HOUSE OF ASSEMBLY

Tuesday, 22 March 2016

The SPEAKER (Hon. M.J. Atkinson) took the chair at 11:00 and read prayers.

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

Bills

ABORIGINAL HERITAGE (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 March 2016.)

Dr McFETRIDGE (Morphett) (11:02): I give notice to the house that I am the lead speaker on this bill. I would like to thank the minister for consulting with me on this bill and accepting the amendments that I suggested in order to add some clarity and further security for Aboriginal people in South Australia when it comes to Aboriginal heritage.

I remind the house that all of us in this place respect Aboriginal heritage for the broad issue that it is, both in Aboriginal and non-Aboriginal society. The fact that we opened today's session with the recognition of traditional owners of this land, the Kaurna people, and their deep affiliations and affections for their land and their heritage, is an indication of how seriously we take this issue that we are debating today.

Aboriginal heritage is not just about finding or uncovering some bones, as was the case when a school gym was being built at Glenelg. It is not just about that anymore: it is about language, culture and tradition and it is about 60,000 years of Aboriginal heritage. That is why we need to be very sure when we change this legislation that we have consulted with people and that everybody understands what is going on.

I am a member of the Aboriginal Lands Parliamentary Standing Committee, and have been for many years, and I am very proud to be a member of that committee. I have stood in this place on many occasions and said that when I do leave I want to be certain that the lot of our Aboriginal South Australians has improved, and not just by baby steps but by significant steps. The gap is still very wide when recognising the deficits between Aboriginal and non-Aboriginal people on many parameters.

I recognise the heritage of Aboriginal groups in South Australia. I understand there are 39 different Aboriginal groups and 39 language groups in South Australia. I speak a tiny bit of Pitjantjatjara, and I should learn some Kaurna in respect of the traditional owners of this land that we stand on today. I do not have a deep understanding of the heritage, the knowledge, but I have had glimpses of it, thanks to some of the men I have had dealings with over the years. There is obviously women's business and men's business, which is completely separate, which forms part of the heritage that we have been given the privilege and the responsibility to protect here in this place in South Australia.

Changing the Aboriginal Heritage Act is something that has taken quite a while. It has been part of the Aboriginal standing committee. One of the remits of the committee is to look at the Aboriginal Heritage Act as well as the APY act and the Maralinga Tjarutja act. From my recollection, the Aboriginal Heritage Act first came to the committee's attention in the early 2000s. Premier Jay Weatherill, in his then role as Minister for Aboriginal Affairs, introduced the first review of the act in 2008.

The bill before us today was introduced in the other place by the current Minister for Aboriginal Affairs. The current minister is the fifth minister I have worked with in this place. I pay great

tribute to the most outstanding Aboriginal affairs minister that I have worked with, the late Terry Roberts. When I first came into this place, he was an outstanding champion for Aboriginal affairs. While ministers who have followed have tried to achieve his level of drive and ambition and have done quite a good job in many cases, there have been times when I think, and Aboriginal people certainly think that they have been let down.

It has come to my notice in the last weeks that there is concern about this bill amongst Aboriginal people. As I said, we have been discussing it since 2008, and I will go through some of the papers that have been put out since 2008. We need to make sure that we are able to give Aboriginal people the opportunity. If this legislation does not prove to be the answer that we hope it will be, if it does not give further protection, openness and transparency to heritage issues in South Australia, I think we need to make sure that we listen to Aboriginal people and come back and amend this legislation, if we need to. I do not think we will need to do that because the government has consulted, but not to anywhere near the degree that some people think.

I heard the minister on radio the other day talking about consultation with over 90 groups regarding this particular legislation; he has listened to some of my concerns. I have spoken with the member for Heysen, who has extensive experience in Aboriginal heritage and native title, and I thank her for her input. We have put up some suggested amendments, which were presented by the Hon. Terry Stephens, and they have been accepted in the other place. They have been included in the bill and will, as I have said before, add protection to Aboriginal groups in South Australia.

The bill was introduced on 25 February by the Minister for Aboriginal Affairs. It seeks to amend the Aboriginal Heritage Act to recognise direct agreements not currently recognised in the act made with traditional owners and government developers and mining operations regarding the land use around Aboriginal sites, objects and ancestral remains protected by the act.

The bill also seeks to resolve discrepancies required through land access agreements, required with native title holders and claimants due to native title claims requiring ministerial authorisation under current legislation. The bill will enable traditional owners to have a say about how their heritage is protected by providing for native title matters to be addressed under the heritage legislation, and it seeks to provide efficiency and certainty of the land-use proponents.

The government aims to do this by inserting a new Part 2B—Recognised Aboriginal representative bodies, which provides a process for Aboriginal bodies to apply to the South Australian Aboriginal Heritage Committee to be recognised as those representative bodies. As I said, these recognised Aboriginal bodies are now going to be the go-to people. I will explain in a moment how that is being organised and if there are any discussions or arguments about who is going to be the representative Aboriginal body and how that will be overcome as well.

Under section 19B(4) a registered native title body corporate will automatically become the recognised Aboriginal representative body unless it opts out or the committee does not approve it. In the new section 19E and 19F, the committee has powers to revoke, suspend or reappoint the appointment of a recognised Aboriginal representative body. Under new part 3, division A1, the recognised Aboriginal representative body may enter into agreements with proponents and undertake negotiations and, with ministerial authorisation, may approve them.

The new division A2 provides for the approval of Aboriginal heritage agreements and native title agreements under other acts. The bill also repeals sections 6(2) and 6(4) which provide for ministerial delegation decision-making powers under section 23 to authorise damage to sites to the traditional owners on their request who have normally been consulted on in the past. That consultation will continue, but the transfer of that power is removed under that. There is some concern about that.

I understand there have been very few cases where that has been asked for, and I have an open door policy to Aboriginal groups in this state. If there are issues around that, please come and see me and talk to me, because we need to have the evidence that if this act when it comes into force is not working we need to make sure we are able to correct it and amend it if necessary. It has taken a long time to get to this stage. It may not be perfect in the eyes of some but it has been a long time coming.

I proposed three amendments to the government—and they have been accepted. When the Aboriginal Heritage Committee were asked to decide on who was going to be the representative body, if they made a decision against a particular group, they were not going to be bound in any way to give any reasons for that. I asked that the committee be instructed to give written reasons in relation to an appointment under that particular section, and I think that is something where openness and transparency is required and that is something that will add to that.

The second amendment that I suggested is, if there are disagreements between groups which think that they should be appointed as the representative body, then the committee can attempt to resolve any disputes by mediation between parties. As to how that will be finally resolved, I think the proof will be in the eating when we see how the legislation actually works. I am sure that the heritage committee will do their very best to make sure that there is an open and transparent process and a fair outcome.

The third amendment that I suggested was about how lawyers get involved in Aboriginal affairs, and it has been my sad experience to see hundreds of thousands of dollars go out in legal fees when you are talking Aboriginal affairs. If there is a particular heritage issue that ends up in the District Court, as it can under this act, we do not want it to become a lawyer's breakfast.

We do not want Aboriginal groups particularly to be in any way intimidated or restricted because they are going to be faced with a high cost of putting their position and defending their position on a particular heritage issue. So, the amendment I suggested was for no order for costs to be made under subsection (2) unless the District Court considers such an order to be necessary in the interests of justice. I think those amendments assist Aboriginal people in ensuring that they are able to challenge any decisions that are being made.

I will remind the house of what the State Aboriginal Heritage Committee is. It advises the Minister for Aboriginal Affairs and Reconciliation on issues relating to the protection and preservation of Aboriginal heritage. Committee members do not represent particular heritage groups, although every effort is made to have a broad coverage and knowledge of Aboriginal heritage throughout the state. The Aboriginal Heritage Committee is established under section 7 of the Aboriginal Heritage Act. Section 7 of the act states:

> (1) The *Aboriginal Heritage Committee* is established.
>
> (2) The Committee consists of Aboriginal persons appointed, as far as is practicable, from all parts of the State by the Minister to represent the interests of Aboriginal people throughout the State in the protection and preservation of the Aboriginal heritage.
>
> (3) The Minister must, as far as is practicable, appoint equal numbers of men and women to the Committee.
>
> (4) The members of the Committee will be appointed on such conditions and for such terms as the Minister considers appropriate.
>
> (5) The Committee may, with the approval of the Minister, establish subcommittees…to investigate and report to the Committee on any matter.

The committee is commonly referred to as the State Aboriginal Heritage Committee to indicate its formal status as a principal body distinct from local Aboriginal heritage committees. The function of the State Aboriginal Heritage Committee is set out in section 8 of the Aboriginal Heritage Act. Its functions include providing clear advice and guidance to the Minister for Aboriginal Affairs and Reconciliation and the South Australian government on all matters related to Aboriginal heritage for the protection and preservation of Aboriginal sites, objects and remains that are significant to Aboriginal archaeology, anthropology or history; or of significance according to Aboriginal tradition.

The functions of the committee are also laid out in the act. I will not go through all of those; people can read those in the act if they are interested. The eligibility for appointment to the committee is that you must be a South Australian Aboriginal aged over 18 years at the time of appointment, active on the committee on local heritage matters and, where practicable, committed to attending meetings in Adelaide every six weeks. It is something you have to be committed to and you have to have some experience in, and you have to be able to provide sound advice to the minister. You would expect nothing less, because you do want to make sure that the advice that the minister is getting is going to be sound advice.

The concerns that have been raised just recently about the lack of consultation about the bill have been a surprise to me, and that is not putting it too dramatically. They have been a surprise because discussion about the changes has been around for many years now; in 2008 it really hit the road. I received a copy of a petition signed by 10 people today, calling on the government to withdraw the bill. It is up to the government to do this. I have told people who have contacted me that this is a government bill and they should contact the minister and voice their concerns with the minister. I have also received today a copy of a letter from the Law Society, who have expressed some concerns about the bill.

I must say, though, when lawyers start complaining about this legislation, I do tend to take a bit of a step back and have another look at what is going on, because, as I have said, my experience with lawyers and Aboriginal affairs is that in some cases—not all cases, and certainly I am a veterinarian and not a lawyer; and by that I am boasting not apologising—I do think there are some lawyers out there who are not involved in Aboriginal affairs for the right reasons.

As I have said, my experience is both from a personal point of view and a committee point of view. I have seen examples where lawyers have taken a lot of money out of Aboriginal communities and there has been very little benefit. When lawyers start complaining about this legislation, that they are being excluded, some of my colleagues might disagree, but it is something that I am not too fussed about, because in this particular case we are making sure that we have representative Aboriginal bodies in there who are being appointed to do the work. The legal avenues are still there through the District Court to challenge these decisions that are being made, and that has been strengthened by the no-cost jurisdiction that we had put in there.

Proceeding with this bill today is something that I am more than prepared to do. The history, though, as I said, goes back to 2008. The first official documentation was a consultation paper put out by the then minister for Aboriginal affairs, the now Premier, Jay Weatherill. The two-page document talked about the meeting arrangements, and 25 meetings were listed, from Port Adelaide to Pukatja, from Port Pirie through to Mount Gambier, Port Augusta, Coober Pedy, Oodnadatta; all over the place: Raukkan, Camp Coorong, Amata, Pipalyatjara. As I recall, some of those meetings, if not all, certainly took place, so that discussion was started.

The consultation paper also had a scoping paper with it in which the aims of the review were laid out, and I will read some of those into *Hansard* so that it is on the record. This is on page 2 of 14 pages, so it was a quite comprehensive scoping paper. It says in the introduction:

> Aboriginal heritage is a unique and irreplaceable part of South Australia's history and heritage that requires effective protection and management. Respect for and recognition of Aboriginal heritage is important for Aboriginal identity and community wellbeing. This Scoping Paper is designed to describe the context of and reasons for reviewing the Aboriginal Heritage Act 1988…It provides general information, and is designed to stimulate discussion about the future of heritage protection and management in South Australia.
>
> Since the [Aboriginal Heritage Act] was proclaimed in 1988 there have been many important changes which impact on Aboriginal heritage administration and legislation. The changes include:
>
> - The enactment of Native Title Act 1993 (Commonwealth);
> - The enactment of new Aboriginal heritage legislation interstate;
> - The Government's Native Title Claims Resolution Process;
> - The development and implementation of legislation that takes an integrated approach to land management and use;
> - The widespread use of agreements negotiated directly between Aboriginal people and land developers about heritage and related matters; and
> - The implementation of the South Australian Strategic Plan.

The last one I think probably does not need to be there but the government saw fit to have it in there. The paper goes on to talk about:

- Recognising Aboriginal custodianship of cultural heritage;
- Creating a strong framework for long term protection and management of Aboriginal heritage;
- Enabling Aboriginal negotiation of agreements about heritage;

- Embedding Aboriginal heritage considerations into the development and land management process;
- Creating timely and efficient processes;
- Creating certainty for all parties;
- Complementing the Native Title Act…

The scoping paper and the initial announcements were out there. They bubbled along. The actual drafts of the legislation were not available, as I understand it, for people to see and, even with this current legislation, there has been little public exposure, from my understanding—and surprise, quite honestly, from what the minister said.

In 2008 the now Premier and in 2011 the former minister for Aboriginal affairs (Grace Portolesi) received advice on why this act still needed to be amended, and nothing happened in the 2008 initial efforts. In the briefing paper that the minister received, there were questions about whether it is necessary to have an Aboriginal Heritage Act; is the native title act not efficient; and what definitions were going to be changed. They looked at the Victorian and Western Australian models that were in place and, just as importantly, they looked at the other very important piece of Aboriginal heritage legislation and that is the commonwealth legislation.

We should never forget that not only is our state heritage legislation in place but there is the Aboriginal and Torres Strait Islander Heritage Protection Act 1984, which is commonwealth legislation. The commonwealth has been reviewing that. According to this 2011 paper, and I have seen the current version of the act, there are, if not hundreds, certainly tens of amendments that have been made over the years since the act was first assented to. Looking at some of the more recent ones, the latest I can find is dated 25 March 2015 and that is an amendment to one clause of the commonwealth legislation.

The commonwealth had initially proposed 15 major reforms to the Aboriginal and Torres Strait Islander Heritage Protection Act and one of those was addressing gaps in state and territory laws to ensure respectful treatment of Indigenous sacred objects and remains. So, if there are any flaws in this legislation, the commonwealth legislation should be able to pick that up. It is a bit of a safety net, in some ways.

Also, the commonwealth looked at updating the penalties, improving the enforcement powers and reviewing the effectiveness of the legislation at regular intervals. That is what we need to do with this. It has been a long time: it has been eight years since this was first mooted. That is far too long. As times change, legislation and attitudes change. This should be a piece of legislation that is reviewed more regularly than it has been in the past.

Moving on quickly to the bill itself, the answers to the questions I put to the minister are yet to really be seen. The proof will be in the pudding there, and I will certainly be making my thoughts and objections, if there are any, very clear. Part 2, clause 4, subclause (1) states: 'Aboriginal Heritage Guidelines or guidelines means the guidelines published under Part 2A' of the act.

We have not seen the guidelines yet. I have asked the minister about those. I asked him to address those in the other place, and I do not think he was quite as forthcoming as I would have liked there. I will be watching to see what the guidelines are and, certainly, if there are any issues with those guidelines, I will be making my views well and truly known to the minister.

Under clause 19C, if there are multiple applications for appointment as a representative body, then the committee will be able to mediate and conciliate between those groups so that we have a truly representative group of people who are negotiating on behalf of the various interest groups that are there. The other things beside the guidelines, and they are always a bogey with a lot of legislation we see in this place, are the regulations. The regulations can always be used and abused. I will be watching very carefully again what happens with the regulations.

I certainly have a very good relationship with the current minister, and I thank him for that open relationship. We discuss things before they come to this place, so we are able to sort out many issues before they come to this or the other place. I am looking forward to being able to look at the guidelines and the regulations and be satisfied that they are doing what they are intended to do, and that is protect Aboriginal heritage in South Australia.

I can tell the house that I know people are very concerned about their perceived lack of consultation on this. It has been around for a long time. These changes that are in this legislation are meant to improve the ability to protect Aboriginal heritage, and I do not just mean, as I have said before, some bones that may be found during some excavation or exploration: it is about the whole range of Aboriginal heritage.

I look forward to seeing how this legislation does the job we want it to do. As I have said, my door is always open to people who have concerns about this so that I can voice those concerns not only with the minister but also in this place to make sure that we are all doing what we are supposed to do, and that is represent all South Australians to the very best of our ability. With that, I commend the bill to the house.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:27): I thank the shadow minister for his contribution and consideration and advice to the opposition on this matter, and confirm his indication to support the bill. However, I will have a number of questions in committee, and I also place on the record my support for and appreciation of the shadow minister's moving of three amendments. I am not quite sure of the third, frankly. No cost orders is not usually something I support; nevertheless, I think the first two, comprehensively, will help support the new structure that is to be in place.

I have heard a lot of talk about why this act was originally set in place nearly 30 years ago. It had a meritorious beginning and was universally acclaimed. It had a very specific purpose. I will not repeat it but, in 2008, the government decided that it would conduct a review of the act. Other legislation had come into place around the country and it was reasonable that there be a review.

The two key objectives of the review were to enable traditional owners to deal directly with land use proponents about the impact of their activities on Aboriginal heritage and, secondly, the accommodation of native title holders and complainants within this structure, and I will have a bit to say about that in committee.

I should also perhaps just highlight that under the present act already traditional owners have a powerful tool to be actively at the forefront of decision-making about activities impacting on Aboriginal sites, and that is section 6(2), which is an obligatory provision requiring ministerial delegation of certain powers to traditional owners. The government told us in the second reading that, in addition to the review process which has been outlined by the shadow minister, and in relation to the agreements that were reached:

> Agreements of this kind do not have to be made with a RARB but because they are made according to the requirements of other legislation and the Minister is required to approve them if of the view that an additional regulatory burden is not required. Since consultation commenced in 2008, there has also been litigation about the meaning and effect of section 6(2) of the current Act. Section 6(2)—

and it goes on to explain, as I have indicated, what it does. The second reading explanation continues:

> The impact of judicial decisions about the interplay between section 23 and section 6(2) has led to difficulties with the administration of the Act. The current wording of section 6(2) where the Minister must at the request of Traditional Owners delegate his powers has proved to be impossible to determine since the Act was introduced in 1988. There have only been a handful of section 6(2) requests and no section 6(2) requested has ever been successfully granted.

That, I suggest, is a far cry from what has actually happened. In fact, in 2011 the government was found to have acted unlawfully and to be in breach of the provisions by the Full Court of the Supreme Court of South Australia in the case of Starkey v State of South Australia (2011) SASCFC 164. That is the reality, not the colourful, minimalist description as outlined in the second reading contribution. The government have not been doing the right thing. They had a means by which they needed to deal with it and one of them was, as is in this bill, to abolish section 6(2) of the act.

Do I think that is the best model? I do not, actually. Do I think that will better protect Aboriginal contribution and consultation in this area? No, I do not. Will it improve it at all? I am hopeful, as is the shadow minister, that there will still be some improvement in the model that is otherwise outlined. Am I confident that I can trust the government to do the right thing? Certainly not. With those words, I indicate my scepticism as to what is happening, and I will be asking the minister, who can deliberate

on this while pending going into committee, why in fact section 6(2) has even to be removed at all or at least why the initial protections under that are not preserved.

I think this is more about the accommodation of other interests, including proposed developments which the government are keen to approve. Perhaps that is an indication of why the Minister for State Development and Treasury and various other important things on behalf of the state actually has carriage of this bill. Aboriginal Affairs, of course, is now under State Development, so it is reasonable that he is here to deal with it, but he has some other fairly powerful interests and responsibilities on behalf of the government. He can rest assured that I do not give the same ringing endorsement of what is actually happening here; nevertheless, we will try to work with the government. The fact of their bona fides could have easily been promoted, if they were really genuine, by allowing us to view the guidelines and be consulted in the course of the deliberation of what the guidelines were going to incorporate.

The second aspect which I am very concerned about relates to the assertion by the government that a native title body corporate will automatically become a registered Aboriginal representative body unless it opts out or the heritage committee does not approve it. In fact, when one reads the bill, it is a prerequisite for a native title body corporate actually being approved by the committee.

Sure, it could opt out, and it could not apply at all of course, but be under no illusion: this does not automatically become a RARB, because that is not something where you simply put your hand up and there is no bar to that occurring. In fact, you lodge an application and, subject to the heritage committee allowing that, it can progress.

I think again that the government have been disingenuous in their approach, and in the language in the second reading contribution, because it is clear that under section 19B(5) the heritage committee's approval is a necessary precursor to the native title body corporate becoming an RARB—and it is a very important difference. I will raise some questions about the matter, and I also will have some questions about the $7.6 million funding that had been allocated in the budget for securing the implementation of the new act over four years, so the Treasurer will not be caught like a possum in the spotlight.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (11:35): There has been extensive stakeholder consultation since the proposed reforms to the Aboriginal Heritage Act commenced in 2008. Consultation to date has informed the bill as well as the most recent stakeholder consultation.

My colleague in another place, the Minister for Aboriginal Affairs and Reconciliation, committed to meet with the Aboriginal Legal Rights Movement prior to this bill being debated in the house. I am advised that that meeting occurred on 17 March and agreement was made that the government would work with the ALRM and other interested parties on the content of the guidelines and the regulations.

The bill recognises that agreement making about avoiding damage to Aboriginal heritage is taking place, but this is currently not recognised by the act. It provides that these arrangements will be recognised and drive the decision-making processes under the act. The agreement-making scheme is optional and parties can elect to proceed under the current provisions of the act if they wish.

In addition, the section 6(2) and section 6(4) delegation provisions in the current act will be repealed. I am advised that section 6(2) requests in particular have proved difficult to determine. Indeed, I understand that no section 6(2) delegation has been made in the almost 30 years the act has been in place.

The bill represents an important practical step for traditional owners to have a meaningful say about how their heritage is protected. By providing for native title matters to be addressed under the legislation, it also provides much sought after efficiencies and certainty for land use components.

I want to personally thank the shadow minister for his support and members of the opposition in another place for the speedy passage of this legislation and their understanding that this is an

important piece of legislation that needs to be passed quickly for the benefit of our Indigenous Australians. I thank members for their contributions and I look forward to the deputy leader's probing questions.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Ms CHAPMAN: In all the consultations the government has undertaken since 2008, has it ever received a written submission from an Aboriginal party or person advocating the deletion of section 6(2)?

The CHAIR: We are looking at clause 1.

Ms CHAPMAN: I am, but I am talking about consultation with respect to the bill generally.

The CHAIR: You were being pretty specific there, but, yes, go on.

Ms CHAPMAN: If so, from which personal parties has this submission been received?

The Hon. A. KOUTSANTONIS: I do not know. I will have to go away and check.

Ms Chapman interjecting:

The CHAIR: Order! One could presume that the adviser has already advised the minister. He has given you an answer. There is not much I can do about that, deputy leader. Do you have another question?

Ms CHAPMAN: How many people made submissions in respect of the review?

The Hon. A. KOUTSANTONIS: We would have to count them. I am happy to provide that to the member by the end of the committee stage so we can have a chance to count them.

Ms CHAPMAN: Why does the bill seek to grant the minister veto-like powers, which are not found in the current act, over any agreement made with Aboriginal people including an agreement made under the proposed new agreement making provisions contained in the bill, which is the new section 19, and how is this consistent with the government's alleged support of Aboriginal self-determination?

The Hon. A. KOUTSANTONIS: I am advised that ultimately the minister's role is not one of the veto but that of decision-making to ensure that heritage is not being destroyed, or being in agreement between two parties. I would also point out that it is not just the government that agrees with that position: its members of the Liberal Party in the upper house who voted for the bill.

The CHAIR: How many more questions do you have that are general around consultation?

Ms CHAPMAN: One more.

The CHAIR: One more, then we might make a leap forward into several clauses. Okay, one more. Deputy leader.

Ms CHAPMAN: Does the minister say that under the new structure the minister will have more power or less power?

The Hon. A. KOUTSANTONIS: I am advised that the minister will have the same power.

Clause passed.

Clauses 2 to 8 passed.

Clause 9.

Ms CHAPMAN: The minister heard me speak in respect of the automatic elevation of the registered Aboriginal representative body and, in fact, that it needed to be cleared by the heritage committee. Does the minister agree with that?

The Hon. A. KOUTSANTONIS: Sorry, could you repeat that? I was distracted by a note after we counted the submissions.

Ms CHAPMAN: I am sure the minister was listening intently, perhaps—

The CHAIR: He was trying to satisfy your earlier query, but he is listening to you now.

Ms CHAPMAN: Although the government has asserted that a native title body that is corporate will automatically become an RARB, unless it opts out or the heritage committee does not approve it, in fact, it is not automatic at all; it has to be approved. There is a prerequisite of the committee's approval. It is one where you can put your hand up as a group, but it is not something that just simply means you are automatically registered. You have to go through the process of being approved by the committee. There is nothing automatic about that.

The Hon. A. KOUTSANTONIS: I am advised that, yes, the scenario you have just placed is accurate.

Ms CHAPMAN: Perhaps the minister could check his notes, then, when he is actually reading out these second reading speeches in the future.

The CHAIR: In fairness, deputy leader, that is not really helpful—

Ms Chapman interjecting:

The CHAIR: Order!

Ms Chapman interjecting:

The CHAIR: No; order! That is not helping the committee process. If you have another question, deputy leader, let's have it please.

Ms CHAPMAN: After the full rigour of the native title determination through the Federal Court of Australia has determined conclusively who the native title holders are, why is it that a person's role in having a say about Aboriginal sites can be vetoed by the heritage committee which, while made up of Aboriginal people, may in fact have few or no representatives of the traditional owners concerned?

The Hon. A. KOUTSANTONIS: I am advised quite simply that the reason is that we want to ensure that traditional owners are continually consulted about heritage on their lands. One process is never final and we want to make sure that everyone has their say.

Ms CHAPMAN: How can the minister be assured that all of the bodies that apply to be a representative actually have traditional owners on them and, if they do not, is it the government's intention that they will require that those bodies have traditional owners on them, as part of their group, for them to get approval?

The Hon. A. KOUTSANTONIS: Generally, the advice I am receiving is that the people on the groups are traditional owners. This oversight is simply to ensure that consultation is occurring. I have to say that I think the deputy leader is looking for conspiracy where there is none.

The CHAIR: Do you have the last question on this particular bit?

Ms CHAPMAN: If generally the native title body corporates do have traditional owners as part of their group, and that is something that the government expects would occur, can you give an assurance to the house that, if there are not traditional owners on it, they will be rejected?

The Hon. A. KOUTSANTONIS: I am advised that that is why the committee has oversight.

The CHAIR: Do you have another question on this one? If you wish we can be lenient here, because I presume this is the area where you have the most concern.

Ms CHAPMAN: Yes, thank you. Four years ago, the government reported that 'funding of $7.6 million has been secured for the implementation of the new act'—that is, the Aboriginal Heritage Act—'over four years'. For the record, that is on page 18 of the 2011-12 annual report. Has all of the $7.6 million allocated in the 2011-12 financial year been preserved and, if not, how much funding has the government allocated for the implementation of the new act over the forward estimates?

The Hon. A. KOUTSANTONIS: Surprisingly, I do not have the answer to that here but—

Ms CHAPMAN: Says our Treasurer.

The Hon. A. KOUTSANTONIS: Yes, it is a $17 billion budget—I will get back to the member on that answer. While I am on my feet, I am advised that, to date, 36 submissions were received across consultations on the heritage act, and amendments.

Ms CHAPMAN: The minister, having apprised himself of the 36 submissions, have any of the 36 asked for section 6(2) to be removed or repealed?

The Hon. A. KOUTSANTONIS: We just counted them; I have not read them all. What I will do, though, is I will endeavour to speak to the department—

The CHAIR: Perhaps we could ask the deputy leader if she knows the answer.

The Hon. A. KOUTSANTONIS: —and I will find out.

The CHAIR: Do you know the answer?

Ms CHAPMAN: I don't know of any, but we will wait to hear.

The CHAIR: You don't know of any who have objected?

Ms CHAPMAN: No, but have they actually sought it?

The Hon. A. KOUTSANTONIS: So the question the deputy leader is asking is: has anyone who made representations on the consultation asked for the amendment to section 6(2)? What I will endeavour to do is to get a detailed answer for the member.

Ms CHAPMAN: While he is looking for the money, the $7.6 million that is not immediately familiar to him—I appreciate that he will make that inquiry—I would also ask that the Treasurer/minister inquire as to what proportion of this allocation will be used to fund the operation activities of the proposed RARBs.

The CHAIR: That is not really a question; that is an instruction.

Ms CHAPMAN: No, it is a question. I will ask him whether he will inquire into that for that answer.

The CHAIR: I think he has agreed to do all of that already.

Ms CHAPMAN: Thank you.

The Hon. A. KOUTSANTONIS: It is so hard to refuse the—

The CHAIR: It is the way she asks.

The Hon. A. KOUTSANTONIS: —deputy leader/future leader.

Clause passed.

Remaining clauses (10 to 14), schedule 1 and title passed.

Bill reported without amendment.

Third Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (11:50): I move:

That this bill be now read a third time.

Bill read a third time and passed.

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) (PUBLIC MONEY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 9 March 2016.)

Mr VAN HOLST PELLEKAAN (Stuart) (11:52): I am the lead speaker for this bill, and let me say at the outset that the opposition will not oppose passage of this bill through this house. If information comes to light that we think is important and we feel the need, we reserve our right to move amendments between the houses.

This is a very important bill, because it touches on an area of debate, research, discussion and investigation which is across our entire state and which is linked in with both the federal government's interest in having low to medium-level nuclear waste stored somewhere in Australia, and potentially in South Australia, and also the state government's royal commission which is looking at the entire nuclear fuel cycle with regard to mining, enrichment, power generation and also the storage of waste.

It is very important that everybody in this house and everybody who might have an interest in this bill particularly and in this debate does understand that, if this bill passes both houses of parliament, it would still be illegal for anyone to actually develop a nuclear waste storage facility, import nuclear waste or even to transport nuclear waste around the state. This bill itself addresses a very specific aspect of the broader act, and that is to remove clause 13. Clause 13 says:

> Despite any other Act or law to the contrary, no public money may be appropriated, expended or advanced to any person for the purpose of encouraging or financing any activity associated with the construction or operation of a nuclear waste storage facility in this State.

To take those words out of the current act is the bill in itself, but, of course, all of the rest of the words in the current act stay and they would prohibit any actual development of a facility or the importation or the transport of nuclear waste.

So why would the government want to remove those words from the bill? Well, it is pretty straightforward and easy for everyone to see: it does actually want to spend money to consult, investigate, and encourage the potential development of a nuclear waste storage facility in South Australia. I think that is quite a reasonable thing to do, given the discussions that are going on at the moment. It is quite appropriate that the government should use its resources—keeping in mind that the government's resources are taxpayer funded—to investigate this topic.

The royal commissioner, the Hon. Kevin Scarce, has provided everyone with his interim findings and, while they are very broad and contain an enormous amount of information, the key thrust of those interim findings was an invitation for anyone who finds fault—in any way whatsoever—with the research he has done to please come forward and say so. If they think there is anything inaccurate or inappropriate about the conclusions he has come to, based on the research he has done or the evidence he has been provided with, they need to come forward. That is really what the interim findings are about.

Of course, along with that invitation he has put forward his personal expectation that down the track he will, at least for now, be discarding three of those four key issues. He will not be recommending more mining, he will not be recommending enrichment and he will not be recommending the pursuit of nuclear power generation in South Australia, but he probably will be recommending that South Australia takes a very active role with regard to importing high level nuclear/radioactive waste from nations which have used it for appropriate purposes, and tries to develop an industry in South Australia. He estimates that, as a state, we could receive something in the order of $5.5 billion per year for 70 years if we were to do this.

So it is quite appropriate for the government then to want to look into this. It is a very, very serious opportunity. It comes with risks, and the royal commissioner has not shied away from that either. There is a vibrant public debate, with some people thinking that the risks are too high and some people thinking that the risks do not exist and some people thinking that the economic benefits outweigh the risks. There is a wide range of issues out there, but I say again that it is quite appropriate for the government to want to look into these issues.

I have to say, though, that I am concerned about what I understand is the legal advice that the government has received that has led it to introduce this bill right now. Everybody here knows that I am not legally trained, but it seems very strange to me that the government would introduce

the bill into this house—two weeks ago last sitting week—saying that it needs to be ready for when the royal commission finishes its work and releases its findings, that based on the information it already has from the tentative findings it needs to release this information now so that it can start spending money to investigate, consult and encourage the potential development of a nuclear waste facility.

I would think, by virtue of the fact that the government has already expended an enormous amount of taxpayers' money to establish the royal commission and, very importantly, that the government actually gave the terms of reference to the royal commission, one of which was to investigate the potential for our state to store nuclear waste, that if the government needed this act to be changed now so that it could consider the findings of the royal commission, it probably needed the act to be changed in advance of establishing the royal commission.

They have already spent the money. It was not a case of, 'Here's some money. Kevin Scarce, please look into whatever you want to look into.' They specifically said one of the four key elements of the terms of reference was to look into the potential for developing a nuclear waste storage facility in South Australia. They are now saying they need permission to consider not only the interim findings, but also, down the track, the final report. It seems to me that they needed that permission right up front. If they need it now, they needed it when they established the royal commission.

There is another key issue of concern for me—and I say concern specifically with regard to the bill; not the overall topic, and not the right for the government to be doing its homework, essentially. The government proposes that if the bill passes both houses of parliament, it would come into effect when it was introduced to parliament two weeks ago. That implies that the government needed to have had the power two weeks ago from today and, at the very earliest, four weeks ago from when it is likely to pass it. If it gets through the upper house in two weeks' time, that would be backdated, roughly, a month.

Why would they need it to have been implemented two weeks ago if they have not already started to spend the money to do the things that the act currently says, very specifically, the government should not spend the money on? The only reason they would need that is if they have already started spending the money.

It seems to me very likely that the government has already infringed upon the act as it stands today, otherwise why would it need it to be backdated? If it needed to be backdated for a particular reason, if it has not spent any money in any of the ways that the act says it should not spend money, if it has not done that already then why would the act need to be backdated?

There are some very serious questions, and I would be grateful if the minister would address them in his comments, or we could do it in committee. Those are the reasons that the opposition will allow the bill to pass through this house, but does reserve its right to move amendments in the upper house if information comes to light that means that it would be appropriate to do so.

Let me just go back to something I said before. What I am talking about right now, and what we are here to debate, is the government's right to spend public money for the purpose of encouraging or financing any activity associated with the construction or operation of a nuclear waste facility in the state. We are not talking about whether having a facility is appropriate or not; we are not talking about whether the government should spend money or not. We are talking about whether the government needs this act to pass through parliament right now and whether, potentially, it needed to be passed before the royal commission was set up, and we are talking about: why has it asked for this permission to be backdated if, in fact, it has not already contravened the existing act?

I leave my comments at that. Let me saying in closing that I am extremely comfortable with the work that the royal commission is doing. I think that Kevin Scarce is an exceptionally highly regarded, capable, objective person. I believe very strongly that whether a person is completely opposed to anything to do with the nuclear industry, or has already made up their mind and is already in favour of it, regardless of someone's personal opinion they should welcome the royal commission because this is the opportunity to get all of that information out in a very thorough and very professional way.

The fact that we have a royal commission does not mean that people need to be scared of it. It gives people who are opposed to the nuclear industry as much opportunity to put their views

forward as it does people who are in favour of the nuclear industry. I really just cannot wait until 6 May. As a member of parliament, as shadow minister for mineral resources and energy, and also as a country and outback member of parliament whose home turf, potentially, could be very affected by the outcomes of this royal commission, I really want to know what the royal commissioner is going to propose. I think it is going to be incredibly important, whatever he puts forward.

It is also important for people to understand that part of his interim findings was that, whilst he was saying pretty clearly that he thinks there is a strong possibility that it would be very good for the state to participate in the storage of other nations' high-level nuclear waste, he also said (and he has repeated many times, and it is my strong opinion as well) that it should not happen without broad community consent. It should not happen without broad community consent.

So, whatever the commissioner puts forward will not set the path forward automatically for us. There are many other issues that need to be dealt with before we could go through this, but it is an important process to undertake. I ask the minister very specifically to explain why, if the legal permission is required now to investigate the interim findings, it was not required to establish the royal commission in the first place, and also why it is necessary to backdate this bill two weeks earlier from today if the government has not already spent money and contravened the act as it stands today?

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:06): I endorse the reasons outlined by the shadow minister, very adeptly and ably, and I agree to support the passage of the bill through this house, with the reservations he has outlined. I also agree that it has been very important for the government to have this inquiry. I still do not know why it had to be under the Royal Commissions Act, and cost now $9 million, but nevertheless it is no reflection on the commissioner appointed: Mr Scarce is a former governor and obviously has sufficient experience to have conducted the inquiry.

I suspect that it is under the Royal Commissions Act so as to ensure that people who are objecting to any development of mining, enrichment, power generation or even waste repository advances cannot make public criticism of the development of that. It is a very sneaky way to do it, but I am used to that with the government. How do you shut up the critics? You have a royal commission. Nevertheless, we are here today to try to remedy what could be a situation—

Members interjecting:

Ms CHAPMAN: No, they will not be able to use the Royal Commissions Act over Bragg, that is for sure. However, I do say that the issue now is, having commenced that inquiry, having progressed to have certainly the only time I have ever known interim findings to be published by a royal commissioner, to then consult further and tidy up the judgement for release, now on 6 May.

There certainly have been royal commissions where interim reports have been given. I can recall one of course into institutional abuse against children, where an interim report was provided by the late Ted Mullighan QC, former judge and commissioner of that inquiry. It was to deal with discrete matters, and he made that determination as an interim report and then gave a subsequent two reports, both on institutional abuse and abuse on the APY lands. So, that is a different format.

In this instance though, the commissioner provided in February a draft report, so everyone could have a say again, I think in his words, to get things exactly right. He will then publish his final determination on 6 May. As outlined by the shadow minister, three of the principal areas of inquiry appear to have been dismissed in the draft report by the commissioner, and he is still working on the fourth.

What I would like to know, more specifically, is why this bill came two weeks ago, under the cover of the visiting federal cabinet to South Australia, brought into this parliament, asking for retrospective protection for the $9 million that is already spent. Has somebody already threatened to prosecute them? Has the DPP already received a request to prosecute the government for breach of the act? Is there legal advice that has now hurriedly been obtained that says, 'Hell, you're going to be in lots of trouble unless you get this bill through and in a hurry'?

We are entitled in South Australia to know that. Has the government put us at risk of the government of this state being prosecuted for spending now $9 million on an inquiry, clearly with an

intent to spend more because that has been outlined in the second reading speech for this bill? We are entitled to know about it. So I ask the Treasurer to come clean in this debate and tell us what is going on. What is the need for the retrospectivity? It has already been asked by the shadow minister, but I want to know more than that.

I have seen some of the submissions put to this commission; one of them was from the Law Society of South Australia and it outlined a myriad of legislation that would need to be amended or repealed or advanced and passed to enable the development of any of the four areas—a whole list of them. I had that over a year ago, and it was published as one of the submissions, so it is not as though all the people in the government could have been sitting there with their sunglasses and earmuffs on and not understood that this was a serious situation.

I do not know what is going on in the government in relation to this matter. It does not sound like very much. It sounds like someone in a hell of a hurry cobbled together a request for urgent advice to be able to deal with a potential major problem that would derail an otherwise important investigation. The government needs to come clean—$9 million dollars worth of coming clean. We want some answers.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (12:11): I am enjoying watching the new routine by the presumptive leaders of the Liberal Party and either the past or future deputy leader. I think it is a very good team to watch and I am sure their colleagues are sitting up in their offices—

The DEPUTY SPEAKER: Minister!

The Hon. A. KOUTSANTONIS: —listening to the new team—

The DEPUTY SPEAKER: Minister!

The Hon. A. KOUTSANTONIS: —clearing out the pipes, getting ready for after the double dissolution election.

Members interjecting:

The DEPUTY SPEAKER: I allowed you a lot of latitude as well.

Members interjecting:

The DEPUTY SPEAKER: Order! The question before the house is that the bill be read a second time.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Ms CHAPMAN: When did the government first seek advice from the Crown Solicitor as to the need for this legislation and for it to be retrospective?

The Hon. A. KOUTSANTONIS: I would have to check whether or not we received specific advice as pointed out in the loaded question from the Deputy Leader of the Opposition. I refer the deputy leader for the reasoning of this bill to the Premier's ministerial statement.

Ms CHAPMAN: I know that, but I am asking for your advice. Secondly, if the minister is going to make that inquiry will he make that available between the houses?

The Hon. A. KOUTSANTONIS: First and foremost we do not make legal advice available—

Ms Chapman interjecting:

The CHAIR: Order! You can have a turn in a second.

The Hon. A. KOUTSANTONIS: First and foremost, the leader made a—sorry, I am being a bit early—

The CHAIR: Minister!

The Hon. A. KOUTSANTONIS: —the deputy leader—

Members interjecting:

The CHAIR: Order! Mind on the job everybody.

The Hon. A. KOUTSANTONIS: Yes, ma'am. The leader asked a question presuming that we had received advice from the Crown Solicitor asking us to introduce this bill. What I will do is, first, verify whether that is accurate and, secondly, if it is accurate, give the deputy leader the date. However, the reasoning given to the house for this bill was outlined in the Premier's ministerial statement under the cover of parliament before question time, not under cover of darkness.

The CHAIR: Order!

Mr VAN HOLST PELLEKAAN: Reading directly from the minister's second reading speech, which was inserted in the *Hansard*, I quote:

> The repeal of section 13 is necessary because it has the potential to inhibit public consultation on the merits of a nuclear waste storage facility once the Nuclear Fuel Cycle Royal Commission hands down its final report to the government on 6 May 2016.

So why is this bill required to come into force now?

The Hon. A. KOUTSANTONIS: If you read the Premier's ministerial statement—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —that will not inhibit in any way—we do not want section 13 to inhibit in any way our ability to consult with the public or give the royal commission any problem with the public or indeed the government on what the proposal is. As the Premier said in his ministerial statement, it is to ensure that we can have a thorough debate of ideas. I am just surprised that anyone is concerned about it.

Mr VAN HOLST PELLEKAAN: Given that the royal commission was established by the government and given that the royal commission has already started discussing all these issues with the public and given that the legal advice says the bill should be passed, why wasn't it necessary for it to be passed before the royal commission was established?

The Hon. A. KOUTSANTONIS: Because that was presupposing the outcome of the royal commission. The royal commission could have come back and said, 'None of these things are viable.' Once the royal commission made an interim report, that went out for consultation and talked about some possibilities. Then it was prudent to act. Before then, it would not have been prudent.

Mr VAN HOLST PELLEKAAN: Minister, it was always possible that this was going to happen. The government provided the terms of reference. The government provided the four terms of reference. I cannot accept that the government would have provided four terms of reference to the royal commission expecting that every single one of them would have been knocked back.

The Hon. A. KOUTSANTONIS: The thing about royal commissions is that they are independent. After they are given the terms of reference, they can find whatever they like. It concerns me, given the shadow minister's view about how royal commissions are conducted, that he thinks you can have a pre-determined outcome. The royal commissioner will find and determine whatever he pleases, and the government cannot influence his decision one way or another. Once he made his interim findings, it was appropriate that we act.

Ms CHAPMAN: On the question of the need to make it retrospective, if the royal commission is to be independent—and all the commissioner has done at this stage is publish interim findings, draft as they are—why is it necessary for the government to spend any money to encourage or discourage any further aspect of the commission until the commissioner gives his final determination on 6 May? Any expenditure either way by the government would surely be seen as a threat to interfere with the independence of the royal commission.

The Hon. A. KOUTSANTONIS: I do not accept that. The government expending money does not inhibit the independence of the royal commissioner. The royal commissioner can say and do as he pleases. The government expending moneys—

Ms Chapman interjecting:

The Hon. A. KOUTSANTONIS: Well, I will refer you again to the Premier's statement to the house after a precis of what was occurring. He said, 'It is expected that this engagement process will take place between May and August this year'—

Ms Chapman interjecting:

The Hon. A. KOUTSANTONIS: Well, first and foremost, it is important to protect the royal commission's findings. There are interim findings in place. It is appropriate that, after the interim findings were announced publicly—and, I have to say, welcomed by the opposition (although you could not tell today) and by the government—there be a period of consultation. There is an act of parliament that specifically prohibits a concrete proposal being even debated by the government.

It seems to me an appropriate use of the parliament's time to ensure that the community and the public can see all of these issues debated and discussed publicly without their fear of anyone being in breach of any act. The retrospectivity, of course, is in place—with all due respect to our colleagues in another place, often legislation does not pass in very speedy and quick time, as has been witnessed in the commonwealth parliament, hence the Prime Minister's call to prorogue the parliament and bring it back—

The CHAIR: Yes, okay, moving on.

The Hon. A. KOUTSANTONIS: Thank you—therefore, that is why retrospectivity is in place, to protect people on the passage of this bill in the upper house.

Mr VAN HOLST PELLEKAAN: Minister, why is it necessary to make this bill retrospective two weeks, giving the government permission to spend public money on this issue, if the government has not already spent it?

The Hon. A. KOUTSANTONIS: That question does not make any sense.

Mr VAN HOLST PELLEKAAN: It does actually. This bill has not passed parliament. The government is asking us to make this bill retrospective, back to two weeks ago. Why is it necessary to make it retrospective? Why is it necessary for the government to have the permission backdated to spend public money if it has not already spent the public money?

The Hon. A. KOUTSANTONIS: It is just a date we chose. We could have chosen any date. What we have done is we have done it from the date we announced it which is generally the regular operation of acts as they come into effect from the date of announcement.

Ms Chapman: Rubbish! You have been here all these years, Tom. That's rubbish.

The CHAIR: Order! You cannot call him by his first name.

Mr VAN HOLST PELLEKAAN: Minister, has the government spent any money already that would be in contravention of clause 13 in the current act?

The Hon. A. KOUTSANTONIS: My advice is no.

Ms CHAPMAN: Did the commissioner ask the government to introduce a bill with this content?

The Hon. A. KOUTSANTONIS: Not that I am aware, but I will check.

Clause passed.

Clause 2.

Ms CHAPMAN: Has the government or the commissioner, to your knowledge, received any correspondence from anyone threatening to pursue the question of breach of the act that we are currently attempting to repeal?

The Hon. A. KOUTSANTONIS: Not to the knowledge that I have just been advised, but given the opposition's protest I am sure we will as of today.

The CHAIR: Could we perhaps ask you, Deputy Leader, if you are aware of any and save ourselves a lot of time? Again, you are not?

Ms CHAPMAN: I hope this comes at question time where we can actually answer the questions.

The CHAIR: I am only trying to facilitate matters. I was prepared to let you ask as many questions as you like at clause 1 rather than drag us through each clause and torture us at each clause.

Ms CHAPMAN: I am happy with what the minister has said. As I understand it, he says to his knowledge there has been no indication to the government or the commissioner—

The CHAIR: We have heard his answer; you do not need to repeat it. Is there another question?

Ms CHAPMAN: No, I do not need any other answers.

Mr VAN HOLST PELLEKAAN: On clause 2, minister, you have told us very clearly that the government has not spent any money in contravention of clause 13 of the current act. When does the government intend to start spending money to consult or encourage the potential development of a nuclear waste repository?

The Hon. A. KOUTSANTONIS: It is difficult to say. One, we will have to wait for the final recommendations of the royal commission; they can change. The royal commissioner is an open-minded man. He may receive evidence between now and his final report that gives him cause to change his recommendations. If this bill does not pass, and the recommendations are made, we may need to seek some further advice about what we do then, but I suppose in a perfect world once the final recommendations are made and the bill passes, the government can then entertain looking at those recommendations and then acting upon them in one way or another. The Premier has made it very clear no final decision has been made and we want to go out and consult with the public.

Mr VAN HOLST PELLEKAAN: Would the government then be amenable to having this bill, if it passes both houses of parliament, start on, or whenever practicable after 6 May?

The Hon. A. KOUTSANTONIS: No. The government asked that the date be the date it was introduced into the parliament, and we expect that to be honoured.

Mr VAN HOLST PELLEKAAN: What does honoured mean? It was a request, and then people say yes or no. Minister, you just said—

Ms Chapman interjecting:

The CHAIR: Order! There seems to be a certain tension and lack of goodwill in all of this. Just ask the questions nicely; I just do not think there is a problem. If you have a question, he will answer it.

Mr VAN HOLST PELLEKAAN: Minister, in your answer to my question about when the government intends to start spending money for this purpose, you essentially said when the final report comes out. That led me to then ask if the government would be amenable to having this bill come into effect when the final report comes out, if the recommendations of the final report indicate that it would be appropriate for the government to spend public money to consult and to encourage the potential development of a nuclear waste storage facility in South Australia.

The CHAIR: That is the same question and the answer will be the same, and you have taken umbrage at the fact that he said 'honoured'.

The Hon. A. KOUTSANTONIS: The government made an announcement that we want the bill to come into effect in this state. If the parliament changes, the parliament changes. If the opposition now want to be recalcitrant and do that, it is entirely up to them.

The CHAIR: No need; that is enough.

Ms Chapman interjecting:

The CHAIR: That's enough.

Mr van Holst Pellekaan interjecting:

The CHAIR: Order!

Clause passed.

Remaining clauses (3 and 4) and title passed.

Bill reported without amendment.

Third Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (12:27): I move:

That this bill be now read a third time.

Bill read a third time and passed.

MENTAL HEALTH (REVIEW) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 December 2015.)

Dr McFETRIDGE (Morphett) (12:27): I am the lead speaker on the Mental Health (Review) Amendment Bill 2015. Looking at the latest figures that are available on the federal government's website, the prevalence of mental illness in Australia continues to be a very alarming figure. Almost half of the total population will experience a mental health disorder in their lifetime. One in five Australians aged 16 to 85 experienced mental health disorders in the last 12 months—that is almost equivalent to 3.2 million Australians. One in 16 had affective mood disorders, one in seven had anxiety disorders and one in 20 had substance use disorders.

Based on these prevalence rates, it is estimated that nearly 1,000,000 Australians had affective disorders, over 2.3 million had anxiety disorders and over 800,000 had substance use orders in the last 12 months. Females are more likely than males to have experienced mental health disorders in the last 12 months: 22.3 per cent compared to 17.6 per cent. Similarly, females were more likely than males to have experienced anxiety disorders and affective disorders.

Males are more than twice as likely to have experienced substance use disorders. The prevalence of mental health disorders in Australia is something that is of great concern to all of us. I know when we put the parent bill through this place in, I think, 2009, I was the opposition health spokesperson and mental health spokesperson, and it was a very enlightening and informative experience to talk to both the practitioners and the consumers of mental health services in South Australia. The review that has been undertaken by the Chief Psychiatrist and provided to this place and for public review in February this year is quite comprehensive. I have worked with a number of chief psychiatrists and I think they have all done a very good job in a very tough area.

The Mental Health (Review) Amendment Bill 2015 has five main areas of change, and I will briefly go over those. They can be read in the mental health review by the Chief Psychiatrist if people want more information. The key changes include that provisions for level 1 community treatment orders are to be amended to increase their maximum duration from 28 days to 42 days. This would make the orders more useful, because 28 days is often too short a period for therapies to take effect.

The second change is that the patient transport request provisions are to be amended to allow mental health services to request the assistance, if it is safe and appropriate to do so, of the SA Ambulance Service and South Australia Police to provide medication to a patient subject to a community treatment order in their own home rather than taking a person to hospital for medication and returning to their own home. I think that is a very good move, and I will talk a bit more about the current pressure on mental health beds in South Australia in a few moments.

The third change is the changes to the Community Visitor Scheme. Provisions and regulations are proposed to increase the facilities and services within the scope of the scheme, with existing budgets and resources to include community mental health centres, community rehabilitation centres and intermediate care centres. The fourth change is that cross-border arrangements are proposed to be enhanced, including by increasing cross-border treatment options and administration of interstate orders.

The fifth and final change is that the bill seeks to improve the oversight and operation of ECT (electroconvulsive therapy) as a prescribed psychiatric treatment. The change is a timely update of this bill so that consumers can receive the best quality treatment possible in South Australia. In fact, the Chief Psychiatrist says in the introduction to his review of the bill and the changes he has suggested:

> …the Mental Health Act 2009 commenced operation on 1 July 2010. The objects of the Act are to ensure that people with mental illness receive a comprehensive range of services for their treatment, care and rehabilitation;

And that is what we want for all South Australians. I congratulate the new minister on her appointment. In some ways, it is a bit of a poisoned chalice, because demands are increasing and the pressures on costs are there and delivering services is becoming more of an issue for all Australians. As I have just read from the commonwealth figures, the prevalence of mental health issues is severe.

The second change proposed by the Chief Psychiatrist, that is, treatment of mental health patients in their home, I can say is a very good move because, according to the government's own Royal Adelaide Hospital emergency department dashboard this morning, two patients have been waiting more than 24 hours for a bed and five patients have waited more than 12 hours for a bed, and this is a very common occurrence. I have been a follower of the dashboards since they were introduced by the government. I thought it was quite unusual to bare your soul, so to speak, in your own documents in full colour on the net, because the figures are just damning, and they have been for many years.

Overcrowding of emergency departments has become a chronic problem. It is a grave problem because, as the Australasian College of Emergency Medicine said in 2008, 1,500 Australians die every year as a direct result of delays in emergency departments. Our share is about 8 per cent, and 120 people die as a direct result of delays in EDs in South Australia. That is more than the road toll. We cannot allow that to continue.

The current state of mental health beds across our hospitals this morning was quite deplorable. At 10:41 this morning, according to the government's own dashboards, at the Lyell McEwin Hospital they were five mental health beds short, at the Royal Adelaide Hospital they were 18 mental health beds short, at The Queen Elizabeth Hospital they were 11 mental health beds short, and at the Women's and Children's Hospital in the women's section they were three mental health beds short.

These figures are damning. When you see what is happening with Transforming Health—the shuffling around of services, the downgrading of services—it is going to put patients seriously at risk, and that is not me saying that: that is the real doctors. We are hearing the spin doctors out there saying it is all going to be hunky-dory; the facts are here in living colour on the government's own websites. As I said, as we speak, and I suspect it may be getting worse as the day goes on, there are two patients who have been waiting for a bed in the Royal Adelaide for more than 24 hours. If you look across the other hospitals, you will see a similar situation.

The inpatient dashboard is another dashboard the government put out. If you go and look at that for Glenside this morning, Glenside was in the white zone. There is a traffic light system but, instead of going to red where it is 'Stop, look at what is happening. Don't proceed because there is danger,' the dashboards go to that next zone—the white zone. I call it the white-hot zone. With EDs, that means that the emergency departments are more than 125 per cent occupied. The pressures are just enormous, and it is very common to see our EDs in that white-hot zone.

Today, Glenside is in the white zone. It is overflowing. The acute patient in-services, forensic mental health, intensive care and inpatient rehab services are all in the white zone. They are all way

over capacity. If you look at the general 48-hour bed occupancy of Glenside, it has either been in the white zone or the red zone.

The AMA says that a hospital that is at 80 per cent capacity is full. I remember former minister John Hill saying, 'We accept 90 per cent.' He ignored the doctors; he said '90 per cent'. The bottom line is these hospitals are more than 90 per cent full: they are 100 per cent full. They are more than 100 per cent full in many cases. The pressure on our hardworking doctors and nurses is becoming unbearable to the point where we are seeing doctors resigning, and we are seeing criticism of the changes because the doctors are very worried.

I know the new minister will do her very best to try to sort this situation out. This bill proposes some changes which will take some of the pressure off but, on the figures that are given by the commonwealth government there, the pressures are not going to disappear at any moment. They are not going to be able to be solved overnight.

We need long-term solutions. We had the Step Up Step Down Program brought in. We had arguments about the numbers of acute beds versus intermediate beds. The issues are alive and unwell—very unwell in some cases. Making sure we give the very best care we can to our mental health patients in South Australia is something we all should be very aware of because we hear quite frequently tales of politicians who have suffered from depression or other mental health illnesses, and there but for the grace of God go you and I.

We need to make sure that our legislation is working, and this is brought about by having regular reviews. Certainly, listening to people out there, listening to consumers and listening to providers is something we all need to do. In representing our constituents, whether it is with this particular piece of legislation or other legislation, we need to make sure that the state of South Australia is going to be the very best it can be. With people like the Chief Psychiatrist advising the government, and hopefully the government listening to doctors and the health professionals, I hope we can achieve that. I hope this bill is going some way to improving the lot of those with mental health issues in South Australia.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the next speaker, I would like to acknowledge the presence in the gallery today of Imam Riad from the Park Holme Mosque, and Mr Zreika, President of the Islamic Society, who are guests of the member for Elder. We welcome them to parliament this morning, thank them for the honour of their visit and hope they enjoy their time with us today. Member for Reynell.

Bills

MENTAL HEALTH (REVIEW) AMENDMENT BILL

Second Reading

Debate resumed.

Ms HILDYARD (Reynell) (12:39): I rise to speak today on this important bill—a bill that has arisen, as the member for Morphett said, through an extensive review of the Mental Health Act by the Office of the Chief Psychiatrist. Tragically, one in five Australians now experience mental health issues at some point in their life, 4 per cent of Australians experience a major depressive episode in a 12-month period, 14 per cent of Australians are affected by an anxiety disorder in any 12-month period, 3 per cent of Australians are affected by psychotic illness such as schizophrenia, suicide is a leading cause of death for people seriously impacted by mental illness, and mental illness is now one of the most prominent causes of disability in Australia.

Many Australian families are deeply touched by mental illness at some point and grapple with the emotional and, indeed, physical toll that this takes, as family members take on caring responsibilities, often for extended periods of time, and as they see loved ones struggle, sometimes for months and years on end, with the effects of illness and often the resultant withdrawal of family members from family and community life.

People with mental illness are amongst the most disadvantaged in our community. They confront many barriers as a direct result of their illnesses. Stigma, discrimination, isolation and the physical side effects of long-term psychotropic medication can cause major barriers to engagement in most aspects of community life. People with severe mental illness are highly likely to confront unemployment, a lack of access to education, housing stress and homelessness, financial difficulty and poverty. Changing perceptions about mental illness and a deeper collective community understanding of what a person with severe mental illness struggles with can go a long way towards breaking down some of these barriers.

Our government is deeply committed to improving the rights and participation of people with mental illness and to enhancing the capacity of mental health services to provide treatment and care with dignity and respect. We are committed to focusing on and ensuring the collaboration of government and community agencies around issues that affect those with mental illness and their families. We are committed to ensuring that every person experiencing mental illness and their family members and carers receive respect, compassion and professionalism when dealing with government and other agencies. Quality service, intervention and support for those affected by mental illness is paramount to keeping them from harm, to being included in community life and, ultimately, to giving them the best chance to recover.

There is much I have to say about mental health, but today I would like to particularly focus on community treatment orders and the Community Visitor Scheme. A community treatment order is a legal order made by the Mental Health Review Tribunal or by a magistrate. It sets out the terms under which a person must accept medication and therapy, counselling, management, rehabilitation and other services whilst living in our community. In South Australia, we currently have levels of community treatment orders, starting with level 1 as the least restrictive order type and the often less-used type. In 2014-15, there were 283 level 1 community treatment orders, 1,260 level 2 community treatment orders and 5,373 level 1 inpatient treatment orders.

To enable increased use of level 1 community treatment orders and to facilitate and improve availability of less restrictive treatment for people with mental illness, through this bill the duration of these orders will be extended from 28 days to 42 days, to provide enough time for medication and other treatments to take effect. This means that more people can be provided with treatment and care under the least restrictive order type before a level 2 community treatment order or other treatment order is considered.

Level 1 community treatment order processes are not consistent with level 1 inpatient treatment order processes, resulting in a reduction in the rights of patients, with not all level 1 community treatment orders able to be reviewed by a health professional other than the one who made the order. The amendments in this bill will remedy this by requiring that a level 1 community treatment order made by one health professional must be reviewed and then confirmed or revoked by a different health professional, a psychiatrist or authorised medical practitioner within 24 hours or as soon as practicable.

Lastly, the automatic review of all level 1 community treatment orders, regardless of whether a patient or advocate requests one, creates an inefficiency in the South Australian Civil and Administrative Tribunal processes that is wasteful, as most orders are valid most of the time. Instead, the amendments will now require a level 1 community treatment order to be reviewed only upon application by a patient or advocate.

The Community Visitor Scheme is an excellent independent statutory scheme that visits and inspects acute mental health facilities, emergency departments of hospitals, disability accommodation and supported residential facilities.

Run by Principal Community Visitor, Maurice Corcoran, who, through his enduring leadership, has been an outstanding and passionate advocate for people affected by mental illness and disability for many years, the scheme protects the rights of people experiencing an acute mental illness and those with disability who live in a disability accommodation facility or a supported residential facility. Maurice and his team have provided many South Australians affected by mental illness and disability with connection and support when they are feeling isolated and alone, and I take this opportunity to commend their work.

These amendments will improve the capacity of the scheme to carry out its important role and will improve the ability of the Principal Community Visitor to delegate powers. The amendments will also improve the structure of the act, such as moving the provision describing hospital inspector functions to a more appropriate section of the act; and enhance the rights of community patients by giving them access to the scheme.

The most significant change in this area is the inclusion of community mental health facilities, including community mental health centres, community rehabilitation centres and intermediate care centres, in the scope of the Community Visitor Scheme. Each formally-declared community facility will now have regular visits and inspections every two months from community visitors, and patients can also request visits.

To achieve this increase in scope, within available resources, the frequency of visits to treatment centres will change from once per month to once every two months. The Community Visitor Scheme will carry out the same number of visits and inspections in total, but will now cover both inpatient and community services. Crucially, the rights of and advocacy for people with mental illness who are connected with community services are, as I said, to be included in the work of the Community Visitor Scheme for the first time.

These are all changes which will absolutely and directly benefit those people with mental illness, their families and their dedicated carers. I wholeheartedly endorse this important bill as one that will enhance connection and access to advocacy and support for some of the most isolated members of our South Australian community. I commend the minister's work on this bill and the many health and community service professionals, carers and, importantly, consumers, who have helped to shape these important amendments.

Mr DULUK (Davenport) (12:46): I also rise to make a contribution on the Mental Health (Review) Amendment Bill 2015. As we know, the Mental Health Act commenced in 2009 and came into operation in July 2010. Reading the objects of the act, they are to ensure that people with a serious mental illness receive a comprehensive range of services for their treatment, care and rehabilitation; that those services are recovery orientated; that people retain their freedom, rights, dignity and self-respect as far as is consistent with their protection and the protection of others; and to confer limited powers to make orders for community or inpatient treatment.

Under section 111 of the act, the minister was to ensure that the report was written on the operation of the act and was laid before each house of parliament within four years of commencement of the act. That four-year period ended on 30 June 2014 and, of course, today is 22 March 2016.

Mental illness is a serious problem that significantly affects how a person thinks, behaves and interacts with other people. Unfortunately, as we all know, it is a growing problem that needs our attention. In Australia each year, it is estimated that more than 3.6 million people aged between 16 and 85 experience mental illness, representing more than 20 per cent of adults.

In addition, almost 600,000 children and youths between the ages of four and 17 are affected by a clinically significant mental health problem. Over a lifetime, nearly half of all the Australian adult population will experience mental illness at some point, equating to nearly 7.3 million Australians aged between 16 and 85. Unfortunately, less than half will access treatment.

There are an estimated 9,000 premature deaths each year among people with a severe mental illness. The gap in life expectancy for people with psychosis compared to the general population is estimated to be between 14 and 23 years. In 2014, 2,864 people died by suicide, almost eight per day; that is one every three hours. In South Australia, there were 240 suicides in this 12-month period. Suicide remains the leading cause of death for Australians between the ages of 15 and 44.

The economic cost of mental illness is enormous. The National Mental Health Commission report estimates that about $28.6 billion a year is the amount of direct and indirect cost associated with mental illness, and that ranges from loss of productivity to job turnover, which further contributes to the economic cost of mental illness.

Mental illness is one of the leading causes of non-fatal disease burden in this nation and accounts for about 13 per cent of Australia's total burden of disease. This means that of the non-fatal disease burden—that is, years of healthy life lost through illness and disease in Australia—24 per cent was lost through the effects of mental illness. Anxiety and depression, alcohol abuse and personality disorders accounted for almost three-quarters of this burden. The significance of these direct and indirect costs is that mental illness not only affects individuals, their families and other people as well but it also affects the standard of living of every Australian and our community more broadly.

This bill amends the Mental Health Act 2009 in response to recommendations by the Office of the Chief Psychiatrist which followed a review of the act. This side of the house supports the amendments to the act and thanks the Office of the Chief Psychiatrist for its commitment to the continuous improvement of mental health services. However, whilst it is important to ensure that the legal rights and protections for people with mental illness are suitable and effective, it is only half of the equation. A world-class mental health system must also have adequate and appropriate resources to ensure prevention and treatment measures can be effectively implemented.

One thing that worries me about not so much the bill but those who are in charge of this bill and those who are in charge of administering is that this government has made a lot of promises in this area but fallen very short on delivering. The Labor government has made election commitment after election commitment in regard to healthcare spending. One election commitment was to establish an independent mental health commission, claiming that it would help drive the state's mental health plan through to 2020.

Then came the budget announcement. In the 2014-15 budget, the government committed $8.4 million over four years to establish and operate the Mental Health Commission. There was an additional $600,000 to establish the office. It is now almost two years since the government's budget announcement, so it would seem reasonable to ask: how is the Mental Health Commission going and what contribution has it made to mental health policy in South Australia? Indeed, the answer is quite simple, however quite disappointing: none. The question is: why? Because almost 21 months since the budget announcement there is still no commission.

An interim commissioner was appointed in October last year, more than 12 months after the budget announcement, but after all this time there is still not a definitive commissioner. No commission, no commissioner, but at least there is $9 million allocated to establish South Australia's inaugural Mental Health Commission—

The Hon. L.A. Vlahos interjecting:

Mr DULUK: —you would hope so—but that is not the case either. The former minister for mental health admitted late last year that in 2014-15 appropriation of almost $2.5 million had been spent on the commission. No. On mental health? Possibly. The minister himself reflected in estimates that if it had been spent (that is, the $2.5 million), it would have been spent in other areas of mental health.

The Mental Health Commission does not even make it into the 2015 budget as a line item. Let's say that again: the Mental Health Commission does not even make it into the 2015 budget as a line item. This is a government that talks a lot but a government that delivers very little. The Minister for Health himself has acknowledged the acute need to help people with a mental illness, stating:

> People with chronic mental illness often suffer from unemployment, poverty, substance addiction and other serious health conditions. We need to change that.

And I agree: we definitely need to change that. The current Minister for Health also stated that he wants 'the Mental Health Commission to look at practical ways to improve the health and wellbeing of people with a mental illness'. We all do. We all want the Mental Health Commission to get stuck in and get on with the job of helping people with a mental illness through prevention, treatment and protecting their rights, but instead we are still waiting for this to happen.

The government has also stated that a key priority of the Mental Health Commission is the development of a five-year mental health plan. The previous plan expired in 2015. We are yet to see any urgency from this government on the new mental health plan. After 14 years, the Labor

government has failed to deliver better outcomes for South Australians with a mental health illness and better outcomes for their families, carers and service providers.

The health minister also set a goal two years ago for his department to ensure that no mental health patient should wait more than 24 hours in a South Australian emergency department by 1 January 2016. What is the current result? I know the member for Morphett touched on this in his contribution. On multiple occasions this year, patients have not only waited more than 24 hours but waited several days before being admitted, so the government is failing in its own benchmarks.

On 8 March this year, 10 mental health patients had been waiting in an emergency department for more than 24 hours—six at the Royal Adelaide Hospital and four at The Queen Elizabeth Hospital. On 10 March, three mental health patients had been waiting in the Royal Adelaide Hospital emergency department for five days running, five days running from a government that has a commitment from 1 January this year to have no-one waiting more than 24 hours. Five more mental health patients had been in the ED for three days in a row and one had been there for four days—more promises and more promises, but more failures, unfortunately.

The South Australian hospital network is struggling under the weight of mental health patients. Mental health beds within the hospital network are either at or exceeding capacity in all our major hospitals. In the last nine days, the occupancy of the mental health beds at the Royal Adelaide Hospital, the Lyell McEwin Hospital and The QEH has exceeded capacity every day. The occupancy rates at the RAH have been 13 to 26 beds above capacity each and every day. What does this government do? How does this government propose to help address the chronic shortage of mental health beds in our hospital network? In fact, it is closing our hospitals. It is downgrading emergency services departments and it is closing the Repat.

How does this government propose to help address the chronic shortage of mental health beds in the system? Once again, it closes these hospitals and it announces grand plans and then scales them back. The new mental health unit at Glenside to replace Ward 17 at the Repatriation Hospital has been scaled back to fit within the government's budget constraints. Under the government's plans, veterans previously treated for post-traumatic stress disorder at the Repat will have to travel to Glenside instead.

The irony is that, in moving Ward 17 to Glenside, patients of Ward 17 with comorbidity issues will now need to be transferred to other hospitals to deal with their secondary conditions. Currently, Ward 17 patients at the Repat have access to on-site medical and surgical care. Allied health services, such as occupational therapy, pain management, physiotherapy and podiatry, as well as the diabetic clinic and the sleep disorder unit, are all available to patients at the Repatriation Hospital. These services will no longer be available to these patients on site at Glenside. Rather than helping patients, this government is adding to their woes.

If Ward 17 patients have heart disease or issues with their kidneys or liver, they will now need to be transported between hospitals to receive medical attention. Ward 17 Glenside patients will also lose access to their on-site pool facilities, with the government proposing to provide access to a pool on Glen Osmond Road. Professor Warren Jones, in his evidence to the Legislative Council's Select Committee on Transforming Health, told the committee:

> …it beggars belief that [the expert panel] could recommend the move to Glenside without considering the detailed medical needs of the vets and how they would be met.

This is another broken promise in a long line of broken promises on this issue. It all comes at great cost and at great inconvenience and stress to patients.

In conclusion, mental health illness is a significant issue for our community. It needs to be taken seriously and treated with the same weight as other health issues, and it needs to be a priority, not just an opportunity for headline grabs with another hollow announcement and promise. We need to have tangible outcomes and a committed government—a government that is prepared not only to talk the talk but actually to walk the walk.

We need a government committed to providing the best possible care and support for people confronting a mental health challenge. We need a government committed to focusing on prevention and early intervention to reduce mental ill health. We need a government committed to delivering a

mental health system that is able to provide meaningful support to mental health patients, their families and communities.

Debate adjourned on motion of Mr Treloar.

Sitting suspended from 13:00 to 14:00.

STATUTES AMENDMENT (RIGHTS OF FOSTER PARENTS, GUARDIANS AND KINSHIP CARERS) BILL

Assent

His Excellency the Governor assented to the bill.

ROAD TRAFFIC (ISSUE OF FREE TICKETS BY PARKING TICKET-VENDING MACHINES) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

YOUTH JUSTICE ADMINISTRATION BILL

Assent

His Excellency the Governor assented to the bill.

TOBACCO PRODUCTS REGULATION (ARTISTIC PERFORMANCES) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today students from St Paul Lutheran School who are guests of the Deputy Premier and I also welcome students from Christian Brothers College who are guests of the member for Adelaide.

ANSWERS TABLED

The SPEAKER: I direct that the written answers to questions, as detailed in the schedule I now table, be distributed and printed in *Hansard*.

Petitions

KAROONDA AREA SCHOOL

Mr WHETSTONE (Chaffey): Presented a petition signed by 397 residents of South Australia requesting the house to urge the government to take immediate action to replace the swimming pool at the Karoonda Area School.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Remuneration Tribunal—Determination and Report No. 4 of 2016

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

Rules made under the following Acts—
Magistrates Court—Civil—Amendment No. 11

Ministerial Statement

ROYAL ADELAIDE HOSPITAL

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:03): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: Under the agreement between the state and SA Health Partnership, the new Royal Adelaide Hospital is scheduled to reach technical completion on Monday 4 April 2016. The latest update received from SAHP has indicated that this date will not be achieved. SAHP's most—

Members interjecting:

Mr Pisoni: Another eight weeks?

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

The Hon. J.J. SNELLING: SAHP's most recent master works program provides that the forecast date of technical completion is 25 May 2016, a delay of just over seven weeks. The state is currently—

Members interjecting:

The SPEAKER: The deputy leader is called to order, and I also call to order the member for Schubert.

The Hon. J.J. SNELLING: The state is currently obtaining its own independent technical and assurance advice on this latest delay, including whether the submitted SAHP Master Works Program accurately reflects the progress of the works. This is being finalised as a matter of urgency. The technical and assurance advice will asses whether SAHP's revised date of technical completion can realistically be achieved. The state is also assessing the impact the delay will have on our commissioning, testing and training activities, the stocking of the facility, and equipment deliveries.

Mr Marshall interjecting:

The SPEAKER: I call the leader to order!

Mr Marshall interjecting:

The SPEAKER: I warn the leader.

The Hon. J.J. SNELLING: The state has rights under the agreement with SAHP in respect of delays, noting that SAHP bears all risks in any delay that it causes in achieving technical completion. Mr Speaker, as I have stated before to the house, safety must always be paramount at the new Royal Adelaide Hospital, both for patients and staff who will move into the hospital, and for workers who are building it. We will move into the new Royal Adelaide Hospital when it is ready and safe to do so, and for no other reason.

Mr GARDNER: Point of order: just to draw your attention to the convention that we usually get a circulation of the statement.

The SPEAKER: Well, I have it. The opposition does not have it?

Mr GARDNER: I apologise, sir; I didn't, but I do now.

The SPEAKER: So the member for Morialta had the ministerial statement printed all along.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (14:07): I bring up the 543rd of the committee, entitled Proposal to Expand Mobilong Prison.

Report received and ordered to be published.

Ms DIGANCE: I bring up the 544th report of the committee, entitled Adelaide Festival Centre Precinct Upgrade.

Report received and ordered to be published.

Question Time

ROYAL ADELAIDE HOSPITAL

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:08): My question is to the Minister for Health. Can the minister provide some detail to the parliament as to the reasons for this further delay to the technical completion of the Royal Adelaide Hospital?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:08): Simply because it has taken the builder longer than they had anticipated. That is the reason. There are any number of reasons, and I guess you would have to direct that to the builder. But, put simply, they have not been able to meet the schedule of works that they had originally anticipated, so it is going to be late.

Members interjecting:

The Hon. J.J. SNELLING: I should be quite clear: in terms of any responsibility for it, my very strong advice is that the government is not exposed in any way in terms of reasons for the delay, and we would have no liability. The liability would sit entirely with SAHP.

The SPEAKER: The members for Finniss and Mount Gambier are called to order. The member for Colton.

EXPORT PARTNERSHIP PROGRAM

The Hon. P. CAICA (Colton) (14:09): My question is to the Minister for Investment and Trade. Can the minister advise the house what support is offered to South Australian exporters?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (14:09): I thank the member for Colton for his question; there are a lot of exporters living in the electorate of Colton. That is why the South Australian government is committed to supporting and growing South Australia's trade programs and creating jobs. Official data shows around 65,000 jobs relate to exports, and we aim to increase that number. In this year's budget, we allocated $19.4 million to trade and investment. As part of the Mid-Year Budget Review, the Treasurer announced an additional $10 million to boost exports and jobs and $1.7 million extra for the Export Partnership Program.

The EPP is an important program for business which has been designed in response to reduced uptake in the last two years of the former Gateway Business Program and resulting budget underspends. Enhancements this government has made to the program include reducing the minimum turnover threshold requirement from $150,000 to $100,000 to increase the eligibility for newer or born global businesses, doubling the amount of funds available to individual companies from $25,000 to $50,000, and allowing companies to apply for funding multiple times until they reach $50,000 to mirror the changing nature of exporting.

The program helps companies access the right tools and supports them to grow and build international networks that can often be financially challenging to access. Grants may be used to support coaching, training and market intelligence and mentoring in order to plan for international opportunities so that they can build their export capability. Since the introduction of the new, more flexible program, the EPP has been an overwhelming success and is oversubscribed every round,

with 147 applications received across the first three rounds and over $1.2 million offered to successful applicants.

The scale of the response demonstrates a growing appetite in the small to medium enterprise sector to grasp the opportunities made available to companies through our engagement strategies with China, India and South-East Asia. Due to the demand of this program and enhanced competitiveness demonstrated, the assessment panel has had to rank applications before distributing available funding as fairly and efficiently as possible, but that has not impacted on the achievements of recipients of funds.

An example of the impact of the EPP can be highlighted through the success of Hartwig Flying School. Hartwig Flying School is a former recipient of the EPP that was successful in being awarded a $20,000 marketing grant for the purposes of international marketing. The marketing grant was used to attract Vietnam Airlines and the Vietnamese Civil Aviation Authority to consider the school as being one of five in Australia to be accredited to train 100 cadets annually, at a training cost of $152,000 per cadet.

They were successful in that accreditation, which would mean a minimum average placement of 20 cadets and a further nine cadets from their 2015 backlog. If they achieve a 30 per cent success rate with the current Vietnam Airlines cadets, this will bring $6.7 million per annum into South Australia that is new money for flight training costs alone.

Hartwig Flying School used the remainder of their grant to create a special website zone for cadets who chose their own school to attend out of the five, including a dedicated professional video and Vietnamese translation and subtitles of the site. That is why the facts prove the point: businesses are on the record praising the EPP and every cent available has been allocated, with more to come out of round 4, as has been recently closed.

ROYAL ADELAIDE HOSPITAL

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:13): My question is to the Minister for Health. Can the minister advise the house when he was first advised of the delay to the technical completion of the new Royal Adelaide Hospital?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:14): My recollection is it was yesterday.

MODBURY HOSPITAL

Ms BEDFORD (Florey) (14:14): My question is to the Minister for Health. Can the minister advise what changes will be made to breast cancer detection and care services at Modbury Hospital as a result of Transforming Health?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:14): Can I again pay tribute to the member for Florey, who is an absolute champion of the Modbury Hospital and has been for many years, even, if I recall correctly, sleeping in the car park to stop the Liberal Party's privatisation of the Modbury Hospital. This is a very important question, given the high incidence of breast cancer in South Australian women.

In South Australia, breast cancer is the most common cancer in females, accounting for nearly 30 per cent of all cancers diagnosed and, sadly, for nearly 15 per cent of all cancer deaths in women. Around 1,220 women in South Australia are diagnosed with breast cancer every year. The good news is, while we are seeing an increase in female breast cancer diagnosis, death from breast cancer in South Australia has plateaued due to better screening programs and improvements in treatment options.

Under Transforming Health, people in the north and north-eastern suburbs will have better access to breast care services with a one-stop breast service starting at Modbury Hospital next month. Through this specialist breast clinic, women in the north and north-east will have access to a team of clinicians in one place, all on the same day, including a specialist breast surgeon, a radiologist and a dedicated breast care nurse.

For anyone, the possibility of cancer is a frightening experience, and this can be made worse by having to wait for results between specialist appointments. Instead of going to multiple separate

appointments, the one-stop breast service at Modbury Hospital will enable patients to be thoroughly investigated and receive their radiology results straightaway. They will have access to diagnostic imaging and assessment services like biopsies and ultrasounds, all in the one service at Modbury Hospital.

An experienced surgeon will lead the care at Modbury Hospital with a breast care nurse offering patients and their loved ones emotional support, counselling, information and follow-up care. Together with the $10 million cancer centre at Lyell McEwin Hospital, Modbury Hospital will play a central role in the delivery of breast cancer care for patients in the north and north-east community.

We are building up health services in the north and north-east community. We saw the beginning of changes to Modbury and Lyell McEwin hospitals last week. At the same time, I took the opportunity to visit clinical staff who work there and to hear directly from them. I was heartened to hear, in the face of consistent undermining and scaremongering by some, the enthusiasm and dedication of the doctors, nurses and allied health professionals working there, leading the changes we need to improve outcomes for South Australians.

Members interjecting:

The Hon. J.J. SNELLING: Thanks to the excellent clinical improvement initiatives they are implementing, we are already starting to see some exciting results. Under Transforming Health, we will see better quality care as well as more clinical staff and more public hospital services for the people of the north and north-eastern suburbs, with services like the one-stop breast service meaning better care for this community.

The SPEAKER: I call to order the members for Chaffey, Hartley and Kavel, and I warn for the first time the members for Chaffey and Schubert. Leader.

MODBURY HOSPITAL

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:17): Thank you very much, sir. My question is to the Minister for Health. Does the minister accept responsibility for the downgrading of Modbury Hospital services in the face of clear advice by local clinicians that it is dangerous?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:17): Firstly, I completely reject any notion that any health service is being downgraded. When you are dealing with more patients—

Members interjecting:

The Hon. J.J. SNELLING: When you have more patients going through a hospital, that is an upgrade: that is not a downgrade. It means we will be delivering more services to the people of the north and north-east. This is an upgrade to Modbury Hospital because it means that people in the north will be able to get the services they need.

I said before that almost half of residents of the northern and north-eastern suburbs can't get the treatment they need in their local area. They have to go to other hospitals to be able to get the treatment that they need, unlike other suburbs of Adelaide in the south and in central Adelaide where patients have a much smaller chance of having to move outside of the local area to get the care they need.

What we need and what we are doing is building up services in the north so that people and patients who live in the northern suburbs can get the treatment that they need, close to where they live. It is inequitable that there is such a disparity between patients in the north and patients in the rest of Adelaide who need to travel.

In regard to doctors, of course there are doctors who, for whatever reasons, have concerns and have taken issue with it, but I can tell you now there are far, far more doctors who support the changes we are making. Let us not forget that it is not just doctors; it is nurses as well, and allied health professionals. The opposition thinks that our health system is only about doctors; well, it is not. There are nurses and there are allied health professionals who take responsibility for day-to-day care, and I know that the overwhelming majority of the health professionals who work in our system support the changes that we are making.

We will not allow the opposition to scaremonger and, in fact, put out misinformation and threaten people. Their behaviour has been absolutely disgusting in terms of telling people that hospitals are going to close, telling them not to go to a certain emergency department. It is the most reckless behaviour I have ever seen from an opposition in 20 years; in the 20 years I have been in this parliament I have never seen such reckless behaviour from any opposition. It is disgusting, but we will make these changes.

The SPEAKER: It appears the minister has—

Mr PISONI: Point of order. I do believe that was debate, sir.

The SPEAKER: I uphold the point of order. Before we have the next question I call to order the members for Davenport and Morialta; I warn for the first time the members for Kavel, Mount Gambier and Hartley and the deputy leader; and I warn for the second and final time the leader and deputy leader and the members for Schubert, Mount Gambier, Kavel and Chaffey.

BETTER SCHOOLS FUNDING

Ms HILDYARD (Reynell) (14:21): My question is to the Minister for Education and Child Development. Can the minister advise the house how the Better Schools funding is being implemented by Coorara Primary School and Pimpala Primary School to assist student achievement?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:21): I thank the member for Reynell for her question. We are starting to get a really clear picture now of the way in which the Better Schools funding is making a difference to schools on the ground, and a difference to the performance of students at those schools. Principals are starting to tell us that the funding is starting to make it possible for their schools to implement initiatives that are absolutely targeted at the individual needs of children.

It is allowing more one-on-one or small group support, specialist intervention programs, professional development for teachers, and so on. Students who have been struggling in those very important foundation skills of numeracy, reading and spelling are now beginning to achieve at school. If I can quote the words of *The Australian* reporter Natasha Bita, 'Gonski has been fertilising green shoots of success.'

At two Morphett Vale primary schools, Pimpala and Coorara primary schools, Gonski money is funding tailored support and intensive intervention for students and professional development of staff in supporting students with specific needs. Both were around the middle range of the SES band, but they do have substantial disadvantage to address.

Pimpala Primary School has been using its funding of about $11,000 in 2014 and $17,000 in 2015, and it will be $25,000 in 2016, to develop individual support to students in literacy and numeracy as well as professional learning for teachers and SSOs. Principal Karen Knox has said that the overall quality of classroom support across the school has been lifted:

> The training means that our teachers and SSOs are better equipped to support children who are having difficulties, as well as extend the more able students to strive to achieve their personal best.

She attributes the school's progress in NAPLAN to the improvements in supporting teaching. More than 90 per cent of Pimpala's year 3s reached the DECD education standard or higher, and more than three-quarters of the year 5 students showed middle to upper progress in reading and numeracy on their year 3 NAPLAN results. Year 7s achieved similar improvement on their year 5 scores, with 79 per cent showing middle to upper progress in reading and 73 per cent middle to upper improvement in numeracy.

At Coorara Primary school, Better Schools funding has been $36,000 in 2014, $56,000 in 2015 and $75,000 for this year. This trend in the escalation in the money underscores the importance of years 5 and 6; it builds each year, and if we miss out on years 5 and 6 from the commonwealth while we are maintaining our own commitment, we miss out on a significant portion of the funding that is intended to build each year in order to properly respond to student needs. At Coorara they have been investing in students' reading skills, in particular, and have identified a group of students that would most benefit from that intervention.

Funding has allowed the school to establish professional learning teams which monitor each child's progress and plan teaching units to address the specific needs of each student. Additionally, some staff have been trained in reading intervention programs to equip them to provide intensive support for students. The result has been a sharp improvement in reading skills, with running records showing 75 per cent of participating students progressing by 10 or more levels, which is more than a year's worth of predicted progress.

Principal Rebecca Reid has said that the Better Schools funding is allowing the school to continue to cater to a wide range of learning needs to help the students who need extra help get it quickly. These are examples of Gonski money making a tangible difference. In stark contrast to the statement that was made by the federal minister to the independent schools conference last week where he claimed that money makes no difference, it makes a very real difference, a tangible difference to students where it is required.

An honourable member: Money makes no difference?

The Hon. S.E. CLOSE: That's what minister Birmingham said to the independent schools last week.

HEALTH REVIEW

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:25): My question is to the Minister for Health. Can the minister advise whether SA Health is requiring any clinicians to sign contracts which require them to only speak publicly in support of Transforming Health?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:25): This old hoary chestnut. For one moment they are telling us that there are thousands of clinicians all coming out speaking against it; and the next moment they are telling us we are gagging them. The ability of the Leader of the Opposition to hold two contradictory ideas in his mind at the same time is quite remarkable. I haven't seen it in anyone else. For one moment, we're gagging them; the other moment they're all speaking out. I mean the man is just amazing in the way he manages to hold two contradictory ideas in his head at the same time.

The SPEAKER: Point of order; member for Unley.

Mr PISONI: I do believe the minister is entering debate.

The SPEAKER: Yes, I uphold the point of order. The member for Fisher.

CRIME PREVENTION

Ms COOK (Fisher) (14:26): Thank you, Mr Speaker. My question is for the Attorney-General. How is this government helping to reduce crime and vandalism in our community?

Mr Marshall interjecting:

The SPEAKER: The leader will leave the house for the remainder of question time under the sessional order.

The honourable Leader of the Opposition having withdrawn from the chamber:

Members interjecting:

The SPEAKER: The Premier, the Minister for Health and the Minister for Agriculture are called to order. Deputy Premier.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:27): I was just waiting for them to quiet down a bit, Mr Speaker, that was all. I thank the honourable member for her question. This is actually a very important issue.

Dr McFetridge: You're right. Ask them down at Glenelg; it's very important.

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

The Hon. J.R. RAU: In this answer, I might be able to help the member for Morphett with issues relating to safety in Glenelg.

The Hon. T.R. Kenyon interjecting:

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

The Hon. J.R. RAU: The government is working with councils to create safer communities through the installation of CC television. These cameras deter and respond to incidents of crime. The government has awarded funding to six councils as part of the second round of the $2 million CCTV grants program. CCTV cameras are important as they have the capacity to deter crime to intervene where necessary and, importantly, to capture evidence. Successful projects include a CCTV system at the St Kilda Avenue playground to monitor the safety and protection of vulnerable persons, the local community and what is a state tourism—

The Hon. L.A. Vlahos interjecting:

The SPEAKER: The Minister for Disabilities is called to order.

The Hon. J.R. RAU: She is very supportive of that project, Mr Speaker. I think she has quite a longstanding interest.

The SPEAKER: If her remarks were confined to 'hear, hear' then she wouldn't have been called to order.

The Hon. J.R. RAU: Also, there's more. There are also three CCTV cameras within the Playford Alive town park to address vandalism; a network upgrade in Port Lincoln that will allow police officers on patrol to view incidents in real time via personal electronic devices; 20 cameras at Minkarra Park, providing 360º coverage of the park with the recording of high resolution images to assist police in identifying and prosecuting offenders; and an upgrade of the surveillance system along the Mannum main street, an increasingly popular destination for large groups of people. All local councils—and this is important for the member for Morphett and his friends at Glenelg—–are eligible to apply for a grant, and I encourage councils to apply for the next round of funding later this year.

ROAD SAFETY REMUNERATION ORDER

Mr PISONI (Unley) (14:29): My question is to the Minister for Transport. After today's demonstration by owner-drivers against the Road Safety Remuneration Tribunal's introduction of minimum rates from 4 April, will the minister now join with the federal government to support the Australian Industry Group and other driver associations who have applied to have the start date for minimum rates pushed out to 1 January 2017?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:30): I thank the member for Unley for his question. I know that he's shown some interest in this issue in recent weeks. The member for Unley was partially correct in one of the assertions that he made in his question about referring to the federal government, because this is a matter which is within the purview of the commonwealth jurisdiction, and in particular the commonwealth government. I'm glad that today—

Mr Gardner interjecting:

The SPEAKER: The member for Morialta is warned.

The Hon. S.C. MULLIGHAN: —22 March 2016, can be the day that the state opposition has finally found its voice to speak up against the federal Coalition government. They let it go with the automotive industry, they let it go with the submarines, they let it go with health funding, they let it go with education funding. It's just a shame, Mr Speaker—

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned.

Ms CHAPMAN: Point of order, sir: this—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The Treasurer is called to order.

Ms CHAPMAN: This was a simple question, sir, as to whether the government supports—

The SPEAKER: What's the point of order?

Ms CHAPMAN: Relevance to the question of supporting the extension until 1 January.

The SPEAKER: Yes, alright, I uphold the point of order. Minister.

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. In terms of how this matter may be resolved, it's my understanding that there was some contemplation at the federal level, particularly over the last couple of years, about whether the federal Coalition government would be moving to repeal the legislation which established the Road Safety Remuneration Tribunal, but, of course, given the fact that the tribunal still exists, clearly they haven't.

Mr Pisoni: They don't have the numbers in the Senate, that's why.

The SPEAKER: The member for Unley is warned for the second and the final time.

The Hon. S.C. MULLIGHAN: The member for Unley says it's because they don't have the numbers in the Senate and that's why they haven't tried it on. It's funny, because there seems to be a lot of conjecture around about whether they'll try it on with other industrial relations-type legislation—the ABCC—and, apparently, whether that's a trigger for a double dissolution election. So, when it comes to taking this issue seriously, I don't think that the member for Unley can claim that his federal Coalition party counterparts are indeed paying it the attention that he wishes they would.

In terms of how this issue may be examined and resolved, of course the member for Unley should be aware that the tribunal continues to sit; in fact, the last advice I had was not only did they have sitting dates that extended throughout the period of this working week but they were prepared to sit through the Easter long weekend period—

Mr Pisoni interjecting:

The SPEAKER: The member for Unley will withdraw for the remainder of question time under the sessional order.

The honourable member for Unley having withdrawn from the chamber:

The SPEAKER: Minister.

The Hon. S.C. MULLIGHAN: As I was saying, the tribunal continues to sit. They continue to receive submissions from trucking companies, employer representatives, as they do employee representatives. That is the jurisdiction in which this will be resolved. As for my views, as I said in the last sitting week of parliament, I certainly support the principle about which this tribunal was established and what it aims is to achieve. Of course I share the concerns of the trucking industry if they have legitimate fears about the impact of this, and that's why the tribunal continues to sit, to hear and to weigh these arguments, not just about whether there should be an order made and enforced but about the timing of the implementation of that order, which I understand is the nub of the issue which is being raised by industry.

GOVERNOR'S MULTICULTURAL AWARDS

Ms DIGANCE (Elder) (14:34): My question is to the Minister for Multicultural Affairs. Minister, can you advise the house what the government has done to celebrate outstanding South Australians who strengthen our rich cultural diversity?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (14:34): I thank the member for Elder for her question. This morning, more than 600 guests gathered on the grounds of Government House to celebrate our rich cultural diversity. A feature of this event was the presentation of the Governor's Multicultural Awards, which recognise outstanding South Australians

who strengthen our community through initiatives that deepen cross-cultural understanding. The awards were presented by the Governor on the advice of an independent judging panel.

The story of South Australia is one of many diverse people and backgrounds coming together to enrich our shared experience. The Premier, myself as Minister for Multicultural Affairs, the Leader of the Opposition, the member for Morialta, the Hon. Tung Ngo and the Hon. Jing Lee from the other place were all in attendance. I thank the opposition for their continued bipartisan support in multicultural issues.

May I also pass on my thanks to the staff of the Department for Communities and Social Inclusion, who spent countless hours orchestrating this showcase celebration of multiculturalism. Guests at the ceremony were treated to outstanding entertainment, with vibrant performances from the Lebanese Dance and Drumming Association, the Mexican Social and Cultural Association and soothing Brazilian music. There was also a multifaith blessing by Mr Damian Outtrim and a powerful welcome to country by Uncle Lewis O'Brien.

At this celebration, 28 finalists and 14 winners of the Governor's Multicultural Awards were recognised, including the Migrant Women's Support Services for providing culturally appropriate services to culturally and linguistically diverse women who are affected by domestic and family violence.

I would like to make a few remarks about one particular recipient, Mr Theo Andruszko. Mr Andruszko was an important member of Adelaide's Ukrainian community and a dedicated volunteer, and most deserving of the Governor's Multicultural Senior Volunteer Award. Mr Andruszko tragically passed away last year, but his company remembers his intellect, his affability and his spirit. The Governor's Multicultural Award is a fitting tribute that honours Mr Andruszko for his distinguished volunteer service over the last 20 years and his tireless efforts to increase cross-cultural understanding, particularly through his authorship of the Ukrainian community's history books. His passion to create a harmonious community will live on in the hearts and minds of those he touched through his writing, volunteering and mentoring.

In addition to the Coober Pedy Multicultural Community Forum, other worthy winners were the Adelaide Kurdish Youth Society. It is fitting that an organisation that is assisting the fight against extremism here in Australia, just as the Kurdish people are fighting ISIS extremists overseas, should be recognised. I am very pleased that they received an award today, because it was in January of this year that I was able to give one of their youth leaders, Tara Fatehi, a Women Hold Up Half The Sky Award, and that was for our 2016 Australia Day awards. I thank her for her dedication and her commitment to leadership within the young community.

I really would like to take the opportunity to thank the Governor for his continued interest in multicultural affairs. In his role as Lieutenant Governor, he attended many, many multicultural affairs and also had his interest as Chair of the Multicultural and Ethnic Affairs Commission. I can tell you that people there today were absolutely delighted to be invited to Government House to be recognised for what is mostly their volunteering time and commitment that they have given for their community.

The SPEAKER: The minister's time has expired. I call to order the member for Wright.

SA WATER INFRASTRUCTURE

Mr TARZIA (Hartley) (14:38): My question is to the Premier. Can the Premier explain why, after two weeks, constituents of mine in Campbelltown still do not have their water services fully restored after a burst water main on 7 March?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:39): I am the representative of the Minister for Water in the other place and I don't have a specific answer to the detail of the question that you have asked, so I will take that on notice and bring that back for you.

GREAT SOUTHERN RAIL OVERLAND SERVICES

The Hon. T.R. KENYON (Newland) (14:39): My question is to the Minister for Transport. How is the state government working to ensure that Great Southern Rail *Overland* services between Adelaide and Melbourne continue?

The SPEAKER: The Speaker is most interested in this answer. The minister.

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:39): Thank you, Mr Speaker, and I thank you for your interest in this matter, as well as the member for Newland. Members would be aware of the importance of interstate train services for tourism across Australia, let alone in this state, and the deep affection that many hold for interstate train travel for holidays, leisure purposes and also visiting family and friends.

As members may recall, last year the state government committed more than $1 million over the next three years to the operator of Great Southern Rail to continue running *Overland* services. I welcome today's announcement by the Victorian Labor government to invest a little over $10 million to ensure that these *Overland* services will continue running until at least the end of 2018.

We are strong supporters of *The Overland* service, which plays an important role for the South Australian tourism industry. While the Andrews and Weatherill Labor governments are securing the future of rail services between Adelaide and Melbourne, it is unfortunate that the Coalition government is slashing subsidies for travel by pensioners, veterans and seniors for these train services.

Great Southern Rail was formed after a privatisation of the old government-owned Australian National. Subsidies of up to 55 per cent for pensioners and 88 per cent for war veterans were built into the privatisation arrangement. While Great Southern Rail will provide transitional support to concession customers with a 20 per cent discount to fares in 2016-17, there will still be a significant fare increase for pensioners, veterans and seniors who travel on *The Overland* service and also *The Ghan* and the *Indian Pacific*.

While fares have not yet been released for the Adelaide to Melbourne *Overland* services, as a result of these Coalition cuts, a veteran's fare for a twin sleeper between Adelaide and Darwin will increase from $1,486 to $1,989, an increase of 33 per cent, while a trip between Adelaide and Perth in a twin sleeper will rise from $1,159 to $1,589, a 37 per cent increase. But as the transitional support will only last until the end of the 2016-17 financial year, unless the Coalition reverses its unfair cuts this will be another significant fare increase for pensioners, veterans and seniors in 2017.

Services like *The Overland*, *The Ghan* and the *Indian Pacific* make multiple stops in regional centres, pumping up to hundreds of millions of dollars into regional Australia, boosting local communities and creating jobs. These cuts will not only be a deterrent to pensioners, veterans and seniors to travel on these services but they also risk serious damage to regional tourism in South Australia, the Northern Territory, Western Australia, as well as Victoria, by reducing the number of tourists visiting these regional centres and spending money in local economies.

The agreement that we reached with Great Southern Rail was important for South Australia for two more reasons. One is because for our support we receive as a state up to $100,000 of in-kind tourism and marketing promotion services from Great Southern Rail. Great Southern Rail have also agreed to continue locating the vast majority of their workforce here in South Australia.

We on this side of parliament call on the Coalition to immediately restore funding discounts for pensioners, veterans and seniors or risk having services reduced and watch more people lose jobs, not just in South Australia but right across the affected regional economies.

MENTAL HEALTH SERVICES

Mr DULUK (Davenport) (14:43): My question is to the Minister for Mental Health and Substance Abuse. When does the minister expect to reach the government's target of zero mental health patients waiting more than 24 hours in a South Australian emergency department, given that it failed the January 2016 deadline?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:43): I thank the member for Davenport for his ongoing interest in this area. As recently as yesterday morning I was meeting with the emergency department physicians college to discuss this issue and discussing it at senior meetings with SA Health. We are taking this issue incredibly seriously and continue to work at it on a day-to-day basis.

MENTAL HEALTH PLAN

Mr DULUK (Davenport) (14:44): Supplementary: does the minister have any plans to develop a five-year mental health plan, given the previous plan has expired, and incorporate, of course, the zero mental health patients waiting more than 24 hours?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:44): As the member for Davenport highlighted in his speech today about the mental health act review bill, there is a mental health commission. The new commission and the acting commissioner are listening to the community to develop a plan in that space right now.

MENTAL HEALTH PLAN

Mr DULUK (Davenport) (14:44): Will it now be a four-year plan, given a third of the year is gone in this current plan and there is still no commissioner or commission and little energy from the government to address this important policy area?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:45): Perhaps the member opposite did not hear what this parliament heard when the Minister for Health announced a mental health commission and an acting commissioner late last year.

OYSTER INDUSTRY

Mr PICTON (Kaurna) (14:45): My question is to the Minister for Agriculture, Food and Fisheries. Minister, what measures has the state government introduced to protect and develop the state's oyster industry?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:45): I thank the member for Kaurna for the question, and note that he is an avid eater of oysters. The oyster industry is very important for South Australia, and it is worth $68 million a year to the local economy.

One of the big threats that we have at the moment is a disease called Pacific oyster mortality syndrome (POMS). It is something that went through New South Wales in 2010 and again in 2013, and in February this year was detected for the first time in Tasmania. As soon as we heard about it, we actually put a stop on the movement of any oysters around South Australia.

Once we determined that POMS had not reached here, we lifted that ban, but we kept a ban that we had also put in on the importation of oysters or spat (which are the juvenile oysters) from Tasmania. That ban will stay in place at least until July this year while we work through what the next steps are with the oyster industry.

I had a meeting a couple of weeks ago with the oyster growers from across Eyre Peninsula in Port Lincoln, and one of the big problems we have had is that, over the years, Tasmania has done a terrific job in having really strong breed stock. So, when they have been producing the spat, 80 to 90 per cent of the spat that is being used here and grown out by our oyster growers has actually come from Tasmania. This has meant that our breeding has not developed to the state that it should have.

We have two growers who are providing juvenile oysters over on Eyre Peninsula, but they can only provide about 10 to 15 per cent of the requirements that we will need. In the short term, we are going to be okay, but mid to longer term, we need to come up with a solution for that. So, our South Australian Research and Development Institute (SARDI) are doing a terrific job in helping deal with this emergency situation. They have also undertaken to breed spat there as well to try to supplement what the industry needs.

In no way do we want to compete with two private companies that are out there doing it; we will not be undercutting them or anything else. But, when I spoke to these oyster growers, they were very pleased to hear that that is something that we would do. It is a good insurance measure for them and for us.

As I said, it is an industry that is worth $68 million to the state, and we will keep working with everyone on Eyre Peninsula, including the member for Flinders. He and I were at a briefing last sitting week given by Professor Mehdi Doroudi from PIRSA, and the message that I got back from the oyster growers on Eyre Peninsula was that they were very pleased with the work that PIRSA, Biosecurity SA and SARDI have been doing.

We will continue to work with everyone over there to make sure that this vital industry is not only kept safe from POMS, but will also grow and prosper in the future. One of the ways we are helping to do that is by providing certificates in English and Chinese. So far, there are six aquaculture companies on Eyre Peninsula who we have provided with these certificates: Clean Seas Tuna, Tony's Tuna International, the Stehr Group, Angel Oysters, Dinko Tuna Farmers, and Pristine Oyster Farm.

I got a text message the other day from Brendan Guidera at Pristine Oyster Farm and he sent me a photo with the Chinese looking at this certificate, which says that this government provides a declaration that this company is a good company that produces premium food from our clean environment. We will continue to work with other sectors to roll out that program.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT

Mr GARDNER (Morialta) (14:49): My question is to the Minister for Education and Child Development. Has the government completed its relocation of 300 central office staff 'to work directly with schools', and where are those staff based? On 28 August last year, the department issued a media release which claimed the government would be 'relocating 300 staff from central office to work directly with schools to improve program delivery and teaching practices'.

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:50): Yes, that is one of the objectives of the government in its refocusing of our education expenditure. My impression of the ways in which large institutions tend to go through cycles is that there is a centralisation push followed by a decentralisation push and that neither is perfection but both are required over the history of a department or an institution.

At present, we are in the process of reducing our expenditure in head office in Flinders Street, and that has been significantly in the corporate area, but what we are doing, as identified in the press release that was quoted, is working through the area of teaching and learning support that the department provides to schools and refining the offering, changing the personnel—and a number have indeed already gone back to schools—and also working towards a relocation of those staff. That last element is yet to occur.

We are working through locations that would be appropriate, and part of that is about maintaining the importance of having a single unit within the department but also being able to release it from the view of being held within Flinders Street, which has been regarded for a number of years as a place that is a little remote from the schools. The intention is to find a location outside of Flinders Street to house those teaching and learning staff and, in turn, that much of the work of those staff is done not only within that single unit but also working closely not just with schools but also with partnerships.

Partnerships are a mechanism that has been introduced, influenced substantially by Michael Fullan's work, who is a very good educator and reformist who has emphasised the importance of not only building up the school level but the community of education level. These partnerships go from preschools to primary schools to secondary schools within a single location. That is an important unit of education, because it means that the work being done at a high school has transparency all the way through to preschool, and the work that is done by the central office needs to support that activity. That is the direction in which we are going, and when I have a timeline that I can announce publicly or brief the member about, I shall do.

OIL AND GAS SECTOR

The Hon. T.R. KENYON (Newland) (14:52): My question is to the Minister for Mineral Resources and Energy. Can the minister update the house on South Australia's track record in offshore oil and gas exploration and any changes to the outlook for this sector of the economy?

The SPEAKER: Is the minister able to help us?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:53): Sir, I will endeavour to do my best. Thank you, Mr Speaker, and I thank the member for his question and his keen support for this state's oil and gas sector. As you know, sir, South Australia is already the nation's—

Mr Pengilly interjecting:

The Hon. A. KOUTSANTONIS: Yes, we are on a unity ticket, you and I. We are the nation's largest onshore oil producer. This year marks the 150th anniversary of oil and gas exploration in South Australia. Back in 1866, the still young colony of South Australia sank its first exploratory wells adjacent to the Otway Basin in search of oil. Our ambitions have grown within our state, and spending on petroleum exploration in South Australia totalled more than $330 million in 2015 in what was a challenging year for the oil and gas industry.

While the Cooper and Otway Basins in our South-East have a long history of exploration and production, sites are now turning again to what is regarded as one of the world's last underexplored basins. While it is true to say that South Australia's offshore areas have only been lightly explored for oil and gas, it is only recently that technological advances have enabled the state's offshore potential to be seriously explored. That's why, half a century on from the first offshore survey in South Australia, the Bight Basin off the coast of the Eyre Peninsula is now attracting some of the world's major oil and gas companies.

Companies like BP, Chevron, Statoil, Murphy Oil and Santos have collectively committed to spend about $1.2 billion on programs to target oil and gas. A further $1.1 billion could be spent, depending on the initial results of these exploration campaigns.

The first cab off the rank is BP Australia, along with its joint venture partner, Norway's Statoil. BP is currently working its way through the assessment and approval process for its proposed drilling program with the regulator, the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA). Initially, that 1,200 page environmental plan submitted by BP in October last year did not yet meet the criteria for acceptance under its regulations.

I have seen this determination characterised as a rejection of the environmental plan: it is not. That is not the case. NOPSEMA's assessment is a process of feedback and responses and, as such, BP is required to be given a reasonable opportunity to modify and resubmit its environmental plan. BP has done so, and resubmitted its environmental plan on 15 March. NOPSEMA will now resume its assessment of this detailed plan against the requirements of the environmental regulations.

Even as BP works its way through this process, South Australia is witnessing some of the economic benefits of having an offshore exploration campaign based here in our state. About 1,000 companies across various industry sectors have already registered an interest in participating in BP's Bight program. These opportunities relate to supply vessels and aircraft as well as a range of services such as logistics, warehousing, and medical and catering services, all of which are required to support this project.

I encourage companies to register their interest to supply for the BP project through the designated web portal on the Industry Capability Network Gateway website. I urge members opposite who have their reservations about the oil and gas industry, which is probably all of them, that this is actually a very good industry that they should support.

BETTER SCHOOLS FUNDING

Mr GARDNER (Morialta) (14:57): My question is to the Minister for Education and Child Development. Is the minister able to identify how many of those 300 staff that are being relocated

out of head office are actually going to be placed in schools, and how many are going to be placed in what she described in her previous answer as a single unit to be located somewhere yet to be defined, outside of head office but still in a central location?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:57): Yes, I will return with a detailed answer that has precise numbers attached to it, but I think what we are talking about is a contraction of the head office—an absolute contraction of the head office—a return to schools by some staff, and a unit that will spend more time with schools. So, there is a subtlety in the way in which the support is done. What I would like to clarify—

The Hon. J.M. Rankine interjecting:

The SPEAKER: The member for Wright is warned.

The Hon. S.E. CLOSE: What I would like to draw to the house's attention is that one of the very great advantages of our public school system is that it is a system. It has a large number of schools—some 500-plus and about 300 standalone preschools. By it being so large and having such a large-scale presence, we are able to do things that a smaller system or individual schools are not able to do. We are able to take advantage of pooling together some of the people who are focused on particular improvements—

Mr Gardner: What about taking advantage of these people with teaching degrees and putting them in classrooms?

The SPEAKER: The member for Morialta is warned for the second and final time.

The Hon. S.E. CLOSE: One of the pieces of work that was done leading up to a year or two ago was to assist in not only the development of the Australian Curriculum by ACARA but its translation into use in schools. That work having been completed, our focus has moved now to improving teacher quality. As people would be aware, teacher quality is the single most important element that defines the quality of experience for a student. What's essential is that that isn't just left to individual schools and to teachers in individual classes, but that we add value through—

Members interjecting:

The Hon. S.E. CLOSE: It is their question time; they can take the time if they wish.

Members interjecting:

The SPEAKER: The Minister for Health is warned.

The Hon. S.E. CLOSE: It was always clear that we would be both having some people return to schools and that we would also be maintaining a central effort. As I said, this value-add makes a significant difference to the quality of the teaching experience in schools, and we would move that closer to schools. That not only means its relocation from Flinders Street but also that the way in which the staff operate is to spend more time in schools as well as working across the partnerships, as I explained in my previous answer.

NATIONAL FAMILY DRUG SUPPORT DAY

Mr GEE (Napier) (15:00): My question is to the Minister for Mental Health and Substance Abuse. Following National Family Drug Support Day on 24 February 2016, how is the government supporting families affected by the use of alcohol and other drugs in our community?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:00): I thank the member for his question. The South Australian government does not support the use of illicit drugs, and users of these substances are always putting their life at risk. That is why, as a government, we have a strong focus on preventing the uptake of illicit drugs, on reducing the harmful effects of drug abuse, and on offering pathways out of harmful drug use through the provision of appropriate interventions, treatments and rehabilitation services. The South Australian Alcohol and Other Drug Strategy 2011-2016 underpins the state's commitment in this area, and we are currently working on the development of a new strategy for the 2017-2021 period.

Drugs affect not only individuals, they also affect families. On 24 February this year I attended the first annual National Family Drug Support Day, an event highlighting the need for families affected by drug use to not only be recognised and heard but also to be supported and encouraged to speak of their concerns and needs. Research has shown that people will often talk to family members about their personal and family experiences with alcohol and other drug problems before they seek external support. We also know that the stigma still commonly associated with alcohol and drug problems often creates a significant barrier to families seeking professional assistance.

That is where services like Family Drug Support come in. In 2014, Family Drug Support courses, information sessions and support groups attracted about 200 attendees in South Australia alone. Additionally, there were more than 1,000 telephone contacts made to provide support. That is 1,200 people receiving support, counselling and advice in a time they find very difficult and in which they need support.

The government, through SA Health, has provided funding to Family Drug Support for many years—in fact, I believe it is up to a decade now—to assist families to deal with alcohol and other drug issues in ways that strengthen relationships and achieve positive outcomes. This commitment to funding aims to increase:

- access to effective and timely crisis support and resources by families affected by substance abuse and misuse;
- coping strategies for family units to address drug use and other issues; and
- interfamily support through appropriate recruitment strategies and group meetings.

I acknowledge the valuable support family members provide to loved ones with alcohol and other drug problems. This is an illness, and the important work that is being done by Family Drug Support in helping these families is crucial. However, effective responses to alcohol and other drugs require a multi-agency response, and I also acknowledge the valuable work of so many other government and non-government organisations that come together to support individuals and families experiencing the harms associated with alcohol and other drug use and to provide access to the services when they need them as well.

HILLS LIMITED

Mr TARZIA (Hartley) (15:03): My question is to the Treasurer. Now that the minister has had six weeks to check with his department, can he inform the house whether Hills Limited has pulled out of the government's three-year, jointly funded $5 million partnership? If so, how many job losses will result as a consequence of Hills pulling out of that partnership?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:04): Mr Speaker, I told the house I will come back with a detailed answer and I will.

Members interjecting:

The SPEAKER: The member for Newland is warned.

Members interjecting:

The SPEAKER: Is the opposition prepared to give the floor to the member for Adelaide? If so, the member for Adelaide.

ADELAIDE HIGH SCHOOL FOOTBRIDGE

Ms SANDERSON (Adelaide) (15:04): My question is to the Minister for Education and Child Development. Does the minister have a long-term strategy for Adelaide High School students to safely cross West Terrace, and has the minister considered a footbridge across either West Terrace or Glover Avenue? With your leave and that of the house, as a member of the governing council for Adelaide High School, I am aware of several incidents with students and traffic.

The SPEAKER: The member sought leave to explain the question, did she?

Ms SANDERSON: Yes I did.

The SPEAKER: Didn't quite say it.

Ms SANDERSON: I did.

Mr Gardner: Yes, she did in the usual form.

Ms SANDERSON: Yes I did.

Members interjecting:

Ms SANDERSON: I've finished; that's the question.

The SPEAKER: Minister.

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:05): I thank the member for Adelaide for her question. She has long been interested, at least as far as I'm aware, in issues regarding pedestrian access to different parts of the city, particularly when it impacts on her electorate. She has certainly corresponded with me on occasion about a project on the diametrically opposite side of the city, in the east, which has just commenced major works construction, and that is the O-Bahn project, about pedestrian access, but I must say—

The Hon. J.M. Rankine: What about Barton Road?

The Hon. S.C. MULLIGHAN: Indeed, what about Barton Road? What a salient interjection that was, Mr Speaker. What about Barton Terrace West? I have to say as transport minister and minister responsible for these sorts of access arrangements, whether it is vehicular or whether it is to do with cycling or whether it's to do with pedestrian access, I haven't yet received a communication from the member for Adelaide, although I anticipate following this exchange one will be imminent.

Members interjecting:

The Hon. S.C. MULLIGHAN: The member for Adelaide asks if there has been consideration of a footbridge from the western Parklands over towards—

The Hon. J.M. Rankine interjecting:

The SPEAKER: The member for Wright is warned for the second and final time.

The Hon. S.C. MULLIGHAN: The member for Adelaide asks whether we have considered a footbridge from one side of West Terrace to the other. I know that there has been a commitment by the state government, of course, to look at these sorts of access arrangements, but perhaps the reason why that particular issue has yet to be considered is because we have received no correspondence from Adelaide High School, certainly to me, asking for a footbridge.

Ms Chapman: What are you doing there?

The Hon. S.C. MULLIGHAN: Indeed, as the deputy leader says, 'What are they doing?'

Ms Chapman: What are you doing?

The Hon. S.C. MULLIGHAN: Well, perhaps we could ask the member of the governing council: what, indeed, are they doing if they are not asking for a footbridge across to the other side?

Members interjecting:

The Hon. S.C. MULLIGHAN: For those of us who are a little more familiar with the western suburbs than some of those other people who choose to interject over this question—

Mr GARDNER: Point of order, sir—

The Hon. S.C. MULLIGHAN: —we would be very familiar with the access arrangements across West Terrace.

Mr GARDNER: Point of order, sir.

The SPEAKER: Point of order.

Mr GARDNER: The minister is now debating, sir.

The SPEAKER: I will listen carefully to what the minister has to say.

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. I apologise; I was distracted by the deputy leader's interjection about needing to know what the access arrangements are across West Terrace. Of course, as I was saying, those of us who frequent the western suburbs reasonably regularly, certainly more regularly than perhaps the deputy leader, we would be very familiar with the vehicle arrangements and the access arrangements for all sorts of traffic across West Terrace—

Members interjecting:

The Hon. S.C. MULLIGHAN: And some of us even catch public transport. But I realise that that's foreign to people on that side of the chamber. That's something they wouldn't be familiar with.

Members interjecting:

The SPEAKER: Point of order.

Mr GARDNER: The minister is debating.

The SPEAKER: The minister is responding to interjections from the member for Chaffey, which is out of order.

Grievance Debate

SA WATER INFRASTRUCTURE

Mr TARZIA (Hartley) (15:08): Like I have so many times over the past two years in this place, today I want to use my time to advocate on two issues for the good people in my electorate of Hartley: firstly, burst water mains and, secondly, the Labor Party's broken promise of the Glynde substation.

On Monday 7 March Clairville Road and the surrounding streets suffered due to a burst water main. Water is still being released two weeks later, and today I asked the Premier whether he could explain why after two weeks my constituents in Campbelltown still do not have their water services fully restored. The minister responsible in this house could not give me an adequate answer as to why that is the case, and that is absolutely absurd.

The last few months have been a troubling time for some of the residents in my electorate, for two main reasons. When they have not been dealing with the ongoing Glynde substation—Labor's broken promise—they have been dealing with issues arising from burst water mains, and I would like to address this issue first.

The spate of recent burst water mains in my area and in the vicinity continue, with another significant break on Magill Road and Water Street during peak hour traffic earlier this week, as well as in Hectorville. In the past three months there have been significant and unacceptable increases in the number of burst water mains in and around the vicinity of my electorate, and also in neighbouring electorates held by some of my colleagues, in particular the member for Morialta.

A few of these burst water mains have caused significant damage to people's homes and vehicles, and they have also affected property. The burst mains in Campbelltown and Paradise on 7 March flooded dozens of homes. Also, on last Tuesday 15 March the water supply was cut to over 100 homes in Hectorville, denying residents access to the most basic amenities. I cannot detail each incident right now in the time that I have, but there have been too many, and the response from this government has not been good enough.

Another great example of the lacklustre, childlike response from both SA Water and the government was the burst water main on Magill Road and Water Street which occurred last Monday. For those who are not aware, on Monday the 21st of this month a water main burst on Magill Road in peak hour traffic causing extensive delays. A local resident and business owner was on radio telling the public that he had called SA Water on 8 March, some 13 days prior to the burst, to report that the leak had already appeared. He asserted that SA Water came out, sprayed the area with yellow paint, and nothing else was done.

However, we had to wait until later, when the pipe burst during peak hour traffic, to get SA Water to take real action. It is a bit rich of minister Hunter to get on the radio and then defend

SA Water's maintenance program after that, when SA Water knew about the leak. They had two weeks to act, but nothing was done until this main burst in peak hour. How can the minister be satisfied with that response from his agency? It is absolutely disgusting.

Another topical issue concerns the Glynde substation. Residents in my electorate are extremely disappointed because of the Labor Party's broken promise from the last state election. By way of a brief refresher for those unacquainted with the issue, prior to the 2014 election the Labor government announced it would commit to providing government land to ensure the Glynde substation was not built on the proposed site.

March represents the two-year anniversary of Labor's broken promise, their failure to deliver on this promise. After losing the seat of Hartley in 2014, Labor has turned its back on this promise. I will keep holding this government to account. Prior to the election, we had the Premier himself tweeting about his government's commitment to providing government land as an alternative site for the Glynde substation.

So what are the residents of Hartley to believe? All they are left with from this government is a broken promise. My constituents have a long memory, and for the ones who do not you can rest assured that they will be reminded that this state Labor government lied to them, reneged on this promise to find alternative land for the Glynde substation.

The people of Hartley deserve to have promises delivered on. It is extremely reckless and unbecoming for this Labor government to play politics with my constituents. The state Labor government must deliver on its promise and provide land to relocate the substation out of residential Glynde.

SIT DOWN, SHUTUP AND WATCH! FILM & NEW MEDIA FESTIVAL

The Hon. A. PICCOLO (Light) (15:13): Members of the Sit Down, Shutup and Watch! Film & New Media Festival Steering Committee have announced that their next international film festival will be held on Friday 21 October 2016 at the historic Angaston Town Hall. Ms Lee Witczak, chairperson of the SDSW Steering Committee, is urging all film buffs to put that date in their diaries now to ensure they do not miss out.

Because the committee meets in my electorate of Gawler, I was fortunate enough to be able to attend the recent meeting to hear about what progress has been made to screen the next festival. The committee secretary, Samantha Charles, said that the committee had made disability history in 2014 with their very first film and new media festival for people with learning disabilities in South Australia and across the world. In 2014, 43 short films made by people with learning disabilities from around the world were screened, and nearly 500 local, interstate and international people attended the festival.

Calls for entries are out and the due date has been extended to Wednesday 3 May 2016. Matthew Wauchope, a committee member and workshop facilitator, said they are calling on all learning disabled film-makers to send in their films for the 2016 festival. To be eligible, films need to be no longer than 10 minutes in length and people with learning disabilities need to have had a significant role in the production as actors, camera crew, writer, director, etc.

Mr Wauchope said that in 2014 they were thrilled with the number of overseas entries, and this year they are keen to screen more local films. To encourage schools and communities involved with people with learning disabilities to put their toe in the water, the committee is running four learning disability-led film-making workshops across South Australia in the first half of the year.

The Sit Down, Shutup and Watch! Film & New Media Festival is Australia's premier film festival for films made by people with a learning disability. Everyone on the steering committee identifies as having a learning disability and are putting their passion for films and film-making to work planning their second festival.

Like its sister film festival, the Oska Bright Film Festival in the UK, Sit Down, Shutup and Watch! is raising awareness on a growing international learning disability-led screen culture that seeks to promote cultural change, social inclusion and acceptance of high-quality original work by film-makers with a learning disability. The committee's vision is:

To live in a world where learning disabled people achieve their creative dreams and screen their work in Times Square, on iPhones and on every screen in-between.

Through the festival, the committee aims to:

- Form a community of like-minded learning disabled film-makers and new media artists who can teach others
- have our voices heard and to be taken seriously
- Get other learning disabled people to express themselves creatively through digital arts and technology
- Encourage other learning disabled people in the wider Australian and global community to connect, making physical location far less significant for our social relationships
- To become a force for social change.

I would now like to provide some brief details of the festival committee. Lee Witzcak, the Chairperson, joined the committee when it was set up in 2011 after participating in the first film workshops run by the UK's Oska Bright Film Festival. Sam Charles, the secretary, loves collecting movies that make her laugh, cry and have sentimental value. As she says, 'Whether films make you feel sad or happy. they get you away from reality,' and that is what she loves the most.

Ryan Thomas is a steering committee member and location scout. He is an active member of the River Road Studios, based in Nuriootpa, South Australia. He is the location scout and gaffer for the festival. Aileen Pomeroy is a steering committee member. As a person with a learning disability, she still finds the challenge of learning something new rewarding and is enjoying the challenges that film-making presents to her.

James Kurtze is an award-winning film-maker and steering committee member. He started making films when he was still at school. He won the first ever award for Eye TV at the 2013 Oska Bright Film Festival. Matthew Wauchope is a workshop facilitator and steering committee member, and has been interested in films and film-making since he was very young, even before he started primary school. He has always wanted to be involved in story telling and making films. Matthew loves the process and the creativity involved in film-making.

For more information and an entry form for the 2016 film festival, the website is at sitdownshutupandwatch.com, or contact the festival coordinator Sue Morley via email at sue.morley@tutti.org.au.

WORLD WATER DAY

Mr VAN HOLST PELLEKAAN (Stuart) (15:18): It gives me great pleasure to rise on United Nations World Water Day, 22 March, to highlight some issues that are very relevant at the moment in South Australia. World Water Day is a tremendous initiative trying to highlight the fact that water is one of the most important basic commodities and should be made available to all people all over the world.

This year, the United Nations theme is 'Better water, better jobs', and the head of UN Water, Guy Ryder, says on their website 'water means work' and 'all jobs depend on water', which of course strikes a theme in South Australia where we have the highest unemployment in the nation and the lowest business confidence in the nation, and we also have water mains bursting throughout metropolitan Adelaide, so that is a very great concern.

We also have in South Australia the very unfortunate reality that, over the last 14 years of Labor government, water prices for South Australians have gone up 236 per cent, so at the same time that we know what an important link there is between water and employment—and we have dreadfully high unemployment—we also have dreadfully high water prices. I quote from a media release this morning from the ABS talking about water prices, and this media release from the ABS is in response to the UN's World Water Day. It says, 'South Australian householders paid the most in Australia at an average of $4.29 per thousand litres.' That is from Mr Mark Lound from the ABS. Again, it is a very sad indictment of the way our government is managing water.

I move on to what for me, with regard to my electorate, is just an absolutely disgraceful statement of fact. While South Australians on average are paying $4.29 per kilolitre, the highest in the nation, my constituents on the Barrier Highway are paying $13 a kilolitre. So, in a very

socioeconomically challenged set of towns out at the Barrier Highway, including Terowie, Oodla Wirra, Yunta, Manna Hill, Olary and Cockburn, those people are paying $13 a kilolitre—and it gets worse. It is $13 a kilolitre for water that you cannot drink. Thirteen dollars a kilolitre is on their bill and also on their bill is 'Do not drink this water.' It is an absolutely disgraceful situation.

We are, in South Australia, unfortunately treating many of our own like Third World citizens. I know how fortunate we are, on average, in South Australia and in Australia compared to many other people across the world, so I do not talk about our life in general. I am very well aware of how fortunate we are in many ways. However, on World Water Day, when it comes to water, we are treating remote South Australians living in hot, dry, parched climates completely unacceptably with $13 a kilolitre for water that they cannot drink, and just over the border in New South Wales they pay 67 cents a kilolitre for water that you cannot drink. When they get water that they cannot drink, it is non-potable and not up to standard, but they pay 67 cents a kilolitre in New South Wales compared with our people. This is a dreadful situation.

We really are treating our remote South Australians in a completely unacceptable way. It is unacceptable that on average the rest of South Australia pays the highest prices for water across the whole nation, according to the ABS, but the people in my electorate on the Barrier Highway are getting treated much worse than that. It is a very small number of customers who are supplied by SA Water in that part of our state.

It would not hurt SA Water to charge them the same price as people in the rest of South Australia are paying. We have a government controlled monopoly provider of the most important commodity in the universe, being water, and it makes hundreds of millions of dollars a year by charging South Australians as a monopoly for that product. They can afford to help the people of the Barrier Highway and give them fair prices for water and give them good quality water like the rest of the state receives and deserves.

SOUTHERN COMMUNITY ORGANISATIONS

Ms HILDYARD (Reynell) (15:23): I rise today to speak about several community organisations and people in our southern community in my electorate of Reynell. I had the pleasure of visiting the Noarlunga Volunteer Transport Service on 26 February. I met with the lovely and incredibly hardworking and competent Pat Maslin, who coordinates around 50 volunteers who generously offer their time and energy to supporting fellow community members who need a hand when they or a family member is ill or when they are in need of support to get to medical appointments, to attend other services and appointments or to do their shopping.

This service, staffed by volunteers, has been going strong for around 25 years, and it is a service that makes a real and practical difference in the lives of many. I know a number of these volunteers and am continually impressed by their dedication over years to serving others. From talking with community members when I am out doorknocking at shopping centres and community events, I hear great feedback about these volunteers and about how important the friendly relationship that they build with those they serve is to them. I record my thanks here to these volunteers for their generosity and their ongoing commitment to the more vulnerable people in our southern community.

On 16 March, it was wonderful to be with the YWCA Adelaide southern Karuna group. As many members would know, the YWCA is a global movement led by women, for women, that achieves positive change through advocacy, programs and services for women, their families and communities. The YWCA focuses on developing women and girls' leadership, and promotes gender equality.

A number of YWCA groups meet around the world. In Morphett Vale in Reynell, the inspiring group of women who make up this southern YWCA Karuna group have been meeting every single week during school term time for almost 40 years, and remain committed to continuing to work together to make a difference with and for women and girls.

It was great to speak with them about my journey, and about how we must speak up together to prevent and end domestic violence. It was great to hear about their journey as a group, from when a number of them were young mums in our community, to see their ongoing unity in their quest to

achieve gender equality, and their ongoing desire to connect with one another and to continue to welcome new members to their group. I look forward to hosting them here in parliament later this year, and to helping them celebrate their 40th birthday.

Last night, I had the pleasure of attending the Morphett Vale Youth Club's AGM. I am honoured to be one of the club's vice patrons—honoured, because this gymnastics club is a club which, as well as teaching gymnastics skills to many southern young people, provides a strong and important sense of community and family to the young people who attend.

It was clear from the conversations at the AGM last night, and through all my dealings with the club, that the dedicated committee members are deeply committed to seeing the young people they support every Tuesday and Wednesday evening at training—and, indeed, at the many other events they organise throughout the year—flourish and do the best they can in gymnastics and in all aspects of their life.

Thank you very much to committee members Neville Gibbs OAM, Sue Southwell, Cindy Davies, Grant Siemensma, John Pickering and many others for caring about our community's young people, and congratulations to all of them for working hard to achieve Starclub status—a demonstration of their commitment to providing a safe environment for all of the children involved with the club.

Finally, I wanted to record my congratulations to local Wirreanda Secondary School student Dane Proepster on his selection to compete at the Australian Junior Athletics Championships held in Perth the weekend before last. It was an outstanding achievement by a considerate, clever, community-minded and very, very quick young man.

I am very proud to support this young man. I know that many of us in our southern community cheered him on as he tackled the 200 metres and the 4 x 200 metre relay at the championships. I also know that, with his great early success in athletics here in South Australia and his determination and positive attitude, he has a long career in athletics ahead of him, and indeed in any other career or pursuit he sets his heart and mind on.

Well done also to Dane's lovely mother, Kristel Hannaford-Proepster, who has supported him every step of the way. Kristel is someone who not only supports her children in all of their activities, but supports many others through her voluntary work with school governing councils, Little Athletics and many other organisations in the south. Kristel is a woman who gives much to our community without ever seeking acknowledgment or accolades, and I record my thanks to her here.

ROYAL ADELAIDE HOSPITAL RESIDENTIAL WING

Mr WHETSTONE (Chaffey) (15:28): I would like to put on the record some concerns I have, not just for the people of Chaffey, but for all regional South Australians who travel to Adelaide for medical procedures, or to accompany a loved one who is having a medical procedure or has fallen ill. Constituents have come into my office with a growing list of concerns about where they are going to stay in times of need and ill-health.

There is also a group of constituents—mostly mothers—that have come to me with concerns. There have been situations where their pregnant daughter or friend of the family has had complications in that pregnancy and has had to travel to Adelaide. As some people in this chamber would know—not many of the men, but I am sure the women—if there are complications before a certain time during pregnancy, the expectant mother has to remain in hospital, sometimes for an extended period. For a loved one to come down and look after them and give them company and support, it is becoming harder, and it is only going to get harder.

In recent times, I have recommended that people go to the residential wing at the Royal Adelaide Hospital, and from the feedback I have received, the accommodation has been invaluable. It is not five-star, but it is affordable, clean and very acceptable for people who are travelling and can ill-afford to fork out large amounts of money for accommodation while they are going through a process of looking after someone who is having medical treatment, whether it is for cancer, a procedure or a childbirth. The residential wing of the Royal Adelaide Hospital currently offers that short-term, low-cost accommodation to individuals from the country or interstate who have

those appointments at the RAH. As I understand it, it is currently about $28 a night, and I think that is outstanding service.

Last year, I was approached by a person in a wheelchair and his partner, who had previously stayed at the residential wing at the Royal Adelaide Hospital, and they were low-income earners and were required to stay in Adelaide for health services at the RAH which were not performed in the Riverland. They went, again, to utilise the residential wing at the RAH and they were told that, due to OH&S requirements, wheelchair access was no longer available in the residential wing. I would have thought that providing OH&S and providing services would have got better over recent years, but it appears that the government have just decided to let it slip and put OH&S regulation in front of people badly needing assistance, and now these people are not able to have any form of affordable accommodation.

I wrote to the health minister, concerned about the lack of available services for people needing wheelchair access, and what I have been told is that the new RAH will not have the same form of accommodation or support for people travelling down to Adelaide. Again, the questions have been asked of the minister, and as he said, it did not conform to current OH&S requirements. But it is disappointing that the regional people of South Australia, particularly our low-income earners, are being disadvantaged. They are being told they have to go and find accommodation elsewhere—something that has been there as a service to South Australians.

People of regional South Australia are not the only people who use this residential wing. There are some that want to remain close to their loved one: those who are very ill, going through a procedure or are about to give birth. Now, they are having to stay elsewhere or they are having to remain home in their rural setting. That is just totally not acceptable. It does appear that this type of accommodation will not continue at the new Royal Adelaide Hospital when it is finally finished, and as the minister said today, we are not sure when it is going to be open—very disappointing.

But I would like to acknowledge the Cancer Council lodges, the Leukaemia Foundation apartments, the Heartbeat Houses, the caravan parks that give discounts, and Aboriginal patients can be serviced by I guess hostel-style accommodation, so I thank them for their help.

Time expired.

WHYALLA STEELWORKS

Mr HUGHES (Giles) (15:33): Last week, I led a delegation of steel workers, mine workers and union representatives to Canberra to meet face to face with politicians and senior advisers from across the political spectrum. We all felt that it was important that the people directly affected by job losses and the ongoing uncertainty about the economic future of Whyalla had an opportunity to tell their story. In leading the delegation, I felt that it was essential to touch base with all of the major parties, in addition to Nick Xenophon. We met with various members of the Labor Party from both houses, including opposition leader Bill Shorten. We greatly appreciated the time Bill Shorten set aside to meet with us. It is very clear that the ALP at a federal level has a strong commitment to an ongoing, viable steel industry and a strong commitment to manufacturing in general.

We met with senior advisers representing minister Pyne and minister Nash. Both advisers gave us a fair hearing, and it was a worthwhile exchange of information. They took the time to listen to individual members of the delegation and were generous with their time. The meeting with the Greens' Sarah Hanson-Young and Adam Bandt was also productive, as was the meeting with Nick Xenophon. The delegation also represented an opportunity to address the media, and I especially want to acknowledge the effort that Southern Cross Television went to in covering the delegation prior to, during and after the delegation visit.

It was very disappointing that no effort was made to meet with steelworkers or mine workers during the Prime Minister's recent visit to Whyalla. Only a select few of the Whyalla community got an invite to meet with the Prime Minister. We all welcome the announcement about bringing forward the rail contract, but we all realise that, in itself, it falls well short of securing the future of the steel industry in Whyalla.

The clear message the delegation put to the people we met was that a number of things had to happen. We emphasised the importance of a reform in steel procurement policy at a national level.

We said that financial support for taxpayer-funded projects in other states entered into by the federal government should be conditional on preferencing the use of Australian steel. We said that South Australia's new steel procurement policy should become the national benchmark.

We do not believe that it is good enough for individual states to decide whether they preference Australian steel. The federal government provides financial assistance, and its control of the purse strings when it comes to major infrastructure projects should be used for the benefit of the Australian steel industry and for the jobs and the communities the industry supports. We indicated the importance of co-investment, while recognising that any co-investment would require clarity about the future direction of Arrium in addition to meeting a range of commitments by Arrium when it comes to their operations in Whyalla.

We acknowledged that work is being done to strengthen anti-dumping actions, and we wait to see what additional results will eventuate as a result of that work. I still maintain that our penalty regime falls short of where it should be in comparison to other countries. The other issue we raised was the large number of jobs that have been lost in Whyalla to date and the need for an assistance package designed to help and diversify our economy and assist those people who have lost jobs.

One of the things raised by Bill Shorten was the need for a steel plan—something that I wholeheartedly support. I left the steel industry just before the introduction of the Button Steel Plan in the 1980s. That plan made a real difference and helped set the conditions that delivered another quarter of a century of steelmaking in Whyalla and elsewhere in Australia. We need a 21st-century steel plan—one that reflects the conditions that we now operate in.

One important element of the Button Steel Plan was a structural assistance package partly designed to diversify the economies of steel-dependent communities. The outcome was mixed, and we need to learn from what worked and what did not. Having said that, the Whyalla community was left with some long-lived assets, such as the marina, that continue to generate benefits a quarter of a century later. We all hope that Whyalla gets through this difficult period with a strong steel industry and a far more diversified economy—an economy that is not subject to the degree that it is now to one-industry vulnerability.

Bills

LEGAL SERVICES COMMISSION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 February 2016.)

Mr TARZIA (Hartley) (15:39): I rise to speak in support of the Legal Services Commission (Miscellaneous) Amendment Bill 2016. As has been pointed out, the bill was introduced into the house by the Attorney in February, and amends the Legal Services Commission Act 1977. It is evident that the variations contained within the bill have arisen from what was a review into the delivery of legal aid in criminal cases by the commission that, I believe, occurred in 2011, as well as the subsequent report entitled 'The Governance Structure of the Commission and a Public Defender's Office for South Australia.'

I understand that under the current composition of the Legal Services Commission here in South Australia there is a 10-member board made up of a chairman, who must be a judge or a legal practitioner of five years' or more standing; a person whom, in the opinion of the Attorney-General, is appropriate to represent assisted persons; three people nominated by the Attorney-General; three people nominated by the Law Society; one person nominated by the commission, who is an employee of the commission; and, finally, the director of the commission. The bill aims to reduce that board from 10 members to up to five.

It also proposes to change the criteria of appointment to make things like skills, expertise, knowledge and other considerations relevant when a commissioner is appointed. I understand the bill also forms a legal professional reference committee and, from advice we have received from the Attorney, we understand that will be given broad jurisdiction to advise the commission in relation to any matter referred to it.

Obviously that is quite broad, and the committee will be made up of seven members, with bodies such as the Law Society and the Bar Association able to nominate two members each. I believe that is based on the Queensland model. Consultation has gone out on the bill and various deliberations have been received, but I will let the shadow attorney speak to those. Overall I am happy to commend the bill to the house.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:42): I rise to speak on the Legal Services Commission (Miscellaneous) Amendment Bill 2016, and indicate that the opposition will be supporting the passage of this bill.

The DEPUTY SPEAKER: Are you the lead speaker?

Ms CHAPMAN: Indeed. I must say it is with a heavy heart, and I suppose the only redeeming feature about this reform is that we are not getting a public defender's office, which was clearly floated some time ago.

What is important when we look at any government's model of reform is that we identify something that is actually going to do some good. Sometimes there is not always an ill to cure, but it still has to be better than what we have. There are significant problems with this new model, but we accept that the government has the support to progress this bill. However, there are a few things I would like to put on the record.

Let us just quickly confirm what the effect of this bill will be; that is, it will remove the 10-member board we have at present ,which has a chairman and people representing various interests, either of the Attorney-General or of assisted persons or of the Law Society representing the legal profession. There is some diverse contribution at that board level.

Obviously, this new structure under the bill is to reduce the number of the board from 10 members to five. I understand one option that the government have considered is simply having a commissioner and no board all so, as I say, we have to be grateful that we have at least got a board. But herein lie the weaknesses of the model presented by the government.

Firstly, we have the basic, fundamental question of ensuring that we have independence of our justice system, that is, both of the profession and access to justice, and it essentially runs like this. It is significant to have independence of the profession from the executive of the state; however, this new reform means that the commission and the appointment of the members of the commission's board will be entirely by the sitting Attorney-General, so there is clearly no longer any independence or arm's-length position of the board.

As the justice system is the third arm of government, nowhere is the importance of having that independence clearer than in our criminal justice system and our administrative law. Why in those areas? Well, quite obviously because the government or its institutions are usually the principal contradictor in those areas, so it is even more fundamental that this principle should be adhered to. So the closer control of the executive, and now by this model, the Attorney-General just handpicking his own gang of five, of course means that that independence is threatened.

The second aspect of that is the complete, not just ignorance of, but disrespectful failure to consult with the federal Attorney-General in respect of any contribution that he or she might ever make from the federal level. This is particularly important, because the state and federal contributions to the running of the Legal Services Commission in South Australia are on a par. In the 2015 financial year, the revenue from the commonwealth government was $16.233 million, and the revenue from the state government was $18.154 million.

Obviously, they represent the contributions towards federal and family law cases by the commonwealth government and the funding of usually criminal and administrative law matters dealt with and supported financially by the state government. So it has two very substantial areas of law that are dealt with by state and federal government, and contributions are paid for by them.

There is an ever-increasing demand for legal work to be done, and in the 2014-15 financial year, for example, the demand for criminal cases exceeded the budget, with 12,521 grants in criminal law compared to 11,554 the previous year. There are some 650 legal practitioners who are admitted to panels indicating their willingness to act on grants of legal aid for clients unable to pay for legal

assistance without undue hardship, and so we have significant financial contributions from the state and federal governments to support their operations. Yet at no time had the government, in its determination to get rid of representatives other than those chosen by the state attorney, even consulted at the federal arena.

I did, and I am pleased to say that obviously there is some disappointment at the federal Attorney-General's level to not be consulted. Nevertheless, I do not have any formal indication from the current federal Attorney-General as to any objection but, suffice to say, it is probably a bit late if he did want to make a statement, given that the notice of contribution had not gone to him at any earlier stage.

The second area I wish to point out relates to the concern from submitting that the skills-based idea, which was really just a bit of a furphy for how you get rid of five members from a board, has ended up in a situation where there is no requirement to have any legal practitioner with appropriate skills on the board. Certainly there is provision for the chair to be a judicial officer or a legal practitioner of not less than five years standing, but in respect of experience or expertise in the area, it is no longer a requirement for any of the skill set to be imposed on the Attorney-General when he makes some determination.

Secondly, the proposal to have a legal profession reference committee is really an ineffectual sop to the profession to say, 'Well, look, we'll will give you a say, but be alert to the fact that you can be completely ignored.' In other words, we will have our legal profession reference committee, they can make recommendations, and of course the Attorney can completely override them. Suffice to say, members of the legal profession are not so silly as to not understand that this demotion into an advisory committee really gives them no power whatsoever.

So, we are left with, as I say, a bill which is going to vest the selection of the commissioners and the constituency of the commission entirely with the executive. Obviously, we see that it is only going to be as good as the standard of the attorney-general at any one time.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: I won't make any comment on that. Then we have the questions of financial management in respect of funding criminal defences and civil actions. Here, the commission's skills are to be enhanced by specific provision of a commission member who is a legal practitioner with requisite expertise. Unsurprisingly, the Law Society takes the view that they are more appropriately placed to nominate a practitioner or practitioners with requisite expertise. Again, that is to be ignored.

We have a board, we have a legal services commission, and it will still have a board. We will not be having a public defender's office. We are not going to be having a commissioner. We are going to get his hybrid, half baked group, which, if they are people of good standing, will hopefully rise above the deficiencies of the structure.

I always remember Sir Eric Neal saying to me, 'It doesn't really matter about the structure, Vickie, as long as decent people are actually appointed.' He was referring to a university board at that time, and we were talking about reform of the structure and composition of university boards. I think to a large degree he is right. If you are very lucky and you get good appointments and they are very effective, then the limitations as to the person nominating the composition of the commission board can be overridden.

I would like to acknowledge and thank the current chairman of the Legal Services Commission, Michael Abbott AO QC. It is fair to say that most practitioners would see Michael as very senior counsel at the South Australian bar. He has of course appeared in cases of notoriety and is highly regarded at the skill level of his area of expertise as Queen's Counsel. Some would not perhaps be familiar with the fact that he has had a very long time in the legal world and has made a contribution to those requiring representation in criminal, family and federal matters.

He has made a very considerable contribution as a practitioner (perhaps not so much in more recent years), and he is also to be commended for that as well as for his services as chair of the Legal Services Commission. Whether he is going to be asked to continue, who knows, but we have had a very significant benefit as a result of his chairmanship.

I also place on the record my appreciation to other members of the board, although all of their terms of office will probably completely disappear. Mr Michael Dawson is the representative of the interests of assisted persons. Jane Basheer is a nominee of the Attorney-General.

The Hon. J.R. Rau: She has gone to the bench.

Ms CHAPMAN: Of course she has, yes. The Attorney kindly and usefully interjects for a change to tell me that she has gone to the bench. Of course, that is very correct and I will place that on the record. I think I sent her a letter of congratulations, but good on her. We have Alan Herald in the last financial year, a nominee of the South Australian Attorney-General. Alison Lloydd-Wright is again a nominee of the Attorney-General. Tracy Micallef is a nominee of the Law Society. John Keen is a nominee of the Law Society.

The DEPUTY SPEAKER: Is that your phone pinging? Why don't you turn it to silent just for the hell of it?

Ms CHAPMAN: Actually, no, I think it is this one sending them to me.

The DEPUTY SPEAKER: Whose phone is pinging? Can you all check your phones and make sure they are on silent?

Members interjecting:

The DEPUTY SPEAKER: Anyway, we digress. The deputy leader.

Ms CHAPMAN: Yes, sorry. Cathy Nelson is a Law Society representative. Craig Caldicott is a Law Society representative. Andrew English is an employee of the Legal Services Commission. Gabrielle Canny is the director, and a good director she is. As at 30 June 2015, those people were at the helm. Of course, some of them continue at present and we are yet to see who the new famous five are going to be after the passage of this bill.

There are significant disappointing and potentially unhelpful developments that will come from a board of this nature by virtue of the one person having the responsibility to exclusively nominate the composition, and I think that is a bad thing. Nevertheless, we will see how we go. We will see if the Attorney-General can find good people to serve and ensure that the board continues to provide frank, fearless and independent advice, and also undertake its responsibility in respect of the financial management of the commission, which is a multimillion-dollar organisation. Otherwise, I wish them well in the continuation of their work.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (15:58): I thank the member for Hartley for his concise and pithy contribution, which was very well received and straight to the point. I also acknowledge the member for Bragg's contribution. First of all, I thank her for what I believe is a unique event, which was a compliment. She complimented me on getting a fact right, and that has not happened before. For those of you who are witnessing this, it is a red letter day, ladies and gentlemen. Hansard, can you put asterisks or—

Mr Picton: Bold!

The Hon. J.R. RAU: Bold. Put it in bold, because it is something we want to be able to find in future years when research on this topic becomes relevant. Getting back to less exciting matters, the member for Bragg raised a number of issues and I will run through them in sort of reverse order. First, she made some very complimentary remarks about Mr Abbott, and I totally agree with her. Mr Abbott is a man of great seniority in the profession, and I was indeed the person who requested he take this job on in the first place. When the position of chair of the commission became unoccupied, I asked Mr Abbott if he would be prepared to undertake that job, and I am very pleased to say he agreed that he would do it, and he has done an excellent job as chair. So, I do not think his continued participation in the affairs of the commission is under threat in any way.

As to the background to this, there was a review of the activities of the commission which I began some time ago now in February 2011, and this review was fairly wideranging. For the benefit

of *Hansard* it is worth perhaps recording, as the member for Bragg often likes to do as well, the calibre of the people involved in that review.

They were Mr Martin Hinton QC, who was the solicitor-general; Mr Michael Abbott of whom we have already spoken; Mr Ralph Bonig who at that point in time was the president of the Law Society and therefore the Law Society was very much an insider, if you like, in this review, and they were not standing outside with their faces pressed against the glass but were inside participating; Mr Paul Muscat who was at that time a person who worked for the Legal Services Commission, although since then he has gone on to bigger and better things and is now His Honour Judge Muscat of the District Court; and Mr Mark Norman who was from the Office of the DPP.

We are talking about a very high-quality group of people, and their recommendation—and I emphasise, including Mr Bonig, perhaps one of the longest serving and, in my opinion, very great serving presidents of the Law Society because he did a tremendous job from my observation of him—was to get rid of the commission altogether and have a commissioner. I personally was rather attracted to that idea because, after all, when you have people of this calibre making a recommendation like that, one should take notice of it.

In the end, on reflection, I came to the view that we should have a board, but I have said in this place before and I will say it again, I do not think that representative boards are appropriate to run state financial enterprises.

Ms Chapman interjecting:

The DEPUTY SPEAKER: Order.

The Hon. J.R. RAU: Members might recall that in 2013 I brought legislation in here which was ultimately passed to completely restructure the board of what was then an outfit called WorkCover. The reason I did that was to stop that board being a butcher, a baker and a candlestick maker and turn it into—

Ms Chapman interjecting:

The DEPUTY SPEAKER: The deputy leader is on two warnings and I would hate to deprive the chamber of her contribution.

The Hon. J.R. RAU: —a more punchy board. What is intended here is for a similar thing to happen. There is a lot of money going through here and it should be managed properly. The situation is this: the comments that were made by the deputy leader about independence are, with the greatest of respect, completely misguided. The Legal Services Commission is not an arm of the judiciary. It is not part of that element or that aspect of government. It is primarily a dispenser of state and commonwealth money to grant recipients in order for them to purchase legal services in the private legal domain. It is perfectly reasonable for that to be run in a way where it is run by a board and the board is selected by the Attorney-General of the day. There is absolutely nothing wrong with that. In fact, there is everything right about it.

If the member for Bragg is concerned about the question of independence, I would just ask her to reflect on this: if the board of the Legal Services Commission is substantially populated by lawyers who either individually or through their organisation are the recipients of grants of aid from that organisation and employees of that same organisation who are actually employed by the organisation, there is a serious risk of capture of the organisation, not in any sort of conscious way, I am suggesting, but, in effect, capture of the organisation by its own customers.

It is perfectly reasonable that there be a strong independence of that organisation from the people who are ultimately the financial beneficiaries of its distribution of largesse. That is, I would have thought, common sense. The solution we have here is that we are not going to have the Law Society and the Bar Association, who, amongst other things, represent those people who receive money from this outfit, running it. But, we are prepared to have them participate in an advisory body which can percolate up whatever suggestions it wishes.

I think the independence argument is, at least in the way it was put by the deputy leader, a completely bogus argument. If you are really serious about having independence here, this body

should be independent from those people who earn a livelihood from sending bills to this body. That is important. That is independence. That is what we think we have achieved here.

As for discussions with the federal people, I am not aware of any particular discussions. That said, this discussion paper went out in February 2014, I believe. Our intentions about this, in general terms, have not been a secret. They have been the subject of publication, and we have gone quietly along the path of preparing legislation which we now have.

It is the case that we have had representations from people like the Law Society and such like about this. I understand their point of view; I actually disagree with their point of view substantially, but I understand where they are coming from. Let's face it, the Law Society, amongst other things, is a professional organisation for lawyers. There is nothing wrong with that, but you would expect them to be advocating for lawyers to have a role in determining how lawyers get paid. That is not rocket science; it is sensible, but I personally do not think it is good.

I understand why they want to do it. If I worked for a place and I could get on the board and twist the dials a bit and alter how I get paid, that might seem a reasonably attractive proposition. I am not attempting to impute any wrong motives to any individuals or to the Law Society generally, but there is a conflict between having people who are, in their professional life, substantial beneficiaries of this particular organisation's funds actually being part of the management of the organisation.

So, we have cured that by giving them an advisory role—a platform to express their views. But, I would like to see the actual running of this thing to be a business, where we are finding the most efficient way of spending, as the member for Bragg rightly points out, a lot of commonwealth and state money. We want to find the most efficient way for that money to be spent. If there are practices that have grown up because they are convenient for various players that are not the best use of that money, we want an independent board which will modify the behaviour.

Can I place on record the fact that I think the current leadership (in particular, the director and the chair of the body) have been quite active in improving the way the organisation runs, by introducing panels to make sure we have appropriate standards of skillsets being applied to appropriate cases.

It might concern some members that, once upon a time—and I am sure the deputy leader might have had these things come to her ears as well, as I certainly did—judges would privately express concern about the fact that you had a practitioner representing a person in a very serious criminal trial who transparently was not competent to do so. It places judges in a terrible position because, as people would appreciate, the judge can only become an active participant in our system to a certain degree before they risk being disqualified.

So, how does a judge manage an incompetent counsel who is potentially going to put their client in prison in circumstances where, if they were competently represented, their client would have a better chance of presenting their case to the court? As I said, there are particular individuals, and I think the deputy leader might be aware of one or two of them, who were quite celebrated instances of this.

It is the case that the current management has been trying to improve the efficiency and quality of these services that the recipients of Legal Aid receive. I am not aware so much in the Family Court side of things whether similar inappropriate grants of aid occurred, but if they occurred on one side of the ledger, I assume it is reasonable to assume they possibly occurred on the other side as well. Anyway, that is hopefully a matter of history now. I do welcome the indication from the member for Hartley at least that this will be supported. I think it is a step forward. I think it is important that the commission is able to be restructured and to run on a more business-type footing rather than operate on a basis where it is, if not actually, theoretically at risk of capture by its own customers.

I emphasise that I am not suggesting there has been any deliberate inappropriate behaviour by anybody past or present on the board, but it is the case that it would be very difficult, I imagine, for people who are either employees of the commission or appointees of the Law Society, whose own livelihoods are dependent upon the dispensation of funds supporting grants of aid from that organisation, to be completely focused on the issue of the effective delivery of services for that body

with the primary focus being the person who has the grant of aid, not the person delivering the aid. With those few words, I will commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (16:12): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 16:12 the house adjourned until Wednesday 23 March 2016 at 11:00.

Answers to Questions

INDIGENOUS EDUCATION

4 Dr McFETRIDGE (Morphett) (9 September 2015). For Indigenous children

1. What were the monthly school attendance rates for the 2013-14 and 2014-15 financial years?

2. Have the spot audits of school attendance and public reporting requirements been met by the state government as required by the COAG agreement for Closing the Gap and school attendance?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills): I have been advised:

1. The Department for Education and Child Development (DECD) adheres to the Australian Curriculum, Assessment and Reporting Authority's National Standards for Student Attendance Data Reporting as agreed by all states, territories and school sectors. From 2015, the National Standards require twice-yearly annual reporting of attendance data in semester 1 and term 3, disaggregated by Indigenous status. The latest attendance data is available on the MySchool website.

2. COAG made a commitment that each state and territory will 'undertake on-the-spot audits of school attendance information before the end of 2014'.

DECD's approach to 'on the spot audits' has been agreed with the Australian Government. Daily information on student attendance is provided by schools to the Central Office. It is processed and entered into the DECD student data warehouse. The warehouse is accessible as a standard report by school principals, local leaders, and Central Office staff.

One of the capabilities of the warehouse is detecting data patterns that highlight students that are, or have the potential to become, chronic non-attenders. The warehouse sends automated email notifications to school leaders alerting them to these students. This warehouse function complements the monitoring done by schools by assisting them to identify patterns of non-attendance, especially where they are not immediately obvious.

COAG also set a new Closing the Gap target for school attendance to be achieved between 2014 and 2019. Public reporting of school attendance data will be twice yearly from 2015, disaggregated by school and Indigeneity (subject to privacy thresholds). Under the National Standards, this will be implemented by reporting attendance data for semester 1 and term 3 for all students in years 1 to 10.

I am advised the South Australian Government school sector will be able to report attendance data twice yearly from this year, thereby fulfilling the COAG commitment.

PUBLIC SECTOR EMPLOYMENT

175 Ms SANDERSON (Adelaide) (25 September 2015). In relation to full time equivalents in Budget Paper 4, Volume 2, page 28—

1. Can the minister please provide the breakdown by area for all FTEs listed for 13-14, and 14-15 years?

2. Can the minister provide the population being serviced figures for country, Southern and Northern areas?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills): I have been advised:

1. The breakdown by area for all FTEs listed for 13-14 and 14-15 years is:

		2013–14	2014–15
Care and Protection Program			
	Metropolitan Directorate	541.69	679.20
	Country Region	463.46	441.10
	Residential Care Service	398.83	476.10
	Corporate Items	198.52	243.60
Families SA Total		1602.50	1840.00

2. It is assumed the Member for Adelaide is referring to the population of 0-17 year old children and young people in each of the geographic locations.

Population figures are provided for northern, central and southern metropolitan regions as this is the configuration used for Assessment and Support and Guardianship services.

Australian Bureau of Statistics 2011 Census data has been used to calculate the geographic distribution of 0-17 year olds as this data can be disaggregated by geographic boundaries that approximate the metropolitan service hub boundaries, noting that population figures for each area are an estimate only.

Accordingly, the population being serviced includes approximately 101,400 in the Northern Metropolitan region; 80,100 in the Central Metropolitan region; 73,100 in the Southern Metropolitan region and 93,800 in the Country region.

FOSTER CARE

177 Ms SANDERSON (Adelaide) (25 September 2015). In relation to plans to increase the number of foster carers, can the Minister outline these plans, strategies and time frames for implementing the increase?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills): I have been advised:

On 1 July 2015 six contracted foster care agencies received an increase in funding that is expected to create an additional 73 general and specialist foster care placements by June 2016.

In addition, on 17 September 2015 an Expression of Interest was advertised aimed at generating additional out-of-home care placements. Priority areas include increasing the number of short term and long term foster care placements. Eligible providers were required to submit costed proposals by 20 October 2015 and proposals are currently being evaluated.

In the recent state budget the government announced a commitment of $2 million over the next four years to increase Other Person Guardianship Carers and, in doing so, increase placement stability recognising the lifelong commitment between children and their carers. A review of the Other Person Guardianship program is underway, which includes consultation with carers, children and other key stakeholders.

POSITIVE PARENTING PROGRAM

179 Ms SANDERSON (Adelaide) (25 September 2015). Can the Minister outline plans, strategies and timeframes for implementing the Positive Parenting Program?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills): I have been advised:

A key initiative of the 2015-16 State Budget is to establish the Positive Parenting Program (Triple P) in South Australia. $9.3 million has been committed to implement the Positive Parenting Program over the next four years.

Over the four years the project aims to target 30,000 families with children aged 0-6 years. A detailed training program will be established identifying a total of 21 training courses and seminars, in which it is anticipated that 28,500 families will participate in core Triple P courses over the four year funding period.

Implementation of the Triple P will be managed by a small project team with advice and input by Triple P International. I am advised that Families SA is in the process of finalising the service agreement details with Triple P International for the provision of training and accreditation of government and non-government for the delivery of Triple P seminars and programs.

JUSTICE SYSTEM

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (19 November 2015).

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide): I have received the following advice:

There was a total of 37 criminal judgments in the Supreme Court outstanding at 30 October 2015, which included one trial by judge alone verdict which was reserved. I understand that 21 of these outstanding judgments have now been delivered, including the reserved verdict. No reserved judgment was outstanding for more than 12 months.

There was a total of 43 judgments reserved by judges of the Supreme Court as at 30 October 2015 and 22 of those have since been delivered. Two judgments have been reserved for more than 12 months and these are likely to be delivered by the end of February, after they have been outstanding for over 13 months.

I have not received a response from the Chief Judge of the District Court providing me with the relevant figures from the District Court.

I have raised the matter of outstanding judgments with the heads of the relevant jurisdictions and it is an ongoing focus of the government's justice reform project.

TECHPORT AUSTRALIA

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (2 December 2015).

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs):

The current depreciated value of Techport Australia (as published in Defence SA's 30 June 2015 financial statements) is $247,302,000.

Techport Australia was built on time and on budget and there are no amounts owing for Techport Australia construction works.

MURRAY COD RESTOCKING PROGRAM

In reply to **Mr WHETSTONE (Chaffey)** (2 December 2015).

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing): I have received this advice:

A community forum was held in Berri in April and five community fishing events were held at sites along the River Murray (Blanchetown, Berri, Moorook, Lyrup Flats and Cadell). The events also provided an opportunity for the public to participate in collecting important baseline data on Murray Cod stocks and engage with staff from PIRSA Fisheries and Aquaculture.

A trial of releasing approximately 100,000 Murray Cod fingerlings into waters of the South Australian River Murray as a method to boost the fish population is planned for early 2016.

PIRSA has signed a contract with Fisheries Victoria, Department of Economic Development, Jobs, Transport and Resources, to deliver and release the fingerlings.

This trial is an important step in determining whether stocking could be a viable option for establishing a healthy population and sustainable recreational fishery for Murray Cod once more.

Information and knowledge generated through scientific program evaluation and monitoring will inform ongoing fisheries management for Murray Cod, including whether there is a need for ongoing or alternative conservation and restoration measures in the South Australian River Murray.

The working group held a meeting in Renmark on 20 January 2016 to discuss the site selection, stocking process and community engagement associated with the upcoming trial release.

A public meeting was held the same evening to update the community on the status of the program and the trial release, with over 40 people attending. Strong support and positive feedback for the program was received, with the community keen to form partnerships with government and participate in any release of fingerlings, monitoring undertaken and future resourcing of the program.

PIRSA Fisheries and Aquaculture are currently working with their Victorian counterpart and members of the working group to finalise the location and logistics on the release trial of Murray Cod fingerling.

SPORTS VOUCHERS

In reply to **Dr McFETRIDGE (Morphett)** (2 December 2015).

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing): I have received this advice:

As at 7 December 2015, five children above the age of thirteen, but attending primary school have been identified by their parents as having a disability and therefore received a Sport Voucher.

Estimates Replies

PUBLIC SECTOR EMPLOYMENT

In reply to **Mr GARDNER (Morialta)** (17 July 2014). (First Session) (Estimates Committee A)

The Hon. J.W. WEATHERILL (Cheltenham—Premier):

Positions with a TEC of $141,500 or more abolished and created—Department of the Premier and Cabinet—for the following portfolios:

- Premier
- Attorney-General
- Minister for Industrial Relations
- Minister for State Development
- Minister for Small Business
- Minister for Public Sector

Between 30 June 2013 and 30 June 2014:

Department/Agency	Position Title	TEC Cost	Minister
Abolished:			
DPC	Director, State Services Branch	$194,109	Premier
DPC	Director, Corporate Human Resources	$183,438	Premier
DPC	Director, Invest SA	$235,883	Premier
DPC	Director, Invest SA	$235,883	Premier
DPC	Director, Office of the Economic Development Board	$181,770	Premier
DPC	Director, Strategic Interventions	$186,823	Minister for Industrial Relations
Created:			
DPC	Executive Director, Economic Analysis	$228,191	Premier
DPC	Director, Economic Analysis	$168,452	Premier
DPC	Executive Director, Strategic Engagement and Communications	$205,000	Premier
DPC	Director, State Development Projects	$173,059	Premier
DPC	Director, Information and Communication Technology	$225,182	Premier
DPC	Director, Finance	$152,974	Premier
DPC	Director, State and Administrative Services	$194,109	Premier
DPC	Director, Human Resources	$152,974	Premier
DPC	Director, ICT Reform	$188,996	Minister for the Public Sector

The above listed positions were created from existing funding sources.

Only positions where the total remuneration package value exceeds $141,500 per annum, which is the base executive remuneration level, have been included.

MINISTERIAL STAFF

In reply to **Mr SPEIRS (Bright)** (28 July 2015). (Estimates Committee A)

The Hon. J.W. WEATHERILL (Cheltenham—Premier): I have been advised:

All ministerial appointments are as follows:

Department/Agency	Position Title	TEC Cost	Minister
Department of the Premier and Cabinet	Chief of Staff	$212,795	Premier
Department of the Premier and Cabinet	Economics Adviser	$202,575	Premier
Department of the Premier and Cabinet	Deputy Chief of Staff	$175,200	Premier
Department of the Premier and Cabinet	Deputy Chief of Staff	$175,200	Premier
Department of the Premier and Cabinet	Policy Adviser	$165,507	Premier
Department of the Premier and Cabinet	Media Adviser	$145,909	Premier
Department of the Premier and Cabinet	Media Adviser	$145,909	Premier
Department of the Premier and Cabinet	Media Adviser	$136,875	Premier
Department of the Premier and Cabinet	Media Adviser	$136,875	Premier
Department of the Premier and Cabinet	Policy Adviser	$136,875	Premier
Department of the Premier and Cabinet	Media Adviser	$136,875	Premier
Department of the Premier and Cabinet	Adviser	$136,875	Premier
Department of the Premier and Cabinet	Speech Writer	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier

Department/Agency	Position Title	TEC Cost	Minister
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Media Adviser	$120,899	Premier
Department of the Premier and Cabinet	Policy Adviser	$113,245	Premier
Department of the Premier and Cabinet	Media Adviser	$113,245	Premier
Department of the Premier and Cabinet	Adviser	$113,245	Premier
Department of the Premier and Cabinet	Executive Assistant	$104,025	Premier
Department of the Premier and Cabinet	Research Officer	$86,725	Premier
Department of the Premier and Cabinet	Media Adviser	$85,907	Premier
Department of the Premier and Cabinet	Ministerial Adviser	$45,298	Premier

Non ministerial appointments are as follows:

Department/Agency	Position Title	TEC Cost	Minister
Department of the Premier and Cabinet	Principal Liaison Officer*	$117,787	Premier
Department of the Premier and Cabinet	Ministerial Liaison Officer*	$96,660	Premier
Department of the Premier and Cabinet	Ministerial Liaison Officer	$96,660	Premier
Department of the Premier and Cabinet	Ministerial Liaison Officer	$91,075	Premier
Department of the Premier and Cabinet	Executive Assistant	$88,467	Premier
Department of the Premier and Cabinet	Cabinet Officer*	$88,065	Premier
Department of the Premier and Cabinet	Manager	$87,303	Premier
Department of the Premier and Cabinet	Parliamentary Officer*	$84,847	Premier
Department of the Premier and Cabinet	Parliamentary Officer	$84,847	Premier
Department of the Premier and Cabinet	Parliamentary Liaison Officer***	$81,622	Premier
Department of the Premier and Cabinet	Business Support Officer	$73,750	Premier
Department of the Premier and Cabinet	Appointments Secretary*	$73,750	Premier
Department of the Premier and Cabinet	Appointments Secretary	$73,750	Premier
Department of the Premier and Cabinet	Correspondence Officer	$66,044	Premier
Department of the Premier and Cabinet	Receptionist	$66,044	Premier
Department of the Premier and Cabinet	Business Support Officer	$63,859	Premier
Department of the Premier and Cabinet	Cabinet Officer	$62,892	Premier
Department of the Premier and Cabinet	Business Support Officer	$57,325	Premier
Department of the Premier and Cabinet	Correspondence Officer**	$39,626	Premier

*Denotes employees on maternity leave

**Denotes an employee on secondment to the Chief Executive, DPC's Office

***Denotes an employee on secondment to the Minister for Health's Office

REINSURANCE PROGRAM

In reply to **Mr TARZIA (Hartley)** (28 July 2015). (Estimates Committee A)

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy):

The Department of Treasury and Finance (DTF) advises the total cost of the reinsurance program for the 2014-15 financial year was $8,720,472 (excluding GST).

DTF advises the estimated total cost of the reinsurance program for the 2015-16 financial year is $8,387,709 (excluding GST).

BUILDING INDEMNITY INSURANCE

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (28 July 2015). (Estimates Committee A)

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy):

The government continues to underwrite the Building Indemnity Insurance (BII).

The risk to the taxpayer is that claims and expenses exceed the amount of premium written and income generated from investments.

For the financial year ending 30 June 2015 SAFA generated a loss with respect to BII of $3.8 million, which was offset by a receivable from me in my capacity as Treasurer.

UNLOCKING CAPITAL FOR JOBS PROGRAM

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (28 July 2015). (Estimates Committee A)

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy):

The Department of Treasury and Finance advises the guarantee fee payable by recipients under the Unlocking Capital for Jobs Program is dependent on the term of the state's guarantee. The fee is 2 per cent per annum for the initial three years that a guarantee is provided and 3 per cent in respect of a fourth and fifth year. The maximum guarantee fee payable would be 5 per cent per annum, but only if the term of the guarantee were to extend beyond five years.