chancellors support these plans, the Premier must confirm, beyond any doubt, that these plans are well and truly dead and buried, as minister Gago has said. We do not want to be in a position in 12 months' time where we see this idea of the merging of our universities and TAFE system revived.

The reason why I oppose these plans is that Adelaide Uni has spent well over 140 years building its reputation as a centre of learning and excellence, and as a result of this hard work, is ranked in the top 1 per cent of universities in the world. It would be, as many others have pointed out, including the federal education minister, sheer lunacy to lose South Australia's only top 100 university overnight by forced amalgamation.

While university rankings are not perfect and do not measure everything, they do count for a lot in public perception. If we wish South Australia to become a hub of international students, we must do all we can to preserve, protect and promote our universities' reputations around the world. International students are unwilling to expend tens of thousands of dollars on an institution which has a poor reputation.

Higher education is one of our most important exports and the growing professionalisation of the workforce will only increase the need for our tertiary institutions to be able to cater for greater numbers at the highest educational standards. I would like to quote what Flinders University said about the merger proposal because I believe that hit the nail on the head, and I quote:

There is room in South Australia for three strong, distinctly different universities and TAFE. Flinders is confident about its position as South Australia's fastest growing university and remains focused on that competitive strategic agenda.

Flinders University, which has one of the most beautiful locations for a higher education facility in the country, which I am also lucky enough to have in my electorate, has a well-justified reputation for its teaching and research. The proposed merger of Flinders and TAFE demonstrates that this government does not understand the different purposes and functions of the two institutions.

Flinders is a higher education and research facility. Its purpose is to provide professional standard degrees to undergraduates and postgraduates so they can be leaders in their respective fields. TAFE on the other hand is a far more hands-on and practical institution, which is meant to

focus on providing those skills which are needed in many vital and important day-to-day occupations. However, under this tired Labor government we have seen TAFE and the VET sector suffer. TAFE has not been keeping up with what students want and, as a result, students have been voting with their feet. In many respects, TAFE is stuck in a time warp and some of their certificates offered today are barely worth the paper they are printed on for many employers, unfortunately.

The up-front cost of attending TAFE is prohibitive for many of the people who need TAFE training the most, and the 500 jobs cut at TAFE are a direct result of poor and neglectful management by this government. We have seen massive state government funding cuts from the TAFE music program at Noarlunga without a peep of complaint from the members for Kaurna, Reynell and Fisher. TAFE could be so much better than it is today if the government had focused on this great institution and its competencies. The chopping and changing between the Skills for All program being scrapped and the new WorkReady program has resulted in much uncertainty for the sector.

As I have always said, South Australia deserves to meet or exceed Australia's best practice. South Australia needs a government which looks after our higher education sector and does not engage in secret plans to damage our universities' reputations.

### ORGAN DONATION

**Ms COOK (Fisher) (15:26):** The journey of involvement in organ donation for me started at age 13 when I heard about an older student at my high school who had tragically died several days after a freak accident at home. I recall kids at school talking about what had happened and one of the girls saying that she thought her kidneys were going to help somebody. I had no idea what they were talking about. I certainly did not understand, but I knew it was special and I have never forgotten her name.

This weekend, as part of celebrations leading into DonateLife Week, there is an event which celebrates 50 years since the first kidney transplant. This is such an achievement when we consider how little knowledge and technology was available in the sixties. I had the great privilege to witness a kidney transplant as part of my theatre nursing rotation during my training at The Queen Elizabeth Hospital. The sight of a kidney, devoid of perfusion, often having sat on ice for many hours and having travelled maybe across the country, suddenly becoming a wonderful rich colour once clamps are released and the organ fills with the recipient's blood is incredible.

Since those very early days, I have worked on all sides of this wonderful gift. I have nursed people waiting patiently for organs and sadly seen people pass away when the wait has become all too long. I have cared for recipients of kidneys and livers and know how very grateful they are. I have worked with the donors and donor families as the tragedy of brain death becomes a reality and those brave families start the journey of loss of a loved one, but still make such a selfless and generous decision in this dark time. I remember all of the donors and all of their families. Their stories become burnt into your memory. It is these stories that helped me value life in nursing. Those who have given so much to so many: the generous organ and tissue donors who have saved and transformed lives.

I did not ever imagine that this connection would become so very personal. Members may or may not be aware that my son was an organ donor. On 3 May 2008, my husband and I said goodbye to him as he left for a party. He never came home. His life was lost in a pointless assault by a person he did not know. This person's life has also now changed forever because of one moment in time. Making this decision to give life should be so easy because we do not need our organs when we die. It defies logic to let them go to waste, especially when there are so many who need them, but I know how hard it is.

I had nursed for over 20 years and I knew about brain death, but as I sat at the bedside I kept doubting myself. He looked so perfect and so fit. What if he could survive? What if we make the wrong decision? It is silly to think about now, but that is what went through my head. If I had those crazy thoughts as a nurse, I hate to think how hard it is for people who are not used to navigating the medical world.

Sam was 17 and he was everything to us. He was a confident, funny and popular young man with everything to live for. He gave life: he chose to be an organ donor. For Sam, this was the only decision. He asked for this to go on his driver's licence. As an intensive care nurse, I had spoken to

him of both donors and recipients. He knew their stories and was understanding of the need. This made it so much easier for us. It was what he wanted.

We have not connected with the recipients, as it is too hard for us, but I know that they are so very grateful: a mother of five children, grandparents and a four-year-old child with congenital heart disease. We may yet see another chicken parma-loving kid out there kicking goals for an AFL team in the next 10 years.

With 1,600 people waiting for organs nationwide, we know that much more must be done to raise awareness about organ donation. Even though the research tells us that the chance to save lives makes 90 per cent of Australians want to become an organ and tissue donor, nearly 40 per cent of Australians have not made the decision about donation, and nearly a third have not even discussed it with their loved ones.

Many people think that we should make being a donor an opt-out system where it is assumed you will donate unless you have declared your opposition. The evidence does not support this. We must educate and raise awareness.

In 2014, 36 South Australians donated their organs for transplant and 118 deceased donors provided corneas for 172 transplants—it is incredible. We lead Australia with a donor rate of 21.4 per million population when the national figure is 16.1 per million. SA leads the way and has a strong tradition of being a compassionate state with public support for organ and tissue donation.

One decision can transform the lives of so many. Organ donation can mean the difference between sight and blindness, walking and not walking again. Our health system supports effort to smooth the way for families facing this decision. Our specialist nursing coordinators and medical specialists, intensive care units, emergency departments and our tissue, typing and transplant facilities all work together to identify donors and keep families informed.

The message remains the same: encourage your loved ones, friends and colleagues to have the chat and save lives. Keep spreading the word. As a member of our donation and transplant community with personal experience, you have a crucial role to play, if you become one of these people, in creating awareness and dispelling any myths. I encourage you, as DonateLife Week kicks off on Sunday to run from 2 to 9 August, to join us in spreading this message throughout your electorate.

#### **MCSWEENEY, MR DONALD**

**Mr TRELOAR (Flinders) (15:31):** I rise today to pay tribute to a true legend and one of Eyre Peninsula's favourite sons. Donald Phillip McSweeney OAM was buried yesterday in Cummins, his hometown. I am going to borrow from the eulogy delivered by his granddaughters Paula and Lisa and also David Shipard. His funeral was attended by people from all over Eyre Peninsula, people whose life he touched and also many of those from the football fraternity.

Don was born in Port Lincoln on 1 May 1931. He spent his very early years at Edillilie where the family lived on a 40-acre block joining the north-east corner of the town. In 1937 the family moved to Cummins and Don began his schooling there. As was the way, at 14 he left school to serve an apprenticeship at one of the local garages, and he completed that apprenticeship in 1950. He then left that trade and began contract work as a wheat lumper and shearer. Of course, those two tasks were known as piecework. Most certainly, the harder you worked, the more you were paid, and nobody worked harder than Don.

In 1951, he married the love of his life, Eileen, and over the next four years, they welcomed two daughters, Raelene and Debbie. Both of those girls and their families still reside within the district. In fact, his marriage to Eileen lasted some 64 years and was one of the truly great partnerships to be seen. Particularly in more recent times, they were rarely seen apart.

Don worked in the grain industry, running various wheat sidings in the area. His average working day involved lumping bags of wheat weighing 180 pounds. Of course, there are 60 pounds in a bushel, and a bag of wheat had three bushels. Good wheat lumpers could stack and carry up to 2,000 bags per day, so each individual, on their shoulders, was moving 180 tonnes of grain each day.

Don invented the pull-down slide, which involved using a system of wooden slides to pull down the stack to load into rail trucks to cart to Port Lincoln and load onto boats. This was recognised as a much more efficient way of pulling stacks down and became the method used right across the state.

When bulk handling became a reality, he knew that he had to find another source of income and became a gun shearer. In fact, when I first met Mr McSweeney, he was shearing at my father's shed. He certainly was a gun shearer, getting good tallies with narrow gear in those days.

They worked hard, both he and his wife, Eileen, and eventually saved enough to make a deposit on a farm west of Yeelanna in 1966. Don continued shearing to supplement the family income and they stayed working the farm at Yeelanna until ill health in 1986. They retired onto a few acres out of Port Lincoln and enjoyed the latter years, continuing his involvement in farming.

Don was also heavily involved in community efforts. He was on the CFS and the Cummins Rodeo Committee raising funds for the Cummins Hospital. He was Chairman of the Bicentennial Committee. He enjoyed sports immensely and it was through football that he made his truly great contributions to the broader community.

I will run through just a few of his achievements. There is not time for all of them, but he was made a South Australian National Football League Life Member, he was a life member of the Port Adelaide Football Club (Magpies). He was awarded the Medal of the Order of Australia for service to Australian Rules Football and, through a range of administrative roles, to the communities of Cummins and Port Lincoln. He was inducted into the South Australian National Football League Hall of Fame in 2012. All this for a man who did not actually play league football but rather played local footy, associated football and contributed so much as a player, and then over a period of 60-odd years as a football administrator.

I last saw Don just a couple of weeks ago where he delivered the Welcome to Country in Port Lincoln as a host of the Maralinga Football Team. They were about to travel to Adelaide and play in the Aboriginal Lands Cup. That cup has been renamed the Don McSweeney Aboriginal Lands Challenge Cup. Don very proudly stood on the turf at Adelaide Oval and watched his name come up on the scoreboard when it was renamed as the Don McSweeney Cup. No death is timely but, for Don, lending his name and convening that Aboriginal Lands Cup, it was as though his work was done.

Many tributes and accolades have been given to Don over the past week, but if I could add mine in this place today, it is that Don was a capable, humble, hardworking man devoted to his family and his community. He cared about others and he always looked out for others. Vale Don McSweeney OAM.

### **NAPIER ELECTORATE**

**Mr GEE (Napier) (15:36):** There is a number of things I wish to speak about today, including the new Playford Alive Town Park, my local schools and doorknocking. I was pleased to recently open the Playford Alive Town Park at Munno Para. The park was delivered through the Playford Alive Urban Renewal Project by partners Renewal SA and the City of Playford. It is the newest and largest civic park constructed in South Australia in recent times and is adjacent to the new Stretton Centre which will contain a public library, toilets and meetings places. The research centre will be opened soon in conjunction with the University of Adelaide.

The 1.3 hectare town park is the result of an award-winning community consultation process in 2013. The park is in the newer part of Munno Para and is proving very popular with families across the local area. The park, which features a number of different zones, caters for people of all ages. As you enter the park you look across a large grassed amphitheatre with a stage in front which will host events such as the Playford Alive Fun Day which generally attracts over 5,000 local people each year.

As you move to the right, you can sit and relax in the contemplative garden or the whole family can play in the water play area that contains a long canal with lock gates which children can move up and down to regulate water. It also contains taps, stepping stones, bubblers and fountains. There are two playground areas, one for children under four and one for older children. The

playgrounds are disability-friendly and contain a spider tower, all-inclusive basket swing, slides of various sizes (one of which is huge), a flying fox and much more.

The park is not only for children but also for young adults who can enjoy the basketball courts and the skate park in the youth zone. The skate park, which is one of the largest in the southern hemisphere, was designed with the assistance of the Elizabeth Riders Committee, a group of young BMX riders, scooter riders and skaters from the local area. The skate park has so far drawn young people from across the metropolitan area. The first round of the YMCA Skate Park League series starts at the park this Saturday 1 August, with riders and skaters performing tricks and competing for a place in the State Grand Final which will be staged at the park in November. Grand final winners will go on to compete at the national grand final. Families can use the shade, barbecue and picnic tables to ensure quality time with each other in a great location, surrounded by native plants, cultural shapes and planter boats. I encourage members to check out the park with their friends and families, one of the great assets in my electorate.

Another one of Napier's greatest assets is our schools, teachers, students and their parents. I enjoy visiting all my schools to meet the people responsible for educating our students and young people. I was recently at the Swallowcliffe Primary School chatting with the principal (Tonia Noble) about the \$5 million our government has invested in the school, and spoke with a parent who has started to teach students rugby because he saw them playing on the oval after school and offered his assistance. The number of students attending his rugby training sessions is growing every week.

Students of Mark Oliphant College, at their showcase late last term, produced some brilliant projects, including a very moving play on the bombing of Hiroshima, a wide variety of food from the Depression, designs for picnic benches for the schoolyard (which they then constructed) and a 3D periodic table.

We recently had a massive turnout of several hundred people at the Adelaide North Special School quiz night. I hosted a table with friends and staff. Not only did we thoroughly enjoy the night, but it was a great success, with lots of silent auctions, lots of fun and laughs, and lots of funding to assist this school. We also have a dedicated group of principals and senior leaders who are working hard, along with the teaching staff, to ensure that the students do their best and achieve great outcomes. I see improvements each time I visit. I would like to thank minister Close for joining me at a number of the schools in my electorate.

Finally, I will talk about doorknocking. I believe doorknocking is essential and I doorknock with my community liaison officer most non-parliamentary weeks. One young woman whom I met on my last outing was in tears on her doorstep. She was one day from having to move out of her house as her landlord had decided to sell the property. She had a periodic lease and was subject to a seven-day notice period. My staff were quickly onto the issue and I am relieved to say she was housed later that same day.

While doorknocking in another part of the electorate, constituents raised the state of their local park, the possibility of the provision of some play equipment and some safety issues. I ran a survey of the local community around that area and wrote to the council with the results.

Time expired.

### *Bills*

#### **SUMMARY OFFENCES (BIOMETRIC IDENTIFICATION) AMENDMENT BILL**

##### *Introduction and First Reading*

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:43):** On behalf of the Attorney-General, obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

##### *Second Reading*

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:43):** I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Under existing laws, police have limited powers to request that an individual identify himself or herself. Police also have limited powers in respect to the taking of a person's fingerprints.

In the lead up to the 2014 State election, the Government announced that it would be introducing laws to expand the powers for police to more effectively use mobile fingerprint scanners (also known as portable biometric fingerprint scanners) to fight crime.

The mobile fingerprint scanners, currently being used by police, are able to scan and capture biometric data (an electronic picture of a fingerprint), electronically access the relevant database known as the National Automated Fingerprint Identification System ('NAFIS') and receive a response to enable rapid identification.

South Australia Police ('SAPOL') has advised that scanned biometric data is electronically transferred from the device to a SAPOL server, which sends the data and an instruction to the NAFIS database to search its records to determine if there is a matching fingerprint on file. The outcome of the search is referred to as a 'Hit' / 'No Hit' result. If a matching fingerprint is found in the NAFIS database, the person's identity and criminal history are returned and appear on the screen of the mobile device. Conversely, if the fingerprint is not matched in the NAFIS database, there will be no other information returned other than 'No Hit'. The use of the mobile fingerprint scanners will have no additional contribution to records held on the NAFIS database.

SAPOL also advised that captured biometric data through the fingerprint scan is compared to fingerprints of people with a known identity on the NAFIS database.

The Bill amends current section 74A(1) of the *Summary Offences Act 1953* ('the Act') to allow a police officer to require a person to submit to a biometric identification procedure, which is in addition to the current power to require a person to state all or any of the person's personal details. A police officer may use either measure or both. The existing pre-conditions in section 74A(1) of the Act will apply for both.

Those pre-conditions are that a police officer has reasonable cause to suspect:

- that a person has committed, is committing, or is about to commit, an offence; or
- that a person may be able to assist in the investigation of an offence or a suspected offence.

The Bill defines *biometric identification procedure* as:

'a procedure in which biometric data relating to a person is obtained by means of photograph or scan and compared with other biometric data for the purposes of identifying the person.'

The Bill defines *biometric data* as:

'fingerprint data or any other prescribed data or data of a prescribed kind that describes physical characteristics of a person or part of a person that may be used to identify the person.'

The definition of biometric data will enable other forms of biometric identification procedures to be used in the future by prescribing other types of data by regulation. Any expansion will be assessed on a case by case basis as the technology develops.

The same maximum penalty will apply for failure or refusal to submit to a biometric identification procedure as that in current section 74A(3) of the Act.

Current section 74A(4) of the Act has also been amended to include the situation where a person is required to submit to a biometric identification procedure. Under this amendment, a police officer who has required a person to submit to a biometric identification procedure is required to comply with a request to identify himself or herself, in accordance with that section.

The Bill also includes a new section 74A(4a) which is an offence aimed at deterring inappropriate retention and storage of biometric data. The new section expressly provides that a person must not retain or store biometric data derived from a biometric identification procedure under new section 74A for longer than is reasonably required for the purposes of carrying out the biometric identification procedure. The maximum penalty is consistent with the maximum penalty for unauthorised storage of a DNA profile under the *Criminal Law (Forensic Procedures) Act 2007*.

The wider use of mobile fingerprint scanners by police is expected to improve identification rates, reduce the incidence of people avoiding being identified and allow for identification while police officers remain in the field.

The biometric identification procedure proposed in this Bill is intended to be a separate and distinct procedure to assist with on the spot identification of a person to aid police officers in their duties whilst remaining in the field.

I commend the Bill to Members.

## Explanation of Clauses

## Part 1—Preliminary

## 1—Short title

## 2—Commencement

## 3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Summary Offences Act 1953*

## 4—Amendment of section 74A—Power to require personal details and other identification information

This clause proposes to amend section 74A of the *Summary Offences Act 1953* so that a police officer may require a person to submit to a biometric identification procedure if the officer has reasonable cause to suspect that a person has committed, is committing, or is about to commit, an offence or that the person may be able to assist in the investigation of an offence or a suspected offence. This is in addition to the requirement to state all or any of the person's personal details which is currently provided for under section 74A(1).

A biometric identification procedure is defined as a procedure in which biometric data relating to a person is obtained by means of photograph or scan and compared with other biometric data for the purposes of identifying the person. Biometric data is defined as fingerprint data or any other prescribed data or data of a prescribed kind that describes physical characteristics of a person or part of a person that may be used to identify the person.

The clause provides that a person must not retain or store biometric data derived from a biometric identification procedure for longer than is reasonably required for the purposes of carrying out the biometric identification procedure.

Debate adjourned on motion of Mr Speirs.

**LIQUOR LICENSING (ENTERTAINMENT ON LICENSED PREMISES) AMENDMENT BILL***Introduction and First Reading*

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:44):** On behalf of the Attorney-General, obtained leave and introduced a bill for an act to amend the Liquor Licensing Act 1997. Read a first time.

*Second Reading*

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:44):** I move:

That the bill be now read second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The *Liquor Licensing Act 1997* ('the Act') regulates the sale, supply and consumption of liquor. Section 105(1) of the Act requires a licensee to apply to the licensing authority for consent to provide entertainment on the licensed premises or any area adjacent to the licensed premises ('entertainment consent'). The licensing authority has the power to grant its consent subject to the conditions it considers necessary or desirable under section 105(3) of the Act. Conditions may also be imposed under section 43 of the Act which is the general power of the licensing authority to impose conditions.

The Government is aware of industry concerns regarding the entertainment consent process and has decided to introduce this Bill to remove unnecessary regulation. Many of the concerns relate to the nature of the conditions imposed on entertainment. While this proposal does not seek to remove the entertainment consent process entirely, the Government considers that this Bill does strike a balance in reducing red tape but still maintaining adequate regulation for entertainment.

The main change proposed in the Bill is that a licensee will not be required to apply to obtain the consent of the licensing authority for entertainment provided on licensed premises (as defined in the Bill) between the hours of 11am and midnight. However a licensee will be required to obtain the consent of the licensing authority outside of those hours or if the entertainment is prescribed entertainment, as defined in the Bill.

The Bill provides for transitional provisions which are outlined in Schedule 1 of the Bill. These transitional provisions are aimed to ensure a smooth implementation of the reform. Existing entertainment consents will continue in force and be subject to existing conditions. However, existing entertainment conditions (as defined in the Bill) will

have no effect during the hours of 11am and midnight. Conditions imposed on the premises under other laws, such as approvals under the *Development Act 1993*, will not be affected by the Bill (which is expressly stated in Schedule 1 clause 1(2) of the Bill).

The process under section 106 of the Act relating to noise complaints will remain unchanged. Section 106 of the Act currently allows for a complaint to be made to the Liquor and Gambling Commissioner ('the Commissioner') regarding noise from licensed premises. A complaint may be lodged under section 106 if an activity on, or noise emanating from, licensed premises or the behaviour of persons making their way to or from licensed premises, is unduly offensive, annoying, disturbing or inconvenient to a person who resides, works or worships in the vicinity of the licensed premises. A complaint may be lodged by persons that satisfy the requirements of section 106 of the Act.

In most instances the Commissioner attempts to resolve the issues by conciliation. If the matter of the complaint is not to be conciliated or is not resolved by conciliation, the matter is determined by either the Commissioner or the Licensing Court of South Australia. The parties may nominate the forum in which the matter is heard/resolved.

The Commissioner or the Licensing Court may make an order that adds to or varies the condition of the licence. Schedule 1 clause 1(2) of the Bill makes it clear that nothing affects a condition added to a licence, or varied, by an order made under section 106 after the commencement of the Bill. Therefore any condition added to a licence, or varied under section 106 of the Act, after commencement of the Bill, will apply.

Schedule 1 clause 3 of the Bill is a transitional provision in respect to those licensed premises that currently provide prescribed entertainment. That transitional provision has been drafted such as to enable the continuation of business with minimal interruption. The provision provides the Commissioner with flexibility for the purpose of granting consent to those licensed premises that have been lawfully providing prescribed entertainment as required by the Bill.

Another important transitional provision is Schedule 1 clause 5 of the Bill which provides the Commissioner with power to add, substitute, vary or revoke a condition of a licence or consent if necessary or desirable to do so as a result of the reforms in the Bill. This power will enable the Commissioner to vary or revoke existing conditions that may be superfluous in light of the reforms in the Bill.

The Bill also includes other consequential changes that are necessary to ensure the full effectiveness of the proposed reforms, these include changes to section 57 (requirements for premises) of the Act and section 77 (general right of objection) of the Act.

The purpose of the Bill is to cut red tape, reduce cost to businesses as well as encouraging the live music industry.

The changes will mean, for example, restaurants can have a violinist or acoustic guitar playing in the background during the hours of 11am and midnight, without having to seek the consent of the licensing authority. The Bill will also make entertainment consent for all venues more consistent with that of small venues. Licensees that have a small venue licence are currently not required to apply for entertainment consent for entertainment provided between 11am and midnight.

This Bill strikes an appropriate balance between reducing red tape and maintaining regulation of entertainment during the hours in which noise from licensed premises is most likely to impact upon residents (after midnight and through the early hours of the morning).

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Liquor Licensing Act 1997*

4—Amendment of section 52—Certain applications to be advertised

This clause makes a consequential amendment.

5—Amendment of section 57—Requirements for premises

This clause inserts new subsection (1a) into section 57 of the principal Act to require the licensing authority to disregard entertainment that may be provided without the consent of the licensing authority under section 105 when considering an application for a licence.

## 6—Amendment of section 77—General right of objection

This clause inserts new subsection (6) into section 77 of the principal Act, removing entertainment that may be provided on licensed premises or proposed premises without the consent of the licensing authority under section 105 from the scope of objections under that section.

## 7—Substitution of section 105

This clause substitutes new section 105 into the principal Act. The new section requires consent of the licensing authority to provide entertainment on licensed premises between midnight and 11 am, or prescribed entertainment at any time. The current section requires consent at all times.

The new section also makes procedural provision in relation to consents.

## Schedule 1—Transitional provisions

This Schedule makes transitional provisions relating to the amendments to the principal Act enacted by this Act.

Debate adjourned on motion of Mr Speirs.

**COMPULSORY THIRD PARTY INSURANCE REGULATION BILL***Introduction and First Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:45):** Obtained leave and introduced a bill for an act to establish the CTP Regulator; to define its functions in relation to the compulsory third party insurance scheme for motor vehicles in the state; to make related amendments to the Motor Accident Commission Act 1992 and the Motor Vehicles Act 1959; and for other purposes. Read a first time.

*Second Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:45):** I move

That this bill be now read a second time.

I seek leave to have the second reading explanation in *Hansard* without my reading it.

Leave granted.

This Bill is about ensuring a fair and affordable CTP scheme and consumer protections for motorists and CTP insurance claimants by establishing an industry specific and independent CTP Regulator.

The independent CTP Regulator will be responsible for oversight of all insurers, consumer protection, improving CTP insurance scheme outcomes for the injured and setting CTP premiums.

Although this Bill is not required to enable the opening of the provision of CTP insurance to the private sector and the cessation of MAC as the sole provider of CTP insurance in South Australia (which can be done under existing provisions of Part 4 of the *Motor Vehicles Act 1959*), it will mean that all of the protections of an independent CTP Regulator specifically established by statute are in place.

It is extremely important that the CTP Regulator is an independent specialist with the credibility in the CTP insurance industry and the specific financial services skills to give insurers and members of the public confidence that the CTP insurance market will be objective and fair.

The Bill will reduce bureaucracy by streamlining processes into a standalone office of an independent CTP Regulator and be very similar to what occurs in other states.

The Bill does not introduce new regulatory concepts, other than that of an independent CTP Regulator, and will not change how members of the public obtain their CTP insurance now. What it does do, is provide further detail on the existing legislative concepts that will apply when the CTP insurance market is opened to the private sector from 1 July 2016. The CTP Regulator must have the capacity, skills and credibility to liaise with the Australian Prudential Regulation Authority which will remain responsible for the financial prudential regulation of insurers across Australia.

The Bill will not change MAC's ongoing role in road safety and as nominal defendant. CTP Regulation cannot be conducted by the Motor Accident Commission due to potential conflicts of interest with private sector insurers. The focus of the Essential Services Commission of South Australia on non-financial energy and water utilities regulation is inconsistent with CTP regulation and strong feedback has been received the CTP insurance industry that it requires

an industry-specific CTP Regulator that has a deep understanding of insurance and can devote its full energies to that role.

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

###### 3—Interpretation

This clause contains definitions for the purposes of this measure and provides that, in addition, words and expressions used in this measure that are not otherwise defined, have the meaning assigned to them in section 5, or Part 4, of the *Motor Vehicles Act 1959* (the *Motor Vehicles Act*). In particular, the following terms are defined in relation to Part 4 of the Motor Vehicles Act: CTP insurance, CTP insurance business and CTP insurance policy.

##### Part 2—CTP Regulator

###### Division 1—Establishment, functions and powers

###### 4—Establishment

This clause provides for the establishment of the CTP Regulator (the *Regulator*)—

- as a body corporate with perpetual succession; and
- with a common seal; and
- that may sue and be sued in its corporate name.

The Regulator is an instrumentality of the Crown and holds its property on behalf of the Crown.

###### 5—Functions

This clause sets out the functions of the CTP Regulator as follows:

- to regulate approved insurers and perform any other function relating to approved insurers conferred on the Regulator under the Motor Vehicles Act;
- to determine premium amounts payable in respect of CTP insurance policies;
- to determine the minimum terms and conditions of CTP insurance policies;
- to monitor, audit and review the operation and efficiency of the CTP insurance business;
- to provide, or facilitate the provision of, information to consumers about the CTP insurance business and approved insurers;
- to make, monitor the operation of, and review from time to time, binding rules and non-binding guidelines for approved insurers in relation to—
  - the determination of premiums; and
  - the management of claims; and
  - dispute resolution; and
  - the provision of information to consumers; and
  - any other relevant matter;
- to make recommendations to the Minister in relation to—
  - eligibility criteria for insurers seeking approval under Part 4 of the Motor Vehicles Act; and
  - the terms and conditions of any undertaking, agreement or contract entered into between the Minister and an approved insurer relating to the provision of CTP insurance; and
  - the assessment of an application from an insurer for approval or withdrawal of approval under Part 4 of the Motor Vehicles Act;
- to approve the novation of CTP insurance policies between approved insurers;
- to regulate such other insurance business as may be prescribed by the regulations;

- to administer this measure;
- to exercise any other function conferred on the Regulator by or under this measure or any Act.

In determining premium amounts, the Regulator may not fix differential premiums except on the basis of 1 or more of the following:

- vehicle type;
- vehicle use;
- garaging location;
- entitlement under the GST law to an input tax credit in respect of compulsory third party insurance premiums.

The Regulator is required to publish the rules and guidelines for approved insurers on its website.

For the purposes of this clause, the *Minister* is defined as the Minister with responsibility for approving insurers under Part 4 of the Motor Vehicles Act.

#### 6—Powers

This clause provides that the CTP Regulator has all the powers of a natural person and, in particular, may—

- enter into any form of contract or arrangement; and
- engage experts and consultants; and
- acquire, hold, deal with or dispose of real or personal property; and
- establish and operate ADI accounts and invest money; and
- do anything necessary or convenient to be done in the exercise of its functions.

#### 7—Independence

This clause provides that, except as provided under this measure or any Act, the CTP Regulator is not subject to Ministerial direction in the exercise of its functions or powers.

#### Division 2—Constitution of CTP Regulator

##### 8—Constitution of CTP Regulator

This clause provides that the CTP Regulator will be constituted of the Chief Executive Officer (*CEO*) of the Regulator who will be appointed by the Governor, on the recommendation of the Minister, on terms and conditions determined by the Governor. The CEO is a senior official for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

##### 9—Acting CEO

This clause provides for an Acting CEO to be appointed by the Minister in the event the CEO is temporarily absent or unable to perform official functions.

#### Division 3—CEO

##### 10—Conditions of appointment

This clause makes provision in the usual terms for the conditions of appointment of the CEO.

##### 11—Functions of CEO

This clause provides that the functions of the CEO include—

- being the chief executive officer of the Regulator; and
- exercising the functions of the Regulator conferred on the Regulator or the CEO under this measure or any Act; and
- otherwise acting on behalf of the Regulator in appropriate cases.

It therefore follows that an act of the CEO will be taken to be an act of the Regulator.

##### 12—Saving provision

This clause provides that an act of the CTP Regulator is not invalid by reason only of a defect in the appointment of the CEO (or Acting CEO).

### 13—Delegation

This clause provides that the CEO may delegate any of the Regulator's or CEO's functions or powers under this measure or any Act.

### 14—Conflict of interest

This clause makes provision as to how a conflict of interest that may arise may be resolved.

### Division 4—Staff and resources

#### 15—Staff and resources

This clause gives the CTP Regulator power to engage persons to be members of its staff on terms and conditions determined by the Regulator.

The Regulator may also—

- by arrangement with the appropriate authority, make use of the services, facilities or staff of a government department, agency or instrumentality; or
- with the approval of the Minister, make use of the services, facilities or staff of any other entity.

The CEO is responsible for managing the staff and resources of the Regulator.

### Part 3—Collection and use of information

#### 16—Regulator's power to require information

The clause empowers the CTP Regulator, by written notice, to require a person to give to the Regulator, within a time and in a manner stated in the notice (which must be reasonable), information in the person's possession that the Regulator reasonably requires for the performance of the Regulator's functions, including (for example) such evidence of the person's financial position and capacity to meet existing and future liabilities under CTP insurance policies as may be required in the notice. A person who fails to comply with a requirement under this proposed section may be guilty of an offence and liable to a penalty of \$20 000 or imprisonment for 2 years. However, a person cannot be compelled to give information under this proposed section if the information might tend to incriminate the person of an offence.

#### 17—Obligation to preserve confidentiality

This clause makes provision for preserving the confidentiality of information gained by the Regulator under this measure.

#### 18—Statutory declarations

This clause allows the Regulator to require information provided to the Regulator to be verified by statutory declaration.

### Part 4—Miscellaneous

#### 19—Annual report

This clause makes provision for the Regulator to prepare for the Minister (for tabling in the Parliament) an annual report on the Regulator's operations in respect of each financial year.

#### 20—False or misleading information

This clause makes it an offence for a person to provide false or misleading information for the purposes of this measure, the penalty in respect of which is a fine of \$20 000 or imprisonment for 2 years.

#### 21—Service

This clause makes provision for serving notices and other documents under the measure.

#### 22—Regulations

This clause empowers the Governor to make regulations for the purposes of the measure.

### Schedule 1—Related amendments and transitional provisions

#### Part 1—Preliminary

##### 1—Interpretation

This clause provides that, in this Schedule, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

#### Part 2—Amendment of *Motor Accident Commission Act 1992*

## 2—Amendment of section 3—Interpretation

This clause inserts a definition of *CTP Regulator* and inserts a definition of the *MAC Fund* (formerly the *Compulsory Third Party Fund*).

## 3—Amendment of section 13A—Sufficient level of solvency

This proposed amendment is consequential on renaming the Fund as the MAC Fund.

## 4—Amendment of section 14—Functions and objectives of Commission

These proposed amendments are consequential on the amendments to be effected by the amendments proposed in Schedule 1 Part 3 to the Motor Vehicles Act whereby the Commission will cease to be the sole approved insurer for the purposes of Part 4 of that Act, and the renaming of the Fund. Once Part 4 of this Schedule commences, a CTP insurance policy in existence under Part 4 of the Motor Vehicles Act will, by force of clause 23 of this Schedule, be transferred from the Commission to an approved insurer in accordance with a scheme determined by the Minister. The functions of the Commission are to be altered so as to clarify that the Commission will carry on any residual insurance business arising from its operations as the sole approved insurer under Part 4 of the *Motor Vehicles Act 1959* (but until it divests itself of that business or winds up that business, whichever occurs earlier).

## 5—Amendment of section 18—Commission's charter

This proposed amendment is consequential on the renaming of the Fund.

## 6—Amendment of section 25—MAC Fund

The first proposed amendment provides that the special fund for compulsory third party insurance formerly established by the Commission continues in existence as the MAC Fund, while other amendments are consequential.

## 7—Amendment of section 26—Requirement by Treasurer for payment from surplus

## 8—Amendment of section 29—Annual report

The amendments proposed in this clause and the preceding clause are consequential.

9—Amendment of section 29B—Prosecution of offences under Part 4 of *Motor Vehicles Act 1959*

This proposed amendment provides that the Commission may, with the approval of the Minister responsible for the administration of Part 4 of the Motor Vehicles Act, commence proceedings for an offence against Part 4 of that Act.

## Part 3—Amendment of Motor Vehicles Act 1959

## 10—Amendment of section 5—Interpretation

These proposed amendments insert the definition of the *CTP Regulator* in section 5 and clarify the definition of *insurance premium* in light of other proposed amendments to Part 4 of the principal Act.

## 11—Amendment of section 99—Interpretation

It is proposed to delete Schedule 4 of the principal Act and the insurance premium committee. The amendments proposed to this section achieve that and also insert a definition of transitional period (which has the same meaning as in Schedule 1 Part 4 of this measure). Other amendments are consequential on the deletion of Schedule 4 from the principal Act.

## 12—Amendment of section 99A—Insurance premium to be paid on applications for registration

The proposed amendments will provide that the premium for a policy of insurance under Part 4 of the principal Act will be as determined by the CTP Regulator. New subsection (2) will provide that the approved insurer for a motor vehicle in respect of which an application for registration is made will be—

- in the case of an application made during the transitional period—the approved insurer selected by the CTP Regulator in accordance with a scheme determined by the Minister; or
- in any other case—the approved insurer selected by the applicant for registration.

Other amendments proposed to the section are consequential on and relate to—

- the Regulator being given certain functions relating to the regulation of compulsory third party insurance and approved insurers; and
- the regulation and management of approved insurers and insurance premiums during the transitional period.

## 13—Amendment of section 101—Approved insurers

The proposed amendments relate to the fact that, after the commencement of the amendments, the Motor Accident Commission will no longer be the sole approved insurer and, instead, any person or body (whether

incorporated or unincorporated) that carries on, or intends to carry on, the business of insurance in this State, may apply to the Minister for approval as an insurer under Part 4 of the principal Act. During the transitional period, however, an application for approval may only be made on an invitation by the Minister. An application for approval must be made in a manner and form approved by the CTP Regulator, lodged with the Regulator, and then referred to the Minister (with any recommendation of the Regulator) for determination by the Minister. Other proposed amendments are related to the functions of the CTP Regulator under the measure in relation to the approval or withdrawal of approval for an insurer for the purposes of this Part of the principal Act.

#### 14—Substitution of section 104

##### 104—Requirements if policy is to comply with this Part

Substituted section 104 provides that, in order to comply with Part 4 of the principal Act, a policy of insurance must—

- (a) insure the owner of the motor vehicle to which the policy relates, and any other person who at any time drives or is a passenger in or on the vehicle, whether with or without the consent of the owner, in respect of all liability that may be incurred by the owner or other person in respect of the death of, or bodily injury to, any person caused by, or arising out of the use of, the vehicle in any part of the Commonwealth; and
- (b) be in the terms, and contain the conditions and warranties, determined by the CTP Regulator from time to time.

However, a policy of insurance complies with this Part even though it does not extend to liability arising from the death of, or bodily injury to, a participant in a road race caused by the act or omission of another participant in the road race.

#### 15—Amendment of section 116—Claim against nominal defendant where vehicle uninsured

The proposed amendment redefines *uninsured motor vehicle* for the purposes of section 116 of the principal Act to ensure that a motor vehicle that is exempted from registration and insurance under Part 4 of the principal Act by section 12 or 12B of the Act, or by the regulations, but is required to be insured against liability for bodily injury caused by, or arising out of, the use of the vehicle, is not treated as an uninsured motor vehicle for the purposes of section 116.

#### 16—Amendment of section 124AA—Limitation of liability in respect of foreign awards

The proposed amendment is consequential on the repeal of Schedule 4 of the principal Act which sets out the terms, conditions, warranties and exclusions of policies of insurance under Part 4 of the principal Act.

#### 17—Repeal of section 129

The proposed amendment repeals section 129 of the principal Act which provides for the appointment of a committee to inquire into and determine premiums in respect of insurance under Part 4 of the Act. This amendment is consequential on the establishment of the CTP Regulator.

#### 18—Repeal of section 134A

The proposed amendment repeals section 134A which requires a review of Part 4 of the principal Act to be undertaken by the Minister if Class 1 premiums exceed, in relation to a particular financial year, the prescribed percentage of State average weekly earnings that is current at 1 July of that financial year. This amendment is consequential on the establishment of the CTP Regulator.

#### 19—Repeal of Schedule 4

The proposed amendment repeals Schedule 4 of the principal Act which sets out the terms, conditions, warranties and exclusions of policies of insurance under Part 4 of the principal Act. This amendment is consequential on the establishment of the CTP Regulator.

#### 20—Transitional provision—Saving of existing policies of insurance under Part 4

This clause provides for policies of insurance in existence when the clause comes into operation to continue in force until they expire or are cancelled, subject to the terms, conditions, warranties and exclusions set out in the table (identical to those currently in Schedule 4 of the principal Act).

#### Part 4—Transitional provisions

#### 21—Interpretation

This clause provides for the following definitions for the purposes of this Part of Schedule 1:

*commencement day* means the day on which this Part comes into operation;

*declared day* means the day declared by proclamation to be the day on which the transitional period ends;

*Minister* means the Minister with responsibility for approving insurers under Part 4 of the Motor Vehicles Act.

*transitional period* means the period commencing on the commencement day and ending on the declared day.

#### 22—Ministerial control

This clause provides that, during the transitional period, the CTP Regulator is subject to the directions of the Minister as to the exercise of the following of the Regulator's functions:

- determining premium amounts payable in respect of CTP insurance policies;
- determining the minimum terms and conditions of CTP insurance policies;
- making, monitoring the operation of, and reviewing from time to time, rules and guidelines in relation to—
  - the determination of premiums; and
  - the management of claims; and
  - dispute resolution; and
  - the provision of information to consumers; and
  - any other relevant matter.

#### 23—Transfer of CTP insurance policies

Subclause (1) of this clause provides that, on the commencement day, a CTP insurance policy in existence under Part 4 of the Motor Vehicles Act will, by force of this subclause, be transferred from the Motor Accident Commission to an approved insurer in accordance with a scheme determined by the Minister.

Subclause (2) provides that, during the transitional period, the CTP Regulator may transfer a CTP insurance policy relating to a motor vehicle from 1 approved insurer to another approved insurer in accordance with a scheme determined by the Minister (in which case, the approved insurer to whom the policy of insurance is transferred becomes the insurer under the policy of insurance relating to that motor vehicle).

Debate adjourned on motion of Mr Speirs.

### STATUTES AMENDMENT (SERIOUS AND ORGANISED CRIME) BILL

#### *Final Stages*

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 8, page 4, after line 6 [clause 8, inserted section 83GA(1)]—

Before the inserted definition of *conviction* insert:

*Committee* means the Crime and Public Integrity Policy Committee of the Parliament;

No. 2. Clause 8, page 5, after line 15 [Clause 8, inserted section 83GA]—After inserted subsection (1) insert:

(1a) Each regulation made under subsection (1) for the purposes of the definitions of *criminal organisation*, *prescribed event* or *prescribed place* and required to be laid before each House of Parliament in accordance with the *Subordinate Legislation Act 1978* may only relate to 1 entity, 1 event or 1 place (as the case may require).

No. 3. Clause 8, page 5, after line 19 [clause 8, inserted section 83GA]—After inserted subsection (2) insert:

(2a) A recommendation of the Minister in relation to an entity for the purposes of subsection (2) may only be made—

(a) after the receipt of a report of the Committee in relation to the entity under section 83GAA (and, in such a case, the recommendation must include a statement as to the opinion of the Committee on whether or not the entity should be declared a criminal organisation for the purposes of this Division); or

(b) after the passage of 10 days after a referral in relation to the entity was made to the Committee by the Minister under section 83GAA(1).

No. 4. Clause 8, page 5, after line 21 [clause 8, inserted section 83GA(3)]—

Before inserted paragraph (a) insert:

- (aa) if the Minister has received a report of the Committee in relation to the entity—the report of the Committee;

No. 5. Clause 8, page 5, after line 37 [clause 8, inserted section 83GA]—After inserted subsection (3) insert:

- (3a) Section 10A of the *Subordinate Legislation Act 1978* does not apply in relation to a regulation made under paragraph (c) of the definition of *criminal organisation* in subsection (1).

No. 6. Clause 8, page 6, after line 4—After inserted section 83GA insert:

83GAA—Report of Crime and Public Integrity Policy Committee

- (1) The Minister may, by notice in writing, refer a proposal to declare an entity to be a criminal organisation by regulation under paragraph (c) of the definition of *criminal organisation* to the Committee.
- (2) On receipt of a referral under subsection (1), the Committee must request the Commissioner of Police (the *Commissioner*) to provide to the Committee any information that the Commissioner thinks fit that may support the referral.
- (3) The Committee must inquire into and consider a referral under subsection (1) along with any supporting information provided by the Commissioner under subsection (2) and must report to the Minister on whether or not the Committee is of the opinion that the entity should be declared a criminal organisation for the purposes of this Division.
- (4) The Committee may include grounds for its opinion in a report under subsection (3).

No. 7. Clause 9, page 8, after line 20 [clause 9, inserted section 117B(1)]—

Before the inserted definition of *declared criminal organisation* insert:

*Committee* means the Crime and Public Integrity Policy Committee of the Parliament;

No. 8. Clause 9, page 8, after line 38 [Clause 9, inserted section 117B]—After inserted subsection (1) insert:

- (1a) Each regulation made for the purposes of the definition of *declared criminal organisation* in subsection (1) and required to be laid before each House of Parliament in accordance with the *Subordinate Legislation Act 1978* may only relate to 1 entity.

No. 9. Clause 9, page 8, after line 38 [clause 9, inserted section 117B]—After inserted subsection (1) insert:

- (1b) The Governor may only make a regulation declaring an entity to be a declared criminal organisation for the purposes of the definition of *declared criminal organisation* in subsection (1) on the recommendation of the Minister.
- (1c) A recommendation of the Minister in relation to an entity for the purposes of subsection (1a) may only be made—
- (a) after the receipt of a report of the Committee in relation to the entity under section 117BA (and, in such a case, the recommendation must include a statement as to the opinion of the Committee on whether or not the entity should be declared a declared criminal organisation for the purposes of this Part); or
- (b) after the passage of 10 days after a referral in relation to the entity was made to the Committee by the Minister under section 117BA(1).
- (1d) The Minister may, in deciding whether to make recommendation for the purposes of subsection (1a), have regard to the following matters:
- (a) if the Minister has received a report of the Committee in relation to the entity—the report of the Committee;
- (b) any information suggesting a link exists between the entity and serious criminal activity;
- (c) any convictions recorded in relation to—
- (i) current or former participants in the entity; or
- (ii) persons who associate, or have associated, with participants in the entity;

- (d) any information suggesting current or former participants in the entity have been, or are, involved in serious criminal activity (whether directly or indirectly and whether or not the involvement has resulted in any convictions);
  - (e) any information suggesting participants in an interstate or overseas chapter or branch (however described) of the entity have as their purpose, or 1 of their purposes, organising, planning, facilitating, supporting or engaging in serious criminal activity;
  - (f) any other matter the Minister considers relevant.
- (1e) Section 10A of the *Subordinate Legislation Act 1978* does not apply in relation to a regulation declaring an entity to be a declared criminal organisation for the purposes of the definition of *declared criminal organisation* in subsection (1) .

No. 10. Clause 9, page 9, after line 12—After inserted section 117B insert:

117BA—Report of Crime and Public Integrity Policy Committee

- (1) The Minister may, by notice in writing, refer a proposal to declare an entity to be a declared criminal organisation by regulation for the purposes of the definition of *declared criminal organisation* to the Committee.
- (2) On receipt of a referral under subsection (1), the Committee must request the Commissioner of Police (the *Commissioner*) to provide to the Committee any information that the Commissioner thinks fit that may support the referral.
- (3) The Committee must inquire into and consider a referral under subsection (1) along with any supporting information provided by the Commissioner under subsection (2) and must report to the Minister on whether or not the Committee is of the opinion that the entity should be declared a declared criminal organisation for the purposes of this Part.
- (4) The Committee may include grounds for its opinion in a report under subsection (3).

No. 11. Schedule 1, page 13, lines 1 and 2 [Schedule 1, clauses 2(b) and (c)]—

Delete paragraphs (b) and (c)

No. 12. Schedule 1, page 13, line 3 [Schedule 1, clause 2(d)]—

Delete 'Commancheros' and substitute 'Comanchero'

No. 13. Schedule 1, page 13, lines 6 to 7 [Schedule 1, clauses 2(g) and (h)]—

Delete paragraphs (g) and (h)

No. 14. Schedule 1, page 13, line 8 [Schedule 1, clause 2(i)]—

Delete 'Gypsy Jokers' and substitute 'Gypsy Joker (also known as the Gypsy Jokers)'

No. 15. Schedule 1, page 13, lines 10 to 14 [Schedule 1, clauses 2(k), (l), (m), (n) and (o)]—

Delete paragraphs (k), (l), (m), (n) and (o)

No. 16. Schedule 1, page 13, line 16 [Schedule 1, clause 2(q)]—

Delete paragraph (q)

No. 17. Schedule 1, page 13, lines 18 to 22 [Schedule 1, clauses 2(s), (t), (u), (v) and (w)]—

Delete paragraphs (s), (t), (u), (v) and (w)

No. 18. Schedule 1, page 13, lines 25 to 26 [Schedule 1, clauses 2(z) and (za)]—

Delete paragraphs (z) and (za)

No. 19. Schedule 1, page 13 line 27 to page 14 line 7 [Schedule 1, clause 3]—Delete clause 3 and substitute:

3—Places declared to be prescribed places—section 83GA

- (1) For the purposes of the definition of *prescribed place* in section 83GA(1) of the Act, the whole of the land contained in each certificate of title listed in the first column of the table below, under the heading 'Prescribed place', is declared to be a prescribed place.

- (2) Text set out in *italic type* in the second column of the table below, under the heading 'Description', is a description for convenience purposes only which may relate to the whole or part of the prescribed place and is not to be taken to define the prescribed place.

Prescribed place	Description
Certificate of title 5288/611	<i>7 Barfield Crescent, Edinburgh North</i>
Certificate of title 5430/179	<i>Section 331 Keith Street, Whyalla Playford or Lot 331 Keith Street, Whyalla Playford</i>
Certificate of title 6086/487	<i>Lot 101 Jacobs Street, Whyalla Norrie</i>
Certificate of title 5301/953	<i>2 Albert Street, Clarence Gardens or 2a Albert Street, Clarence Gardens</i>
Certificate of title 5650/303	<i>45 Trafford Street, Mansfield Park or Lot 51 Trafford Street, Mansfield Park</i>
Certificate of title 5109/622	<i>7 Dalgleish Street, Thebarton</i>
Certificate of title 5109/623	<i>7 Dalgleish Street, Thebarton</i>
Certificate of title 5220/939	<i>7 Dalgleish Street, Thebarton</i>
Certificate of title 5220/940	<i>7 Dalgleish Street, Thebarton</i>
Certificate of title 5696/244	<i>108-118 Francis Road, Wingfield</i>
Certificate of title 5249/413	<i>108-118 Francis Road, Wingfield</i>
Certificate of title 5249/414	<i>108-118 Francis Road, Wingfield</i>
Certificate of title 5249/415	<i>108-118 Francis Road, Wingfield</i>
Certificate of title 6142/108	<i>305 Commercial Street West, Mount Gambier</i>
Certificate of title 5681/864	<i>124 Churchill Road North, Dry Creek</i>
Certificate of title 5928/347	<i>3-4/62 Middle Row, Salisbury</i>

No. 20. Schedule 2, page 14, lines 17 and 18 [Schedule 2, clauses 2(b) and (c)]—

Delete paragraphs (b) and (c)

No. 21. Schedule 2, page 14, line 19 [Schedule 2, clause 2(d)]—

Delete 'Commancheros' and substitute 'Comanchero'

No. 22. Schedule 2, page 14, lines 22 and 23 [Schedule 2, clauses 2(g) and (h)]—

Delete paragraphs (g) and (h)

No. 23. Schedule 2, page 14, line 24 [Schedule 2, clause 2(i)]—

Delete 'Gypsy Jokers' and substitute 'Gypsy Joker (also known as the Gypsy Jokers)'

No. 24. Schedule 2, page 14, lines 26 to 30 [Schedule 2, clauses 2(k), (l), (m), (n) and (o)]—

Delete paragraphs (k), (l), (m), (n) and (o)

No. 25. Schedule 2, page 14, line 32 [Schedule 2, clause 2(q)]—

Delete paragraph (q)

No. 26. Schedule 2, page 14 line 34 to page 15 line 4 [Schedule 2, clauses 2(s), (t), (u), (v) and (w)]—

Delete paragraphs (s), (t), (u), (v) and (w)

No. 27. Schedule 2, page 15, lines 7 and 8 [Schedule 2, clauses 2(z) and (za)]—

Delete paragraphs (z) and (za)

Consideration in committee.

**The Hon. J.J. SNELLING:** I rise to indicate that the government will be supporting the amendments that have been moved in the other place, that is, the amendment moved by the Hon. Mr Brokenshire and the two sets of government amendments. In addition, I indicate to the house that the Crime and Public Integrity Policy Committee will be consulted with at an early stage in the future when the government seeks to advance further reforms on serious and organised crime legislation.

Can I thank, in particular, the Leader of the Opposition for his personal support for this important legislation. It is not often in this place that I would be seeking to compliment the Leader of the Opposition, but he has shown enormous political courage in making sure that this legislation had the swift passage that is required of it. I know that this for the Liberal Party is a somewhat divisive issue, but I do note that the Leader of the Opposition has gone to lengths to ensure that this bill had,

relatively speaking, bipartisan support and that it had swift passage, and I acknowledge the part he has played in ensuring that that has happened. I move:

That the Legislative Council's amendments be agreed to.

**The CHAIR:** Do we have an indication which amendment you would like to speak on, member for Heysen?

**Ms REDMOND:** Thank you, Madam Chair. I think it is probably easiest if I speak to amendments Nos 1 and 2. I had a different speech written originally, which was probably somewhat more esoteric, regarding the separation of powers and other things. When discussing issues around the law, it is sometimes difficult for the general public to understand the implications of the discussion, so I thought it might be helpful if I provided a personal perspective, in the hope that it will assist some understanding and particularly that it may help other members of this place or the general public to understand why the issues of the Statutes Amendment (Serious and Organised Crime) Bill are so important.

One of my sons, Noah, is a criminal defence lawyer, and I know that he has defended and will in future defend, people whom I and all law-abiding citizens would find contemptible. There is every chance that in the course of his career he will defend individuals who have done something illegal and who should, in a completely just society, be punished.

But I also know that if he is doing his job to the best of his ability he will provide every client with the best defence possible. He is bound to do so. He will do so within the constraints that he is first and foremost an officer of the court. Since the day I had the honour of moving his admission, he has been bound by an oath that as an officer of the court, he will not mislead the court but, subject to that overriding constraint, he is bound to provide the best defence he can for any accused.

I did not generally practise in the criminal law. I found that I did not have the necessary patience or empathy. Most of the petty criminals with whom I dealt were not too bright (that is how come they were caught), not too honest and not too bothered when they rocked up the week after I had got them off having been arrested again for the same or something pretty similar in the way of the offence.

But I always understood that the role of the criminal defence lawyer was and is of fundamental importance. Our legal system relies on committed lawyers who are prepared to take on unpopular defendants and who, no matter what the alleged offence, are prepared to give them the best possible defence available within the constraints of our legal system, subject to the procedures of the court, the rules of evidence and that overriding obligation never to mislead the court.

I am sure that we have all watched TV shows where the hero lawyer takes on the seemingly impossible case of the innocent wrongly accused and convicted person and fights for justice to be done, often successfully. We all feel a certain satisfaction in the rightness of the outcome in this fictional world, where good triumphs over evil and where we as the informed observers know with absolute certainty that justice has been done. I am equally sure that we have all read headlines or watched news items where we are convinced of someone's guilt on the basis of the partial information given to us or even, heaven forbid, because, 'He looks guilty.'

Indeed, many wonder about the criminal lawyer representing the accused. How can he defend such a person? The answer is as simple as it is complex. Under our system of laws and their administration, every accused is innocent until proven guilty in a court of law, where the evidence will be tested according to strict rules, where every accused will have the right to know the case against them and to test the evidence upon which that case is based, usually with the aid of someone trained and highly skilled in those areas, where an independent judge will listen carefully to the evidence so presented and tested and reach a verdict based only upon the evidence, putting aside any extraneous considerations such as gender, ethnicity, social status, wealth or anything other than the proven facts.

In serious criminal cases, rather than the judge being the arbiter of the facts, that may be left to a jury of the person's peers, with the judge merely providing guidance to them where necessary. It is very easy to sit in judgement from one's armchair and determine guilt from a distance without

having heard any of the evidence and decide that someone should be locked up, perhaps throwing away the key.

But it is surely true that were any of us to be suddenly and unexpectedly charged with a serious criminal offence we would take comfort from knowing that under our system we are entitled to the presumption of innocence until proven guilty beyond reasonable doubt, to know the details of the case against us and the evidence upon which it is based, to test that evidence in a court of law; to have someone who is learned in the law assist us, and to have an impartial judge and/or jury listen to the evidence and come to a decision based solely upon the facts as found and without fear that our lack of social status, our skin colour, our gender or any other irrelevant considerations will be counted against us.

No, the system is not perfect. It can result in a wrong outcome. Clearly, there are times when the system fails us, and sometimes that that even means that guilty people go free when they should be behind bars. Madam Chair, consider the alternative of removing the safeguards built up over generations. It would leave us open to control by the whim of whoever holds power, and that is unthinkable. In my strongly held view, the current bill proposes an unacceptable infringement of these rights, rights that should not be thrown away because of political expediency; in fact, I believe the current debate is not even about the political expediency of being seen to address the bikie menace but is rather an attempt to wedge the opposition at the next election.

The Statute Amendment (Serious and Organised Crime) Bill, known as the bikie bill, offends these safeguards in many ways. For a start, the bill allows the declaration of certain organisations named in the schedule, that is, named by the parliament or, in this case, really, by the Attorney-General. No one would suggest that these organisations or their members are nice people. They may not even be law-abiding people, but to deprive even them of the due process is an affront to the very thing we should be trying hardest to protect. Further, under this bill they—that is, the people affected—are not even given the benefit of the presumption of innocence nor even to know the details of the evidence upon which they have been dealt with without any trial or testing.

Perhaps most offensive of all is the fact that Attorney-General, the first law officer of this state but nevertheless an elected member of this house, gets to decide who should be subject to these declarations, which will allow him to decide who is declared, where they can go, with whom they may associate and even what they can or cannot wear. No amendment that broadens that decision from just one elected member, the Attorney-General, to a number of elected members, who happen to be members of the committee of this parliament, is any less offensive. In my view, as the first law officer of the state, the Attorney-General should be deeply ashamed that he is sponsoring and promoting such an appalling affront to the rule of law. He should be at the forefront of those protecting it.

If I were to support this bill, no matter how it has been amended, how could I ever again look my son in the eye with any hope that he could respect me? How can I justify to him that I was prepared to throw away these fundamental principles, and to what end and for what political expediency, in the hope that by so doing my side of the political divide might have a better chance of winning an election in 2018. There are some who believe that in politics you must be prepared to do whatever it takes to gain government. After all, until you get into government you can have very little impact, very little chance to make a difference, and that, after all, is why we go into politics, generally in the hope of making a difference, in some way improving the lives of those we represent.

Maybe I am therefore simply unsuited to politics, because I have never been prepared to do whatever it takes. I am prepared to do whatever I can reasonably do, within the constraints of what I believe to be right, moral and ethical, but I cannot put aside my most core beliefs in order to achieve power. Even if you said to me, Madam Chair, 'Put aside your objections, deny what you believe just for one day, and we'll guarantee that you'll be in government tomorrow,' I could not do it, not even with the promise that you could undo the wrong that you have done. It is quite simply a price too high for me to pay, my self-respect and the respect of my son the lawyer.

**Ms CHAPMAN:** I thank the member for Heysen for her contribution in representing what I think is a pure and principled position. I have high regard for her and that position. In doing so, I acknowledge the Minister for Health's commendation of the Leader of the Opposition in working with the government to reach a resolution of how we might deal with a scourge in our community and in

particular the operation of organised crime via outlaw motorcycle gangs, as they are known, 10 of which will with the passage of this bill automatically be declared criminal organisations.

The Liberal Party may well have members who have publicly confirmed their opposition to the passage of the bill for reasons similar to those that the member for Heysen outlined. On the information we have, members in the Australian Labor Party in this parliament have struggled and wrestled with the proposed legislation because it blurs at best the separation of powers principle and impinges on that important principle.

However, can I say that, generally, the proposition of the prosecution and enforcement of laws by the judiciary has been recognised and will continue to prevail, even in this legislation. That is not to say it is the right way to go. The government and opposition have worked cooperatively to identify 10 groups in our community which we are satisfied, on the information that has been provided not just to the Attorney but has been made available for inspection and perusal by the opposition, have a membership with a history of activity and conviction of a criminal nature and with which there is an association with organised crime.

We are satisfied on that basis that the parliament determined that those 10 groups, out of the 27 originally nominated, ought to be declared a criminal organisation, and that 10 places, out of the original 15 identified as places of attendance and meeting of such organisations (otherwise known as 'bikie fortresses'), ought to be registered as places where there is to be a prohibition against the meeting of such personnel. We are comforted also, and more importantly, by the fact that the prosecution of a person who offends the new and extended laws of association and participation will be dealt with by courts.

This is not a list of persons who have been identified as having undertaken some illegal conduct. It is a list of a description of organisations that are being declared in a certain manner, and the breach, investigation and prosecution in respect of offences that flow from an association or attempt to encourage membership of those organisations will remain vested with the police, the DPP and the courts.

Can I also say that, whilst the government have originally sought to press the early passage of this bill in the parliament, that was resisted by the opposition successfully and, indeed, as a result of that, exposed a number of defects in the original bill, which I am pleased to say the government have accepted. In fact, even before we first debated this bill in this chamber, amendments were forthcoming to deal with that.

There are two other matters I wish to place on the record. One is we accept the minister's statement on behalf of the South Australian government that there will be reference to future law reform in respect of serious and organised crime to the Crime and Public Integrity Policy Committee. That is the current law. I am pleased that we have had an indication of commitment to do that, because in this instance this bill was not presented to the Crime and Public Integrity Policy Committee for their perusal and/or advice or to investigate and report on.

Furthermore, their current investigation into serious and organised crime was met with a rejection by the Attorney-General to even put a submission before them in consideration of serious and organised crime and its operation in this state. That has been traversed in the debates. It was very concerning to us that the first law officer of the state, the Attorney-General, would even consider refusing to put a submission to this committee when the law says that this committee is to have an ongoing role in assessing and reviewing law in respect of serious and organised crime in this state. So, I welcome the Minister for Health's statement today and an indication on behalf of the government that future consideration of amendments to our serious and organised crime laws in this state will have the opportunity to be reviewed by that committee.

I would urge any members of the parliament, government sponsored or otherwise, who wish to move amendments or new laws in respect of this area of the law to be reminded of the charter and legal responsibility of this committee, which includes the continued review of serious and organised crime laws. If they have a bill or they have an idea, they should present it to this committee for consideration.

That committee, I should say, has a number of roles as set out in section 150 of the Parliamentary Committees Act 1991. Under the amended bill that is being presented to us for approval, it is going to have another role. Hereinafter, future considerations by the Attorney-General of an application to have an entity declared a criminal organisation will, by virtue of the amendments now incorporated, undertake a process where he will be prohibited from making such recommendation to the Governor until he has received a report from the committee or the expiration of 10 days, which will enable that committee to review the material.

There has been some discussion about whether it is necessary for us make an amendment to the Parliamentary Committees Act to further expand the new role of this committee, and in particular its capacity to receive criminal intelligence. In short, this is because the Attorney in the first instance and the committee upon review will need to consider the criminal intelligence that is presented by the Commissioner of Police or his delegate under the act.

It is well known to members of the house that the sensitivity of some of the material in criminal intelligence necessarily must remain confidential. That has been a request of the police commissioner, and I think all parties concerned agree with that. It appears, on the advice received to the government to date, that the current legislation is sufficiently broad, 'to be tolerably clear' that that will be acceptable. I hope that is right; if it is not, we will need to deal with that at another time.

Finally, can I say that on this legislation the Attorney-General has provided in correspondence some information in respect of the charge and prosecution rates of legislation in Queensland and New South Wales, as had been sought in this place during committee. I thank him for that. What is evident is that there has been quite a significant number of charges. What is also evident is that there has been a much lesser rate of conviction.

Some of this has not been completed in these jurisdictions, because the novelty of the sum of this legislation, both in association laws in New South Wales and in participation laws consistent with the same formula that we are proposing here as part of the Queensland regime, is only relatively new. In Queensland in particular, there are also some pending reviews.

I think it is important to note that, at the national level, our law enforcement and attorneys-general have been meeting to deal with this as a national matter. I refer to the participation of various groups and entities, as we have identified, that are involved in serious and organised crime, and they are operating in a number of states. They are mobile, and they have exhibited a capacity to be even more mobile. The introduction of legislation in some states, without that being uniform across the country, is likely to result in a migration of this type of activity into other jurisdictions.

In saying that, I want to be clear that it has always been the opposition's view that it is important that this matter be dealt with at a national level, otherwise we are simply transferring the problem from South Australia to Victoria, or Tasmania, or Western Australia and that, in my view, adds to a level of irresponsibility in simply saying, 'We don't want this in our backyard.' That is a selfish approach. We are concerned about the fact that it will require some further consideration in other jurisdictions as a result of what we are doing today, but as best we can we will continue to work with the government and, indeed, governments in other jurisdictions to address a national approach and resolution to this issue.

With those remarks, I indicate that we will accept the amendments and trust that there will be some dent on the activity of organised crime in this state. I leave the committee with one statistic: that the then commissioner-elect, now commissioner, advised during the course of our consultations with police that, of some 24 murders last year, only one of them was committed by a bikie, and that was of another bikie. That does not necessarily mean that that is acceptable behaviour. I make the point though that of the others, these were serious crimes committed by non-members of motorcycle organisations. I make that point because it is incumbent upon us as a parliament, the government and the enforcement agencies such as the police to make sure we deal with serious and organised crime in our state and not abandon that.

I am pleased that there will be passage of this bill, and I hope it will have a clear road for enforcement. I think that both the Attorney and I agree that it is likely to face some challenge at a court level. That may be so, but our interests are in trying to arrest that portion of organised crime

which is in the purview of groups in our community that are unacceptable to us and a danger to our fellow South Australians.

**The Hon. J.J. SNELLING:** I thank the Deputy Leader of the Opposition for her support. I will just respond to a couple of things. Firstly, the assertion by the member for Heysen that the reason for this legislation is entirely out of political motivation is one that the government completely and utterly rejects. The reason we proceeded with this legislation is on advice from the police about their frustrations in dealing with what is a menace—the bikie menace—and that special legislation needed to be created to enable police to effectively deal with this menace.

The Deputy Leader of the Opposition asserted that, of the 26-odd murders that were committed, only one was a bikie performed on another bikie, but that is really only part of the issue because, of course, these bikies are involved in the manufacture of dangerous drugs which are peddled to our kids. And I can assure the house that I am pretty sure it would be far more than 26 people who have died from drug overdoses or had their lives destroyed because of involvement in drugs that are manufactured and sold on the street and peddled by outlaw motorcycle gangs. This is a very important issue, and the government has thought very carefully about what the police have asked for and have acted on the advice of police at all times.

Once again, I thank particularly the Leader of the Opposition. I know this is a very, very difficult issue for the Liberal Party as we have seen by the very emotional contribution from the member for Heysen. I understand that the Leader of the Opposition certainly has had to assert his authority in the Liberal Party party room to ensure that this legislation basically had bipartisan support, and I pay tribute. I know that leadership can be a very lonely place, and I pay tribute to the role the Leader of the Opposition played in making sure that this legislation had significant bipartisan support.

Motion carried.

### **CORRECTIONAL SERVICES (PAROLE) AMENDMENT BILL**

#### *Final Stages*

The Legislative Council agreed to the bill without any amendment.

#### *Parliamentary Procedure*

### **VISITORS**

**The DEPUTY SPEAKER:** I acknowledge the presence in the gallery this afternoon of the former member for Norwood and eminent minister, the Hon. Greg Crafter, with a descendant, and welcome them to parliament.

#### *Bills*

### **APPROPRIATION BILL 2015**

#### *Estimates Committees*

Adjourned debate on motion:

That the proposed expenditures referred to Estimates Committees A and B be agreed to.

**Mr TRELOAR (Flinders) (16:16):** I rise today, on this the last sitting day before our winter break, to make a contribution on the estimates committees, which of course finished just two days ago and began the preceding week. I have grown to really enjoy estimates. I understand that it can be at times a little bit like watching paint dry, but I do recognise that it is a particularly important part of the parliamentary process. It is a particularly important part of the opportunity the opposition has to question the budget, question the ministers and particularly question the executive government that manages the business of this state.

I was involved with committees on Thursday and Friday of last week, both Estimates Committees A and B, as these were committees I was particularly interested in. I was involved with agriculture, food and fisheries; forests; tourism; and recreation and sport, which minister Bignell was responsible for. I was also involved with sustainability, environment and conservation, as well as water, the River Murray and climate change, which minister Hunter is responsible for.

I have to comment on the different strategies that different ministers employ during estimates: some ministers are very much across the portfolios and quite comfortable taking questions right from the get-go; others, however, rely on long and often tedious opening statements—and not just in one portfolio, if a minister is responsible for a number, but for each and all of them. Of course, this eats into valuable question time, not just for the opposition but also for the government backbenchers, who I am sure value this process.

I recognise the extraordinary amount of work that goes into preparing for estimates. A criticism of estimates often is that that work is so significant that it eats into the valuable time of ministers, shadow ministers and also departmental officers, who are obliged to prepare their minister and have answers ready for whatever may be put before them during estimates. So my thanks go to all those departmental people who were involved in preparing their ministers and in preparing the answers. Some questions, obviously, are taken on notice and I would expect that we would have timely and full responses from the ministers involved in that.

I will just quickly go over the estimate committees I was involved with and relate them particularly back to my electorate. One of the questions our committee put to minister Hunter, of course, related to the emergency services levy and the government's budgetary position of raising the emergency services levy once again. A significant backlash has occurred particularly in my electorate, where CFS brigades have taken it upon themselves to make a stand against the increase in the emergency services levy, and that stand has been that they will not be attending fires should those fires occur on government land.

On Lower Eyre Peninsula in particular, I am thinking of significant areas of national park, and I am thinking of significant acreage owned by SA Water. There are at least half a dozen brigades that I am aware of who are saying they are not going to be attending those fires. They will certainly attend as volunteers, and take their brigade to fires that occur on private property, but at this point in time they will not be attending fires in the national park. This is an understandable backlash because a lot of these volunteers are also landowners and also farmers. They are busy with their own businesses and, of course, they saw increases in the previous year of several hundred and sometimes a thousand per cent or more.

My question really was for the Minister for Environment as to how the Department of Environment would manage a fire situation on government land. Because I am well aware that DEWNR has some 70 full-time equivalents involved in firefighting, I wanted to know how they would be deployed and what extra demands would be made on those in an operational capacity. Minister Hunter's response was that he directed it towards Mr Piccolo. I am not aware that we got a question up to Mr Piccolo during estimates, but certainly it is a question that minister still needs to answer because it could—

**Mr ODENWALDER:** Point of order: the member should be referring to the minister by his occupation rather than his name.

**The DEPUTY SPEAKER:** Yes, that apparently is the case.

**Mr TRELOAR:** Minister for Emergency Services, thank you. I take that point of order. The Minister for Emergency Services needs to address this very serious question quite soon because it will not be many months before we will be into the fire season.

The Minister for Environment is also responsible for what we are calling 'puppy farm' legislation. I have been approached by a number of constituents now who are professional breeders of working dogs, particularly kelpies, border collies and the like who work within the rural industries, and also breeders of cats. Certainly, a couple of constituents who reside in Port Lincoln came to see me the other day with concerns about what impact this legislation would have on their business.

They love their animals and do not want to be caught up in the unintended consequences with regard to this legislation. I understand that the consultation is still going on and it is important consultation. I do not want us to be in the situation the Victorians found themselves in, where breeders of companion animals and also working animals were caught up unnecessarily with legislation and inconvenience.

I was interested to see also that the fox bait program is continuing. Certainly, the natural resources management board, and I compliment them on this, have been very involved with coordinating fox baiting and dog baiting right across the rural landscape. That has been a shared responsibility with landowners, and it has been a very good program; in fact, I can relate one story.

When fox baiting was first introduced, I saw for the first time in my life an echidna on my property. I had not seen one in all my life, and I can only assume that the reduction in the number of foxes had allowed the natural fauna to increase. I was really quite thrilled to see an echidna crossing the road—very slowly I might add—and I was pleased to see that this program is continuing on.

I have asked a question a couple of times in this place about the development at Ceduna Waters. The government are well aware of this situation, where the department has been pursuing the developer and, ultimately, now one of the subcontractors for the clearance of some native vegetation.

My understanding is that it was an insignificant amount of native vegetation and, in fact, that vegetation has been reintroduced and revegetated itself over the said area. I warned the government back in 2011 that if they did not address this particular issue, then the ongoing legal proceedings would cost everybody a lot of money—the developer, the subcontractors, the government and ultimately the taxpayer. I have not received an adequate response from the government at this stage, and I look forward to the Minister for Environment returning with some response to that.

I also asked the Minister for Environment about that old chestnut, water security on Eyre Peninsula. The minister was well prepared for this and, of course, walked us through the process of annual review and the trigger points that will be put in place by the new water allocation plan. I recognise the good work that has been done in this space thus far. However, a word of caution: I do not think that the pressure is going to come off our southern basins ultimately until some new water is sourced, new water is found, and our reticulated water supply is supplemented in some way. At the moment I suspect the demands still are exceeding our capacity to supply out of the southern basins. It could deteriorate very quickly. I recognise that monitoring is occurring—increased monitoring and increased scrutiny of those basins—but it is a very delicate ecological situation and the government needs to be well aware that should anything significantly go wrong, then Eyre Peninsula will be in a dire situation.

I asked the Minister for Fisheries about cost recovery. It is an ongoing issue for our fishers and the people involved in aquaculture because quite simply the department is intent on recovering all their costs, often for services that they provide for which really the growers or fishers get very little benefit. It is all very well to provide a service and monitoring and charge for that but, in many instances, what fishers and aquaculture growers are telling me is that they are not seeing full value for their charges and it is important that they do see full value otherwise they become somewhat disenchanted with the ever increasing cost of compliance and cost recovery that the government is imposing on them.

The Natural Resources Committee has taken evidence over the last few months from those involved with the Spencer Gulf prawn fishery. In fact, late last year the fishery was opened up to fishing again for the first time for a couple of years in order to get a sense of the health of that fishery, where it was at, and I have had mixed reports from that. Those involved desperately want the fishery to be productive and viable and I think, as a committee, we will continue to work with the fishery itself and those involved to get to a point where it is a productive and viable fishery for all those involved in it. Our primary industries are so important to the export income of this state that it needs protecting and encouraging. We do not need people involved who get hounded to a point where they can no longer conduct their business.

I had our shadow minister ask the Minister for Planning a question about rural living and the reason why he has such a set against that at the moment. I can think of two proposed developments in particular on Eyre Peninsula that the Minister for Planning has refused to sign off on. I know he is set against these, for some reasons that I do not think are fully justified. I felt his answers on the day were a little flippant and I am hoping to continue a conversation with the minister about how we can make these developments work. This is not Mount Barker: it is actually Port Lincoln and Streaky Bay,

and the impact on the huge Eyre Peninsula is going to be minimal. For the most part, it is not prime farmland, it is not prime agricultural land. It is mostly coastal and quite stony.

We have developers and district councils that are supportive of the developments yet cannot get approval for them. It is disappointing for local councils, the developers and also the communities, who are looking forward to increased economic activity, increased residential allotments and increased population. Of course, increased population puts demand on services and the whole local economy gets much busier. I am looking forward to continuing our conversation on that and, as I said, hopefully getting a sense from the minister as to what we might be able to do to make these work.

While I am on developments, the minister has also not been able to see his way clear to sign the development proposal for Coffin Bay which the District Council of Lower Eyre Peninsula has been working on for at least 10 years—all of 10 years, maybe more—yet they still have not been able to get it to a point, for some reason, that the minister will sign. Once again, this is a small rural township. It is coastal and it is a growing township. People want to live by the sea and there is no reason we should preclude them doing that. I think it is short-sighted of the minister.

I know a topic for questions in this place for the last 12 months or more has been around police clearances, and a sad situation was highlighted to me just last week at Ceduna by a constituent who came to see me. To be fair, we have been corresponding with the minister's office on this but to no avail. The application was lodged by this particular constituent way back in December 2014. I have a timeline here in front of me. There was continual correspondence between the constituent and the DCSI screening unit.

She was in work at the time and her police clearance was due. She made an application in good time and heard nothing but kept in contact. Ultimately, she got to a point where she informed her employer that she was still waiting for a clearance and actually removed herself from her place of employment, as the clearance was outstanding and she was working with children. It was an incredibly responsible thing for the constituent to do. She asked if she needed to remove herself. That is when she contacted me.

To make a long story short, she has resigned her position, which is an extraordinarily bad situation. In July, some eight months later, she has still not been able to gain police clearance and has had to resign her employment as a result. It is like swimming in treacle, and I am not sure why it is so difficult. It cannot possibly take eight months to get a police clearance for a person who is already working and has had a police clearance in the past. This lady gave up in despair and is now seeking other employment. It is really sad.

Ultimately, this estimates committee is about the budget and we have drilled down into individual budget lines and we have had the opportunity to ask ministers questions but, underlying this budget, of course, is the ongoing debt and deficit. The debt is spiralling, the deficits have failed to be reined in. In fact, the bill just for interest for this state is about \$10 million a week. This underlines the situation that this government is in.

We have seen our unemployment rate skyrocket to 8.2 per cent. We now have the highest unemployment rate in the country. More interestingly, I think what is significant is that our state of South Australia, as a percentage of the national economy, is actually shrinking. It does not mean we are not growing: it means that we are just growing very, very slowly and everybody is outpacing us.

It is a sad thing but the reality is that the state is in a dire situation, and it would seem to me that Nero is fiddling while Rome burns because, with all of this dramatically sad economic news, we are talking about time zones. The member for Heysen spoke earlier today about coming into politics to make life better for her constituents. Now I take that responsibility very seriously and considering my constituents and making life better for them, I could never as a local member support a move to Eastern Standard Time.

I have spoken about this before. We are some thousands of kilometres west of Sydney, west of Melbourne, and to move to Eastern Standard Time would be incredibly problematic. It would mean that the west of the state would become disenfranchised—and the Premier has the audacity to talk about a separate time zone for the west of the state. Talk about being neglected. It gobsmacks me

to think that this government and this Premier have so little consideration for his constituents, the residents of this state, who live in the west of the state.

I just have 30 seconds left and I want to quickly touch on the issue of borrow pits. The Treasurer has seen fit to charge mining royalties on rubble pits in local councils to get a competitive market. I can tell you, Deputy Speaker, that it is going to do nothing of the sort. All it is going to do is add to the cost for councils for resheeting roads in country areas, and one of two things could happen: either the roads will not be resheeted or the charges will be transferred onto the ratepayers.

**Ms SANDERSON (Adelaide) (16:36):** I rise today to respond to the estimates committee reports. Starting with my portfolio areas of responsibility, during the families and child protection estimates we found that the Child Abuse Report Line waiting times continue to rise in spite of 10 extra staff being employed. The average waiting time is now 20 minutes and 16 seconds, and that is up from 10 minutes and 46 seconds in 2011-12, only three years ago, yet the call centre does not offer a call-back feature where callers can leave their number and receive a return phone call at a later time rather than remain on hold.

We know we are all busy people these days and people do not have the time to sit on a phone. Some have been kept waiting for hours. I have had many complaints to my electorate office where people have actually hung up because they are concerned for the child's welfare but they do not have hours to spend on a phone. People have jobs to do, families to raise, meals to cook and they cannot be left waiting on a phone line that does not even offer a call-back facility, not to mention if you were ringing from a mobile phone where you are on timed calls which would make that even worse. I wonder how many people are hanging up and how many children, therefore, are left in danger because we have a system that is failing.

The number of calls continues to rise, and after 13 years this government has no solutions other than to say that they are looking into ways in which they can improve it. I have been made aware of a workload analysis and productivity report that was done into CARL, yet the minister has no knowledge of it. I am also aware of an interstate study tour to research similar facilities to CARL that was undertaken last year by the minister's department and, again, there has been no tabling of the information, no information has been made available and there are no solutions as to how we can improve this. The CARL line is not working and the minister cannot explain how things will be improved.

Despite the government actually having a key strategic plan policy to increase the number of people with disabilities working in the workforce, the minister responsible for families and child protection is yet to change the employment policy to allow people without a driver's licence to even apply for a job in the Child Abuse Report Line call centre or in reception. I have had a lady contact my office who has a degree in social work and who is keen to work. Families SA is the largest employer of social workers in the state, yet she cannot even apply for a job and get to the interview part. The minister was unable to explain the Redesign program that has been going on through Families SA. Apparently there are 10 programs in the Redesign program that could not be listed and nor could the cost of the Redesign program be explained to me so far or even just for the last financial year.

The minister has been using the excuse of waiting for the royal commission findings before reintroducing the children's commissioner bill. Given the commission was due to report in August this year, which is only next month, that was quite acceptable; however, a recent government announcement committed \$9.4 million to an extension of the royal commission into child protection. This will leave our children vulnerable for yet another year, which is completely unacceptable. Given that none of the eight Families SA staff named by Coroner Mark Johns, in relation to the Chloe Valentine case, were disciplined on the basis that it was a systemic issue, it is imperative that we have a children's commissioner with investigative powers and who is independent of government as soon as possible.

Too many children are left in danger right now—this day. Every day we are without a children's commissioner could be a day too late for another Chloe. We need systemic change now. The minister must insist on an interim report and bring back the children's commissioner legislation as soon as possible. Robyn Layton recommended a children's commissioner in 2003, and we still do

not have one. How many children's lives would have been saved or significantly improved had this government acted 12 years ago when it was first recommended?

In social housing estimates we found that there are rising levels of Housing SA client debt, which has been rising by \$1 million per year since 2012, then tripling in the last financial year to a \$3 million increase in the 2014-15 year, bringing the debt levels to \$25.3 million, and this does not include bad debts written off, which the minister could not answer in estimates, nor later when asked on radio. What about the amount of debt reinstated and what accounting principle is that based on? When I asked the question, the minister asked me what it was. It is actually in their own budget paper, so I am waiting to hear back on what basis this reinstatement of debt is used.

There are 7,366 Housing SA tenants who owe a debt to Housing SA, but more worrying than that is the 7,974 non-tenants who still owe money. How likely are we to ever get this money back? The category 1 waiting list has increased by 10 per cent from 3,069 in the 2013-14 year to 3,368 in the 2014-15 year. These are our most vulnerable people, and more swift action must be taken. We have a total of 21,190 people on the Housing SA waiting list, which is a slight improvement of 37 fewer than the previous year. At this rate, it will take 572 years to fulfil the waiting list. So what is the government doing about this?

After 13 years of Labor, the Housing Trust, which started under Sir Thomas Playford and was something to be proud of, has become a constant issue always in the paper or on the news. There are huge waiting lists, spiralling client debt, constant issues with conflict between neighbours due to thoughtless placements, damage and children living in squalid conditions without Families SA intervening. The government is failing to meet its own commitment to transfer houses to the community housing sector, which is one way that capacity could be increased. This government needs to find solutions to this significant issue.

For the higher education, science and information economy portfolio, the minister had approximately 30 staff in the chamber, yet many of my questions could not be answered. The budget figures are a joke, as they are prepared on a financial year, yet all the annual reports and answers given are in calendar years, meaning they are not comparable. For example, the number of provisional patents are listed in financial years, yet when answering the number of patents registered or Patent Cooperation Treaty filing figures were given in calendar years.

The minister refused to answer questions that had been answered by her the previous year regarding STEM enrolments for year 12 and continuing enrolments for STEM in higher education in 2014. STEM (science, technology, engineering and maths) is one of the performance indicators outlined in the minister's science and information economy portfolio, so surely the minister should be able to answer questions on this topic.

I am still waiting on answers to questions I asked last year of the same minister, in particular regarding student numbers for Carnegie Mellon. The taxpayers of South Australia have invested more than \$22 million in that university and have every right to know how that money is being spent. I think it is only fair that we should know, of the 374 students who have graduated since the inception of Carnegie Mellon in 2006, how many were local fee-paying students, how many were overseas fee-paying students, how many were on scholarships, and how many students were paid for by government departments, so we can truly assess the success of the Carnegie Mellon University.

The minister could not answer how long Carnegie Mellon were committed to staying in Adelaide, or if their current lease in the Torrens Building would affect the government's planned sale of a large parcel of land around Victoria Square that includes the Torrens Building. The minister referred me to the Carnegie Mellon annual report for students numbers; however, they do not produce one. They produce a financial report of approximately two pages only with no detail around student numbers.

I asked the minister when the results of the business plan regarding a business accelerator for BioSA would be ready, and the best answer I could get was, 'Soon.' I asked if the definition of 'soon' was weeks, months or years and was told, 'We do not have a specific time,' just soon. Imagine running a business like that. It is outrageous. We have an 8.2 per cent unemployment rate and a waiting list for new businesses that can employ people, and the minister cannot even commit to

releasing a business plan, let alone commit to the required funding to help employ South Australians in the areas of science and biotechnology jobs.

With volunteering, as we have heard from the previous speaker, we are still facing many issues around screening delays. There are people losing work and losing a lot of money waiting on the ridiculously long amount of time that it takes to get a clearance through, even for people simply renewing a clearance and continuing a job they have been doing for many years. People in the transport industries particularly—taxidrivers, bus drivers—have had multiple issues.

If any of you listen to Leon Byner on FIVEaa, just about every day there is another person who is not able to work because of the incompetence of this government's department and their inability to get their screening tests done in a reasonable time as are able to be done in every other state in Australia. I will say, however, as a positive, that in February this year 9,000 people had been waiting for more than 30 days, and now that is down to 4,000 people, which is certainly an improvement, but that is still a lot of people who are unable to work because they are waiting on their clearances.

The youth portfolio is a fairly small budget line, although the minister could not describe to me the assessment that is made when dropping one program and going onto another. It seems fairly random: they have a set time for a program and they do not really assess whether it was a good use of money or should be extended or redone. They just jump to a new idea, which does worry some of the people in the sector, so it would be good to find out actually what assessment process is undertaken or if they just spend the money and do not really care because it is in their budget anyway and it does not really matter. That is certainly how it appears.

In my electorate, there are certainly many issues with this government at the moment. Their handling of the O-Bahn issue has been such that, when they did not get their own way, they simply brought in a DPA to forcibly take over Parklands through the beautiful Rymill Park, which has upset a great deal of people. I note that the DPA actually put not only the land for the O-Bahn together but the Torrens to Torrens as well as the Reid Building, which is taking over a significant part of Parklands for the development of the extra Adelaide city high school.

Car parking for the Women's and Children's Hospital continues to be an issue with safety concerns for staff, patients and visitors to the hospital who have to park long distances far away from the hospital. Particularly for staff who are coming and going at all hours of the day and night, there are safety issues around that. I first visited the Women's and Children's Hospital soon after being elected in 2010 and, by the end of my appointment at approximately 10.30 in the morning, the car park was full. I said to the CEO, 'If your car park is full by 10.30, surely there is a need to extend the car park.'

At that time, there was uncertainty about the future of the Women's and Children's Hospital. We are five years on and the hospital is still there. A year and a half after saying that in approximately 10 years they may move the hospital, the government is still saying that in approximately 10 years they may move the hospital, yet the parking issues still exist. If they move the hospital in 10 years' time, that is 10 years during which staff of the state government are being left in danger without adequate parking.

I know that the government does not have money to build a car park because they are broke after 13 years of mismanaging our finances. However, it is potentially a good financial investment and, just like they sold our Parklands to the Walker Corporation to build a car park in the Festival Centre, there is no reason why a car park could not be extended for the nursing staff and all the hospital staff at the Women's and Children's Hospital.

It is already under a strata deal. I have already checked the engineering reports, and it is stable enough to build two more floors, so there is no reason why this government should not be taking some leadership after five years of me informing you and actually put it out to tender, like you did for the Hajek Plaza, and get some action happening on this.

A lot of people in my electorate are very upset about all the development plans and the high-rises that have been planned, particularly when they are quite misleading about it being on the urban corridor. We are finding that on Prospect Road—where the development plan says you could have

up to three storeys on the urban corridor, which everyone assumed would be facing into Prospect Road—we have a development that has just been approved one off Prospect Road, facing into a narrow side street, and it is not three storeys, but four storeys: 10 units on 500 square metres. It is hardly residential urban living in the suburbs; it is more suited really to the city.

My residents are extremely upset about this. Something must be done to clarify this. When you say 'three storeys', it should mean three storeys. When you say 'on an urban corridor', it should be on the main road. It should not be in a side street and it should not be taller than you have actually agreed to. It should not be that whoever has the most power can get what they want. It should be what it says it is.

There are lots of issues at the moment for my electorate. The Hajek Plaza is but another—the building on the Parklands, basically, for a commercial venture. We hear it is something like 4,500 square metres of retail and a tower of 40,000 square metres, I think, a 10-storey tower that is again on the Parklands. A lot of people are very unhappy about that decision but, as usual, people are excluded from actually having a say because the government just puts a ministerial DPA over it and therefore does not have to listen to anything you say. Certainly, they allow people to have a say, but they do not have to listen to it at all. I am pretty sure they have made up their mind on most things before the consultation even starts.

This government remains incompetent at running a state, devoid of ideas to improve the state and hopelessly lurching from disaster to ill-conceived kneejerk reactions to save face, cover up or distract, such as with the time zone change. It continues to blame the federal government for everything, despite being in government for 13 years, over which time it has brought this state to its knees. March 2018 cannot come quickly enough for me, when the people of South Australia will have the opportunity to vote for a hopeful future, a Liberal government with ideas for a state that I love.

*Sitting extended beyond 17:00 on motion of Hon. S.C. Mullighan.*

**Mr GARDNER (Morialta) (16:53):** It is with pleasure that I rise to speak on the estimates process that we have all enjoyed over the last week. I believe I am probably the final speaker on behalf of the opposition on this matter for 2015. I have listened with interest to the contributions made by members on this side; I have listened with something else to the contributions made by a couple of members on the other side.

I just thought I would clear up a couple of things raised by the member for Wright and the member for Kurna—in particular, criticisms they made of opposition speakers for not singularly identifying suggestions to improve the estimates process if we are going to make criticisms of the way ministers conduct themselves and the government conducts itself. I think that was a fairly disingenuous comment made by the member for Kurna. Having listened to the speeches, I have heard many suggestions, constructive and helpful suggestions, and will list a few of my own suggestions for the better running of estimates in the future. That said, I find it a useful process and I appreciate the opportunity.

I will get to those suggestions in a moment, but to the other point made by the member for Kurna suggesting, again I think disingenuously, that the Deputy Leader of the Opposition had criticised media in this process. I listened to the Deputy Leader of the Opposition's speech and it was a very fine speech. I think that the comments made by the deputy leader have been mischaracterised by the member for Kurna, so let me put them into some context.

The journalists who come and cover estimates are presented with a range of stories that come out. Obviously, estimates is probably the time when there is the most significant number of new bits of information that are provided in any small period of time. You get more new information often out of estimates than you do in the budget where the detail is not unpacked, and yet there is only the same amount of time on a TV news bulletin and pretty much the same amount of space in a newspaper for the information presented at estimates as any other day.

I think the journalists, whether from *The Advertiser*, *The Australian* and InDaily, or indeed from our television news crews and the television current affairs crews and our radio, have all done a terrific job this year of getting a lot of information out, but there is a lot of information about issues that this government has failed to address or has been addressing and so forth. So, I commend the

journalists for the endeavours they have put in and thank them for spending so much time with us over the last seven days as we unpack the budget estimates.

In relation to ways it can be improved, I think the first thing I would note is that when I spent some time looking at the state politics of the late nineties and the early two thousands under the previous Brown, Olsen and Kerin administrations, one of the things that differentiates those administrations from the Rann and now current Premier, the member for Cheltenham's administration in estimates under the same rules is the amount of time dedicated to portfolios.

Currently, we have this operation where the amount of time dedicated to any portfolio is theoretically done by negotiation with the opposition. In practice, the standard is to look at what we did last year and apply the same amount of time for each portfolio budget line this year. That does not sound unreasonable in and of itself, except that when the starting point was 2002 the amount of time contributed in those years was significantly less than the previous year to that, or final year of the Liberal administration.

I remember looking at the *Hansard* of the Hon. Rob Lucas's answers as treasurer and minister for education in the nineties and there were hundreds and hundreds of questions answered, going well into the evening. Some ministers in these estimates are dealing with portfolio budget lines which are maybe for hundreds of millions of dollars yet only attract an hour or two of estimates hearings. I think that any serious look at the schedule—and I will be following this up by way of formal letter to the leader of the house prior to next year's estimates—does offer some unusual statements, to say the least.

For my own area for example, I participated in the Community Connect program in the Department for Communities and Social Inclusion as I have responsibility for juvenile justice policy on our side. It is a 45-minute budget line, with responsibility for a wide range of things, not just youth justice and the offices of the north and south and communities and social inclusion, there is also the screening unit, which is of particular note to so many people and which attracted the majority of the questioning earlier this week. That had 45 minutes and yet, one that I participated in last year, the Minister for Science and Information Economy, it is a relatively small budget line, it is a couple of pages in the budget documents, it is a few million dollars, it is an important area but it had an hour and a quarter compared to 45 minutes for the Department for Communities and Social Inclusion. It seems an unusual position. In fact, it is more than the whole Department for Correctional Services, which had an hour of discussion.

There are plenty of examples through the document and I will not go into them in detail. What I propose, very specifically, is not that we take away any of the time because I, for one, find it fascinating listening to discussion about science and information economy for an hour and a quarter, but why can we not have two hours for corrections and four hours for police? I would start by taking about half of the portfolios and doubling the amount of time because there are always plenty of questions left. Even this year, when we had a number of ministers who took few questions—a couple took no questions—from their own side, there are always a significant number of questions left.

A number of ministers negotiated with the shadow ministers to have a reduction in the time allocated for their estimates portfolios in return for there being no government questions. That is fine; I chose not to go down that path myself (and I am not sure if the offer would have been forthcoming from the minister) but I acknowledge, in particular, the Minister for Police and for Corrections. He took a couple of government questions but not too many, and certainly not unreasonable ones. However, I think that the diminution of time in return for that offer of no government questions should never have been necessary. Why do we not double the time and we can have some government questions as well? It would certainly be very useful for the community to get that information.

There is also a significant number of public servants who support the estimates process and prepare those folders for ministers so that they are all ready, and attend here in case their expertise needs to be called on. That preparation work could be brought to its full extent so that we could really unpack these issues and get the best possible information to the people of South Australia.

In terms of the time allocated to committees, I think that is my most important suggestion in relation to improving estimates. I think that amount of time would be useful. Also, cramming it into five days is a policy decision, a management decision of the government. It does not need to be five

days; we could take two weeks to do this and spread out the opportunity for the public to be involved in learning about these processes through the media, and, indeed, for ministers and shadow ministers to get that information.

I note that a former Liberal minister who is no longer in this house—I will not identify him, although I enjoyed the opportunity to serve with him, which probably narrows it down—used to say that estimates was one of his favourite times of the year. It gave him the opportunity to be briefed on the whole gamut of issues within his portfolio by his department, and confidence that he would actually get the full story because he knew that he would be relied upon to provide answers in that estimates time. It was the one time when he could take a helicopter view and have a full understanding of all those issues in his department—

**The DEPUTY SPEAKER:** Bad word. 'Panoramic'. We do not use the word—

**Mr GARDNER:** A wholesome view of all those matters within his responsibility. That would ensure that even if he was not asked about it in estimates and was not called upon to present the government's position on the matter, if there were some that required attention it would give him the opportunity to ensure that the matter was addressed subsequent to the estimates procedure. I encourage ministers, whether they enjoy it or not, to have a think about the opportunities presented to them in estimates to be better ministers and to provide that support to the people of South Australia through being better ministers.

I note that every year during the estimates process some ministers, some government committee members—not in all committees—who sometimes seem to take it a bit more sensitively than others when they are asked questions about matters in their portfolio that they do not feel like talking about, use, as a point of order, that the question allegedly does not relate to a specific budget line. Frankly, I always find this to be a fairly specious point of order, because unless the question being asked is so tangential to the minister's responsibilities as to not be within the activities of the minister's department, it is almost never a valid point of order.

There are two budget lines in each department; one is the workforce summary and one is the whole funding provided to that department. Frankly, anything being done within that department will relate to those budget lines, if nothing else. So when a minister or any government backbencher uses that point of order I always find it frustrating. It is unnecessary and, frankly, I think it does the minister a disservice to think that they would not want to talk about something for which they are responsible by way of the budget allocation in those two budget lines. Ultimately, there is not a change in procedure but I hope there is a change in practice that develops over the year whereby that is unnecessary.

In relation to the answers provided to questions taken on notice, I identified before the hundreds of questions there were taken in previous estimates by a number of ministers. This time I was actually really pleased yesterday, when I arrived in question time and was handed a pack of answers to questions on notice. I was thinking: this is fantastic. The Deputy Premier's estimates was just last Wednesday or Thursday and I was here and able to participate in asking questions, and some of them were taken on notice; and, just five days later, answers to questions taken on notice were provided. Then I read the detail of the answers provided and they were all issues from between June 2013 and June 2014. They were actually answers to questions that I had asked in estimates over a year ago and only now being provided.

It is frustrating for the opposition, but that is not even remotely the point. It is a disservice to the community and it is a disservice to the ministers themselves. It shows them in a very bad light when it takes them a year to answer questions taken on notice. We offer them in good faith. It is a real challenge to the community to have faith in the government's alleged commitment to providing openness, transparency, open data and all those things when it takes over a year to provide answers to simple questions taken on notice in the estimates process. This information should be in the government system to start with. It is not a good sign and I think it is something the government should attend to.

A very simple administrative matter about which I have already written to the Speaker and the Standing Orders Committee to take into consideration—this will only be of interest to members responsible for the administration and those members who sign in and out—is the arcane process

associated with estimates. It is time for it to be abolished; a simple improvement to the standing orders perhaps requiring that any member can come in and ask questions rather than having to sign hundreds of forms, having members being discharged and entered in to the committees. Frankly, it is a nonsense and I hope that it is something that the house can attend to in the year ahead so that future whips will not have to deal with that level of administration for clearly no benefit to the community.

In relation to my portfolios, I will just deal with them briefly by way of particularly bringing to the attention of the casual reader of *Hansard* those issues that were of interest. Can I first commend the media adviser, or whoever it was in the office of the police and corrections minister. When it comes to media support, providing colour and movement and pictures that accentuate a story, nothing will ever provide better colour and movement in a story than the pictures of a Labrador dog with a GoPro on its back running through a prison. The timing of those pictures being provided to the media (on the morning of Corrections estimates) ensured that all of the TV news cameras would be interested in stories to do with Corrections. So for that I am very grateful, because it did give us the opportunity to highlight the problem of overcrowding in South Australia's prisons and some of the issues that that relates to.

Overcrowding is not just an arcane issue that might concern prisoners and their families. Overcrowding presents budgetary problems, because when our prisons do overcrowd into police cells, those are unbudgeted positions and end up being much more expensive for the taxpayer than providing the infrastructure in the first place if you are going to manage prisons properly. Overcrowding presents problems for our prison officers themselves. Overcrowded prisons are less safe than prisons that are within the capacity for which they are designed, and that presents stresses and problems for our prison officers, who do a terrific job and deserve a better environment than that.

Overcrowding presents problems for our police force. When our overcrowded prisons flow into our police cells, those police cells are not available for use by the police. For example, if the Holden Hill cells are full of prisoners on remand, that means they are unavailable for the police who might need to take somebody they have arrested to Holden Hill to be charged. Those police officers then have to take them further away, which creates operational problems.

Overcrowding also presents problems in our health system; for example, when we have overcrowded prisons with a significant number of people with significant mental disabilities and other intellectual disabilities who might have been sectioned under the Mental Health Act and should be in James Nash House, or people who have been convicted as criminals but present with these problems and should be in James Nash House. The fact that we have only 60 beds available in the forensic mental health unit and there are more people who need a forensic mental health bed means that two things can happen: either we have people with those issues in our prisons—and our prisons are overflowing so there are no beds there—or they end up overflowing into our general community mental health beds, in which case those community mental health beds would no longer be available for members of the general community.

Now, frankly, I think that anybody who has a family member who has presented with an acute mental health presentation and has found that the specialised beds available for their family member actually are not available for them because of the overflow from our prisons and the overflow from James Nash House will find that unacceptable. And so we have situations such as the one where a man was in an adjunct room to the Royal Adelaide Hospital's emergency department with no access to a television and no access to the general conditions that somebody presenting as a community patient in a mental health bed would expect because of the overflow from the prisons. I think that those family members have a right to be pretty angry, and so they should be.

So, the overflowing prisons was of significant interest and we noted a very high new record number of prisoners in the South Australian prison system. Firstly, we asked about the peak figure for 2014-15, and to clarify I said it was from 1836 until 30 June 2015, and the record was 30 June 2015 of 2,737 prisoners. It was broken the next day and continually broken until 17 July, two weeks ago, when we set a new record of 2,772 prisoners. That is fine, it is just a number, but note that the approved capacity of our prisons is 2,715, which means that we are in surge capacity pretty much all the time. We are building new cells: we are building 20 beds here, 100 beds there, 20 beds there, shipping containers here and stower-packed cottages there being delivered. However, we are

only doing it in an ad hoc way because the government has failed to plan. The government has failed to plan, and they are continuing to do it.

The average daily prisoner numbers for the 12 months to come has been set and it is in the budget. It is 3 per cent higher than the average daily prisoner numbers last year. That would be fine, but we asked the question and had no answer—it was taken on notice—of how they got to that figure of a 3 per cent increase, because last year it was 11 per cent and the year before that it was 11 per cent as well. We have had significant growth in prisoner numbers. The same impacts that have led to that significant growth—a higher level of policing of domestic violence offenders, higher levels of people breaching bail conditions and parole conditions through the tenses thresholds that are set for those conditions to be breached as a result of legislative change. Those factors are still there and there is no reason to expect that they will change, yet the government magically thinks that a 3 per cent increase is possible, despite everything else.

There were also other issues. We found out that there is going to be a delay in the government's recruit 300 promise, which has been delayed several times already by another year to the 2018-19 year, which will take it past three elections that that promise will have been met, if it ever is met. We noted that there were issues to do with the civilianisation of certain sections of the police force; it remains unresolved whether they will be reduced from the net numbers of police officers.

We were told that there would be a \$1.1 million saving, for example, by transferring 42 custodial officers from sworn police officers to non-sworn officers. So a \$1.1 million saving there. They are taking on 42 new unsworn officers—and that is the saving, from sworn officers to unsworn officers, yet we are told those original 42 officers are going to the front line. If they are, that is not a saving, that is just an increase of 42 staff, so we are yet to unpack how that is happening.

We learnt that the Holden Hill cells will no longer be used as police cells; that the memorandum of understanding between Corrections and Police is still unsigned; that the Sturt cells are no longer available for Corrections; that the Henley Beach Police Station has been delayed for a year.

**The Hon. P. Caica:** That's not true.

**Mr GARDNER:** And the minister gave reasons for why: he said it was the council's fault that it had been delayed for a year. You can check the *Hansard*, member for Colton. The minister told us that the eight police stations—

**The Hon. P. Caica:** I happen to be the local member.

**The DEPUTY SPEAKER:** Order!

**Mr GARDNER:** —closed in May were not police stations, that the academy is charging \$150 for literacy tests before entrance, and a range of other things. I encourage everyone to read the *Hansard*, it is fascinating stuff. And, finally, I thank the ministers for their courtesy during the estimates process.

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (17:14):** I thank the member for Morialta for his comments. I thought I would briefly share my experience of estimates as somebody participating on the other side of the tables for what is a process, Deputy Speaker, designed to enlighten the parliament with further information about a minister's portfolio budget lines.

The experience I had this year was similar to an experience I had the previous year. The member for Morialta cast our collective minds back to the 1990s and the early 2000s under particularly the Olsen administration where we had sessions of estimates where there was assiduous questioning from the opposition at the time, to the extent that not only was information revealed to the parliament that had not been previously revealed but it was revealed in such a way that it caused the resignation of that premier, such was the import of the estimates process, such was the interest that was shown by members of all sides and such was the amount of diligence and effort put into the questioning process by the opposition of the time.

Of course, that standard is sadly lacking now. My experience this year reflects the experience that I had in the previous year where I was exposed to questioning from the deputy leader who spent, in my first year facing estimates, the best part of 45 minutes attempting to question me on budget lines which were the responsibility of another minister, despite my repeated and good-natured attempts last year to set her on the right course.

So you can imagine my surprise when, once again, the deputy leader turns up and starts not only asking me questions about another minister's portfolio responsibilities and parts of the budget specifically assigned to that minister, but when I corrected her—in frustration this time rather than goodwill—she then abandoned the budget papers altogether and decided to embark on a line of questioning which was not even relevant to the budget papers that she had before her.

Such was my exasperation that when she repeatedly pointed to some extract that she claimed to have from *Hansard*, and when I explained to her that despite my mere 18 months (roughly) of experience in parliament and her getting on for 14 years of experience in parliament, it was incumbent on me to point out to her how this process worked, she still was unable to cast her mind in the correct direction and enable us to get on with the process of estimates.

It is experiences like that on both sides that have caused several members, in the course of this debate, to talk about how estimates might best be conducted in the future and, principally from the other side, the process has all but been referred to as broken, as archaic, as somehow unable to elicit the sort of information that the parliament should rightly be receiving from the government of the day.

What has changed in the process? The member for Morialta gave some examples of where changes have been made and there have not really been changes to the process or the procedure or the standing orders. There may have been some changes to the allocation of times and he, as opposition whip, is perhaps in a better place to judge that than I. However, the process of the questioning has not changed and so, once again, the parliament is being asked to consider an assertion that the process is broken.

It makes me think of the assertions that the member for Mackillop put about how the 2014 state election was conducted; that somehow our electoral process is also broken. You can start to sense a theme here that whenever the opposition cannot conduct itself in a way which produces some sort of politically acceptable result for itself, it is not their fault, it is the fault of the system—in that case it is the electoral system or, in this case, it is the fault of the estimates process.

I am not necessarily casting that net over the comments that the member for Morialta has made but certainly we have had comments from other members of parliament casting the parliament's mind down that path. If we cast our mind back not 10 years, but in the last 10 to 15 years, we have seen this process be conducted far better.

I do like to think that perhaps I can guess to whom the member for Morialta was referring when he said that a former minister travelled to parliament by helicopter—I assume that might have been a federal minister at the time, or a minister took a helicopter view of the process and enjoyed being briefed in a particular way by their department because it enabled them to get a fulsome handle on all of the grotty detail of their portfolio.

I can remember two people from the opposition benches since 2002 who were fearsome in their questioning of government ministers. The former member for Davenport, who was incredibly forensic and incredibly thorough, worked very hard to make ministers think twice, if not thrice, about the information that they provided to the parliament. He was somebody who put in the diligence and the effort and was able to elicit not only information for the parliament but, I am sure, several stories about what the government of the day was doing and pushing his particular view of those initiatives. Of course, after the results of the 2002, 2006, 2010 and 2014 elections, he resigned from the parliament in abject dejection.

The other person I can think of who was a sound performer from the opposition benches is of course the current member for Waite, who did not exit the parliament in the same fashion but instead hitched his wagon to the political party in this state that is presenting an agenda for South Australia across all portfolios of government.

I will not speak for too much longer, but it is on that final point that I want to concentrate; that is, ministers and this government having an agenda and putting it forward to the people of South Australia, and what role the estimates process plays in that in perhaps, ideally, examining the efforts of the government, the expenditure of funds across portfolios to carry forward those initiatives and, ideally, being able to contrast that with another set of policies, another set of ideals, another set of initiatives which are being litigated in the public, which would ideally come from an opposition. That is of course what is lacking not just in general from this opposition but what is also lacking in estimates.

I can absolutely recall the effort that ministers like the former treasurer Kevin Foley went to or the former premier Mike Rann went to with shadow ministers like the former member for Davenport and also the current member for Waite. It was not just about how the government was spending their funds and whether that was an appropriate use of taxpayers' money; it was also about how that compared to an agenda that they were pushing at the same time. Of course, it has got to the point now where the member for Waite has now joined with the government to make sure that he can put his shoulder to the wheel and push forward the policies that he can promulgate for the benefit of South Australians in concert with the effort that government ministers are making.

What benefit it would provide to parliament if the sorts of conversations or questionings, to put it more accurately, that we had during estimates were not only more assiduous, more incisive and more revealing from the opposition, but if, in addition, there was an opposition that was capable of coming up with an alternative agenda with which the government's expenditures could be compared, and that is something I think which is also lacking from the process.

It does not need an entire revision of standing orders, it does not require an entire upending of the procedure or the process, it just requires an opposition. Of course, the effort starts from the leadership and the deputy leadership. It just requires a little bit more effort and a little bit more diligence from those people opposite to put the government not only under pressure about how it is spending but about in what other ways it could be spending those funds.

I thank all members for their contributions, not just of course the ministers on the government side but particularly those opposition members. Whether they are on the front bench or whether they have to endure the hard yards sitting through hours and hours of questioning on the backbench, it is long, it is hard on everyone, it does take a great deal of preparation, particularly from the public servants as well, and I thank them for their efforts.

Motion carried.

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (17:24):** I move:

That the remainder of the bill be agreed to.

Motion carried.

*Third Reading*

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (17:24):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

## **STATUTES AMENDMENT (SUPERANNUATION) BILL**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

*Adjournment Debate***ESTIMATES COMMITTEES**

**Mr WHETSTONE (Chaffey) (17:25):** I would like to continue my contribution with regard to the estimates process. I will not go into the ways that we can perhaps improve the process because I think I have touched on that, particularly with some advice to the member for Wright. I know that we had quite a robust discussion about her criticism of certain members on this side.

What I did want to touch on was a couple of the questions I have asked of the government over the last two days around the national ALP conference and the concerns that the South Australian Liberal opposition have with the opposing of the China-Australia Free Trade Agreement.

I think we all understand that Bill Shorten's resistance to accepting it was a bit of a deal to try and calm down the CFMEU and the concerns that they had with regard to the labour component with the trade-off in that agreement. The message it is really sending to the wider public, and all they are hearing, is that we have a government that is aligned with the federal opposition in opposing the free trade agreement between China and Australia.

I do not know whether we ever heard any agreement with opposing any of the free trade agreements with Japan, whether we heard any criticism of the India agreement or whether we heard about the South Korea agreement.

One thing that concerns me is that it does send a message far and wide that this state government have hooked their wagon onto the federal opposition in opposing the free trade agreement, and I think that is very dangerous. While we have the Premier giving us all the nice glossy words and the spin regarding their mission to China and the return mission here to Australia, I think that we need to be very careful.

I put the question to the Premier that he needs to come out and state very clearly: does he support the China-Australia Free Trade Agreement? I think we need to put that to bed so we can get on with our relations without having the Premier's spin—I think it would be safe to say—that there is nothing wrong, no criticism, and that yes, they do want the free trade agreement to go ahead. I think we all do, but we do not need the interference that came out of the national conference opposing that agreement.

I want to touch on a few issues that I did not mention in my contribution, and that concerns the investment attraction fund in South Australia, and it has been talked about quite a bit of late, which is the \$15 million allocated over two years to attract industry to South Australia. It goes without saying that we need to attract business to South Australia. We need to attract businesses that are not currently operating here in South Australia, although the minister did admit there was an opportunity that current businesses might be incentivised to invest further here and that money could be used to entice those people to invest further.

What the minister did admit is that InvestSA will be disbanded and some staff may take part in that new attraction agency, although he said he would probably be looking for more qualified people, so it really does make me concerned about what InvestSA have been doing and I question the credibility of that organisation. He also said that he had to lobby cabinet to gain further funding beyond the two years, so it really does question exactly why Treasury, the Treasurer and the Premier are questioning probably the biggest ticket in South Australia, and that is the trade economy that is underpinning our financial dismay at the moment.

I ask the minister: is he not capable of putting a plan forward to the Treasurer or the Premier so that we can get priority money to incentivise business to promote trade and our economy? Let's face it, we see that we have invested money into resources companies to come here to South Australia and now we have suddenly seen a decline in commodity prices. It has almost got the commodity sector nervous at investing money anywhere within their jurisdictions.

I think it gives us a very clear picture that agriculture, once again, after 120 years of underpinning the stable of our economy, is being relied on. While we see the government's priorities over the last 13 years have not been to assist the regions of South Australia in any great way, shape or form, the R&D budgets have been cut to the bone. Our representative government bodies—

PIRSA, SARDI, Rural Solutions—have all been cut to within an inch of their life. We are now relying on those institutions to prop up our economy. Once again, we are looking for R&D to give us that advantage on a world scale, yet we have this government that has continually been looking a gift horse in the mouth for over 13 years.

As to international education, the government fell short on its strategic target. Its target was 45,000 international students, and we all know that international students here in South Australia are a great economic driver. Those numbers of international students fell short by about 15,000, so obviously there is some more work to be done on that. The number of international commencements was about 14,300 in 2013-14. A target of 17,500 by 2014-15 was not achieved and not even close, with about 16,500. The government is aiming for South Australia's total share of overseas students to reduce from 5.4 per cent in 2013-14 to about 5.2 per cent in the 2014-15 year despite a target of 5.7 per cent. Again, the government has a lot of work to do.

I want to touch on some local issues quickly before there is another contribution in this adjournment debate, and that is the benefits of the budget in Chaffey. There was funding put into the budget for extra ferries. We are still yet to find out where they will be located. I am having good discussions with the Minister for Transport, trying to give a good audit of just exactly what those new steel-hulled ferries mean to the electorate of Chaffey and just exactly how they will help our economy and, in the long term, how they will help the South Australian economy. While we are talking about their being moved between the locations, I think the justification with the meetings, the audit that I have presented to the government, will put the Lyrup ferry in good stead to be one of the leading contenders with that new ferry that will be rolled out later in the year.

Funding for the Loxton Research Centre remained in the budget which is great to see and, again, I talk about the R&D that South Australia so vitally needs. It is about having a resource hub, an R&D hub, all in one location for our horticulture and agriculture businesses and commodities. It is a very small investment, albeit that it was a federal government investment administered by the state, but again the minister has seen wise to support it and I think that is a great move.

There was no major road funding, particularly for the Mallee, with the two train lines having ceased operation, so I invite the minister and his department heads to come up and drive on the highways. I want them to experience just how bad some of those roads are and the cost to our efficiencies and competitive gain that we need and the safety aspect which is a real concern.

Destination Riverland can apply for \$20,000 tourism funding, which is a great initiative. Tourism is definitely on the rise. Destination Riverland—and I commend that organisation for doing a great job—is headed up by a very good manager in Tony Sharley who is a very passionate Riverlander with a very good understanding of the tourism industry. They continue to grow and continue to underpin our economy.

The Save the River Murray levy was scrapped and, as I said to the Treasurer, it was just a cost-shifting exercise because it has been identified that NRM levies will probably increase. We will see NRM programs diminish, and I think it is a very sad day when the minister is offsetting costs from across the state now on to mostly water users, and they will be the hardest impacted.

Overall the budget was quite lacklustre, but when you introduce a lacklustre budget it lessens the target for criticism. South Australia's unemployment rate should be the number one priority. Job creation should be the next priority on the government's agenda, and I am hoping we will see some good initiatives come out, because as it stands they are not showing initiative.

Time expired.

#### ST CLAIR RESERVE

**The Hon. M.J. ATKINSON (Croydon) (17:35):** This is the third instalment in my survey of the last Charles Sturt council election, which began with my assertion that David Winderlich, Kirsten Alexander and Sandy Biar combined to make allegations under parliamentary privilege on 3 December 2009 that they knew to be false or made them recklessly indifferent to their truth or falsity. In the social media flurry that followed my first two instalments, there has been no denial of the material facts or my conclusions by those people.

In Grange ward Rachele Tullio was a runaway winner at her first attempt to be elected to the Charles Sturt council by door knocking for many months before the poll and learning from those to whom she spoke about the issues that were on the mind of Grange ward voters. Incumbent councillor, Tom Scheffler, continued to poll solidly and make quota on primaries, while the other incumbent, Team Kirsten's Raelene Hanley, who ran on a ticket with Greens candidate, Rebecca Galdies, was clearly going to lose weeks out from polling day.

Hanley and Kirsten Alexander's support for stopping the coastal bike path going past the homes of beachfront householders endeared them to those who had excavated the dunes to build their houses, and wanted to keep the public off a beach they regarded as their private front yard. But it did not play so well with the cyclists who lived in the hinterland or the families whose bicycling children would have to mix it with Military Road traffic until the bike track could return to the beachfront in the northern part of Semaphore Park. Some beachfront householders issued unlawful anonymous campaign literature under the non de plume Grange & Tennyson South Group of Residents. They gambled and lost.

In Henley Ward, Mayor Alexander made the odd choice of putting Charlie-Helen Robinson of Baker Marketing on top of her ticket, though Robinson lived far away from Henley Ward in Flinders Park, in my electorate. Ms Robinson largely campaigned through social media, in which she styles herself an expert. She was not successful, drawing only 17 per cent of the vote. Charlie Robinson claims on social media to have polled 839 votes and that an LGA study shows the Charles Sturt turnout went up 179 per cent, making team Kirsten's efforts worthwhile.

The truth is that Charlie-Helen Robinson polled 518 votes and the turnout was a fraction above 2010, about 30 per cent in all. I am mystified as to why a person who otherwise seems intelligent would, in a paroxysm of self pity, publish such demonstrably false figures. Political party veterans, Jassmine Wood and Bob Randall, won easily. They were well known as Liberal and Family First members respectively, and they made no attempt to disguise their political party affiliation. Bob had once been the Liberal MP for the area. Jassmine Wood contrasted the rates in Charles Sturt with the much lower rates in all categories in the neighbouring city of West Torrens.

Both these councillors will be much needed in the austerity budgeting that has been necessitated by the profligacy of the save St Clair era on Charles Sturt council. Jassmine Wood topped the poll with 1,011 votes, and I wonder if our state's political history might have been different if Christopher Pyne's faction had not intervened to withdraw Jassmine Wood's Liberal preselection for the state district of Colton at this year's general election and transfer it to Joe Barry, who went on to lose to the member for Colton.

In Findon Ward, former councillor Paul Sykes made a comeback, topping the poll on a back-to-basics theme, and Kidman Park's George Turelli doorknocked his way to a quota. Mr Turelli's understanding of the true state of Charles Sturt's finances will, I think, be an asset to the new council. Incumbent councillor Joe Ienco lost again after only one term, repeating his record in the 1990s. Joe Ienco described himself as truly Independent, despite being the ALP candidate for Colton in 1993, a candidate for Liberal preselection in the federal division of Hindmarsh, and a Motor Sport candidate for the Legislative Council, running on Mayor Alexander's council-wide ticket that sought to win 17 of the 17 positions on Charles Sturt council, and other activities inconsistent with describing oneself as an Independent that I do not have time to mention.

Kirsten Alexander in 2010 became the only candidate in the history of the Charles Sturt council to run a complete ticket for the entire municipality, and in 2014 she became only the second candidate to do so, yet all this was done against a background of stridently claiming to be Independent. Joe Ienco's misdescription of himself makes a compelling case for changing the Local Government (Elections) Act 1999 to define an Independent candidacy and punish bogus claims to the status. Young Liberal state president Alex Hyde described himself as an Independent in Tea Tree Gully Ward, and got away with it on the basis that the Electoral Commission regarded claims to the status as a mere puff.

Finally, in Beverley Ward incumbent Councillor Edgar Agius, who is struggling with ill-health, topped the poll, partly as a reward for his strong advocacy for reopening Barton Road and also his fronting Saturday morning street corner meetings with me. Luke Westenberg of Flinders Park

concentrated on rate increases, the proposal to have more outdoor concerts at Hindmarsh Stadium in March, and parking problems around the Sikh temple in Allenby Gardens. Margaret Herczeg, also Flinders Park, started her campaign six days after the ballot papers had been issued, because she was in the throes of moving house, but she letterboxed suburb-specific letters into every corner of the ward and came home strongly to fail by only 36 votes to incumbent Councillor Mick Harley, who was well known in the area through Findon Skid Kids.

The lessons I draw from the campaigns are that preference deals do not mean much in local government, because few voters follow a recommendation. It's the primaries, stupid! There is no substitute for being well known and well regarded in the neighbourhood. Doorknocking should start months out from polling day, and campaigns should be incremental and sustained rather than blitzkrieg.

At 17:45 the house adjourned until Tuesday 8 September 2015 at 11:00.