

HOUSE OF ASSEMBLY**Thursday, 22 June 2017****The SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:31 and read prayers.

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

*Bills***PUBLIC INTEREST DISCLOSURE BILL***Standing Orders Suspension*

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) (10:32): I move:

That standing orders be and remain so far suspended as to enable the house to continue to sit during the conference with the Legislative Council on the bill.

The SPEAKER: There is an absolute majority not present, so ring the bells.

An absolute majority of the whole number of members being present:

The SPEAKER: I accept the motion that standing orders be and remain so far suspended as to enable the house to continue to sit during the conference with the other place on the Public Interest Disclosure Bill.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:35): I wish to speak on the motion. I raise concerns about the motion currently before the house on the basis that this bill has been deadlocked now for some weeks. A scheduled meeting was set for the representatives of both houses to meet; that meeting was arranged. For whatever reason, the Attorney-General was not available to attend. It was agreed by the committee that they would adjourn to facilitate a time for the Attorney-General to nominate when we could meet, and, given his schedule, that is understandable.

The motion before the house is to enable that process to continue while the sitting of the house occurs, but to date we have had no indication from the Attorney-General about when he might be available to deal with this matter. In summary, it is a bill that relates to the Whistleblowers Protection Act reforms, which are urgently needed in this state, and we want the matter addressed. In this instance, the Attorney-General and I are both representing the House of Assembly. We need to get on with it. If he does not do that, then I think the parliament needs to know about it and address the issue.

The SPEAKER: Are there any further speakers? I will put the motion.

The house divided on the motion:

Ayes 20
Noes 9
Majority 11

AYES

Bedford, F.E.

Close, S.E.

Gee, J.P.

Hughes, E.J.

Mullighan, S.C.

Rankine, J.M.

Bignell, L.W.K.

Cook, N.F.

Hamilton-Smith, M.L.J.

Kenyon, T.R. (teller)

Odenwalder, L.K.

Rau, J.R.

Caica, P.

Digance, A.F.C.

Hildyard, K.

Key, S.W.

Piccolo, A.

Snelling, J.J.

AYES

Vlahos, L.A.

Wortley, D.

NOES

Chapman, V.A. (teller)

Duluk, S.

Goldsworthy, R.M.

Griffiths, S.P.

Knoll, S.K.

Pederick, A.S.

Treloar, P.A.

Whetstone, T.J.

Williams, M.R.

Motion thus negatived.

Conference

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) (10:44): I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

ROAD TRAFFIC (HELMETS) AMENDMENT BILL

Introduction and First Reading

Mr KNOLL (Schubert) (10:45): Obtained leave and introduced a bill for an act to amend the Road Traffic Act 1961. Read a first time.

Second Reading

Mr KNOLL (Schubert) (10:46): I move:

That this bill be now read a second time.

I rise today to introduce the Road Traffic (Helmets) Amendment Bill 2017, which is essentially a bill to clarify that the wearing of cameras and other communications devices on helmets for cyclists, motorcyclists and scooters is legal. The benefits of doing this are fairly straightforward. First off, there is a road safety benefit attached. It encourages compliance by all road users. It encourages compliance by those who are wearing the cameras and it encourages compliance by everyone they come into contact with.

It is a measure that essentially takes advantage of the new technology that has come about in the last few years and allows that to complement the existing road safety rules so that we can move ever closer to having a safer road for everyone. The reason this is important, especially for cyclists, motorcyclists and scooter riders, is that they are at greater risk than other road users. We have seen sickening footage of cyclists, and motorcyclists especially, having accidents and having a greater propensity to be involved in an accident because they are more difficult to see and are far less protected than other road users. This measure helps to give them comfort that there is evidence there for them in the event that something does happen.

That brings us to the second point: the wearing of these cameras and the keeping of this footage can be used as evidence in a situation where road rules have been broken. Again, that is important because it is a longstanding principle that the more people we can prosecute for doing the wrong thing the more we can encourage people to do the right thing. A greater conviction rate, or a greater understanding in the community that if you do something wrong then you will be caught, will help to encourage compliance with the Road Rules. That is extremely important. It can be important for insurance purposes, especially when, in the absence of an absconded third party, that evidence is there to help support an insurance claim—again, a very important measure.

This amendment is simple. It does not pretend to be anything other than that, but I can tell you that the feedback since we announced that we were going to move this amendment has been quite strong. It may not be important to those of us who use cars or public transport, but it matters to

those who are most vulnerable on our roads. It matters to cyclists and it matters to motorcyclists and scooter riders because they are the ones who see their friends getting involved in accidents. They are the ones who get on their bike and get on the road with a sense of fear and trepidation. If this measure goes any way to providing them with some comfort and some greater confidence, then I think that it is indeed a very good thing. By letting this grey area of law hang over the heads of otherwise law-abiding road users, this government is taking the easy path and continuing to subject these road users to the ambiguities of the law. Where I find it most frustrating is that we have heard comments by people, such as, 'This is not illegal.'

I would like that to be told to Eric Aria, who received a police caution and was threatened with a fine over the use of wearing a camera. He does not think that it is legal. Certainly the police he went to visit did not think it was legal. Absent some sort of directive otherwise, this is the only way to ensure that the use of these cameras is legal. So, it is an extremely important measure in that regard. The minister was very quick to come out and say, 'We're not going to support this motion,' which I find quite frustrating because in the same breath he said it was a good idea, said it was very worthy, said he agrees with the concept but then says, 'We are not going to support your bill.' It is extremely frustrating.

The minister went on to say that there's a national approach being led by New South Wales and that they are looking into this issue. The first question I have is: how long does it take to look into this issue? It is not like this is something new. Mobile cameras like GoPros have been around for a number of years now, and our legislation needs to keep up with the realities of people on our roads. This is the second thing that I find frustrating with the minister's answer. He says, 'No, no, there's potential evidence from overseas that the wearing of these things may increase the severity of an accident when an accident happens.'

If that is the case, why does the police minister allow his own police to use them? If they are unsafe and this needs to be looked at a nationally consistent approach, why are our police using them? Essentially, we have a situation where the minister thinks it is a good idea, the minister lets his own police use them, but he cannot bring himself to support our idea. To my mind that is rank partisanship. That is the worst excesses of partisanship in this place, and it is a position that is going to hurt the riders of South Australia simply because the government cannot bring itself to agree with an opposition idea.

The other part is that this law has already been enacted along extremely similar circumstances in the ACT. Certainly that parliament did not see the need to wait; in fact, the Legislative Assembly decided in its wisdom that they were going to act to end this ambiguity. The bill allows for a very clear interpretation and understanding of what is acceptable and what is unacceptable for cyclists, motorcyclists and scooter riders. The bill itself talks about 'frangible mountings', a term that I have become a little more familiar with. It says that 'the device is affixed to the helmet by means of a frangible mounting'. In layman's terms, it means it gets stuck onto the side.

Proposed subsection (4)(b) of the amendment bill states, 'The frangible mounting is affixed to the helmet in a manner that does not penetrate or fracture the outermost shell of the helmet.' Essentially, that helps to make sure that there is no ambiguity around the fact that you cannot screw a camera in, you cannot nail a camera in, you cannot affix the camera in any way if you are going to ruin the structural integrity of the helmet. It is extremely clear. Having said that, every attachment that I have seen to date is as simple as double-sided tape in some fashion with some adhesive sticking to the helmet.

What I am also given to understand is that the ones that are used and the ones that I have seen are actually designed to break off in the event of an accident. Again, it is extremely clear about what is legal and what is illegal, and consideration is given to the safety implications. But here is the point for me. There was some discussion around, 'How are we allowing riders to do this if it potentially makes them less safe?' I would contend that it does not. Even if it did, we are not forcing riders to use them. All we are doing is giving back a small centimetre of freedom to people to do what they want.

The rider gets to choose what they feel is more safe or less safe for them. The rider gets to choose whether they want to wear these things. The interesting thing is that in this place we take

away liberty metres at a time, but we only ever give it back in inches and centimetres. If this measure helps to give back the briefest of centimetres back in freedom to the road users of South Australia, then it is worthwhile.

The amendment also allows other communication devices, if they attached to the camera in the same way, which could help facilitate training of motorcyclists and could help facilitate ensuring that when inexperienced road users get on the roads they are able to be in contact with more experienced road users, especially for motorcyclists and young and inexperienced motorcyclists traversing more difficult terrain, either at night or on windy roads.

This is the part that I found extremely interesting: there is a tourism element to this. What could be better than having a cyclist or a motorcyclist riding around the beautiful landscapes of the Barossa Valley, GoPro stuck to their helmet, videoing the beautiful landscapes in my electorate and around country South Australia and then going home, posting those videos to social media and providing a birds-eye view of the beautiful landscapes in South Australia? It helps to give people and the family and friends of those who post those videos, a real understanding and a real look at the true beauty of our state.

This is not a small tourist measure. Motorcycle tourism is worth an estimated \$350 million to the Australian economy, and that excludes the sales around bikes, petrol and accessories—\$350 million is the conservative estimate of what motorcycle tourism means to the Australian economy. Allowing these road users to show to their friends the fantastic and wonderful places that they have explored, and the beautiful landscapes that go along with that, can only enhance South Australia and our economy and is something that we really need to look at. It is an extremely important part of this amendment.

For those in this house who would like to give back some small measure of freedom to road users in South Australia, to those who would like to give back some small measure of comfort to motorcyclists in South Australia, I would suggest that we support this piece of legislation. It does not purport to do anything other than it does, but for those tens of thousands of road users who would love the opportunity to have the ambiguity taken away, they would certainly appreciate it. They are vocal in the way that they express their views. Since we announced last Saturday that we were going to introduce this, the positive feedback I have received has been quite startling. On behalf of those people, I implore this parliament to give back to them something so simple yet something that they deeply desire.

Debate adjourned on motion of Mr Treloar.

Motions

PALESTINE

The Hon. A. PICCOLO (Light) (11:01): By leave, I move my motion in an amended form:

That this house—

- (a) notes that Australian government is committed to a two-state solution to this Israel-Palestine conflict and that unless measures are taken this option will vanish;
- (b) affirms that the continuation of settlement building is in violation of the fourth Geneva Convention, and various resolutions of the United Nations Security Council, the most recent being resolution 2334 (2016), and constitutes a major obstacle to peace;
- (c) believes that support for a two-state solution and for self-determination for both Israelis and Palestinians requires taking active measures by the international community; and
- (d) calls on the commonwealth government to recognise the state of Palestine (as we have recognised the state of Israel) and announce the conditions and time lines to achieve such recognition.

In speaking in support of this motion, the first question to be asked is: why move the motion now? The reason I have moved this motion this year is that this year marks some significant milestones in the history of Palestine. It is 100 years since the Balfour Declaration, 70 years since the UN Partition Plan, 50 years since the occupation of the state of Palestine (the West Bank), including East Jerusalem and the Gaza Strip, 30 years since the beginning of the first intifada and 10 years since the signing of the beginning political divisions amongst Palestinian people.

Moving this motion in amended form does not diminish, in my view, our responsibility to acknowledge that Palestinians have suffered denial of their right to self-determination for a century, have been the victims of dispossession for 70 years and have suffered under what could effectively be described as a military occupation for 50 years. In my opinion, we must also accept that there is a growing awareness internationally that the greatest hope for change to the conflict is an end to the occupation of the Palestinian territories.

In moving this motion, there is no intention whatsoever to deny that the Jewish people have experienced and continue to experience victimisation, discrimination and injustice in some parts of the world. This reality, however, in my view, does not justify the international community turning a blind eye or indeed looking the other way at the victimisation, discrimination and injustices experienced by the Palestinian people in Israel, the occupied territories and refugee camps across the Middle East. One injustice cannot justify another injustice.

In a keynote speech on 18 January 2016, Martin Luther King Jr Day, in Washington DC last year our Prime Minister, Malcolm Turnbull, when talking about the American-Australian relationship, said:

Values which we share: freedom, enterprise and a deep belief that everyone should have the best chance to realise their dreams.

Like you, we do not define our national identity by race, religion or cultural heritage, but on shared political values at the heart of which is freedom and mutual respect.

At the core of our success, and of others' failure, is the recognition that in a true democracy the rule of law constrains the majority at the same time as it empowers it.

Later in that speech, in relation to the territorial dispute in the South China Sea between China and the Philippines, the Prime Minister went on to say:

Australia has no claims in the South China Sea, nor do we make any judgement on the legitimacy of any of the competing claims. We urge all parties, not just China, to refrain from further construction on those islands or reefs, and to refrain from militarisation.

We do so because unilateral actions are in nobody's interest. They are a threat to the peace and good order of the region on which the economic growth and national security of all our neighbours depend.

These differences should be resolved by international law. That is why Australia attended, as observers, the merits hearing in The Hague last November, in the case brought by the Philippines under the UN Convention on the Law of the Sea.

In July last year, the International Court of Arbitration handed down its decision regarding this dispute. In response to that ruling, Prime Minister Malcolm Turnbull urged claimants to the South China Sea to respect the landmark Hague ruling that China has no legal basis to claim historical rights over the region. The International Court in The Hague ruled that China has no legal claim to historic rights in the South China Sea, where it has been building artificial islands in the resource-rich region, which acts as a main artery for about \$4.5 trillion worth of shipping trade a year. The Prime Minister said:

There is so much at risk in the event of conflict, in the event of heightened tensions, so this is an important decision, it is one that has been made in accordance with international law and it should be respected by both parties and indeed by all parties and all claimants.

Australian foreign minister, Julie Bishop, said that she would be discussing the matter at the East Asia Summit and the ASEAN Regional Forum in late July. She said:

In the meantime we urge all parties to de-escalate tensions, not take any action that would provoke or increase tensions.

She said earlier that ignoring the ruling would be a serious international transgression, bringing strong reputational costs. I raise this issue and the Prime Minister's speech because together they convey a common theme: the importance of the rule of law and the importance of international law. When these principles are applied to the Israeli-Palestinian conflict, they require us to recognise the people of Palestine and their state. This is not a radical position, which I will explain shortly.

Why should we recognise the state of Palestine? Everybody appears to agree that a two-state solution is the key to end the Israeli-Palestinian conflict. For a two-state solution you need two states; namely, the state of Israel, which we recognise, and the state of Palestine, which we

should recognise. It is as simple as that. The peace process has failed to deliver any tangible results. Direct negotiations between Palestine and Israel, based on the Oslo Accords, have ultimately failed and settlements continue to grow in the occupied territories. Again, I refer to the Prime Minister's comments when he refers to the rule of international law. If we are going to take part in international law, then we should do so consistently in our foreign policy.

Continued settlement expansion is bringing about the demise of the two-state solution and imposing a one-state reality, which has its own difficulties and complexities and is unlikely to be accepted by the parties involved. In the same way that the Australian High Court put an end to the legal fiction in the Mabo decision that Australia was terra nullius when settled by the British, we cannot deny that the Palestinian people exist and that the land they occupy is the state of Palestine.

In the current absence of a viable peace process and in order to save the two-state solution, the international community has an obligation to recognise the state of Palestine. The United Nations General Assembly and 138 other countries, including Sweden and the Vatican, have already done so; they have recognised the state of Palestine. Additionally, 12 European parliaments have asked their governments to recognise the state of Palestine. We are not breaking new ground here but we will hopefully be on the side of history.

I would like to quote some former prime ministers and former foreign ministers who have spoken on this matter: Gareth Evans and Bob Carr, former foreign ministers of Australia, and Bob Hawke, Kevin Rudd and Julia Gillard, former prime ministers of Australia. They are all on the record saying the time has come for us to recognise the state of Palestine. I quote:

Gareth Evans, foreign minister in the Labor Hawke and Keating governments, helped Mr Carr launch his much talked about *Diary of a Foreign Minister...*

This is what Gareth Evans said at the launch of that book:

It was about ensuring that Australia was not seen internationally as being on the wrong side of history.

'The wrong side of history' meaning the position where Bob Carr enabled the Australian government at the time to take a neutral position on a UN vote regarding Israel and Palestine. Bob Carr, who was seen as very pro-Israel, said the following:

None of this was around in 1977 when I rented a room in Sydney Trades Hall and called on Bob Hawke, ACTU president, to help me launch Labor Friends of Israel.

In 1977 the Israeli occupation was 10 years old. There were 25,000 settlers. It was easy to believe the Israelis were holding the West Bank only as a bargaining chip. Arabs were terrorists.

Now the occupation has lasted 47 years. There are 500,000 settlers. Up to 60 per cent of the Israeli cabinet is on record as opposing a two-state solution. Palestinians have been part of a peace process for 25 years.

In an article in the *Australian Financial Review* Bob Hawke is quoted:

I am well known as a long-time supporter of the right of Israel to exist as a state behind secure and recognised borders—nothing has changed in that respect. What has changed is the sentiment of Israeli political leadership.

This motion is not a criticism of Israel, but it is certainly a criticism of the current government of Israel, and we should not try to say that they are one and the same. Governments come and go. The current government has made it very clear that it is not committed to the peace process. Bob Hawke goes on to say in this article:

In total contempt of the UN Security Council Resolution passed on December 23, 2016—

only last year—

the Israeli Government announced on January 24, 2017 its intention to build another 2500 settlements across the West Bank and approved 20 permits for 566 settlements in East Jerusalem.

A little earlier I mentioned that, when it comes to the South China Sea dispute, our Prime Minister and our deputy foreign minister have said that neither party should do things to provoke others and to impede peace. The settlement program is an impediment to peace, and that is why we need to make a declaration and acknowledge the state of Palestine. It is important to say that.

Kevin Rudd, a former prime minister and not a person I actually share a lot of views with but, putting that aside, said:

...the time has come for Australia to join countries like Sweden and the Holy See in formally recognising the Palestinian State.

Mr Rudd said he was concerned about the building of settlements in occupied Palestinian territory on the West Bank saying it 'fundamentally undermines the prospect of a two-state solution'. If we accept a two-state solution, we have to accept there are two states and those states are the state of Israel and the state of Palestine. He went on to say:

It is now critical for Israel's closest friends—

like Australia and America—

to send a clarion clear message to both Tel Aviv and Washington that the abandonment of a two-state solution is unacceptable.

More recently, former prime minister Julia Gillard, while in Israel receiving her honorary doctorate, had cause to express her concern about the ongoing settlements in occupied territories. Her view was that those settlements actually hurt the friends of Israel because they make it harder for people to support Israel's actions.

In the few seconds I have left, I would make this observation. If we ignore international law, we actually put the world in peril. If we ignore international law, we make the world a less safe place. International law, particularly in the Western world, is what upholds our democracies around the world, so we need to apply international law, and it is quite clear what international law on this issue is. It has been adjudicated a number of times in the UN and in a number of other tribunals.

If we turn a blind eye to the plight of the Palestinian people in their suffering, we diminish ourselves as well. In a country that values fair play and justice, in denying the Palestinian people their state, we deny that they exist. I would ask you to support the motion.

Mr TRELOAR (Flinders) (11:16): I move:

That the debate be adjourned.

The house divided on the motion:

Ayes 14
Noes 18
Majority 4

AYES

Chapman, V.A.	Duluk, S.	Goldsworthy, R.M.
Griffiths, S.P.	Hamilton-Smith, M.L.J.	Knoll, S.K.
Pederick, A.S.	Redmond, I.M.	Speirs, D.
Treloar, P.A. (teller)	van Holst Pellekaan, D.C.	Whetstone, T.J.
Williams, M.R.	Wingard, C.	

NOES

Bedford, F.E.	Bignell, L.W.K.	Caica, P.
Close, S.E.	Cook, N.F.	Digance, A.F.C.
Gee, J.P.	Hildyard, K.	Hughes, E.J.
Kenyon, T.R. (teller)	Key, S.W.	Mullighan, S.C.
Odenwalder, L.K.	Piccolo, A.	Rankine, J.M.
Rau, J.R.	Snelling, J.J.	Vlahos, L.A.

PAIRS

Gardner, J.A.W.	Bettison, Z.L.	Marshall, S.S.
Weatherill, J.W.	McFetridge, D.	Wortley, D.
Pengilly, M.R.	Picton, C.J.	Sanderson, R.
Brock, G.G.	Tarzia, V.A.	Koutsantonis, A.

Motion thus negatived.

Ms COOK (Fisher) (11:21): I rise today to talk about some of the most oppressed stateless people on earth: the Palestinian people. The Palestinian people are still living under apartheid conditions imposed on them by their Israeli government. This is not my commentary but that of the late South African freedom fighter Nelson Mandela, who said:

We know too well that our freedom is incomplete without the freedom of the Palestinians.

The Palestinians have had their lands stolen and illegally settled upon by Israeli settlers and their access to work strictly regulated, making it near impossible for many Palestinians to eke out a living. Palestinians are subject to brutal military occupation, which sees a foreign military patrolling their streets. Palestinians have withstood the worst of chemical agents being used against them, namely, white phosphorus, which can stick to the skin and cause intense burning. It is a chemical that the Israel Defense Forces deployed against densely populated areas of Gaza, including schools.

Last year, we saw important steps being made at the United Nations Security Council, which unequivocally laid out what constitutes Palestine's territory, consisting of the West Bank, the Gaza Strip and East Jerusalem, and that Palestine's territory was inviolate to foreign governments, including the Israeli government. This is a sign that the situation is moving forward. There is now a basis upon which two countries can begin to negotiate new boundaries and what a two-sovereign-state solution may begin to look like.

Despite the moves by the United Nations Security Council, it has been disappointing to see that the Netanyahu government has decided to unilaterally ignore the determinations of the council, so that good faith negotiations can start on bringing about a fair settlement for both nations. If Prime Minister Netanyahu fails to comply with what has now become international law, through the United Nations Security Council Resolution 2334, and fails to start the process of dismantling Israeli settlements and working towards a functional and independent Palestinian state, history will not view him as one of the world's greatest statesman but as one of the worst war criminals of modern political history and a roadblock to sustainable peace in the region.

A two-state solution remains the position of Australia's federal government, with 136 nations around the world in near universal support having recognised the state of Palestine. It is unfortunate that Australia does not number within those countries that have recognised the state of Palestine, instead holding the untenable position of recognising one state and not recognising the other. Without significant uptake in the recognition of the state of Palestine, it is my fear that this option may soon vanish.

Within this motion, we are calling on the federal government to change this position and to come to the sensible solution that if our intention is to see the state of Palestine, being the legitimate government of a sovereign Palestinian nation, we should be making the requisite moves as a country to recognise that authority.

The shared stories of the Palestinian and Israeli peoples have been sad ones, with a history of genocide, refusal of being taken as refugees and a denial of culture and custom. After the horrors of World War II, which saw the most horrific crimes committed against the Jewish people, a solution had to be sought to ensure that this never happened again. Unfortunately, this solution cast another people who were thousands of miles away and played no part in that unfolding European tragedy into statelessness and near permanent occupation.

Given what we know now, was the creation of this state the best way to deal with this crisis? With the benefit of hindsight, most likely not. However, it is the situation we find ourselves in today. I hope that the two nations can rise above their history to find peace in their region and join the nations that have been able to move beyond their terrible histories to bring about a common peace like South Africa, Northern Ireland, Lebanon and Bosnia before them. I call on the commonwealth government to do all it can to support the peace effort in the region, which should start with the recognition of the state of Palestine, with clear conditions and time lines towards such recognition. In the name of peace in our time, I commend this motion to the house.

*Parliamentary Procedure***VISITORS**

The DEPUTY SPEAKER: Before I call the next speaker, I would like to acknowledge in the gallery today the children, students and families from Clarendon Primary School, who are guests of the member for Fisher. We welcome them to parliament and hope they enjoy their time with us today. I would also like to acknowledge some of my guests in the gallery today, Sister Janet and Sister Joyce. I also noticed that the honourable Sandra Kanck was in the gallery this morning, so I welcome them to parliament as well.

*Motions***PALESTINE**

Debate resumed.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:26): I rise to speak on the now amended motion of the member for Light, and I indicate that, as he has been newly elected as the co-convenor with me of the Parliamentary Friends of Palestine, I publicly acknowledge that and congratulate him on that appointment. I thank him for stepping forward to deal with what is a continued difficulty, at the very least, which is the kindest way I can describe it, in respect of the plight of Palestinians, which, as outlined by other speakers, has occurred over a number of decades.

In speaking to this amended motion, whilst I think it has increased its acceptability for a public debate in respect of how we might contribute as South Australians to this circumstance, it is an improvement, but in my view it still falls short, and it falls short for a number of reasons. Can I firstly say why it does not fall short. Some will say it is an unacceptable situation where our parliament, as South Australians, should be spending its time in dealing with something that is within the purview and ultimate determinant of the commonwealth government and/or commonwealth government and therefore it should not be a subject of discussion in this parliament. I do not agree with that approach.

Whilst the ultimate jurisdiction as to contribution is one for the commonwealth parliament, as it is described (I have heard it called the federal government and parliament), it is not a matter that we should shy from in the sense of our discussion about a contribution on a debate. We have done it before in this chamber. We have looked at international issues of concern. We have dealt with contributions in respect of federal law where there is urging, from time to time, for a certain position to be taken. So I do not argue that. I see that as narrow and legalistic, and I do not think that it helps to achieve the aim.

I am concerned for the people of Palestine and the circumstances in which many of them now live, within a walled city, and that is a matter that needs to be recognised and understood. I have maintained, and perhaps it is because of one's age, which is ever-advancing, that we are around for a long time. We have seen this before. We have seen circumstances in which we have taken up a contribution to policy debate. I was not old enough to understand or appreciate the significance of the establishment of Israel post-World War II and the circumstances surrounding it. However, we have read a lot about it and we have, as other speakers have said, understood that there has been a level of persecution and a level of concern that have continued, particularly arising out of the circumstances of the Jewish people under German occupation in Poland, Germany and other areas that we need to appreciate in the circumstance of it.

I was old enough in the 1960s to see on my family's newly acquired television set in black and white, just before man walked on the moon, the repeated plight in respect of Northern Ireland and the IRA. The PLO was also a dominant political feature in respect of this issue in the 1960s, which I am old enough to remember. In the 1960s, persons older than me went off to war to save the protection of the South Vietnamese. In the 1970s, we quickly learned about the Turkish occupation in Cyprus. I remember attending many meetings and occasions in relation to supporting the abolition of apartheid in South Africa and the establishment of the International Criminal Court, which was high on the agenda for law students of that era.

In the 1980s, we worked on freeing the people of East Germany in the building of the Berlin Wall and, in particular, the bringing down of the wall. We worked on the establishment of democratic

government in Mongolia and the development of its constitution. In the 1990s, we went on to deal with the plight, more locally, of the Timorese people in Indonesia. There have been others since. Throughout all of this, the issue in respect of the Palestinians in the Middle East has not resolved. It is a matter that we have to continue to be apprised of, to deal with and to advocate, and we have to listen carefully to how it might best be remedied.

Through successive governments of different political persuasions, Australia's position has been to have a two-state solution. I have to say it has been a moving feast in recent decades as to how that is to be applied and how it should be advanced; nevertheless, that has been and remains our country's position. I think if we are to move away from that by means of this type of motion to try to effectively bring about an advance of that process, then we need to do it in a managed manner. This is not the way to do it.

I have advised the member for Light how disappointed I am that we have advanced in that manner. I have pointed out to him that his own federal Leader of the Opposition, Mr Bill Shorten, has taken a view that his preferred position (I do not know whether it will change at the Labor conference at the end of next year) is that Labor should adhere to the existing position and withhold diplomatic recognition until the two-state solution is actually reached, not the reverse.

Similarly, Mr Kim Beazley, a former Labor leader, has taken a different view. He says that it is important, for the Palestinians themselves and for those of us who understand the significance of their plight, that they deal with the hard questions in the arena with them and deal with the status of East Jerusalem. By no means is it an easy issue. To simply amend this motion to make a provision calling upon the commonwealth government essentially to recognise the state of Palestine and announce conditions and time lines is not the way to go. In fact, we should be looking at how we advance and ensure the management of this in a structured way that is not just going to cause further discourse.

I think it is reasonable, and I think that all political parties need to address these issues. I commend the Australian Labor Party convention organisers for at least starting the dialogue in relation to that, but I make the point that we are far way from it. I think that we would fracture the advances that have been made in respect of the two-state solution, and I think that it would, unfortunately, spiral down into further discourse about what have been continued attempts in the communities in South Australia to advance the cause of the people of Palestine.

I particularly want to thank those from AFOPA and those who have provided material and briefings to the parliament. In relation to the new Center for Islam, I am not particularly happy with the word 'center' being spelled in the American way, but I am ever hopeful that they might actually amend that. The Minister for Education agrees with me, too. We do need to do that. It is with a heavy heart that we are not advancing something that is not going to be productive here, but at least let us have a discussion about it and, hopefully, this morning it can be addressed.

Ms HILDYARD (Reynell) (11:35): I rise to speak on this amended motion on an issue that I have been deeply passionate about for a very long time. I am very proud to commend it to the house, and I thank the member for Light for bringing it here. It is absolutely right that in this place we recognise the state of Palestine and the rights of the Palestinian people. Australia and all of us in this house as leaders in our communities have a moral obligation to recognise Palestine, as do many other people and nations across the globe.

Australia took part in partitioning Palestine in 1947 through the United Nations Special Committee on Palestine. In doing so and from that point, we have recognised Israel but we have not recognised Palestine. Recognition is such an important way of backing our words and our policies with action. It is a crucial way for us to show our compassion and our understanding through real action. In so many settings, including here in our own nation, we have to contemplate recognition in different ways. We do so because in recognising people it helps to give those people often much-needed identity, validity, acknowledgement and acceptance.

Many parties and many past governments and leaders here to some degree have supported the two-state solution but have not acted to recognise this second state, Palestine. Of course, a two-state solution, and indeed any solution to end tragic and enduring conflict, must include Palestine. Living here in South Australia we enjoy secure borders and certainty. It is certainty which

allows families to plan for their future and for children and communities as a whole to thrive. It is right that in this place we draw attention to the plight of the Palestinian people who do not have these same freedoms and cannot build their lives and cannot adequately secure the wellbeing of their children and look to the future.

As said by the member for Light, recognition of Palestine is consistent with international law and previous UN Security Council resolutions. Our international community has called on the Israeli government to withdraw from territories it occupied in 1967, to stop building settlements and to stop moving its population to a land it is currently negotiating about in terms of a future Palestinian state. These acts are not in good faith and are not helping to bring about a fair and sustainable solution. Again, as did the member for Light, I must iterate that they are government decisions and not decisions of the Israeli people. In saying that, I point out that recognising Palestine is anti-occupation but it is absolutely not anti-Israel.

Those working for peace in the region rightly seek to create spaces for both Israel and Palestine to exist and to provide safe spaces for their citizens and their communities to thrive. Land must be returned to the Palestinian people so that they have the freedom to build their own nation, to be safe, to thrive and to see their children grow well. As the member for Light said, it is nonsensical to promote a two-state solution without two states. Recognition is pro-peace and establishes and brings to life the will of our international community, including Australians.

One hundred and thirty-eight countries recognise the state of Palestine, including the parliaments of the UK and France. The Vatican and Sweden have now established full diplomatic ties with Palestine. The latest Roy Morgan survey shows that 73 per cent of Australians and 74.3 per cent of South Australians support recognition. South Australians and our international community are in favour of recognition and of a two-state solution. It is right that we support the Palestinian people who are living in difficult and unjust conditions, uncertain of their future. To do so, to show this support, will reflect our nation's and our state's compassion, our sense of justice and our deep commitment to ensuring that all people are treated well, treated fairly and recognised. I commend this motion to the house.

Mr VAN HOLST PELLEKAAN (Stuart) (11:39): I rise to speak briefly on this motion as the member for Stuart and to point out that this issue is a conscience vote for the Liberal opposition, and that is for good reason. This is an extremely polarising issue, but that is no reason not to deal with it. We deal with easy issues and we deal with difficult issues all the time.

It is an extremely important and sensitive international issue. I would suggest that there is not one among us, or at least very few among us, who has enough information to make a sensible decision on this. We all know what we hear in the media. The deputy leader recounted a whole range of issues that she has learned through her own study. I remember very well seeing men walk on the moon on our tiny black and white TV also. To be quite blunt, I do not think that any of us has enough information to deal with this issue.

We have established parliamentary select committees for far less important issues that were brought to this house in the private member's motion stage. We have had a parliamentary select committee into grain freight. We have had parliamentary select committees on a wide range of things. I am not saying that any of those committees are unimportant, but this issue is way more important than many of the issues for which we have had select committees established in this house. I do not accept that we have enough information to make a decision. That is why we, as a Liberal team, have made this a conscience vote.

I understand that the government has taken a caucus decision to vote as a block on this issue. I also understand that that decision was taken by the Labor Party after significantly changing the initial motion. I listened very carefully to the member for Light. I do not doubt his genuine intention in bringing this forward. It will be interesting to see if every member of the Labor government turns up to vote in support of the position that has been taken apparently by the Labor Party. To be quite blunt, I think this is being dealt with in a fairly messy fashion. I think there may well be a bit of mischief in this, not by the member for Light or any of the members who have spoken here today either—but mischief in this.

I do not feel that it is appropriate for us to deal with this, not because we cannot take a position but because I suspect that most of us do not have nearly enough information to make a genuinely informed decision on this issue, which has perplexed the international community for decades.

The Hon. T.R. KENYON (Newland) (11:42): I have no comments to make on the merits or otherwise of this motion, other than to reject any assertion from the member for Stuart that there is any mischief at play in bringing this motion to the house. The member for Light can speak for himself, but I speak for the rest of the people who sit on this side of the house. There are nothing but good intentions from those on this side of the house in bringing this motion to the parliament, whatever your view on this conflict. I want my rejection of any mischief on behalf of the Labor Party on this motion on the record.

The Hon. A. PICCOLO (Light) (11:43): I will not prolong the debate. I thank all the speakers for their contributions. Contrary to what has been said, I think this issue is well understood and I also understand and respect that people have different views on this matter and that some people will just have to agree to disagree. That is fine. But I disagree with the suggestion that this motion is somehow inappropriate for this place. I think it is an appropriate place, as members opposite have said. We have discussed a whole range of international and federal issues in this place. What this motion seeks to do is to put on record support for the recognition of the Palestinian people and the Palestinian state. In my view, I think it makes a small contribution—I accept that—to the peace process.

I read recently a very good article by a journalist from *The Guardian*, but I do not remember his name. He said that the worst thing, the most damaging thing for this dispute is to enable the stalemate to continue. It just breeds more resentment right across the Middle East and leads to more violence. We should not lay blame on one side or the other; we need to actually move forward in a practical sense. The way to move forward is by making sure that both parties have an equal seat at the table. By recognising the state of Palestine, we do that.

Motion carried.

There being a disturbance in the gallery:

The DEPUTY SPEAKER: Order!

PUBLIC SECTOR EXECUTIVES

Mr SPEIRS (Bright) (11:45): I move:

That this house condemns the Weatherill Labor government for its ongoing politicisation of the South Australian public sector, including—

- (a) a failure to apply merit selection principles to executive appointments;
- (b) a consistent strategy of appointing ministerial advisers and Labor Party members to executive positions; and
- (c) the dismissal of senior executives without explanation and seriously impacting the overall morale of the Public Service.

I have made a number of speeches about the Public Service since my election in 2014. Members would know that, prior to becoming a member of parliament, I spent five years working in the cabinet office within the Department of the Premier and Cabinet. Those five years were great. I learnt a phenomenal amount about how government works, and perhaps how government does not work in some cases. I worked on policies and in areas as diverse as local government, Aboriginal affairs, housing, international education and strategic planning. I worked on projects for COAG and national task forces for the Department of the Prime Minister and Cabinet.

I was there in the frenetic days following the election of the Rudd government and the dramatic changes that followed in terms of state-federal relations, particularly with regard to funding arrangements. It was challenging work, good work, creative work and hard work. I worked with interesting, innovative areas of government. I worked with the Adelaide Thinkers in Residence program, with the Integrated Design Commission and the university city program. I worked on South Australia's Strategic Plan.

Many of these projects would have been viciously criticised at the time by many people who are now my Liberal Party colleagues in parliament today, but many of these things were good projects that happened under Mike Rann when he was premier. For all his faults, I think he was very clear about what he stood for. I have plenty of criticisms about his time in office but I believe that the Rann era will be viewed quite favourably by history, but that is an aside.

I reflect on my time in the Public Service because, although I did not always agree with the position that I had to advocate as a public servant, and although my political and ideological views sometimes differed from the government that I worked for, I served them to the best of my ability. Some of my longest and hardest working days were when I worked in the cabinet office, but the work was genuinely stimulating and enjoyable.

I enjoyed my time in the Public Service. Although sometimes the slowness of bureaucracy was frustrating, it was a very good place to forge a career. Whether you are an engineer in the transport department or a paramedic in Health SA, a business analyst in the state development department, a ranger in the environment department or someone developing a policy in the Premier's department, working in the Public Service gives you the ability to deliver change and action that can impact people's lives for the better.

The speeches that I have delivered about the Public Service in this parliament have aimed to underline the incredible value that I place on a productive and creative Public Service. I believe that the Public Service as a whole is filled with people who are passionate about South Australia and who are keen to use their positions to make a difference. I met many of these people during my time in the cabinet office. They were my friends and colleagues and I do genuinely see myself as something of a voice for them now that I have been elected to the state parliament. Too often, our public servants feel that they cannot speak out in an appropriate way. Too often, they feel gagged, bullied, even harassed into not speaking up about the issues that they feel the state's Public Service is facing today.

My great beef with today's Public Service is the politicisation of its leadership. This motion seeks to highlight that politicisation and the damage that it is doing, while also publicly stating that I will do whatever I can to ensure that that drift is corrected and not repeated in any future Liberal government that I am fortunate enough to be part of.

My motion decries the all too often abandonment of merit selection where executives are appointed within government. It condemns the conga line of ALP members, union officials and ministerial staffers who are parachuted into senior Public Service jobs, leaving much more worthy candidates gasping in shock at the sudden arrival of a card-carrying Labor Party member in a position that may not even have existed the previous week. My motion highlights the morale-sapping way that contracted Public Service executives have been sacked from their jobs and frogmarched out of their offices, only to be replaced by ALP sycophants within weeks.

I was stunned during the budget estimates process in 2016 when, under questioning, the Premier said that he believed that morale had actually been bolstered by the sacking of senior executives. His perverse reasoning, which he did not articulate but which I can only surmise was that the removal of, in his view, underperforming senior public servants was a good thing. That probably is the case, but in many circumstances these executives were not deemed to be underperforming. There was no evidence of this at all. Instead, we have a situation where an incoming chief executive, Kym Winter-Dewhirst, himself now a distant memory, wanted to flex his political muscle and make a point.

My connections with the SA Public Service, I believe, are far, far better than those of the Premier; they are more genuine and more truthful. I can tell this parliament that the idea of any action that this government takes bolstering morale in the Public Service is absolutely ludicrous. Morale is at rock bottom and I do not hesitate to say that I have no doubt—no doubt at all—that morale has never been lower in our state's Public Service than it is today. There is a dark cloud sitting over South Australia's Public Service. The cold, dank fog of politicisation has squeezed every drop of positivity out of the place and it has clouded decision-making, resulting in mistakes, budget overruns and poor outcomes across the state.

Why does politicisation cause this? Quite simply, it is because more often than not the people in charge—the people at the top who are political appointees—are not there through merit and, because they are not there through merit, they do not have the capabilities that might otherwise be tested by a job application and interview process. The very nature of the selection process, which measures applicants against predetermined criteria, is that idiots are usually sifted out and sent a polite letter telling them, 'Better luck next time.'

But when the only selection criterion is membership of a political party—and please note that I said 'political party'. I did not say 'the Labor Party'. The South Australian Labor Party squeal and spew their bile on Twitter about my speeches when I talk about the Public Service because they are as guilty as sin when it comes to shonky political appointments, but I am happy to point the finger at Liberal colleagues federally and interstate and say that they are just as guilty of this sort of thing, and their public services have also suffered the same consequences.

Politicisation leads to dodgy leadership and bad decisions because political appointees do not tend to have the same overall capacity. They also need to please a different master. Because they did not reach their lofty position through hard work, they know that they have to bow and curtsy and grovel to their political bosses, and it is at this point that frank and fearless advice dies a lonely death. You cannot effectively challenge a minister when they know you are not very bright, so you choose not to challenge. Instead, you kowtow and choreograph a perfect landscape, pretending you have a situation where South Australia is filled with medals, flowers, blue skies, bunny rabbits and baskets of Haigh's chocolates. Except it is not.

The truth is that old people are dying at Oakden and vulnerable kids are being abused by paedophiles. Our youth unemployment rate is a heartbreaking embarrassment and our business confidence is at rock bottom. Our ambulances are ramped and our educational attainment is much lower than it should be. I could go on and on. Ministers need to hear the truth. Politicised public servants contort and deliver ministers poor options, sheared of evidence and instead coated in the sugar of short-term political gain. The consequences can be dire.

The politicisation of the Public Service can occur suddenly and without warning. Positions are created overnight and apparatchiks are dropped into them, bedazzled at their good fortune. The creation of multiple executive positions through restructures has become a popular Trojan Horse for delivering political friends to the heart of government departments. One day staff arrived at work in the environment department and three executive directors had become six, just like that—magic—or a whole new directorate is established to squeeze card-carrying hacks into it.

The nuclear royal commission saw the creation of CARA (Consultation and Response Agency), a group who quite hopelessly led a process that collapsed in utter disaster. However, while not quite transforming our state's economy, it did manage to provide some pay cheques to a group of highly political executives for a period of time.

My views on this matter are not strange or unique; they are backed up by many others. Hundreds of public servants in South Australia, I believe, will vote for the Liberal Party at the next election because they desire change within the bureaucracy. They crave that merit selection process. They would love to be able to get ahead because of their ideas, skills and knowledge, rather than because of political allegiance. They want to be able to save South Australia, rather than be forced to do work which has little purpose other than to maintain a particular party in power.

Beyond the everyday public servants, we have various business community and academic leaders who have spoken out about the politicisation of the Public Service, not just in South Australia but interstate and overseas. The problems that can occur because of politicisation have been documented by Jennifer Westacott, the head of the Business Council of Australia, and Terry Moran, the stalwart of Australia's federal Public Service, for many decades. Both decried the politicisation of the Public Service and raised significant concerns about what this can lead to.

The fact that Labor MPs sneer and laugh at the idea of an independent public service while eminent government and business leaders speak out with opposite views highlights the rot that has set in in South Australia after nearly 16 years. The current class of ALP MPs and ministers are unable to grasp the importance of a frank and fearless public sector because such a thing is so diminished under their broken regime that no corporate memory of such a thing exists.

The DEPUTY SPEAKER: We have a point of order?

The Hon. S.E. CLOSE: A point of order on impugning improper motive. I feel that what I have just heard is that, as a Labor MP and minister, I do not understand the value of a—

An honourable member interjecting:

The DEPUTY SPEAKER: Order! There is a point of order, which has to be listened to, and then I will make a ruling.

The Hon. S.E. CLOSE: I feel that I have been accused of not understanding the value of a frank and fearless independent Public Service.

Mr Knoll interjecting:

The DEPUTY SPEAKER: Order! You can have a point of order, member for Schubert—and you are not in your place, so I should not be hearing you at all. I think we will have to listen very carefully to what you are saying, member for Bright, which is a euphemism for do try not to impugn improper motive.

Mr SPEIRS: Thank you, Deputy Speaker, and I am sorry the flow of my very good speech was interrupted unnecessarily. I just want to tell a tale of my time in the Department of the Premier and Cabinet when former chief executive Chris Eccles went to work for the incoming Liberal government in New South Wales. There was a level of fury at the top of the premier's department at that time. People used words like betrayal and disloyal and traitorous to describe Mr Eccles, but he was actually doing what any good public servant should be able to do, and that is to move seamlessly between jurisdictions serving the government of the day. The fact that the Labor Party was entirely unable to grasp the possibility that you could do that portrays their misunderstanding of the role of the public servant and of the Public Service more broadly.

I want to draw a distinction between a politically appointed chief executive and a deeply politicised chief executive. I accept that a minister can and should be able to appoint a departmental head, but it becomes much more concerning when those departmental heads take on the role of political activist within a public service guise.

A few weeks ago, one chief executive got in touch with me to inform me of the establishment of a cabal of Labor-aligned chief executives who meet as a sort of subgroup of the Senior Management Council. Their role is quite simple—to examine ways in which to further the likelihood of the re-election of the state Labor Party. This is not hidden from other chief executives. They know that there is an inner sanctum and an outer and, even though many of those in the outer are also loyal ALP stalwarts, the inner is quite different.

This tiny fraternity I was told about is intimately involved in Labor Party strategy. They are gearing the Public Service to advance the political success of the Labor Party. Their unwritten, quietly spoken terms of reference include ways to encourage public servants to vote for the ALP, ensuring the departmental communications teams are churning out government propaganda to within a millimetre of acceptability and developing policies, programs and projects that have maximum impact and must win ALP seats.

The cabal, a clutch of loyal ALP-aligned chief executives led by Department of the Premier and Cabinet chief executive Don Russell, a sort of godfather of Public Service politicisation, has been tasked with ensuring the state budget is as political as it can be, ensuring that it maximises Labor's chances of re-election and, of course, helps to preserve the jobs of that gilded group.

A question I am often asked is: would this be different under a Liberal government? People say to me, 'Surely, it would be the same under you guys. You will just appoint your mates to plum public sector jobs in the same way that this mob does.' That is a very fair point for people in the Public Service and people in the community to raise with Liberal Party MPs because after 16 years of conduct like this, why would someone not expect that an incoming Liberal government, if fortunate enough to be elected in 2018, would do the same?

But I am absolutely confident that things will be better—much better—under a Liberal government. Our leader has stated publicly on many occasions that the Liberal Party will return the

Public Service to the ideal that it serves governments of any political persuasion equally. We want the leaders of our Public Service to feel that they can give frank and fearless advice to ministers so that they influence decisions and outcomes that they think are the right ones for the community as a whole, not particular political groupings.

The Liberal Party's plan for the future of our state, '2036', is forthright in its support for our Public Service. The plan contains a platform entitled, 'Running an efficient and stable government', and within this section, we state:

The public service is one of our state's greatest assets, able to drive change in South Australia when given the freedom and respect that it needs to unleash its potential.

The document goes on to say:

We will invest in our public service, providing training and development opportunities and allowing them to carve out career pathways in the sector.

We say that we believe that handing out senior public sector positions as a reward for political loyalty is inappropriate and we say this approach:

...tears the heart out of the public service, undermining the concept of merit selection and crushing morale among thousands of public servants who see their own career paths stymied as political favours are fulfilled.

That is pretty strong language for a policy document, but it does show that the Liberal Party, if privileged enough to take government next March, is willing to draw a clear line in the sand. We will end the culture of toxic politicisation of our Public Service.

Government is not a game for us. It is not about playing a giant game of chess where our mates are moved in and out of positions of power while everyone is left behind as mere pawns. We are serious about the future of our state and we see a frank and fearless, healthy and proud Public Service as one of the greatest assets that this state has to drive genuine reform. I commend the motion to the house.

Mr MARSHALL (Dunstan—Leader of the Opposition) (12:03): It is a great privilege to rise and speak on this excellent motion, which has been brought to the house by the hardworking member for Bright, a former public servant who understood the vital, important and crucial role that public servants play in our state.

As you know, there has not been a change of government in South Australia for almost 16 years. It is natural, therefore, that members of any alternative government may assume that, at least in its upper levels, the state Public Service has become staffed by some sympathisers with a political party other than their own. After so long under Labor, we Liberals want to return Public Service to the ideal that it serves governments of any political persuasion equally. We want the leaders of our Public Service to feel free to give frank and fearless advice to ministers so that they influence decisions and outcomes they think are the right ones for the community and for the state as a whole.

There needs to be an appropriate balance between responsiveness to the government of the day and the impartial, professional role of the Public Service. Last year, Deputy Speaker, you will recall that I put out my '2036' plan. This sets out nine areas that we think good state government should be based upon. We talk about our values in each of those nine areas and our reform agenda. Chapter 9 is entitled 'Running an efficient and stable government'. In discussing that priority, my plan states that, and I quote:

The public service is one of our State's greatest assets, able to drive change in South Australia when given the freedom and respect it needs to unleash [that] potential...

And I mean that. I urge the public sector in South Australia to view the possibility of a change in government next year as an opportunity to play a significant role in helping the much-needed transformation of our state. South Australia's problem is not the Public Service: it is the government we currently have, which is not providing the required leadership, responsibility or accountability. South Australia faces significant economic and social challenges. What I want to do in government is get back to what really matters most: running the state well with the Public Service. That is what we all expect of government.

The Public Service has a vital role to play if we are to meet the challenges that lie ahead. People join the Public Service because they want to help others and they want to help their state. I know that that was the motivation for the member for Bright and for other members of this parliament who previously served in the Public Service. Good government, good public service, is not about building monuments; it is about meeting the reasonable, everyday needs and expectations of the people of this state. The way in which this is done is determined largely by the quality of the people providing public services and the leadership they receive from the government of the day.

Before entering parliament in 2010, my working career was in the private sector, but that does not mean I believe the private sector has a monopoly on how best to provide services to the people of this state. We certainly need a thriving business sector to fund the public services that the people need, but that does not mean private companies always deliver better service. If I am elected Premier, I will treat the Public Service in the manner that my '2036' plan foreshadows: with respect and to make it an employer of choice, as it once was. I go on to say in my '2036' plan, and I quote:

The public service should be free from political interference, with a premium placed on frank and fearless advice, with jobs won on merit, not as rewards for political loyalty...

And I mean that as well. To ensure it, a Liberal government will strengthen the independence of the Commissioner for Public Sector Employment and the commissioner's role in chief executive and other senior appointments. We will place limitations on the appointment of ministerial staff to Public Service positions. We will introduce a regular assessment and public reporting by the commissioner on the performance of agencies in adhering to the merit principle for job appointments.

Another major concern my party has had about public sector management is the structure of agencies. The current government has 52 ministerial portfolios. One chief executive reports to six separate ministers. There have been frequent agency restructures following ministerial reshuffles or changes in senior executive ranks. We need a focused state government to meet today's challenges and to pursue tomorrow's opportunities. Our state needs a government with a sharp focus on two overriding objectives: economic growth and efficient delivery of key services to individuals, families and businesses.

By running a government that is fully committed to clear priorities, we will put South Australia back on a road to sustainable economic growth and prosperity. I have announced the structure of the government that I want to lead. It streamlines ministerial reporting lines based upon one minister, one chief executive, one department. It aligns with the need to serve the public, not a desire to serve the interests of the minister of the day. One commitment I can make on staffing at this stage is that a Liberal government will have fewer ministerial staff. I am aware of a concern within the Public Service that increasingly senior officers are being directed by ministerial staff who have no accountability to anyone except the minister.

As well as having fewer ministerial staff, we will establish a code of conduct for ministerial staff to ensure appropriate standards of behaviour and accountability. It is not only what should be the impartial role of senior public sector executives that has been eroded by a long period of a Labor government; the role of cabinet in making key whole-of-government decisions has also diminished. Ministers routinely walk in important proposals to cabinet without proper analysis, consultation with agencies on whole-of-government impacts and consideration by other ministers with a responsibility relevant to the matter at hand.

This sidelining of cabinet results in poor decisions. A Liberal government will restore more rigorous cabinet processes. They will be supported by a strengthened cabinet office required to provide proper analysis of proposals including risks, costs and benefits from a whole-of-government perspective. This will improve the quality of cabinet decisions, avoid unnecessary costs imposed by poor decision-making and improve government accountability.

There used to be an ideal of public service in South Australia where ministers took responsibility for the services the public receives and are answerable to parliament for the actions of those providing them. If serious errors or worse occur in a department, the minister resigns, particularly where there has been evidence of warnings or maladministration not acted upon, but now some new stereotypes have been created about public service in South Australia. One is that

the most vulnerable in our society, young children and the elderly, are exposed to neglect and abuse because government care for them has broken down. That much is unfortunately true.

The particular stereotype that ministers would like the public to accept is that they knew nothing at relevant times, that the responsibility stops with those government employees directly administering the care—not with the ministers. This stereotype has, however, another dimension: the stereotype of a minister who sees nothing, hears nothing and questions nothing. A long period in government is no excuse for such ministerial incompetence and failure to give leadership. The longer the ministerial experience, the more inquiring the minister should be. Instead, from the Premier down, the current ministry has grown a culture of denial.

Responsibility stops at the department door. It must not be allowed into the minister's office under any circumstances. By slamming the door on ministerial responsibility, the government has attempted to lock the whole Public Service into a stereotype it simply does not deserve. Ministers are diligent and competent at all times, but cannot always be trusted with their public servants. By failing the test of leadership by example, this government has failed the 100,000 people who work for it, the vast majority of whom are diligent and decent people.

It was almost 10 years ago that the parliament began inquiring into the Oakden service for elderly dementia patients. The government received subsequent warnings as well. This is not just a question of short-term failings of some subordinates. Even after the harrowing circumstances at Oakden were exposed, the government ducked and weaved. The inquiry report remained unread by the minister and the Premier. The Premier went on holidays. The Premier and the responsible minister did not speak to one another about it for a very long period of time. The relatives of those most directly affected were left to wonder whether anybody in authority cared. The sin of the failure to act before the abuse and neglect became endemic, despite being warned, was compounded—

The Hon. T.R. KENYON: Point of order: the Leader of the Opposition is now talking about the actions of ministers, not the politicisation of the Public Service, which is the point of the motion.

The DEPUTY SPEAKER: I am going to listen, and I am sure that the leader, in his last 30 seconds, is going to sum up his entire contribution.

Mr MARSHALL: At every opportunity this government has failed to take ministerial responsibility. We see this time and time again with the shocking abuse of a student at a western suburbs school, with our high unemployment rate and now, most recently, with the harrowing circumstances around the Oakden crisis. We on this side of the parliament would like to restore not only ministerial responsibility in this state but also, of course, the independence of an excellent Public Service here in South Australia where we again become an employer of choice.

The Hon. T.R. KENYON (Newland) (12:14): Perhaps the best argument against the member for Bright's motion is, in fact, the member for Bright. He is someone who had quite a decent career inside the Public Service, who worked his way up through the Public Service and spent quite a considerable amount of time there. He was free to pursue candidacy and then office on the Marion council to the point where he eventually became a candidate for the Liberal Party while he was serving in the cabinet office, running against a member of that same cabinet.

If there was some sort of politicisation of the Public Service, I would expect that at some point a political public service would have sidelined the member for Bright. It would have put him aside. It would have quietly said to him, 'I'm sorry, son, you can't work here anymore because you are running against a cabinet minister.' It did not happen. He was able to continue in his job, dealing with sensitive cabinet documents for the entire time of his candidacy as a member of the Liberal Party.

Not once was he sidelined from dealing with cabinet documents and cabinet submissions, the process of compiling the cabinet agenda, offering comment—all the things the cabinet office does. He was able to continue in his role inside the cabinet office while he ran against a cabinet minister and was ultimately successful in that. So, I think the best argument against the politicisation of the Public Service in South Australia is, in fact, the member for Bright himself.

I know from my time as a minister that the thing I valued most from my public servants—and, I might add, from my own advisers—was frank and fearless advice. The most useful thing for a

minister is to be able to have those counterviews, to be able to talk them through in a rational, logical and coherent way, and almost without exception that was the case. In fact, the most frustrating member of the Public Service I worked with closely was someone who rarely engaged in that debate and rarely gave me the benefit of what they were thinking at the time. I found that the most frustrating thing.

My other expectation of my public servants is that, of course, having given me that advice and having discussed it with me, once I had made a decision I expected them to implement that decision. Implementing public policy determined by the government of the day is the role of public servants. That is what you expect of them. You expect them to advise you, to be a sounding board for your ideas and to help you develop policy and then, once you have made a decision on policy, you expect them to implement it as you have outlined it. I must say that for the most part that is what I received in the public sector, and it was very valuable for me as a minister.

All the supposed crimes the member for Bright has outlined were equally true in the former Brown and Olsen governments. All these things occurred when chief executives were appointed or removed. If you listen to the member for Bright, the removal of a public servant, particularly a chief executive, is somehow wrong. He may have a point, but we are not alone. I will quote from the Auditor-General's Report in 1999 that levelled some scathing criticism at the Olsen government's treatment of the public sector and set the precedent:

There have been several well publicised episodes in which Chief Executives have been dismissed for what appear to be arguments based upon 'unsatisfactory relationships' rather than 'unsatisfactory performance'.

For whatever reasons, Ministers and others in Executive Government appear reluctant to articulate precise deficiencies in Chief Executive performance. For example in each of the cases of Michael Schilling, Dennis Ralph and Carole Hancock, the Government suggested that a 'breakdown of the relationship' and/or 'the inability to achieve the departmental outcomes required by the Minister (Board)' was the determinative issue. Such generalised complaints are not sufficient given the importance of the individual right involved (livelihood and professional reputation) and the cost to the public of payouts (as with Mr Schilling) continued contractual obligations (as with Mr Ralph) and litigation (as with Ms Hancock). It may well be that the responsible Ministers in the two departmental cases have never turned their minds to the precise reasons for their dissatisfaction, but that in itself would be an example of process breakdown or system deficiency.

The surprise approach adopted in a number of well publicised episodes such as the sacking of Ms Hancock on Christmas Eve, or the removal of Mr Schilling and Mr Ralph, prima facie, offend procedural fairness and the legitimate expectations of the individuals that they be dealt with in a manner which is fair both in terms of acceptable process, and in terms of what they are reasonably entitled to expect given the functions they perform.

In September 2001, the Olsen government terminated the contract of the head of Industry and Trade, John Cambridge, two years into a five-year term on the ground of mutual agreement and with a payout of \$250,000 with no specific reasons provided for this payout, as required under the Public Sector Management Act. In July of that year, it has been disclosed that taxpayers were subsidising Mr Cambridge's golf fees as part of his salary package. It was then found in October 2001 that he had presented misleading and inaccurate evidence to the Motorola inquiry.

Part of the role of government is making sure that you have decent people who can implement the work and the policy you have hired them to do. That necessarily means that there is going to be some turnover from time to time. To say that somehow it is new is wrong. To say that somehow this should not be the case is wrong. And to say that somehow just because people who have previously worked as advisers to ministers, or indeed who are members of a political party, are incapable of playing a role in the Public Service when they have particular skills and other things just demeans people simply because they have been a member of a political party. It is not a standard that he applies to himself.

He was a member of a political party, presumably throughout a large chunk of his time in the public sector. It did not diminish his ability as a public servant. In fact, he was trusted by the government of the day and the chief executive at the time to continue his role despite his membership of a political party, because political party membership and your ability as a public servant, even at executive level, are completely different things; they are mutually exclusive. Just because you have been a former adviser or you are in fact a member of a political party should not rule you out from eligibility for a role in government.

Mr BELL (Mount Gambier) (12:22): I rise to make a few comments on the politicisation of the South Australian Public Service. I have seen this firsthand over a number of years. You do not have to go too much farther than requesting a briefing from a minister who then calls in a departmental senior staff member. It is quite obvious when you are in this briefing that the departmental person's eyes keep darting to the ministerial staff to make sure that what they are saying is in line with what the minister would want them to say.

So, it is always a sanitised version. It would be as far from frank and fearless as you could possibly get. The real conversations occur outside those departments. From words to the effect of, 'I've got to be careful of the words I say,' you can tell by the reaction of the public servants in those meetings that what they say is being monitored very, very closely.

Down home, you would not have to look too far past our health service. If frank and fearless advice is what the government is after, then I would say they would be getting anything but that. The chair of the health advisory council overrules many of the members there. It will not surprise people that the chair of the HAC is a card-carrying member of the Labor Party and rumoured to be the candidate at the 2018 election.

We will talk about some of the advice that has not been forthcoming to the Minister for Health. What a debacle in relation to orthopaedic surgeons—18 to 24 months for contract negotiations, past the due date of the contract expiring—and to our palliative care cuts, where we had a town hall meeting of 500 people expressing their outrage at those cuts. As to our Emergency Services Department (ED), 'No problems here, look somewhere else,' but finally, through community pressure, we had a Country Health SA review and, lo and behold, many of the concerns the nurses had been expressing were found to be true and extra funding was put in, which of course I am grateful for. In my opinion, the advice the minister must be getting from our local Health public servants is suboptimal.

When doing some research to prepare some notes for this, I came across an article by Michael Owen, dated 27 February 2015. I do not think I could say it any better, so I am going to read parts of this article.

Members interjecting:

The DEPUTY SPEAKER: Order! I am going to have to protect the member for Mount Gambier.

Members interjecting:

The DEPUTY SPEAKER: Order, on my right! Stop the clock. He needs to be heard in silence. It is a courtesy that all members should be extended.

Mr BELL: Thank you, Deputy Speaker. Let's see if some of these facts can be disputed and spun a different way. Of course, there will be many speakers from the other side who will have a chance to do that.

The Hon. A. Piccolo interjecting:

The DEPUTY SPEAKER: Member for Light, you just informed the house that you were going to listen in silence.

The Hon. A. Piccolo: I'm a bad boy.

The DEPUTY SPEAKER: Apparently so. I do not want to have to start calling you to order.

Mr BELL: The article is dated 27 February 2015:

OUTRAGE is growing within South Australia's public service amid a perceived politicisation of the senior levels of the Department of the Premier and Cabinet.

This follows the sudden sacking late last month of up to 11 senior executives within the department.

The chief executive of the Department of the Premier and Cabinet, Kym Winter-Dewhirst, a former Labor staffer, emailed staff to say he had made structural reforms that would lead to better services, with a new nine-person management team.

Most of those sacked without warning had 30-40 years of experience and one executive was just one year into a five-year contract.

The sacked executives were escorted out of their offices.

Opposition Treasury...[the Hon.] Rob Lucas [from the other house] said following the mass sackings that former Labor Party operatives had been parachuted into lucrative positions within the Department of the Premier and Cabinet.

Appointments include Paul Flanagan, a former Labor government staffer, as the director of government communications; together with the executive director, implementation and delivery, Rik Morris, another former Labor government staffer.

The latest appointment to raise [concerns]...is that of Adele Young, as the director of reform.

There will be no guess in this house as to where Ms Young came from:

Ms Young was the chief of staff for former Northern Territory Labor leader Clare Martin, an ALP strategist attributed with spearheading Labor's three NT election victories. She [was also] exposed by *Media Watch* as using a fake name to call in to an ABC Radio program.

Premier Jay Weatherill has backed the moves, telling *The Australian*...that...appointments had been made in accordance with the Public Sector Act.

Rod Hook made a very good quote at one stage, which plays into that, that is:

How sad would it be for our state if a prerequisite for a successful public sector career is for you to be encouraged to drop around to your local party sub-branch and sign up.

Back to Michael Owen's article:

...Ms Young was a former union powerbroker...for Labor.

He then quotes the Hon. Mr Lucas:

What we are seeing in the Department of the Premier and Cabinet at the moment is the politicisation of the senior levels of the Department of the Premier and Cabinet and the senior levels of the public service right across the board, as Labor government staffers and fellow travellers are parachuted in—in many cases, without competition—to the various executive positions...

He said that many long-serving public servants were furious at the way Mr Weatherill and his chief executive had treated 11 executives in the last week of last month, when they were sacked on the spot and escorted from the building.

Some of those who were sacked had 30 to 40 years' experience and I think some of the sacked executives backed the claims of the Liberal Party, saying that the government had axed them in order to provide 'jobs for the boys'. That was written barely one year after the last state election. I do not think things are any better; in fact, I think they have become worse.

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (12:30): I rise to speak on the member for Bright's motion before the house, attempting to indulge in a piece of petty Liberal partisan politicking about appointments to the Public Service and the basis under which those appointments are made. To be fair on the member for Bright, this motion was placed on the *Notice Paper* in relatively happier times. The member for Bright has seemingly appointed himself, in his little over three years in this chamber, as the member for moral standards, as the member for moral or ethical behaviour, or at least procedural behaviour in the chamber, and in this case, outside the chamber as well, which I find is brave, yet galling.

One of his first contributions to this house recounted how he was a member of the cabinet office team. As a member of cabinet office staff, of course, those public servants are required to provide advice, principally to the Premier, and on some occasions to other cabinet ministers, or indeed to cabinet, either on orders of business that are to go before cabinet, or, indeed, in this instance, as the member for Bright recalled, to provide advice to the Premier in preparation for his meeting with the Prime Minister and other premiers at COAG.

Could there be many greater responsibilities for a public servant than that particular responsibility—seemingly, by his own words—discharged by the member for Bright? Of course, that responsibility comes with it further personal responsibilities. In fact, they are responsibilities that are

spelt out, chapter and verse, in the various codes by which public servants are required to abide—principally, confidentiality. While we have the 'member for behaviour' over here lecturing the other 46 of us how best to go about discharging our responsibilities, what is he doing? He is fessing up to not meeting the standards of the Public Service.

I am not even digressing into thinking about and considering how the member for Bright should have been so fortunate to find himself in the position of being a member of cabinet office and whether there was a thorough merit-based selection process or, as was the discussion at the time—and I should say discussion only, with no further discussion or action taken—whether there was some consternation that there was not a robust, merit-based selection process that allowed the member for Bright to become a member of the cabinet office staff. But, of course, that is never discussed or disclosed or entered into, is it?

So, we are getting an impression of one set of standards for the other 46 members of the House of Assembly, not to mention the other roughly 100,000 headcount of the Public Service, and then, of course, on the other side of the coin, the member for Bright himself. He follows that up with placing a story about this in *The Advertiser*, quite carefully, and what was meant to be an inflammatory speech where he mocked people who work for members of parliament and ministers for their eating habits, for their weight and for their behaviour around the halls of this parliament. These are really hard working demonstrations of what a member of parliament should be devoting their time and mental energy towards.

He was attempting to demonise those people who may not have as impressive a body mass index as the member for Bright himself. Well, congratulations. What a stunning contribution that was to the House of Assembly. Not only does the member for Bright seek to waste this chamber's time with those sorts of contributions but he also conveniently forgets the behaviour that we see from the other side of politics both during their time of government and during their time of opposition when it comes to the appointment of executive positions in the Public Service.

I was surprised to find out that the former chief of staff to the former Liberal treasurer, the Hon. Rob Lucas of the other place, was appointed as the chief executive of the Motor Accident Commission. I wonder what merit-based selection process that individual went through. I have to say that in this instance it did not matter too much because that individual was actually seen, I think widely, as a very good chief executive and he continued on in that role for some years, despite there being a change of government and despite the former Labor treasurer Kevin Foley assuming administrative and functional responsibility for the Motor Accident Commission.

Of course, that is but one example of how people who are alleged to be partisan, alleged to be members of political parties or alleged to be hacks, who are loyal only to one side of politics, do find their way into senior positions in the Public Service. I was very lucky to have the opportunity to work in a treasurer's office during the early stages of this Labor government. I say 'lucky' because I was able to share time with some of the most senior and highly regarded public servants in the Treasury and Finance space that this country has ever produced, particularly the former under treasurer Jim Wright.

Jim is somebody who has enjoyed a more than 40-year career in public administration, particularly around those areas of Treasury and Finance. Where was one of his first jobs? He was a liaison officer in the federal treasurer's office of former prime minister Paul Keating. Did that prevent him from going on and having a stellar career at the upper echelons of the federal Department of Treasury? No, it did not, because he was well regarded and exceptionally credentialed.

When he became the Under Treasurer here in South Australia, appointed by the Hon. Rob Lucas, he restructured the department and he brought in under him two deputy under treasurers. Those deputy under treasurers were subjected to an 18 to 24-month campaign by the Hon. Rob Lucas where their characters were repeatedly, outrageously and unfairly assassinated by Rob Lucas of the upper house, principally because they had been appointed during the course of a Labor administration.

Where were those two under treasurers appointed from? One came from the Victorian Department of Treasury and Finance. It was almost a lateral move for that particular public servant. The other one came from the federal Department of Finance—again, a lateral move. Why did they

choose to come to South Australia? Because they were South Australians. How did Rob Lucas treat them? He did his best to vilify those two public servants. In fact, he succeeded, I believe, in chasing one of them out of South Australia. He was fortunate enough, based on his credentials and experience, to end up as a chief executive of two federal departments under both Labor and the Coalition federally.

When we have first-term backbenchers who come into this place and cast aspersions about how the Public Service may or may not be stacked with people who come from one political party or another, I think it would pay for all of us as MPs to think about what the record is of the person who is moving this motion, what the record is of his political party when they have been in government and what the record is of those people who are the senior advisers to the current Leader of the Opposition.

Rob Lucas has had a disgraceful record when it comes to vilifying and mistreating public servants. He is the shadow treasurer and he is in a position of senior responsibility to advise the current Leader of the Opposition. They treat this coming election campaign like it is the film clip from *Thriller*—all these old bodies coming out of the woodwork. Wayne Matthew was going to put up his hand for preselection. Mark Brindal is writing opinion pieces in InDaily. Spare us! You have got to be joking, given the history of some of these people. These are the torchbearers for the South Australian Liberal Party.

If you do not have the wherewithal to come up with public policy or a viable alternative to put to South Australia in the lead-up to this election, then my advice to the South Australian Liberal Party is maybe keep your mouth shut, rather than engaging in the sort of disgraceful smear and slander and innuendo that come from that side of politics over here or over to the Public Service. This is a dreadful motion and says a lot more about the person who moved it than it does about anybody else in here or the Public Service.

Mr SPEIRS (Bright) (12:40): Thank you to all the members from both sides of the house who have made contributions on this motion. I think the motion does have merit in that it raises something quite serious that ought to be spoken about openly across all political parties. As both the member for Newland and the member for Lee raised, there were examples of this sort of behaviour—the appointment of perhaps overtly political figures and the removal of those who were not, in the view of some, of the right political persuasion—under previous Liberal administrations in this state. As I said in my first contribution on this matter, it is a standard that I would like to see corrected in South Australia's Public Service.

I think both sides of politics could do better, and an opportunity may be presented to the Liberal Party after the next election—it may not be—to reset the way senior executives in South Australia's Public Service are appointed that would give confidence to public servants who operate on a day-to-day basis within our government department that their career paths would be respected more appropriately.

I am not in any way ashamed of the motion that I have brought to the parliament today. It is a motion on a topic that is of significant consequence to South Australia and should be looked at seriously. We should look to do better on this front. We can set up South Australia well by creating a frank and fearless Public Service that can speak directly to ministers and deliver great outcomes for this state. With that, I conclude my remarks and commend the motion to the house.

The house divided on the motion:

Ayes 15
Noes 20
Majority 5

AYES

Bell, T.S.
Goldsworthy, R.M.
McFetridge, D.
Redmond, I.M.

Duluk, S.
Griffiths, S.P.
Pederick, A.S.
Speirs, D. (teller)

Gardner, J.A.W.
Knoll, S.K.
Pisoni, D.G.
Treloar, P.A.

AYES

Whetstone, T.J.

Williams, M.R.

Wingard, C.

NOES

Bedford, F.E.

Bettison, Z.L.

Bignell, L.W.K.

Caica, P.

Close, S.E.

Cook, N.F.

Digance, A.F.C. (teller)

Gee, J.P.

Hamilton-Smith, M.L.J.

Hildyard, K.

Hughes, E.J.

Kenyon, T.R.

Key, S.W.

Mullighan, S.C.

Odenwalder, L.K.

Piccolo, A.

Rankine, J.M.

Rau, J.R.

Snelling, J.J.

Vlahos, L.A.

PAIRS

Marshall, S.S.

Picton, C.J.

Pengilly, M.R.

Weatherill, J.W.

Sanderson, R.

Wortley, D.

Tarzia, V.A.

Brock, G.G.

van Holst Pellekaan, D.C.

Koutsantonis, A.

Motion thus negatived.

AUSTRALIAN CHINESE MEDICAL ASSOCIATION OF SOUTH AUSTRALIA

Dr McFETRIDGE (Morphett) (12:47): I move:

That this house—

1. acknowledges the 25th anniversary of the Australian Chinese Medical Association of SA (ACMA-SA);
2. pays tribute to past and present presidents and committee members of ACMA-SA for their leadership and long-term commitment to support charitable causes, community programs and healthcare services for the South Australian community; and
3. highlights the achievements and contributions of ACMA-SA and the Australian-Chinese medical professionals made to Australia and South Australia.

This motion put by me a number of months ago now (the date on the paper I have is early in February) has been a while coming, but that is all the more reason for us to make sure we do bring up these motions because they are very important motions that are being put before this house on a Thursday morning.

Thursday mornings have changed a little bit in their intent and demeanour, as we saw in the recent division, but the opportunity to highlight to the house and, hopefully, to the people of South Australia the valuable contribution of many organisations across this state—everything from sporting organisations through to the volunteer groups of this world such as Rotary, Lions and Apex—is so important, plus events that are going on in South Australia, nationally and sometimes internationally.

In this case, in many ways it is an international organisation that I want to speak about. I acknowledge the fact that the motion was put together by the Hon. Jing Lee in the other place. The Australian Chinese Medical Association was founded in 1992, so it has been around for quite a while. The association promotes professional and social exchanges within the local medical community. It is also strongly represented in the wider society through a variety of community activities.

The society currently has about 150 members. Over one-third of its members are GPs, another third are specialists and the remainder includes resident medical officers and medical students. I put on the record that my son, Lachlan, is a resident medical officer at the Royal Adelaide Hospital at the moment, not that there is any conflict of interest or any other conflicts associated with

the fine work that he and other resident medical officers are doing, particularly those who are members of the Australian Chinese Medical Association.

The Australian Chinese Medical Association also has an annual scientific meeting. The content of those meetings is varied and encompasses many different topics of medicine and surgery, with a focus on current scientific and clinical knowledge. This is so important in any area of medical sciences. I certainly know in my own professional area of veterinary science to keep up with the latest developments. Continuing professional development is so important because you need to keep up with the latest developments in techniques, pharmacology and surgical techniques and also, in the case of human medicine, mental health issues.

The Australian Chinese Medical Association is a vibrant, united and growing organisation, thanks to the hardworking organising committee and the steady support of all its members and sponsors. The ACMA (SA) has many sponsors. I attended one of their dinners a few years ago and was delighted to take part in their raffle, as we all do, and won a BMW coupe for the weekend. I do not know the value of the prize.

I still have not taken the prize, quite honestly, and I was going to have it redrawn, but they insisted I take it, so I kept it but have still not used it. The association is really welcoming, and I certainly enjoyed that night. William Tam, who is now President of the AMA in South Australia, who is not only a highly skilled professional but also a very delightful person to be with, was there on the night, and he is still a strong supporter of the association.

Another major event that the ACMA holds is the Annual Chinese New Year Dinner. It is hosted by their major sponsor, Adelaide BMW, and it is great to see such sponsors supporting these sorts of organisations. The ACMA charity dinner is an amazing night. I have not been to one, but it is legendary around the medical profession as a major fundraising gala dinner and raises money for many organisations. A long list of charities has benefited from the charity night and the ACMA Foundation, which is a separate arm of the ACMA.

They include the Medical Benevolent Association of South Australia; the Flying Doctor Association; CANTEEN; the Royal Blind Society of South Australia; the Queensland Institute of Medical Research, in research for a vaccine against nasopharyngeal diseases; the Sichuan Earthquake Appeal, through the Chinese Embassy in Canberra and the Chinese Red Cross; the Eyre Peninsula Bushfire Appeal, through the Australian Red Cross; the Victorian Bushfire Appeal, through the Australian Red Cross; and financial assistance to help a Chinese family whose son needed surgery at the Adelaide Women's and Children's Hospital.

Bringing in young children from overseas to allow them to undergo surgical procedures in South Australia is something that we can all be very proud of. Our hospital system is very good, although it could be improved and there is a need to continually watch it. It is a very costly area to be in, but one thing that really stands out is the skill level not only of the surgeons and doctors who belong to the Australian Chinese Medical Association but also of all our doctors and nurses and the staff who work behind the scenes—technicians, pathologists, and the list of people who make our health system what it is goes on. Particularly for children from countries where skills, techniques and facilities are not available for life-changing if not life-saving surgery, this is something we should all be very proud of. It is great to see that the Chinese Medical Association is one of those organisations, along with others, that is bringing children from overseas to have that life-saving or life-changing surgery here in South Australia.

We have all seen the heartrending stories on the television of children who are being ostracised but not by their families, and that is one thing that does amaze me. It really pulls at your heartstrings that families never abandon these children, but sometimes they are not accepted in their communities as well as we would like them to be. But, after this life-changing surgery here, they go back to much better lives, and that is something that not only the Chinese Medical Association but all of us even in here can be very proud of because we are part of providing that service.

The Chinese Medical Association also provides moral, social and financial support to families involved in serious tragic car accidents. It also provides support to orphanages in various parts of China. The association has been in South Australia since 1992 and has a long record of assisting not only these various charities through their foundations, and continuing to promote advances in

medical sciences, but also of being a very important part of the Chinese ethnic groups in South Australia, and it is another part of the wonderful jigsaw that makes up this State of South Australia.

As a brand-new MP, I did go to a Chinese New Year celebration. I do not think it was the Chinese Medical Association dinner—although it may have been involved—but it was put on by the Fuzhou Chinese ethnic group. What amazed me then was that the men sat on one table and the women on another, and the men were all served. Then premier Rann sent along a woman to represent him, a public servant, and that person was on another table (which perhaps would not happen nowadays), but the ethnic and cultural backgrounds of our groups in South Australia are diverse. That has changed quite a bit now.

Certainly, we should all be very proud of people such as those in the Chinese Medical Association in South Australia who are promoting not only their medical prowess and pushing forward changes but also promoting professional development and their work in our wonderful multicultural society in South Australia. With those words, I congratulate the Chinese Medical Association on what they have been doing, and I hope the house supports the motion.

Ms DIGANCE (Elder) (12:58): The Australian Chinese Medical Association of South Australia was founded in 1992, 25 years ago. From its inception those 25 years ago, the Australian Chinese Medical Association of South Australia has strived to promote professional and social exchanges with the South Australian medical community, to enhance and build upon knowledge and to strongly represent itself and its members in the wider society through various community activities.

The association currently has around 150 members, with one-third of its members being GPs, another third being specialists and the remaining third being resident medical officers and medical students. The Australian Chinese Medical Association Foundation, formed in 1996, is the charity arm of the association and, since 2008, has been honoured with the patronage of His Excellency the Governor of South Australia, Mr Hieu Van Le.

The objectives of the foundation are to support medical research and education in South Australia, promote community health education, encourage research for medical students at Adelaide and Flinders universities, provide awards for excellence for medical students at Adelaide and Flinders universities and fund the projects that benefit the elderly and disadvantaged, all of which have really worthy objectives.

Another part of the Australian Chinese Medical Association of South Australia is the young ACMA. The young ACMA was formed to cater specifically for the younger members as well as medical students and has aims to foster strong bonds amongst the young doctors across all fields of medicine, as well as to encourage professional and social relationships with young and senior ACMA members and to organise educational and social events.

Throughout its 25 years, the ACMA of South Australia has proved itself a dedicated and united association thanks in no small part to its hardworking organised committee and, of course, the steady support of all its members. I congratulate the current president, Dr Jane Zhang, and vice president, Dr Kien Ha, along with all other board members past and present. The future of the ACMA of SA is, indeed, bright, and we on this side certainly do support this motion.

Dr McFETRIDGE (Morphett) (13:00): I thank the member for Elder for her contribution.

Motion carried.

Sitting suspended from 13:00 to 14:00.

Bills

BUDGET MEASURES BILL 2017

Message from Governor

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the Deputy Premier (Hon. J.R. Rau) on behalf of the Premier (Hon. J.W. Weatherill)—

Public Sector Act 2009—Section 71 Report

*Question Time***REPATRIATION GENERAL HOSPITAL**

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:03): My question is to the Minister for Health. Given the Repatriation Hospital was 98 per cent full at 7am this morning, can the minister assure the house that the southern hospital network will not experience even more overcrowding and more ramping when the Repatriation Hospital closes?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:04): Yes, I can. At the moment, there is a significant surge in activities, which of course is putting all our hospitals under high demand. We see these sorts of surges in our system occasionally and I know that our hospitals, with the changes that we are making with the extra capacity, extra theatres and the larger emergency department in the Flinders Medical Centre, are going to be in a stronger position to deal with these sorts of surges, and of course the new Royal Adelaide Hospital will provide significant extra emergency department capacity in our system as well.

AMBULANCE EMPLOYEES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:04): A further question to the Minister for Health: how many of the additional 72 ambulance officers and support staff promised in February 2015 have been deployed?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:05): As I have said previously, we are in the process of recruiting extra ambulance officers and we have had a call out for fully qualified paramedics for some time now. We have had some difficulty recruiting. It has taken a few calls in order to recruit. We have had some success in the latest round, but we will continue to recruit. I haven't got the exact information, but I think we have recruited about 30 extra paramedics. I will check that. These are additional paramedics as part of our recruiting program.

I would also point out that we have also increased the number of interns that we are taking through our intern program this year. When people complete their paramedic qualifications at Flinders University to become a fully qualified paramedic, they have to participate in the intern program, the same way doctors and nurses do, and we have increased the uptake of that. I think we have three intakes a year, so we have increased that number.

There is no doubt that the system at the moment is very, very busy and we do need additional ambulance officers, and that's why we are in the process of recruiting those extra ambulance officers. I hope that we will have those ambulance officers out very quickly.

AMBULANCE EMPLOYEES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:06): Supplementary: can the minister advise how many of the interns employed have been from interstate?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:07): I will check, but I imagine the vast majority of them would be from South Australia and not from interstate. I don't think there would be many from interstate, but I'm happy to check that.

ROYAL ADELAIDE HOSPITAL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:07): Can the Minister for Health assure the house that industrial action will not disrupt the move to the new Royal Adelaide Hospital in light of the recent ramping and the ultimatum given by the Ambulance Employees Association that if they don't believe the move is safe they won't do it?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:07): Yes, I'm confident there won't be any disruption to the shift. I know that there has been an enormous amount of interest among our paramedics to participate in the move. We have taken ambulances that were going to be retired and held them back so that we have additional ambulance trucks for the move. We are not going to need to take any ambulances off the road during those three days.

Mr Goldsworthy interjecting:

The Hon. J.J. SNELLING: The member for Kavel reminds me of the ambulance bus, which will be available for—

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

The Hon. J.J. SNELLING: —the move as well, so we are very confident. Yes, I am confident that there won't be industrial disruption because I know that our paramedics are very keen to be a part of this historic move.

ENTERPRISE PATHOLOGY LABORATORY INFORMATION SYSTEM

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:08): A further question to the Minister for Health: given the Auditor-General's report into EPLIS states:

A catastrophic failure at the primary data centre would potentially render the system inoperative for more than six hours.

why then was a secondary data centre not part of the original EPLIS budget?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:08): I will get a report back to the house on that particular issue. I am just speculating, but it may well be that the system would continue to operate without any disruption if that sort of thing were likely to occur, or alternatively the likelihood of it happening was considered so remote that it was decided that it wasn't necessary, but I am happy to get a proper report back to the house.

ENTERPRISE PATHOLOGY LABORATORY INFORMATION SYSTEM

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:09): Supplementary: as remote as the minister might suggest that is, what is the minister's response, then, to the concern clinicians raise about providing life-saving blood products during critical bleeds, that a delay of six hours would have significant impact on patient care?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:09): The deputy leader is presuming that, if there was such a catastrophic failure, it would have that sort of clinical impact. I would need to—

Ms Chapman: That's what the clinicians say.

The Hon. J.J. SNELLING: Well, the clinicians are saying that a delay of six hours would have an effect. I imagine there would be redundancies in place so that if that was to happen it wouldn't present those sorts of issues. As I say, I am more than happy to get a full report back to the house and to address those issues.

SMALL BUSINESS DEVELOPMENT FUND

Mr ODENWALDER (Little Para) (14:10): My question is to the Minister for Small Business. Can the minister advise the house on the outcomes of the first 12 months of the Small Business Development Fund program?

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) (14:10): I thank the member for Little Para for the question. There are a lot of small businesses in his electorate, and that is why am happy to announce to the house the outcomes for the first 12 months of the Small Business Development Fund, a \$10 million program, which this government implemented in 2016 to help small business in the north of Adelaide grow and to create jobs.

As at 31 May this year, 276 applications have been received over six funding rounds. Round 7 was assessed on 1 June 2017; however, recipients cannot be announced publicly until the funding agreements are executed. Ninety-two grants have been approved for a total of \$4,053 million, supporting the creation of 305 full-time equivalent positions. The breakdown across the two funding components are as follows: 42 start-up business grants, which are grants of up to \$20,000 and are available to new businesses on a one-for-one matched funding basis. They have been approved, totalling \$705,000.

Fifty business expansion grants have been approved. These are between \$10,000 and \$100,000 and are available on a one-for-one matched funding basis. We have approved an amount totalling \$3,348,000 for such grants. There is one start-up story I would particularly like to mention. The Confident Kids Childcare and Early Learning Centre—in your electorate, Mr Speaker—received a \$20,000 grant in round 2. Business commenced trading on 30 January 2017 and has blossomed rapidly, with 14 FTE positions already created.

The SBDF continues to see strong support for stakeholders and is creating hundreds of jobs. The next round of applications will close on 12 July. I look forward to updating the house further in due course because there is one message in all that the government is doing, and that is that it is listening to small business. It wants to support small business either by getting out of the way—in other words, by reducing red tape and regulation—or by providing them with the support they need to prosper and grow. Small business is winning and businesses are successful and profitable. They are hiring, the economy is growing and everyone is a winner.

AGRICULTURAL CONSOLIDATION PARK

Mr WHETSTONE (Chaffey) (14:12): Supplementary to the minister: when will construction begin on the \$70 million agricultural consolidation park in Adelaide? An agreement was signed for the park in 2015.

The SPEAKER: How is that—

Members interjecting:

The SPEAKER: You mean it's in the Small Business portfolio? Is the minister happy to answer?

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) (14:13): Well, it's not in the Small Business portfolio. I will certainly get a report for the member, from the relevant department, but it's certainly not related to the question I answered and is hardly supplementary but, rather, a separate question directed at the incorrect minister.

Mr Pederick interjecting:

The SPEAKER: The member for Hammond is called to order for his impertinence. I permitted a question which was clearly—clearly—not supplementary, and the minister was good enough to answer it, and for that you holler at him to tell him to sit down. What kind of parliamentary behaviour is that? Member for Davenport.

ENTERPRISE PATHOLOGY LABORATORY INFORMATION SYSTEM

Mr DULUK (Davenport) (14:14): My question is to the Minister for Health. Given that the transfusion backup for EPLIS only updates every 24 hours, are clinicians expected to search through other computing systems or the machine to print results, delaying patient treatment?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:14): I can advise the house that my advice, with regard to the redundancy

of the EPLIS system, is that EPLIS runs on a high availability platform with full hardware redundancy within a single data centre, which is considered the norm within Australia and internationally for both public and private pathology labs. A risk-value assessment by SA Health could not justify a second data centre.

So with regard to issues with regard to having a second data centre, the norm around Australia and internationally for both public and private pathology labs is that it is a single data centre and that a risk-value assessment—of course, we look at all these things and we weigh the risk against the value of the investment—would not support a second data centre. That's the answer to this line of questioning.

SA PATHOLOGY

Mr DULUK (Davenport) (14:15): Supplementary: minister, will the government release the data which it says supports its job cuts to SA Pathology?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:15): We have certainly released information to the various industrial parties that are involved with SA Pathology as we consult. I had the opportunity of meeting with Professionals Australia and with some of their members who work at SA Pathology in the last couple of days, and they put to me concerns that they had about what the proposals were. We had, I think, a meeting in good faith with regard to the issues that they raised, and I undertook that, before any decision was made, I would meet with them again. I also gave an undertaking to extend the consultation period to give Professionals Australia longer to participate in the consultation.

We have made a significant investment in new technology in SA Pathology at the new Royal Adelaide Hospital, and I don't think it's unreasonable that we should also make sure that we take full advantage of that new technology to provide efficiencies. I think the South Australian taxpayer would expect me, as health minister, to ensure that we run as efficient an operation as possible. But, having said that, the members of Professionals Australia I met with had concerns about the ambition of what had been put to them and the time lines as well, and I have some sympathy with their concerns.

We're going through the consultation processes at the moment. No decision has been made, and I have given an undertaking that before a final decision is made I will meet with them again. So that's where we are at. As I say, I have some sympathy having heard from the members of Professionals Australia who work at SA Pathology. I have some sympathy for the concerns they presented to me.

OAKDEN MENTAL HEALTH FACILITY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:17): My question is to the Minister for Mental Health. Will the minister provide the advice that she told the house yesterday she would seek about when the further five Oakden incidents were referred to the South Australian police?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:18): I have sought an update from the department today, and I am still waiting for that briefing.

OAKDEN MENTAL HEALTH FACILITY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:18): Supplementary: is the minister saying that in respect of the information that she undertook yesterday to get that she has only sought that information today?

Members interjecting:

Ms CHAPMAN: Now, just a minute, she just said 'today'. I just want to be clear.

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:18): I have requested briefings from my department on both of those matters yesterday, and I'm still awaiting that information.

OAKDEN MENTAL HEALTH FACILITY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:18): Supplementary: can the minister now tell us whether any of the further five referrals had occurred after the Chief Psychiatrist's review? I think the minister is indicating she wants to hear it again, and I am happy to do that.

The SPEAKER: Yes, that's right.

Ms CHAPMAN: Can the minister now tell the house then whether any of the five referrals had occurred after the Chief Psychiatrist's review?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:19): I answered that question yesterday.

Parliamentary Procedure

VISITORS

The SPEAKER: I take this opportunity to welcome to parliament members of the Flagstaff Hill Probus group, who are guests of the member for Fisher. The member for Fisher.

Question Time

RETURN TO WORKSA

Ms COOK (Fisher) (14:19): My question is to the Minister for Industrial Relations. Can the minister inform the house about the return-to-work two-year income support scheme that is ending on 28 June 2017?

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) (14:19): I thank the honourable member for her question. I know she and other members have quite an interest in issues concerning the Return to Work scheme. As members would be aware, the parliament some time ago passed legislation which reformed what was formerly known as the WorkCover legislation and introduced a new scheme, which is the return-to-work legislation.

That return-to-work legislation is clearly and unequivocally focused on getting people who are injured at work back to work as soon as possible and fully support them in so doing. That scheme has an arrangement whereby income maintenance for people who are affected by the scheme is, for most people, available for a period of up to but not exceeding two years. The good news is that in excess of 90 per cent of people—well in excess, actually—who are injured in the scheme are well and truly back to work a long time before that period arises.

Of course, there were a number of people who were long-term claimants on the old scheme before the new scheme came into operation on 1 July 2015. In respect of that old cohort of people—in other words, people who may have been on the scheme for many, many years prior to that—they were treated as if their first day of injury was 1 July 2015. So that it is clear, that means that there were a number of people who might have been on the scheme for a very long time but, because the new scheme came in, they were given an additional two years' notice that they would be coming off the scheme.

As I said, that came into effect on 1 July 2015 and it will end therefore on 28 June this year for those individuals. Those people may have access to financial support for medical expenses up to 12 months after income support ceases or for life if they are seriously injured people. Just so that is clear, individuals whose injuries are so serious that they have in excess of a 30 per cent WPI assessment, those people have lifetime support, even if the injury occurred prior to 1 July 2015.

ReturnToWorkSA has been working very hard to communicate with all of those people to help and assist them in making the transition to the new scheme. Since January 2015, when ReturnToWork started this process—that is, of notifying these old claim people—from a total of nearly 7,000 workers, lump sum redemptions have been accepted by and paid to a total of 5,874 people.

As at 15 June 2017, 397 additional people are considered to be seriously injured and eligible for income support until retirement age and lifetime medical support. However, assessments do continue for some others who are still being looked at.

I am pleased to say that the Return to Work scheme's outcomes are continuing to improve and I am advised that 72 per cent of those who are injured are back at work within 13 weeks and almost 90 per cent are back within 12 months. Since January this year, ReturnToWork has partnered closely with Centrelink in order to make the transition from the Return to Work scheme to Centrelink-based payments, where appropriate, as seamless as possible.

ReturnToWork has a dedicated ReCONNECT service, which is set up to connect workers with community-based services such as Centrelink. This has been actively promoted to all of the workers to help them with the transition. ReturnToWork is also jointly funding and promoting NewAccess, which is a *beyondblue* program set up to provide coaching services to people who are struggling with depression and anxiety.

The SPEAKER: Supplementary, member for Schubert.

RETURNTOWORKSA

Mr KNOLL (Schubert) (14:24): Minister, can you advise then how many people are going to have their payments ceased that haven't got a redemption on 28 June?

The SPEAKER: The member for Chaffey might note that is a supplementary.

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) (14:24): I thank the member for Schubert for that question. What I can tell you is this: as at the beginning of January 2015, there were some 7,000 people on the scheme. We are talking here about historic claims, not claims under the new scheme. Of those people, a total of 5,874 have been offered and have accepted the redemptions. My advice is that as at 15 June this year an additional 397 people—that would be on top of that 5,800-odd people—have already been classified as seriously injured and therefore eligible for the income support provided under the seriously injured scheme until retirement age and ongoing medical support.

I can indicate to the member for Schubert that assessments are continuing because there are some people in respect of whom a final determination as to whether or not they sit in that category remains an ongoing matter. It is the case, however, that ultimately there will be a group of people who are not determined to have a WPI assessment of in excess of 30 per cent and who, despite having been offered redemptions since January 2015, have elected not to receive those redemptions, for whatever reason—and that is a matter for them, it is not for me to pass judgement on their decisions in that respect.

For that group of people—I cannot tell the member for Schubert their exact number without seeking further information, because it does change from day to day—for that relatively small group of people compared with the original group, I can indicate that there has been ongoing interaction between ReturnToWorkSA and those individuals, both in a face-to-face sense and also through correspondence. There has been an attempt to reach out to those people so that where they would have the opportunity of transitioning from payments under the Return to Work scheme to a Centrelink entitlement, the Return to Work scheme is actually assisting them to make the appropriate connections with the federal agency concerned and assisting them with making applications.

That has been taking place for some time now, with a view to seeing that by the time we get to 28 June those people have already had the opportunity to be processed through the commonwealth agencies. That is the ReCONNECT scheme. In addition to that, as I said, we also have a NewAccess scheme. Some of these people are suffering from, I think it is fair to say, various forms of mental illness, some of it connected with their work and some of it connected with the fact that they have been away from work for so long. We are connecting those people with *beyondblue* to try to give them coaching and help them overcome the crippling effects of those illnesses.

We have also engaged the ReturnToWorkSA ReSkilling pilot program, which is set up for skills maintenance and skills development. So we are also offering these people a chance to retrain,

reskill so that they can find alternative employment opportunities where they are fit and able to do so, and—

RETURN TO WORKSA

Mr KNOLL (Schubert) (14:28): A further supplementary: minister, 7,000 people minus 5,874 who have taken a redemption, minus 397 who are seriously injured, leaves 730-odd people who, at 28 June this year, are going to have ceased income maintenance payments.

The Hon. J.M. Rankine interjecting:

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

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) (14:28): As I explained, I am capable of basic arithmetic in the same way as the member for Schubert. What I was trying to explain was—

Members interjecting:

The Hon. J.R. RAU: I know, it is a lot of numbers, but I am able to make that calculation myself. What I was trying to explain to the member for Schubert is that I know the number that was there in the beginning of January 2015. I know the number of people who, as at 15 June this year, had already been assessed as seriously injured. What I am trying to explain to the member is that I do not know whether, on an as-of-today basis, some of the 700-odd people whom the member referred to have otherwise had their claim resolved.

So, I am just saying there is no doubt that the number that the member has come up with must be a ballpark figure. It is probably very much around the mark as the maximum number of people who might be in that category. I explain again to members of the house, because it is very important, that the Return to Work scheme has not adopted the view that these people who are in this circumstance are simply going to get pushed out the door and left to fend for themselves.

The scheme has been working actively with these individuals for the last two years to try to offer them alternative jobs, training and reskilling. Where they are suffering from depression or other forms of anxiety which are interrupting their capacity to enter the workforce, we are attempting to engage with them from that point of view, and where they are people who would otherwise be entitled to a commonwealth benefit of some description, the Return to Work scheme is metaphorically putting its arm around these individuals and taking them to the appropriate commonwealth agency to assist them with making whatever application they need to make to the commonwealth agency.

Probably the question that the honourable member meant to ask but didn't was: how many of those people, who are the 700-odd maximum group of people, have not otherwise been satisfactorily assisted to an alternative? A large number of those people, by reason of having been assisted by the Return to Work scheme, will have engaged actively with the commonwealth's social security network and they will be in receipt of an alternative form of income maintenance.

I will do my best to find out what those numbers are. All I can say in addition, because I like to be as thorough as I can in answering the member for Schubert because I know he has an interest in this area, is that it may or may not be possible for me in my position to be able to find out from the commonwealth who exactly they have granted a benefit to and to whom they have not. The commonwealth may or may not be able to share that information with me. It may be that privacy arrangements pertaining to commonwealth benefits recipients prevent them advising me even of raw numbers. But I will make the attempt to find out what those raw numbers are, and I will do my best to be able to get back to the member for Schubert.

RETURN TO WORKSA

Ms BEDFORD (Florey) (14:32): A supplementary: minister, what sorts of supports are you putting in for ongoing medical expenses for people assessed at slightly less than 30 per cent impairment?

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) (14:32): Good question. I thank the honourable member for her question. I know that the member for Florey has had a longstanding interest, along with other members, in this area. The answer is that every person who is a person injured at work is entitled to receive all of the benefits provided for under the scheme, and it is their right, obviously, to receive what the scheme entitles them to receive. Of course, there is a process by which they can agitate an appeal, if they feel they have not been provided with that.

In summary, the position basically is that they have ongoing support for medical expenses. In general terms, medical expenses can continue for up to 12 months beyond the period of time that income maintenance under the scheme terminates. Also, the member for Florey might already know but, just to remind her, it is often the case that we have a person who has an injury at work and when they go to the doctor the doctor says, 'We want to leave you for a while to stabilise.'

This can happen frequently in things like spinal injuries and things of that nature. It might well be said to a person, 'The best thing for you medically is you wait five years, do your best and, when it gets bad enough, come back to me and we will do a procedure.' For those people, the scheme acknowledges that they have that future need for a medical procedure.

They can register under the scheme by simply giving notice, in effect, to the scheme that they have medical advice to the effect that, at some point in time in the future, a work injury will require surgery or other additional treatment. In those circumstances, they have that treatment covered and, if they require a period of up to six months for recuperation after that additional treatment, they are able to access income maintenance for that additional period of up to six months. So, the scheme contemplates there will be people who will have future need for treatment well beyond the expiry of their claim.

RETURN TO WORK SCHEME

Dr McFETRIDGE (Morphett) (14:35): A supplementary: can the minister tell us, of the 700-odd people who are still on the scheme and may lose their income entitlement come the end of the scheme, how many of those are paid emergency services workers, and what is being done to bring the paid and volunteer emergency service workers under the same provisions as SAPOL?

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) (14:35): Again, a very good question. I thank the member for Morphett for that question. The situation is that the figures that I have been quoting to the parliament are the figures which apply to the Return to Work scheme, which is a private insurance scheme which is wholly owned and operated by a government corporation, namely, the Return to Work Corporation. So, these are figures from essentially small and medium-sized businesses around South Australia who are insured with the Return to Work scheme.

It excludes some of the larger employers like the Coles and Woolworths of the world, for example, who are so big that they manage their own show internally. They are the self-insured group. It also excludes the government because the government is a self-insured body under the scheme. The short answer to the member for Morphett's question is that I will check this but, in my understanding of it, these figures do not include either the self-insured private sector group or the self-insured government group, so I would need to get further information.

As to the second part of the question the member asked, which is I think a question about insurance, that does pertain to a matter that is before the parliament, albeit in another place. If I am hearing the tom-toms correctly, it's likely to be heading back this way sometime soon or maybe not. That is a work in progress but, since the member has asked the question and I would very much like to answer the question as fully as I can, can I say that I see no good reason why the indisputable benefits of the Return to Work scheme, which have seen an improvement in the rate at which people who are injured at work get back to work successfully in the private sector, should not be shared with workers in other sectors, including the government sector.

I personally have been spoken to by a number of organisations representing groups in the government sector who have said to me that they would love to be in a position where they were in receipt of the sort of attention and support that people in the private sector have been in receipt of. I am very sympathetic to their point of view, and I can give the member for Morphett my assurance that I am contemplating everything I can to help them get the same positive outcomes as workers in the private sector have been enjoying now for the last couple of years.

The SPEAKER: Member for Bragg.

POST-NATAL DEPRESSION SERVICES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:38): Thank you, member for Croydon. My question is to the Minister for Mental Health. What advice has the minister received in relation to the clinical issues in moving the women patients from the Helen Mayo House at Glenside from a low-intensity site to be integrated into the new, busy, quaternary hospital?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:39): Clinical advice is very, very positive that this will be a significant improvement on the ability to care for patients suffering post-natal depression, and the clinical advice is quite emphatic that having that unit incorporated within the women's hospital will be a very positive outcome for those women.

POST-NATAL DEPRESSION SERVICES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:39): Supplementary to the Minister for Mental Health: has the minister discussed this advice with the Chief Psychiatrist or the Mental Health Commissioner?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:39): The Helen Mayo clinic, if my memory serves me correctly, comes under the government's Women's and Children's Health Network. I will double-check that, but I am almost certain that that is the case. This is from discussions with clinicians in the Women's and Children's Health Network that this is the best place to have those women.

There are considerable advantages to having the facilities of that hospital there, available to those women. I haven't heard anyone claiming otherwise. If there are people out there who think there is some reason why women are better off in a separate facility at Glenside, I would be very open to hearing what their concerns are but, as far as I am concerned, the specialists' advice is that having the facility incorporated within the new women's hospital will provide the best outcome for those women.

POST-NATAL DEPRESSION SERVICES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:40): Supplementary to the Minister for Mental Health: has the minister been offered this material from the experts to even read and make a contribution to this decision?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:40): The way we plan these things is we rely on expert advice.

Members interjecting:

The Hon. J.J. SNELLING: Ministers don't sit down overriding clinical decisions and clinical advice and deciding what provides the best health outcomes for patients: we rely on the advice of our clinical experts. On this particular issue, the advice is emphatic that having the Helen Mayo clinic incorporated within the women's hospital will provide better outcomes for patients. I am yet to hear anyone suggest otherwise. If the opposition are aware of anyone suggesting otherwise or have some evidence that this will be anything other than of positive benefit for women suffering post-natal depression, I would very much like to see it.

Ms Chapman interjecting:

The SPEAKER: I call to order the deputy leader and the members for Davenport and Morialta, and I warn the deputy leader.

MENTAL HEALTH SERVICES

Mr DULUK (Davenport) (14:42): My question is to the Minister for Mental Health. Why is the government's audit of mental health inpatient facilities, led by Mr Kevin Fjeldsoe OAM, focused on assessing the implementation of three external reports since 2013 rather than a full audit of services?

Mr Knoll interjecting:

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

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:42): My department and the sections in the mental health area will continue to provide the clinical audits they need to based on a variety of different sources.

MENTAL HEALTH SERVICES

Mr DULUK (Davenport) (14:42): Thank you, minister, for that answer. Supplementary: given the problems at Oakden would not have been exposed by a review of previous reviews, how can the house have any confidence that the minister is not simply covering up the next Oakden?

The SPEAKER: I am going to rule the question out of order because it is rhetorical in nature rather than a question seeking information.

The Hon. J.M. Rankine interjecting:

The SPEAKER: The member for Wright is warned.

JETTY ROAD TRAM WORKS

Dr McFETRIDGE (Morphett) (14:43): My question is to the Minister for Transport and Infrastructure. Can the minister update the house on the assistance provided to the Jetty Road traders with the recent upgrade of roads and tramlines down at the bay?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:43): I thank the member for Morphett for his question and his interest in this area. Can I also wish you a happy birthday, Mr Speaker, for the weekend just gone.

Mr Gardner: That's debate, sir, and sucking up.

The SPEAKER: It's both of those.

The Hon. S.C. MULLIGHAN: There has been significant coverage of the tram works which were required to be done down at the Bay on Jetty Road. Of course, the replacement of these tram tracks was necessary as they were past their useful life. These works were initially scheduled to run for a period of eight weeks between April and June but, immediately on hearing of the works, the member for Morphett lobbied and was responsible for ensuring that these works were delayed by the Department of Planning, Transport and Infrastructure until after Mother's Day, not only a key trading day but a time of the year that signifies a change of trading conditions for many of the businesses on Jetty Road.

Not only did the member for Morphett suggest that we delay the works until after Mother's Day, but he also asked if it might be possible for these to be contracted from the eight-week period to approximately four weeks to lessen the impact on traders. These are the sorts of matters that a strong local advocate would make on behalf of their constituents. I am pleased to say that the program was—

Ms Sanderson interjecting:

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

The Hon. S.C. MULLIGHAN: It is ironic that the member for Adelaide should interject—somebody who argues against tram works in globo, including expanding the network.

An honourable member interjecting:

The Hon. S.C. MULLIGHAN: 'Glob Link', yes. It's quite similar, isn't it?

Mr GARDNER: Point of order.

The SPEAKER: Is the point of order that the minister shouldn't respond to the member for Adelaide's interjections?

Mr GARDNER: Well, we could do that or just straightforward debate. The interjections were minor by comparison to the ongoing provocation.

The SPEAKER: I will listen carefully to what the minister has to say, but if members on the opposition side would stop interjecting then obviously the minister wouldn't respond to those.

The Hon. S.C. MULLIGHAN: To be fair, there can be no comparison between the member for Morphett and the member for Adelaide in their advocacy for their local communities. Not only were the tram works shortened, but they were delivered in only 19 days, and at the end of those 19 days the member for Morphett requested that the government make funding available for a promotion campaign for businesses along Jetty Road.

Once again, because of his strong local advocacy, we moved to provide that funding, that \$40,000, which was only then subsequently matched by the City of Holdfast Bay. I point out that this campaign will be in addition to existing marketing initiatives, which will aim to increase visitation, expenditure and length of stay for people who visit the Jetty Road precinct.

This promotion will include digital radio and print advertising, including social media through Facebook, Twitter and Instagram. A centrepiece of the campaign sought by the member for Morphett is the giveaway of a vehicle, a Honda Jazz, I am advised, for anyone who spends at a participating store, cafe or restaurant and signs up to receive the Jetty Road Lifestyle blog. I congratulate not only the member for Morphett on his unstinting and unwavering advocacy on behalf of his community but also the Jetty Road Mainstreet Committee for their work in collaboration with the member for Morphett to make sure that what was—

Mr Bell interjecting:

The Hon. S.C. MULLIGHAN: —a very disruptive program has been delivered in a way to most benefit those traders, both during construction, but more importantly into the future.

The SPEAKER: The member for Mount Gambier interjects repeatedly, presumably on the assumption that he would reject such largesse for his electorate on principle. He is called to order.

OLDER PERSONS MENTAL HEALTH SERVICE

Mr DULUK (Davenport) (14:47): My question is to the Minister for Mental Health. Why is Ward 18, the older person's mental health facility at the Repat, not one of the facilities identified to be audited in the Fjeldsoe review?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:48): My understanding is that Ward 18 is to be closed shortly as part of the development of the Flinders older persons mental health unit, which will be a 30-bed facility.

OLDER PERSONS MENTAL HEALTH SERVICE

Mr DULUK (Davenport) (14:48): Why is Ward 17 at the Repat included in the review?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:48): That site is in the process of shortly being relocated to the Jamie Larcombe Centre and there is a new model of care in that space.

MOUNT BARKER DISTRICT SOLDIERS MEMORIAL HOSPITAL

Ms DIGANCE (Elder) (14:48): My question is to the Minister for Health. What community feedback have you received about overnight health services at the Mount Barker hospital?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:49): A lot.

The SPEAKER: Has the minister received any?

The Hon. J.J. SNELLING: I have, Mr Speaker. In the lead-up to the 2015 federal election, the then candidate but now member for Mayo, Rebekha Sharkie, ran a campaign based around the need for the Mount Barker district hospital to have a doctor overnight. In February, she presented me with a petition of 2,300 signatures from her local community supporting her campaign and lobbying for these services. Following on from the petition, as members would be aware, Country Health undertook a three-month trial, having a doctor overnight at the Mount Barker District Soldiers' Memorial Hospital, which commenced on 6 March

During the trial, there was an increase of over 115 per cent in presentations between 5pm and 7am. As a result of the success of the trials, I was pleased to join Ms Sharkie on 6 June to confirm the continuation of the service, which will grow to be a fully functioning peri-urban emergency department from July 2018. It is obviously a very important local issue, so you can imagine my surprise when I checked through my records to find that the member for Kavel has only written to me once on the topic, in July last year, after Ms Sharkie's campaign around the issue was well underway.

Mr Goldsworthy: You check your records!

The SPEAKER: The member for Kavel is warned.

The Hon. J.J. SNELLING: The member for Kavel has written to me on only one other occasion about the service. So, Mr Speaker, you can imagine my surprise to read in Mount Barker's *Courier* that the shadow health spokesperson had claimed that our investment of over \$6½ million to upgrade the service is, and I quote him, 'a political stunt'. I would suggest that the only political stunt here is the Liberal Party suddenly feigning interest in this matter.

Mount Barker will have a 24-hour doctor, which will grow to a peri-urban emergency department. Let me be clear: it is because of the member for Mayo, Rebekha Sharkie, making me aware of the community's needs and lobbying on their behalf and not in any way the work of a lazy opposition that this investment is being made. I am sure that Rebekha Sharkie will continue to deliver results for the people of Mayo.

Mr GARDNER: Point of order: the Minister for Health is flaunting standing order 98.

The SPEAKER: I uphold the point of order. Is the minister finished?

The Hon. J.J. SNELLING: Thank you, sir.

MOUNT BARKER TRANSPORT INFRASTRUCTURE ADVISORY COMMITTEE

Mr GOLDSWORTHY (Kavel) (14:51): I am glad I have got the call, Mr Speaker, after that contribution. My question is to the Minister for Transport. Following on from my question on 29 November last year, can the minister advise when the Mount Barker transport infrastructure advisory committee will be established, given that I asked a similar question on that date and the minister said he would get back to me? I don't think I have heard back yet.

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:51): Perhaps I have been confused, Mr Speaker. I was dealing with the local member, but of course what it has turned out is that I was dealing with the local federal member and dealing with all the transport issues that she's been raising with me, including making sure that we improve transport options not just to the Mount Barker area. In fact, I was only, a couple of weekends ago, down on the Fleurieu Peninsula talking about the improvement to bus services, which the member for Mayo had long advocated for. We were able to announce a couple of options for those services.

Mr GARDNER: Point of order: this information is not relevant to the establishment of the Mount Barker transport infrastructure advisory committee, which was in the question.

The SPEAKER: I will listen carefully. I think the minister can join up his remarks.

The Hon. S.C. MULLIGHAN: Yes, indeed, Mr Speaker. Throughout the course of meeting with Ms Sharkie and speaking about the transport improvements that she is seeking for her electorate, notwithstanding that I was speaking about the improvements to transport services she has been directly responsible for agitating for the Fleurieu Peninsula, we were also discussing the improvement of transport services that might be possible for Mount Barker.

Members would be aware that there have been some improvements to transport services in Mount Barker. I am particularly thinking about the opening to the park-and-ride that we made at I think it was Demar Street—

Mr Gardner: Dumas.

The Hon. S.C. MULLIGHAN: Dumas, is it? Alexandre Dumas, who wrote that book?

An honourable member interjecting:

The Hon. S.C. MULLIGHAN: Yes, that's a cracker, that one; it's one of my favourites. Then, of course, we also not only increased bus services but we introduced the double-decker bus service on the 8.40 service, I think it was, which travels between Mount Barker and Adelaide and returns again.

So, you can understand that, in the course of delivering public transport improvements to the Mount Barker region, and in the course of dealing with a very vocal, strong advocate for their local community, who is also a local member, I might be excused a slip between getting back to the local federal member rather than the local state member, and I have to say, Mr Speaker, it is a rare occurrence to hear from the member for Kavel. It is a rare occurrence.

Mr GARDNER: Point of order, Mr Speaker: debate.

The SPEAKER: The deputy leader.

CHILDCARE SERVICES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:54): My question is to the Minister for Education and Child Development. Has the minister been informed how long the 15-year-old youth who killed Mrs Tucker was missing from his accommodation before the incident?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:55): I have sought advice on the appropriateness of discussing details about this child/young person under guardianship, who, indeed, remains under guardianship although also, we see, in custody, and the advice I am receiving is that I need to be extremely careful about what I provide given his status both under the juvenile justice system and also under protection of the guardianship of the minister, myself. So, I do not wish to canvass details of this individual's situation.

I have sought, I believe yesterday, and I'm happy to expound further today on the way in which the Department for Child Protection manages the children and young people—young people primarily—who occasionally walk away from the places that they are staying in, whether they be in foster families or in residential care facilities.

The advice in the consents and decisions document, which is the document that's provided not only, of course, to all departmental staff but to those who are carers of children under guardianship is clear that the case manager is the person who will make a decision about whether or not to inform the police, though I understand that informing the police is reasonably routine in the case of children who go absent from residential care facilities. But there is a recognition in that document of a variety of circumstances which will alter the way in which the departmental staff and the carers will consider the way in which to respond to the absence for a period of time, and obviously the period of time is part of the question.

The reality is—and it's a sad reality—that there are children under guardianship who absent themselves from the place that they are staying in. It is also the reality, of course, that that happens in biological families also. But, given the level of trauma and trouble for children under guardianship, it would not be unexpected that that would be more frequent for children and young people under the guardianship of the minister.

Nonetheless, in recognition of that the department has a process to go through taking into account the circumstances of the child and the circumstances of the absence, those are the broad policy terms in which I would prefer to answer this question in order to not imperil the rights of the young person under guardianship and in custody.

Ms CHAPMAN: Supplementary, sir?

The SPEAKER: We will come back to you. The member for Napier.

NATIONAL PARTNERSHIP AGREEMENT ON SKILLS REFORM

Mr GEE (Napier) (14:57): My question is to the Minister for Higher Education and Skills. Can the minister inform the house whether the National Partnership Agreement on Skills Reform that is set to expire on 30 June 2017 will be replaced by another funding agreement with the commonwealth in the area of skills?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:58): I would love to be able to give a simple answer of yes, but unfortunately I can't. It's actually magnificent to go to ministerial council meetings on skills, as it is on education, because the states stand shoulder to shoulder as the primary providers of these services asking and at times almost begging the federal government not only to provide the funding that we agree is appropriate but, in fact, to treat us as the providers of the service and to consult and discuss these matters with us.

For some time we have known, obviously, that this national partnership agreement was coming to an end (it comes to an end at the end of this month), and we have been asking the federal government whether they are intending to replace it. Having been met with steadfast silence for the last two years, and the year and a half that I have been the minister, in the budget out came this fund that is known as the Skilling Australians Fund, which is purported to be \$1.5 billion. I say 'purported to be' because there are a couple of areas at risk here.

One area of risk is that the funds are to come from a levy imposed on 457 visa workers. What that means is that, first of all, the federal government has to get legislation to raise that levy through parliament. In fact, the assistant minister asked us as state ministers at the ministerial council if we could help her get it through the Senate, as if I have any power or control over another parliament in making a decision about something that matters very deeply to us but is wholly in the control of another sphere of government. I think we have to keep in mind the lessons of federalism about not mixing up those lines of responsibility.

The first thing is they have to get that legislation through to see if they are able to have access to that form of income for the Skilling Australians Fund. Then, of course, it's a question of how much they actually get as opposed to estimate. What they have said is that in the first year they will guarantee the money but they won't guarantee it beyond then. So, it is at risk in the real sense that they won't get the amount of money into the fund that they expect.

Given how important skills are to the future of our economy, it is beyond belief that the federal government would regard it as acceptable to have their contribution being one that is at risk, that they are not in control of and that they are not going to guarantee beyond the first year. What we have is a fund that may or may not get through parliament and that may or may not have the amount within it. However, it is good that they are putting together a fund, and we will obviously participate in seeking to gain funding for people in South Australia.

Initially, the assistant minister was very clear that she was only interested in apprenticeships and traineeships, both of which matter enormously. We know that we want to see more apprenticeships and more traineeships. However, a couple of areas of growth in our economy aren't limited strictly to that form of training. Through the ministerial council meeting, we were in fact able to get the concession that those would also be able to be considered in this fund, which may or may not exist at all, given the question of the Senate, and, if it does, may or may not have the \$1.5 billion that they claim it will.

So, we will be working very closely with industry and training providers in this state to make sure that we apply for that fund, should it exist, so that we are able to provide the kind of training that is required for our people to have the jobs of the future. I must say again what a pleasure it was to stand particularly with New South Wales as a Liberal state in trying to get a better answer out of this federal government about skills.

CHILDCARE SERVICES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:02): My question again is to the Minister for Education. Although the minister isn't going to tell us how long the 15-year-old youth was missing, will she tell the house if she is satisfied that the process that the department was to follow when a child goes missing was in fact undertaken in this case and the matter was referred to the police?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:02): I will take that question on notice and get back to the chamber.

REGIONAL HEALTH SERVICES

Mr PEDERICK (Hammond) (15:02): My question is to the Minister for Health. Can the minister inform the house how he is addressing the \$150 million backlog in regional health infrastructure maintenance?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:02): It has been a great pleasure of mine to visit many of our country hospitals. I don't think I have quite visited every single regional hospital in South Australia, but I have come very, very close. Indeed, last week I had an opportunity to address the combined health advisory councils meeting. That is a meeting that we have every year where the HACs of all of regional South Australia come together, or representatives thereof, come for a meeting in Adelaide to discuss issues that confront our regional hospitals.

I have to acknowledge the enormous work that is done by our regional communities in supporting their country hospitals. I am constantly impressed by the enormous community investment, and fundraising and so on, that goes into our country hospitals. We have been very proud of the investment we have made in country hospitals. We have significantly invested in hospitals: in the new Riverland hospital, in the new Whyalla hospital, investments at the Mount Gambier hospital. These are significant investments we make.

Country Health has an annual maintenance budget, which is allocated among all our hospitals, but of course there is still more work to be done and we will keep working through those issues.

The SPEAKER: Just to make it clear, the member for Morphett's question was from the government list provided to the Speaker.

Personal Explanation

RETURN TO WORKSA

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) (15:04): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.R. RAU: It has come to my attention that in an answer I gave to the member for Florey I said six months. I should have said three months.

Parliamentary Procedure

BUDGET PAPERS

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:05): I lay on the table the following budget papers:

Budget Overview 2017-18—Budget Paper 1

Budget Speech 2017-18—Budget Paper 2

Budget Statement 2017-18—Budget Paper 3

Agency Statements 2017-18—Volumes 1, 2, 3 and 4—Budget Paper 4

Budget Measures Statement 2017-18—Budget Paper 5

I move:

That the Budget Statement, Agency Statements and Budget Measures Statement be published.

Motion carried.

Bills

APPROPRIATION BILL 2017

Introduction and First Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:06): Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the financial year ending on 30 June 2018 and for other purposes. Read a first time.

Second Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:06): I move:

That this bill be now read a second time.

Mr Speaker, few things are as important to South Australians as a secure job, their family's health, the quality of their children's education and the amenity of their streets and their suburbs. It is with those aspirations that this budget invests heavily in job creation, in our hospitals, in our children's schools, in the neighbourhoods we live in and our state's infrastructure.

This is a budget that steps forward to create jobs with a \$200 million Future Jobs Fund. This is a budget that builds on our new Royal Adelaide Hospital by modernising our major suburban hospitals and committing to a new Adelaide women's hospital. This is a budget that continues our strong track record of investing in infrastructure with commitments to build new hospitals, new schools, new roads and more public transport services, supporting local jobs and growing our economy.

This is a budget that gives local communities the power to decide how they improve their neighbourhoods and also substantially increases our comprehensive commitment to grassroots sports and women's sport. This is a budget that fully funds Our Energy Plan, which will secure the state's power network and place downward pressure on prices. And importantly, our prudent fiscal management has ensured we continue to live within our means, with this year's budget delivering our ninth surplus, with forecast surpluses across the forward estimates.

Mr Speaker, there are significant challenges to our economy on the horizon. While we are negotiating a final support package to secure the successful sale of the Arrium business, in just under four months' time, more than 50 years of manufacturing history will end as Holden closes its factory at Elizabeth. From the EH to the latest Caprice, thousands of South Australians have earned a livelihood on the factory floor or at one of the hundreds of companies that supply Holden with components.

A decision made in Canberra will reverberate throughout South Australia, starting from our northern suburbs and rippling across the state. Needlessly, October 20 will mark the end of automotive manufacturing in South Australia after the commonwealth Liberal government turned its back on the sector. Its closure is the starkest example of the forced transition occurring in the South Australian economy.

However, as our traditional industries wind down, the state government is stepping forward to invest in the future—supporting industries that are growing today, to create the jobs of tomorrow. We are creating a \$200 million Future Jobs Fund, which commits an additional \$60 million to continue

the good work that the Investment Attraction agency undertakes by enticing new businesses from other states and countries, like Boeing, to our state.

Just as Our Energy Plan motivated a huge response from industry, we expect South Australian businesses to put their hand up to partner with the state government to create jobs. The Future Jobs Fund will make available \$50 million in grants and \$70 million in new loans to support South Australia's businesses and not-for-profit organisations to take the next step to expand and employ more people. We want to partner with South Australia's businesses to create jobs and opportunities. The Future Jobs Fund will focus on five key growth industries:

- shipbuilding and defence;
- renewable energy and mining;
- tourism, food and wine;
- health and biomedical research; and
- IT and advanced manufacturing.

Just like investments in our car industry have led to economic prosperity over the past 70 years, these are the industries that we will put back to provide South Australians with the jobs of tomorrow. Turning its back on the nation's automotive industry has saved the commonwealth government hundreds of millions of dollars in subsidies. So, today, I have written to Treasurer Scott Morrison asking him to partner with us and match our \$200 million commitment to the Future Jobs Fund dollar for dollar.

Mr Speaker, we had to stand up and fight to make sure the submarines and frigates were built in South Australia—as originally promised. We fought to make sure our state got its fair share of water in the Murray-Darling Basin Plan and we have fought to oppose the cuts to our schools and healthcare system. We will also stand up for South Australia to ensure the federal government helps our state create jobs after they abandoned support for automotive manufacturing in Australia.

Mr Speaker, this budget also continues this government's proud record of tax reform—locking in the nation's lowest payable payroll tax rate of 2.5 per cent for the state's small businesses and increasing the threshold for businesses eligible to receive tax cuts to a taxable payroll of \$1.5 million. From 1 July 2017, the current small business payroll tax rebate will be replaced with a legislated cut to the payroll tax rate to small business, removing red tape and improving turnover. This change will provide assistance to more than 3,000 of the state's small businesses, which employ about 45,000 South Australians.

We are opening the doors to employment for young people by increasing our Job Accelerator Grant program to target apprentices and trainees. This program has already helped to create almost 10,000 jobs and will now offer businesses up to an additional \$5,000 for each new apprentice or trainee they employ, increasing the total grant on offer to up to \$15,000. This builds on the next tranche of nation-leading tax cuts that come into effect on 1 July, when stamp duty on non-residential property transfers is halved—further enhancing South Australia's reputation as the best place to do business.

This budget, Mr Speaker, includes \$9.5 billion in infrastructure spending over the next four years, which will support on average 5,700 jobs per year. The new Royal Adelaide Hospital will be opened in September, marking the end of the current reforms and signalling a new phase of modernising our suburban hospitals, which will dramatically improve health care for South Australians. Our vision is to ensure the standard set by the new Royal Adelaide Hospital is not the exception to our healthcare system, but the norm across all our suburban hospitals.

The Queen Elizabeth Hospital will get a \$250 million upgrade, with a new clinical building that will house the emergency department, outpatients, operating theatres, as well as rehabilitation facilities. Cardiology services will also remain at the hospital. The Lyell McEwin, Flinders, Modbury and Mount Barker hospitals will also benefit from a combined \$71.9 million in upgrades to infrastructure and services. We will spend \$528 million to build a new Adelaide women's hospital, co-located at the new Royal Adelaide Hospital. This will ensure mothers and newborns have access to the most modern facilities and the best care possible.

Our nation-leading biomedical research precinct will be enhanced with a second SAHMRI building, poised to deliver groundbreaking cancer treatment for all Australians. The \$1.1 billion in new health funding also includes \$195 million towards additional hospital services and to fill part of the \$1.5 billion in commonwealth cuts to health funding across the next four years.

Mr Speaker, this budget continues our investment in public infrastructure to create jobs today and put the building blocks in place for future growth. In 2017-18, the general government infrastructure spend is expected to be a record \$2.2 billion. Just as the state and commonwealth governments have partnered to spend \$174.3 million to deliver a good outcome for the upgrade of the Oaklands crossing, the state government has also committed to its share of the \$674 million to get on with other key infrastructure projects.

This includes the next stage of the South Road upgrade between Pym Street and Regency Road that will create a nonstop motorway from Gawler to the River Torrens—all delivered by this government. We also wish to deliver the second stage of the electrification of the Gawler rail line from Salisbury to Gawler. We ask the commonwealth government to right the wrongs of the recent federal budget and to partner with us to complete these important projects. Together, we can do more than we can alone.

This budget also commits \$305 million for the first stage of the duplication of Main South Road from Seaford to Sellicks Beach to ensure our growing southern suburbs and communities are safely and smoothly connected to the city and extend our north-south corridor for the entire length of our metropolitan area. Detailed design and scoping of the second stage of works is underway for the Aldinga to Sellicks section with funding to be allocated before the end of the year.

We also commit \$22.4 million over four years to increase the frequency of train services on the Gawler, Outer Harbor, Belair and Seaford lines, including nights and weekends. The budget continues to expand our park-and-ride services with new multilevel facilities at Klemzig and Tea Tree Plaza interchange, and we are also allocating \$3.5 million to finally fixing the Blackwood roundabout. The government will also commit a further \$1.1 million in addition to the previous \$2.95 million to upgrade the Mount Gambier Airport.

Importantly, this budget retains funds in contingency for the realignment of the Springbank, Goodwood and Daws roads intersection. The Department of Planning, Transport and Infrastructure has commenced detailed design work to create a standard cross intersection to eliminate frustrating congestion for the residents in and around Panorama. These are important projects that will fix trouble spots in our suburbs and in our outer areas, improving the livability of our communities and creating jobs.

Mr Speaker, as I have said at every budget, education is, without any doubt, the best investment we can make in our children and our economy. The government has a proud track record of supporting our first-class public school system. Last budget, we dedicated \$250 million to build 139 new science and technology labs in our public schools to boost the number of students studying science, technology, engineering and maths to prepare them for our growing shipbuilding, advanced manufacturing and defence industry jobs.

This budget commits to building two new birth to year 12 schools in our growing outer suburbs in the Munno Para area and the Sellicks Beach-Aldinga area. Each new school will accommodate 1,400 students, 100 special school students and will also include a 55-place children's centre. These will be centres of educational excellence, much like our previous generation of super schools, and are in addition to our new Adelaide Botanic High School in the city.

All our infrastructure projects are subject to our Industry Participation Policy and the oversight of the Industry Advocate. We ensure we get the greatest number of jobs and economic boost for people in South Australia. Recent figures from our current major projects show that we are delivering 90 per cent of jobs for South Australians with our infrastructure spend. The government will also commit to the original Gonski funding deal, despite the commonwealth government's current plan to cut South Australia's funding over 2018 and 2019 by about \$245 million and approximately \$200 million ongoing, compared to the original Gonski agreement.

The hallmark of Labor's budgets has been strong commitments to grassroots sports and neighbourhood development. This budget, we take it even further. Following the success of our

Sports Vouchers program, we will continue investing in rebuilding and supporting grassroots clubs with \$20 million over two years for synthetic playing surfaces. Synthetic surfaces allow clubs to use their facilities almost three times as much as natural surfaces, increasing participation and expanding accessibility to participate in sports with our clubs bursting at the seams because of the lack of new infrastructure.

Our girls deserve an equal chance to play their preferred sport, so we are going to double-down on our successful women's sporting facilities fund with a further \$14 million over two years to provide female change rooms. We will also fund a \$4.5 million first-stage upgrade of the Priceline netball stadium. This budget also includes \$40 million for what is one of the world's largest participatory democratic budgeting initiatives that will give communities the power to decide what neighbourhood infrastructure and amenities they want to fund. The premise of this entire policy is to involve South Australians in the decisions that affect their lives.

Using the framework of the internationally recognised Fund My Community initiative, communities will be able to put forward their ideas for local infrastructure projects and, with the right level of support from their local area, will receive the funding required. Projects could be as diverse as a new bus stop, an upgrade of a park, better local lighting, roundabouts or new playgrounds. It really is up to individual communities to tell us what they believe their street, suburb or neighbourhood needs because, in the end, who knows their community better than the locals who live there? They know it better than any politician or bureaucrat would ever possibly know.

The revitalisation of the city has been one of the greatest achievements of this government to date. We have rebuilt Adelaide Oval, which is now generating more than \$300 million each year in extra economic benefits to the state. It is part of the Riverbank Precinct that has changed the face of our city for the better. A raft of financial and tax-reducing initiatives and incentives has also seen an increase in high-density living and a rise in the number of people living in the city, driving economic activity and supporting small business.

In this budget, the government has increased the benefits for people looking to buy an off-the-plan apartment to include an extension of the off-the-plan stamp duty concession to 30 June 2018, allowing eligible applicants to benefit from up to \$15,500 in stamp duty relief on an off-the-plan apartment; the introduction of a new measure, a \$10,000 pre-construction grant for eligible off-the-plan apartment contracts entered into between today, 22 June 2017, and 30 September 2017 where construction is yet to commence; and the introduction of a five-year land tax exemption for investors purchasing off-the-plan apartments for contracts entered into between today and the end of the financial year 2018.

Combined with existing grants, including the First Home Owner Grant, these measures have the potential to deliver over \$40,000 in government assistance for a first home buyer purchasing an off-the-plan apartment. These initiatives will also complement a very welcome policy from the Adelaide city council—and congratulations to that council—to offer a five-year rate holiday to people purchasing and moving into the city.

Safe communities and a fair and speedy justice system are also incredibly important to the people of South Australia. This budget ends the uncertainty over the future of our courts and includes \$31 million to increase the number of criminal courtrooms, redevelop the Sir Samuel Way Building and refurbish the Supreme Court buildings. We are also expanding the jurisdiction of the South Australian Civil and Administrative Tribunal (SACAT) with a further \$6.1 million in funding, and providing extra resources for the Coroner's Court to clear the backlog of cases.

There is an additional \$38.3 million to operate an additional 160 prison beds at Mount Gambier Prison, and \$28.1 million over four years for programs to reduce reoffending. We have, of course, announced \$8 million over four years to combat the scourge of ice in response to the recommendations by the Ministerial Ice Taskforce, while \$270 000 will support an across-government response to improving justice, safety and wellbeing outcomes for Aboriginal people.

A further \$86.5 million has been provided to meet the increased costs of children in care over two years, and \$18.1 million is provided to continue the provision of services under the National Partnership Agreement on Homelessness.

This budget also commits to two new revenue measures to help us meet the cost of our significant support for driving economic growth and creating more jobs. The first is a new South Australian major bank levy, which will be introduced from 1 July 2017. It will apply to the same cohort of banks that are liable for the commonwealth government's major bank levy, which passed the federal parliament earlier this week.

The state government and the Premier have advocated to address the under taxation of the banking sector at the national COAG for many years. Indeed, the Prime Minister himself has advocated that the Australian states introduce their own new revenue measures to meet funding shortfalls created by the commonwealth government's retreat from education and health funding. States previously applied taxes to banks and the financial sector, yet gave those revenue streams up as part of the introduction of the GST.

Reports show that financial services are significantly undertaxed by more than \$4 billion per annum because their GST treatment differs from other industries. The levy will be charged quarterly at a rate of 0.015 per cent on South Australia's share of liabilities subject to the commonwealth major bank levy. Our state's share of liabilities will be determined based on South Australia's share of the national economy.

The banking sector is very profitable and a major bank levy is a fair and reasonable approach to ensuring the sector contributes its fair share. The new levy is expected to generate revenue for South Australia of \$370 million over the next four years. Together with the commonwealth government's major bank levy, a total of \$1.7 billion per annum will be raised, which is still well below the \$4 billion that the commonwealth's own papers say that the financial institutions are undertaxed by.

The other revenue measure included in this budget is a conveyance duty surcharge on foreign buyers of residential properties. With the increased activity in the property market on the east coast starting to put pressure on our own property market, and four other states applying their own levies that could lead to housing affordability issues in South Australia, it makes sense to apply this measure on our homes.

From 1 January 2018, a 4 per cent conveyance duty surcharge will apply to residential properties purchased by foreign buyers and temporary residents. Importantly, this surcharge will not apply to commercial and industrial property. An estimated \$6.2 million in operating revenue is estimated in 2017-18, increasing to \$13.3 million for the surcharge's first year of operation. Both these measures ensure the state government has the resources to continue to invest in job creation to help grow the economy, and both these measure are taxes no South Australian should have to pay.

This budget achieves many things. It is fair, it is equitable and it is focused on what is important to the people of South Australia. Just as we did with Our Energy Plan, we have stepped up where we have been let down by the commonwealth. It will ensure that our suburban hospitals are modernised centres of excellence, offering a standard of care on par with the new Royal Adelaide Hospital. We will build new public schools to meet the demands of our growing outer suburbs, and we are investing in apprentices and trainees with new grants to incentivise their employment.

This budget will enhance our neighbourhoods and improve the amenity of our suburbs. It will upgrade our sporting facilities and provide women and girls with the facilities they have for too long been denied. It will continue to enhance and expand our public education system, and it will protect and support our community's most vulnerable. Mr Speaker, we are protecting existing jobs and trying to help our traditional manufacturers survive in tough economic conditions. We are backing our steelmakers in Whyalla to win and supporting component manufacturers in the car industry to develop new products and markets.

We can do all this because of our prudent fiscal management that ensures we deliver a budget that has delivered our second budget surplus in a row, and our ninth as a government, and projects surpluses across the next four years, meeting all our fiscal targets. This is a Labor budget—a budget that will grow the jobs of today and create the jobs of tomorrow. Mr Speaker, this is a budget that puts South Australians first.

First and foremost, I would like to say a few thanks, if I could. I would like to thank the Premier, the Deputy Premier and the cabinet and all my colleagues for helping me formulate this year's budget. I thank my caucus colleagues for the help they have given me in formulating this budget, in particular the member for Kaurua, who was with me the whole time in developing this budget.

I thank the team at the Department of Treasury and Finance, including the Under Treasurer, David Reynolds; Stuart Hocking; Tammy Pribanic; Greg Raymond; Mark Beveridge; Kym Delle Torre; Trish Borlace; and the staff of the budget branch and public finance branch. They are fine, non-partisan public servants who serve this state with distinction.

I thank the team in my office: my Chief of Staff, Jarrad Pilkington; my ministerial staff, including Peter Labropoulos, Emma Schwartz, Chris Russell, Nick Antonopoulos; and my amazing media adviser, David Russell—he wrote that part, not me. I want to thank Carly McNeill and Clair Wilson, Lisa Draper, Angela Vounasis, Pantelis Alexendropolous, Vicky Cathro, Stanny Bezina, Vicki Koster, Claudia Vero, Athena Lambetis, Di Michalk and Geoff Mundy.

Of course, thank you to Lucy Hood and Jennifer Salter, who did an excellent job in coming up to help when we needed it the most. I thank my electoral office staff—Betty, Zoi and Danielle—for all the help they give me. Of course, most importantly, I thank the people who all let us get on with these jobs: our loved ones at home, my beautiful wife, Anthea, and my two very naughty daughters, Tia and Helena, who have done an excellent job of being very, very quiet.

Members interjecting:

The Hon. A. KOUTSANTONIS: No, they have been good. We find it hard to do these jobs. It is hard on the home life. All of us send our thanks to all of our partners and children. Thank you very much. Today is their day for acknowledgement. I commend this budget to the house. I seek leave to insert the remainder of the second reading explanation into *Hansard*:

Leave granted.

Explanation of Clauses

1—Short title

This clause is formal.

2—Commencement

This clause provides for the Bill to operate retrospectively to 1 July 2017. Until the Bill is passed, expenditure is financed from appropriation authority provided by the *Supply Act*.

3—Interpretation

This clause provides relevant definitions.

4—Issue and application of money

This clause provides for the issue and application of the sums shown in Schedule 1 to the Bill. Subsection (2) makes it clear that the appropriation authority provided by the *Supply Act* is superseded by this Bill.

5—Application of money if functions or duties of agency are transferred

This clause is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

6—Expenditure from Hospitals Fund

This clause provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

7—Additional appropriation under other Acts

This clause makes it clear that appropriation authority provided by this Bill is additional to authority provided in other Acts of Parliament, except, of course, in the *Supply Act*.

8—Overdraft limit

This sets a limit of \$50 million on the amount which the Government may borrow by way of overdraft.

Schedule 1—Amounts proposed to be expended from the Consolidated Account during the financial year ending 30 June 2018.

Debate adjourned on motion of Mr Gardner.

BUDGET MEASURES BILL 2017

Standing Orders Suspension

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:33): I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

The SPEAKER: I have counted the house and, as an absolute majority is present, I accept the motion.

Motion carried.

Introduction and First Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:34): Obtained leave and introduced a bill for an act to enact legislation in relation to the 2017 state budget so as to impose a levy on major banks operating in the state; and to make amendments to various acts for the purposes of the 2017 state budget. Read a first time.

Second Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:34): I move:

That this bill be now read a second time.

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

Leave granted.

The Budget Measures Bill 2017 (hereafter, the Bill) contains measures relating to the Government's budget initiatives for 2017-18 and amends the First Home and Housing Construction Grants Act 2000, Land Tax Act 1936, Payroll Tax Act 2009, Stamp Duties Act 1923, and the Taxation Administration Act 1996.

This Bill amends the First Home Owner and Housing Construction Grants Act 2000.

Grants—\$10,000 for off-the-plan apartments

The Bill amends the *First Home and Housing Construction Grants Act 2000* to provide a \$10,000 grant for eligible purchases of off-the-plan apartments where the contract is entered into while the development is still at the pre-construction stage. The \$10,000 grant is only available for eligible contracts entered into between today (22 June 2017) and 30 September 2017 (both dates inclusive).

All other eligibility criteria applying to the off-the-plan stamp duty concession scheme included in the *Stamp Duties Act 1923* will also apply to the grant, including that the grant will not be available to foreign purchasers.

Where a \$10,000 grant is paid and the applicant is later found not to be eligible, the existing recovery provisions within the *First Home and Housing Construction Grants Act 2000* will be extended to apply to the recovery of the \$10,000 grant.

Grants – Penalty Appeal Rights

The *First Home and Housing Construction Grants Act 2000* will also be amended to enable grant recipients to object and appeal against penalty charges that may be applied by the Commissioner of State Taxation where the grant recipient is, subsequent to the grant being paid, found to be ineligible for the grant in question. This aligns the objection and appeal rights for grant recipients to the rights that generally apply to taxpayers.

Grants – Recovery and Charges on Land

A technical amendment to the *First Home and Housing Construction Grants Act 2000* will also be made to ensure that any grant which is recoverable will be a first charge on the land to which the grant was paid, irrespective of whether a home was completed on the land or not. Currently, the charging provisions only apply to 'homes' and not land upon which the applicant failed to build a home as required.

Land tax exemption – off-the-plan apartments

The Bill amends the *Land Tax Act 1936* to provide for land to be exempt for five years where that land was subject to an off-the-plan stamp duty concession granted with respect to a contract entered into between today (22 June 2017) and 30 June 2018. If the land is on-sold by the recipient of the off-the-plan stamp duty concession during the five year exemption period, the land tax exemption will not transfer to the purchaser of the land.

Eligibility criteria for the exemption are the same as those that apply to the off-the-plan stamp duty concession scheme included in the *Stamp Duties Act 1923*, including that the exemption will not be available to foreign purchasers.

Introduction of the Major Bank Levy Act 2017

As part of the Budget's revenue initiatives, the Government will introduce a major bank levy from 1 July 2017.

The levy will apply to all authorised deposit-taking institutions (ADIs) that offer services in South Australia and are liable for the Commonwealth Government major bank levy.

The levy will supplement and leverage off the Commonwealth major bank levy. The amount payable under the State levy will be 0.015 per cent of South Australia's estimated share of the total value of bank liabilities subject to the Commonwealth major bank levy at the end of each quarter.

Under the legislation South Australia's estimated share of relevant bank liabilities will be determined as South Australia's gross state product share of national gross domestic product (currently around 6 per cent).

The timeframes for reporting and payment will align with the timeframes required for the Commonwealth Government's major bank levy.

Levy liabilities for the first quarter will be based on the total value of relevant bank liabilities as at 30 September 2017, but the first levy payment will not be due until 21 March 2018.

Payroll Tax – Tiered Rate Structure

The Bill amends the *Payroll Tax Act 2009* to introduce a tiered payroll tax rate structure from 1 July 2017.

Under the structure, the payroll tax rate applying to small and medium sized businesses with annual Australian taxable payrolls of between \$600,000 and \$1 million will be lowered from 4.95 per cent to 2.5 per cent. The payroll tax rate will then phase up from 2.5 per cent to 4.95 per cent for businesses with annual Australian taxable payrolls of between \$1 million and \$1.5 million. Australian taxable wages above \$1.5 million will incur a flat 4.95% rate.

Eligible small businesses will also receive a small business payroll tax rebate payment in 2017-18 (which is based on the 2016-17 payrolls) but rebates will no longer be paid in 2018-19 and 2019-20.

Payroll Tax—Owner-driver Exemption – Contractor Provisions

The Bill also amends the *Payroll Tax Act 2009* to reinstate the policy intent on the introduction of the owner-driver exemption within the contractor provisions prior to the adverse decision in the New South Wales Supreme Court in the decision of *Smith's Snackfood Company Limited v Chief Commissioner of State Revenue (NSW)* [2012] NSWSC 998.

In that matter, the Court concluded that the owner-driver exemption provision can be apportioned into taxable and non-taxable services. The contractor provisions were not intended to apply to allow services provided under a contract to be apportioned between exempt and taxable services. They are intended to operate on the basis that the contract is either fully exempt because it falls within the relevant exemption or is taxable because it does not fall within the relevant exemption.

Payroll Tax—Exempt Rate for Motor Vehicle Allowances

The Bill amends the *Payroll Tax Act 2009* to reflect changes to income tax legislation relating to the exempt rate for motor vehicle allowances. The amendments reflect the fact that the Australian Taxation Office now allows for the use of a standard rate for all motor vehicles, which is 66 cents per kilometre for the 2016-17 income year, rather than being based on the car's engine size.

These amendments will take effect from 1 July 2016 to coincide with the change at the Federal level.

Stamp Duty—Foreign Ownership Surcharge

The Bill amends the *Stamp Duties Act 1923* to introduce a foreign ownership surcharge on the conveyance or transfer of an interest in residential property to a foreign person, corporation or trust, executed on or after 1 January 2018 (including land holder acquisitions).

The surcharge will be set at a rate of 4 per cent of the dutiable value conveyed but will only be payable with respect to the extent of the interest in the residential property. The surcharge will be in addition to the normal stamp duty that is payable.

The definition of foreign person includes natural persons, corporations and trusts. A foreign natural person is a person who is not an Australian citizen or permanent resident. Generally, a company is a foreign company where it

is incorporated outside Australia or where 50 per cent or more of its shareholding is held by other foreign persons or companies in aggregate. A trust will be a foreign trust where the trustee of the trust is a foreign individual or company, or where the trust itself is established for the benefit of, or is controlled by, foreign persons or companies.

Stamp Duty—off-the-plan concession

The off-the-plan stamp duty concession is scheduled to expire on 30 June 2017. The Bill extends the off-the-plan stamp duty concession for a further 12 months to 30 June 2018. The eligibility criteria for the concession will also be amended to exclude foreign purchasers from being eligible to receive the concession. This revised eligibility criteria will take effect from today (22 June 2017).

The definition of a foreign purchaser will be identical to the definition that will apply for the purposes of the foreign ownership surcharge.

Stamp Duty—Third Party Reporting

The Bill also makes a number of minor amendments to the *Stamp Duties Act 1923* to facilitate the collection of data as part of the Commonwealth Government's initiatives on third party reporting and National Register of Foreign Ownership of Land Titles.

Amendments to the *Taxation Administration Act 1996* are also included in the Bill for this purpose and provide for the Commissioner of State Taxation with the ability to collect and disclose the information required by the Commonwealth Government.

Explanation of Clauses

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

4—Interpretation

This clause defines terms used in the major bank levy measure.

5—GSP percentage

This clause requires the Commissioner of State Taxation to determine and publish the GSP percentage for each financial year (which is used in the calculation of the levy amount). The clause also specified how the GSP percentage is calculated and allows for proof of the applicable GSP percentage in legal proceedings.

6—Taxation Administration Act

The measure will be a taxation law for the purposes of the *Taxation Administration Act 1996*.

7—Liability to levy

This clause specifies who will be liable to the State major bank levy.

8—Payment of levy

This clause specifies when State major bank levy payments are to be made.

9—Amount of levy

This clause sets out the manner in which the amount of the levy will be calculated.

10—Returns

This clause requires the provision of returns by ADIs that are liable to the levy.

11—Returns etc to be completed in manner approved by Commissioner

Returns must be provided in a manner and form determined or approved by the Commissioner of State Taxation.

12—Notice of adjustment of Commonwealth levy liability

An ADI must notify the Commissioner of State Taxation if its liability for Commonwealth major bank levy is reassessed or otherwise the subject of a determination under the *Taxation Administration Act 1953* of the Commonwealth that has the effect of altering the liability. Failure to notify is an offence with a maximum penalty of \$10,000 (which matches the level of penalties under the *Taxation Administration Act 1996*).

13—Levy not to be paid by customers

The clause specifies that the State major bank levy payable by an ADI must be paid out of the profits of the ADI and cannot be directly recovered from customers of the ADI.

14—Regulations

This is a regulation making power.

Schedule 1—Related amendments—major bank levy

Part 1—Amendment of *Taxation Administration Act 1996*

1—Amendment of section 3—Interpretation

This is a related amendment so the *Taxation Administration Act 1996* refers to a levy as well as a tax or duty.

2—Amendment of section 4—Meaning of taxation laws

This makes this measure a taxation law under the *Taxation Administration Act 1996*.

Schedule 2—Other budget measures

Part 1—Amendment of *First Home and Housing Construction Grants Act 2000*

1—Amendment of section 3—Definitions

This clause inserts definitions needed for the measure.

2—Insertion of section 6A

This clause relocates the current section 18BB to the preliminary Part of the Act.

3—Amendment of section 7—Entitlement to grants

This clause makes an amendment that is consequential to clause 2 and provides that an off-the-plan apartment grant is payable on an application if the requirements of section 18BB are satisfied. Only 1 off-the-plan apartment grant is payable in relation to a particular qualifying apartment.

4—Insertion of section 12C

This clause sets out the criteria applicable to an applicant for the off-the-plan apartment grant. An applicant must be a purchaser of a qualifying apartment under a qualifying off-the-plan contract.

5—Insertion of section 13B

This clause defines an eligible off-the-plan apartment transaction.

6—Amendment of section 14—Application for grant

This clause is consequential.

7—Amendment of section 15—All interested persons to join in application

This clause is consequential.

8—Substitution of section 18BB

This clause provides for payment of the off-the-plan apartment grant if:

- the applicant complies with the criteria set out in section 12C; and
- the application relates to an eligible off-the-plan apartment transaction; and
- the eligible off-the-plan apartment transaction has been completed.

The amount of the off-the-plan apartment grant is \$10,000. There is however no entitlement to a grant if the Commissioner is satisfied that a contract that formed the basis of an eligible off-the-plan apartment transaction for the purchase (or purported purchase) of a qualifying apartment does not constitute a genuine sale of the apartment.

9—Amendment of section 18C—Amount of grants must not exceed consideration

This clause is consequential.

10—Amendment of section 25—Objections

This clause allows an objection to be made by an applicant or former applicant who is dissatisfied with a decision of the Commissioner to impose a penalty under section 39(2) or (3).

11—Amendment of section 40—Power to recover amount paid in error etc

This clause extends the charge securing a payment, or repayment, to unimproved land (currently the charge only applies to a home).

12—Transitional provision

This clause provides a transitional provision allowing ex gratia payment by the State of the off-the-plan apartment grant for the period between 22 June 2017 and the day on which this measure is assented to by the Governor.

Part 2—Amendment of *Land Tax Act 1936*

13—Amendment of section 5—Exemption or partial exemption of certain land from land tax

This clause allows an exemption from land tax, for up to 5 years, where the current owner of land acquired the land under a qualifying off-the-plan contract (within the meaning of section 71DB of the *Stamp Duties Act 1923* and that contract was entered into between 22 June 2017 and 30 June 2018.

Part 3—Amendment of *Payroll Tax Act 2009*

14—Amendment of section 29—Motor vehicle allowances

This clause makes technical amendments to section 29 of the *Payroll Tax Act 2009* related to technical changes to the ITAA relating to calculating deductions for motor vehicle expenses.

15—Amendment of section 32—What is a relevant contract?

This clause amends section 32 of the *Payroll Tax Act 2009* which defines *relevant contract*. The amendments address deficiencies in the owner-driver exemption which were identified in a 2012 New South Wales Supreme Court decision (*The Smith's Snackfood Company Limited v Chief Commissioner of State Revenue*). The amendments also remove the door-to-door sale of goods and insurance seller exemptions.

16—Amendment of Schedule 1—Calculation of payroll tax liability

This clause amends Schedule 1 of the *Payroll Tax Act 2009* to provide for differing payroll tax rates depending on the total wages paid or payable by an employer.

17—Amendment of Schedule 2—South Australia specific provisions

This clause amends Schedule 2 of the *Payroll Tax Act 2009* (the South Australia specific provisions) to provide for differing payroll tax rates depending on the total wages paid or payable by an employer.

18—Transitional provision

The transitional provision relates to the backdating of the amendments to section 32 to 1 July 2017.

Part 4—Amendment of *Stamp Duties Act 1923* that takes effect on day fixed by proclamation

19—Amendment of section 2—Interpretation

This clause defines the proposed new stamp duty certificates and sets out the legal effect of such certificates.

20—Insertion of Part 1 Division 4

This clause inserts a new Division allowing the Commissioner to determine classes of instruments that may be the subject of an application for a stamp duty certificate and providing for the issue of such certificates.

21—Transitional provision

Section 2(13) of the *Stamp Duties Act 1923*, as in force immediately before the commencement of clause 19, will continue to apply in relation to dutiable instruments described in that provision that are executed before the commencement of clause 19.

Part 5—Amendment of *Stamp Duties Act 1923* that is taken to have effect on 22 June 2017

22—Amendment of section 2—Interpretation

This clause inserts definitions of the terms *foreign person* and *foreign trust*.

A natural person is a foreign person if the person is not—

- an Australian citizen within the meaning of the *Australian Citizenship Act 2007* of the Commonwealth; or
- the holder of a permanent visa within the meaning of section 30(1) of the *Migration Act 1958* of the Commonwealth; or
- a New Zealand citizen who is the holder of a special category visa within the meaning of section 32(1) of the *Migration Act 1958* of the Commonwealth.

A corporation is a foreign person if it is incorporated in a jurisdiction that is not an Australian jurisdiction or a person who is a foreign person or a trustee for a foreign trust (or a number of such persons in combination)—

- (a) holds or hold 50% or more of the corporation's shares; or
- (b) is or are entitled to cast, or control the casting of, 50% or more of the maximum number of votes at a general meeting of the corporation.

A trust is a foreign trust if the beneficial interests of the trust are fixed and a beneficial interest of 50% or more of the capital of the trust property is held by 1 or more foreign persons. A discretionary trust is a foreign trust if a trustee under the trust, a person who has power to appoint under the trust, an identified object under the trust or a person who takes capital of the trust in default is a foreign person.

The clause also inserts related definitions of *wholly foreign owned corporation* and *wholly foreign owned trust*.

23—Amendment of section 71DB—Concessional duty on purchases of off-the-plan apartments

This clause amends section 71DB so that the section will not apply in relation to a contract entered into on or after 22 June 2017 if the Commissioner is satisfied that the purchaser under the contract, or a person who is to become owner of a qualifying apartment as a consequence of the purchase, is a foreign person or the trustee for a foreign trust.

Part 6—Amendment of *Stamp Duties Act 1923* that is taken to have effect on 1 July 2017

24—Amendment of section 71DB—Concessional duty on purchases of off-the-plan apartments

Section 71DB, which provides for a concession on duty in relation to purchases of off-the-plan apartments, is amended by this clause to extend the availability of the concession so that it applies in relation to conveyances giving effect to qualifying off-the-plan contracts entered into between 1 July 2014 and 30 June 2018 (rather than 2017).

Part 7—Amendment of *Stamp Duties Act 1923* that takes effect on assent

25—Amendment of section 71DC—Concessional duty on designated real property transfers

This clause removes a reference to the *Development Act 1993*. Section 71DC will refer instead to the planning and development law of the State. This wording is consistent with the new sections proposed to be inserted by clauses 26 and 27.

26—Insertion of Part 3 Division 9

This clause inserts a new Division into Part 3 of the Act.

Division 9—Foreign ownership surcharge

72—Surcharge for foreign purchasers of residential land

Proposed section 72 makes provision for a *foreign ownership surcharge* payable in respect of a dutiable instrument executed on or after 1 January 2018 if the instrument effects, acknowledges, evidences or records a transaction whereby an interest in residential land is acquired by a foreign person or a person who takes the interest as trustee for a foreign trust. The surcharge, which is equal to 4% of the value of the interest acquired by the person, is to be taken to be duty payable on the instrument and is payable in addition to duty otherwise payable under the Act.

The proposed section includes a requirement for the Commissioner to refund a foreign ownership surcharge to a person where, within 12 months of the acquisition of the relevant interest, the person ceases to be a foreign person or the trust for which the person is trustee ceases to be a foreign trust. The refund is payable only if the interest is retained by the person when the person ceases to be a foreign person or the trust ceases to be a foreign trust.

There is also a requirement for a person who acquires an interest in residential land effected, acknowledged, evidenced or recorded by an instrument to which the section applies to pay the surcharge if the person becomes a foreign person, or the trust for which the person is trustee becomes a foreign trust, less than three years after the acquisition. A person who is liable to pay duty in these circumstances must notify the Commissioner that the person has become a foreign person, or that the trust has become a foreign trust, within 28 days.

The criteria for determining whether land is residential land are the same criteria that apply under section 71DC. Land will be taken to be residential land for the purposes of the section if—

- the Commissioner, after taking into account information provided by the Valuer-General, determines that it is being predominantly used for residential purposes; or
- the Commissioner, after taking into account information provided by the Valuer-General, determines that although the land is not being used for any particular purpose at the relevant

time the land should be taken to be used for residential purposes due to improvements that are residential in character having been made to the land; or

- the Commissioner, after taking into account information provided by the Valuer-General, determines that the land is vacant, or vacant with only minor improvements, that the land is within a zone established under the planning and development law of this State that envisages the use, or potential use, of the land as residential, and that the land should be taken to be used for residential purposes due to that zoning (subject to the qualification that if the zoning of the land indicates that the land could, in a manner consistent with the planning and development law, be used for some other purpose (other than for primary production) then the vacant land will not be taken to be used for residential purposes).

27—Insertion of section 102AB

This clause inserts a new section into Part 4 of the Act (Land holding entities).

102AB—Surcharge where foreign person or group acquires interest in residential land

Proposed section 102AB provides for the payment of a foreign ownership surcharge in relation to transactions entered into on or after 1 January 2018 that are dutiable under Part 4. The surcharge is payable where a foreign entity notionally acquires an interest in residential land. A *foreign entity* is a foreign person, a foreign trust or a group of which one or members is a foreign person or a foreign trust. The amount of the surcharge is 4% of the value of the interest notionally acquired by the entity in the residential land. Section 102AB includes requirements for the payment of a refund where an entity that has paid the surcharge ceases to be a foreign entity within 12 months of the relevant notional acquisition. The refund is payable only if the entity retains the acquisition when it ceases to be a foreign entity. As with section 72, there is also a requirement for an entity to pay the surcharge if it becomes a foreign entity within three years of the notional acquisition of an interest in residential land as a result of a transaction to which the section applies.

The criteria for determining whether land is residential land are the same as the criteria that apply under section 71DC and proposed section 72.

Part 8—Amendment of *Taxation Administration Act 1996*

28—Amendment of section 78—Permitted disclosure in particular circumstances or to particular persons

29—Amendment of section 80—Prohibition of disclosures by other persons

30—Amendment of section 81—Restriction on power of courts to require disclosure

These clauses make consequential amendments.

31—Insertion of Part 9 Division 4

This clause inserts a new Division as follows:

Division 4—Collection of information for disclosure to Commonwealth

81A—Interpretation

This section defines certain terms used in the proposed new Division, including the concept of 'reportable information'.

81B—Relationship with other laws

Other laws don't prevent the collection of information under the Division (and the Division doesn't prevent the collection of information under other laws). Reportable information may be collected under the Division for disclosure to the Commonwealth even if the information is not required for the purposes of any State law.

81C—Collection and disclosure of reportable information

The Commissioner or a public sector agency may collect reportable information. Where it is collected by a public sector agency, it may then be disclosed to the Commissioner. The Commissioner may disclose reportable information to the Commissioner of Taxation of the Commonwealth.

81D—Commissioner may direct agency to collect and disclose

The Commissioner may direct that reportable information be collected and disclosed by a public sector agency.

81E—How reportable information may be collected

Reportable information may be collected by requiring a person providing information for the purposes of a function carried out under a State law to provide the reportable information (for

example, by requiring it to be provided in connection with the lodgement of an instrument, record or return, or the making of an application, under a State law).

81F—Enforcement

This section provides for the application of various enforcement powers in the *Taxation Administration Act 1996*.

Schedule 3—Substitution of short title

1—Amendments on commencement

This Schedule makes amendments to allow the body of the measure to be retitled as the *Major Bank Levy Act 2017* after it commences (and once the other budget measures set out in Schedule 2 have taken effect).

Debate adjourned on motion of Mr Gardner.

SUPPLY BILL 2017

Final Stages

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (POSSESSION OF FIREARMS AND PROHIBITED WEAPONS) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 15:37 the house adjourned until Tuesday 4 July 2017 at 11:00.