

LEGISLATIVE COUNCIL**Wednesday, 21 May 2014**

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:15 and read prayers.

*Parliamentary Committees***LEGISLATIVE REVIEW COMMITTEE**

The Hon. G.A. KANDELAARS (14:16): I bring up the first report of the committee.
Report received.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the Minister for Employment, Higher Education and Skills (Hon. G.E. Gago)—

Reports, 2013—
Office of the Training Advocate
Training and Skills Commission

By the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter)—

South Australia's Climate Change Vision—Pathways to 2050—Report
Government Response to the Natural Resources Committee Eighty-Fifth Report—Eyre
Peninsula Water Supply Final Report—Under the Lens
Ministerial Response to the Premier's Climate Change Council Advice—South Australia's
Climate Change Vision—Pathways to 2050

By the Minister for Water and the River Murray (Hon. I.K. Hunter)—

Government Response to the Natural Resources Committee Eighty-Seventh Report—
Upper South East Dryland Salinity and Flood Management Act 2002 Report for the
period July 2012 to June 2013

*Question Time***LEGISLATIVE COUNCIL PRESIDENT**

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:18): My question is to you, sir. Are you going to respond to the allegations made by the Hon. John Gazzola yesterday in his Address in Reply speech, namely that you are a parasite and an embarrassment to the labour movement, and that you should resign as President?

The PRESIDENT (14:18): I am not going to dignify this question with any response.

LEGISLATIVE COUNCIL PRESIDENT

The Hon. J.M.A. LENSINK (14:18): My question is also to you, sir. Given that the Premier stated on FIVEaa on Tuesday 6 May, in response to questions regarding the responsibilities and privileges of the role of President of the council, that:

...this is essentially the leadership of the Legislative Council...there are lots of questions about old ceremonial sort of arrangements of the upper house...these are traditional functions and roles. I already have turned my attention to whether they have a role in the modern era.

Will you stand up for and protect the rights and responsibilities of the Legislative Council and its office holders in your position as President of this place?

The PRESIDENT (14:19): Very good question. Yes; I will, at all times.

LEGISLATIVE COUNCIL PRESIDENT

The Hon. S.G. WADE (14:19): I seek leave to make a brief explanation before asking you a question in relation to misconduct and maladministration.

Leave granted.

The Hon. S.G. WADE: In July 2011, in your capacity as minister for local government, you decided not to read the McPherson report into the Burnside council to avoid breaching a confidentiality order. At the time you were reported as saying:

Once you read the report you then have information in your head which during these interviews I could let out and which would have me in breach of the suppression orders.

Under the Independent Commissioner Against Corruption Act, the commissioner may refer a complaint of misconduct or maladministration against a member of this place to the Legislative Council. I understand that complaints would be referred to you as presiding officer in the first instance. Under the act a person must not disclose directly or indirectly information tending to suggest that a person has been the subject of a complaint and other information obtained in connection with that complaint. My questions are:

1. Are you confident that you can maintain the confidentiality required by this act?
2. What processes do you intend to put in place as President to ensure that you have fulfilled the duties of the office of President in handling complaints without breaching confidentiality obligations under the ICAC Act?

The PRESIDENT (14:20): The answer to the first question will be yes; the second one will be whatever processes are required, but I can assure you, the Hon. Mr Wade, that this office will be dealt with with the utmost integrity.

FEDERAL BUDGET

The Hon. K.J. MAHER (14:21): My question is to the Minister for Employment, Higher Education and Skills. Can the minister inform the chamber as to the impact of the federal budget's savage cuts on South Australian universities and university students?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:21): I thank the honourable member for his most important question. Indeed, there has been a series of extremely savage cuts in public funding to South Australian universities and, added to the increased fees that are to be paid by students, this will total almost \$250 million over four years.

South Australia's university students will now have to borrow more money, pay higher interest on their loan and also be required to pay back their debt faster. Students across the country are incredibly angry about these unfair changes—and rightly so—and today we expect to see thousands of students protesting as part of the national day of action, loudly telling the Abbott government that these cuts are completely unreasonable and prohibitive.

With the 20 per cent cut for each student to public universities, South Australian universities are expected to lose \$78 million over the next four years. This means that students will have to pay back an extra \$39 million per year on average in higher interest rates. They will also have to start their repayments once they start earning \$50,638 rather than the current amount of \$53,300, so the threshold has been increased or decreased as the case may be. As a result of these changes, a bachelor degree student who is already paying between \$6,000 and \$10,000 a year towards their degree will now have 20 per cent more added to it, potentially making higher education completely out of reach for some I would imagine.

The risk is that deregulation of fees will lead to an inequitable system which could lock out many students particularly obviously from lower socioeconomic backgrounds. We know that most disadvantaged people have a lower school retention and higher education success rate so this will only increase the divide potentially.

As Minister for the Status of Women I am particularly concerned that these cuts will bite more deeply into women given that the full-time workforce participation rate of female graduates starts

declining in their late 20s and early 30s, obviously when many leave the paid workforce to have children. As only one of the five part-time jobs pay enough to reach the HELP payment threshold—the loan repayment system—there is a real risk that people will be faced with carrying relatively higher levels of debt for a good part of their lifetime.

Many of these women, in particular, but men also, when they leave the workforce to have children, will have this debt hanging over their head, while at the same time essential family needs have increased, and they might find it extremely difficult to access further financial support and assistance through loan arrangements if they already have a large debt hanging over their head. They might, for instance, want to put a mortgage on a car to help with family matters.

Mature-age workers will also face disincentives. When the loan repayment salary threshold was slashed in 1997-98, demand for university education for mature people fell. Many mature-age students already work and therefore have to repay their loans whilst studying, and obviously that is a great concern.

Sadly, the deregulation of universities potentially will most negatively impact women and older people, the very groups the federal government claims to be trying to retain in the workforce. As I have said in this place previously, the state government will not stand by and watch the Liberal government rip funding from our universities and other really important sectors of our society. We will continue to fight for a fair South Australia and a place where people can have good access to universities.

DARLINGTON INTERCHANGE

The Hon. J.A. DARLEY (14:26): My question is the Minister for Sustainability, Environment and Conservation, representing the Minister for Transport and Infrastructure. I understand that the Department of Planning, Transport and Infrastructure has provided letters to about 60 property owners in the vicinity of the proposed Darlington interchange.

The PRESIDENT: The Hon. Mr Darley, is leave granted for a brief explanation?

The Hon. J.A. DARLEY: I was just asking a question.

The PRESIDENT: I thought you were going into some—

The Hon. J.A. DARLEY: I don't need to.

The PRESIDENT: Okay. Mr Darley.

The Hon. J.A. DARLEY: Do you want me to start again?

The PRESIDENT: If you wish.

The Hon. J.A. DARLEY: My question is to the Minister for Sustainability, Environment and Conservation, representing the Minister for Planning, Transport and Infrastructure. I understand that the Department of Planning, Transport and Infrastructure has provided letters to about 60 property owners in the vicinity of the proposed Darlington interchange advising them that their properties are to be acquired. Can the minister advise:

1. How many of these properties will be valued by private-sector valuers acting under instructions from the department, and what is the estimated cost of these valuations?
2. How many of these properties will be valued by departmental valuers, and what is the estimated cost of these valuations?
3. How many of these properties will be valued by the Valuer-General and her valuers, and what is the estimated cost of these valuations?
4. What is the estimated total cost of acquiring these properties?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:28): I thank the honourable member for his most important questions on the subject of the Darlington interchange and the Department of Transport's correspondence. I undertake to take that question to the minister in the other place and seek a response on the honourable member's behalf.

*Ministerial Statement***SMOKE-FREE OUTDOOR EATING AREAS**

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:28): I table a copy of a ministerial statement on the subject of tobacco from the Minister for Health in another place.

*Question Time***FEDERAL BUDGET**

The Hon. T.T. NGO (14:28): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a brief question about announced federal budget cuts to support the automotive industry.

Leave granted.

The Hon. T.T. NGO: Last week, the federal Liberal Treasurer, Joe Hockey, announced a series of severe cuts to industry support, including a cut to support for existing industry exiting—

Members interjecting:

The PRESIDENT: Will you sit down, the Hon. Mr Ngo. Every member in this chamber has the right to get up and ask a question and answer a question in silence. The Hon. Mr Ngo.

The Hon. T.T. NGO: Last week the federal Liberal government, under Treasurer Joe Hockey, announced a series of severe cuts to industry support, including a cut to support for existing industry exiting the automotive sector. Can the minister provide any details she may have regarding this cut in support and funding to the industry exiting the automotive sector?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:30): I thank the honourable member for his most important question. The shock waves continue to build around the nation as details of the impact of the shocking federal Liberal budget become more and more widely understood as the detail is revealed in relation to the extent of the damage that is going to be caused by these terrible measures. Another area of grave concern to this government and people living in South Australia—

Members interjecting:

The PRESIDENT: Honourable members will allow the minister to answer the question.

The Hon. G.E. GAGO: I will repeat that, Mr President, because I know that you were not able to hear it due to the rabble opposite me. Another area of grave concern to the government and people living in South Australia is the slashing of support for South Australian workers exiting from the automotive industry, and I am advised these cuts of around \$17 million will affect employment programs as well as cuts to the important work that service agencies perform. The Automotive Industry Structural Adjustment Program (AISAP) was established to support workers in the automotive industry who were retrenched—an extremely worthwhile and much needed commonwealth program.

Up until now workers retrenched from eligible automotive businesses have been currently receiving assistance to the value of \$2,880 through the commonwealth Employment Pathway Fund, but wait, Mr President, just when we know there are going to be thousands upon thousands of workers who will be retrenched and forced to look for other employment and to gain new skills—this is what we know is likely to happen—what does the federal Liberal government go and do with its first budget? What does it do in response to this national challenge?

Well, we see that, in the federal Liberal government's first budget from July this year, they will slash around \$17 million worth of support to South Australian workers exiting the automotive industry. This will reduce the level of support available per automotive worker by around \$1,330. This will impact on potentially 7,800 automotive workers who will be affected by the automotive industry exit. These changes potentially reduce commonwealth support for South Australia by about

\$10.4 million, a loss of support to this state. Even using the commonwealth's conservative estimate of 5,000 auto workers, it is a reduction of \$6.65 million—and it doesn't stop there.

These changes will also reduce the employment outcome payment to job service providers who place automotive workers into employment. One of the roles of the job service agency is to work with those people who are about to be or have just been retrenched to find new and ongoing employment. Many of these workers go and reskill and they access training and other assistance. Not only are many of them wrestling with the devastating news that they have just been retrenched or are about to be retrenched—they have picked themselves up, dusted themselves off, gone in to access training to help learn new skills so that they can refocus their employment so that they can support themselves and their families, and then they often work with a job service provider who then supports them with things like CV writing, résumé writing and preparing for interviews to help them find new work and those sorts of skills that is a vital service—but the federal Liberal government is going to cut their payment for assisting the worker into employment, reducing the incentive for producing an employment outcome.

It is a shameful cut to some of our already vulnerable workers, at a time when they need this support the most. When we know that there are huge structural changes going on throughout the industry, what does the federal government do? It pulls the rug from underneath them. This equates to approximately \$6.4 million that will no longer be available to support existing automotive workers. Be assured, those on this side of the chamber and those in the Labor government will resist these savage cuts. We will fight for workers impacted by these draconian, shameful measures.

AUTOMOTIVE INDUSTRY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:35): A supplementary question. Have the minister and her husband supported Australian automotive manufacturing by driving and owning an Australian manufactured and built car?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:35): It is a shameful, despicable question to bring family members into this chamber. You can just see how low the opposition are reaching. We know that there is a precedent. I am happy in this place to account for my actions as minister and also my private, personal—

Members interjecting:

The PRESIDENT: Order! You don't need to answer the question.

The Hon. G.E. GAGO: No, I'm going to finish it, Mr President, if I may.

Members interjecting:

The PRESIDENT: The Hon. Mr Ridgway, the Hon. Mr Dawkins. The Hon. Mr Ridgway, allow the minister to complete her answer. Honourable members of both sides, allow the minister to complete her answer.

The Hon. G.E. GAGO: Thank you for your protection, sir. It is gutter politics in this place when family members are dragged into these sorts of discussions in this chamber. It is a despicable, cowardly action and it is an absolute disgrace. As I said, I am always pleased to answer questions in relation to my behaviour, particularly as minister, but what a disgraceful, low life, gutter political act to bring family members into this chamber. Both my husband and I drive Holdens, but as I said it is a low moment indeed. Gutter, grubby politics to bring family into this place!

Parliamentary Procedure

VISITORS

The PRESIDENT: I advise members of the presence in the gallery today of the Hon. Andrew Evans. We welcome you and you look very well.

*Ministerial Statement***JOINT STANDING COMMITTEE ON ELECTORAL MATTERS**

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:37): I table a copy of a ministerial statement relating to electoral matters made earlier today in another place by my colleague the Deputy Premier, John Rau.

*Question Time***CHRONIC PAIN**

The Hon. K.L. VINCENT (14:38): I seek leave to make a brief explanation before asking the minister representing the Minister for Health about chronic pain management in South Australia.

Leave granted.

The Hon. K.L. VINCENT: In the past 2½ years my office has worked extensively with people living with chronic pain. We have advocated in relation to their regimes and other treatment plans. This is not an issue that many MPs or ministers want to go anywhere near, it would appear, and my office continues to feel either stonewalled or ignored when dealing with this issue on behalf of constituents through the minister's office.

Throughout this period of time we have had meetings with constituents with chronic pain, chronic pain doctors, specialists, advocates, families and ministerial advisers. We have also met with chronic pain advocacy organisations Chronic Pain Australia and Dignity for Pain Sufferers. I am told that there are now excellent programs surrounding chronic pain around Australia that this state could model. For example, I understand Medicare Locals in Perth have comprehensive in-the-community programs for managing chronic pain. In New South Wales \$26 million over four years has been allocated, while in Queensland \$29 million has been apportioned to the same issue. The World Health Organisation acknowledges that chronic pain is a distinct disease. They say:

...[chronic pain] is one of the most underestimated healthcare problems in the world today, causing major consequences for the quality of life of the sufferer and a major burden on the health care system in the Western world. We believe chronic pain is a disease in its own right.

It is a basic human right to be able to access pain relief for chronic pain. Despite all this, South Australia still has a completely different approach to other states, including no strategic planning documents specific to chronic pain. My questions to the minister are:

1. Why is chronic pain not specifically included in any strategic planning documents for SA Health?
2. Why does SA Health not acknowledge chronic pain as a distinct disease in its own right?
3. The current generational health plan that runs 2007-16 makes no mention of chronic pain. Will the next generational health plan include chronic pain?
4. Who within SA Health has direct responsibility for chronic pain, and when will they commence the strategic planning required?
5. Will the health minister do anything to expedite the 14-month waiting list to see a chronic pain specialist at the RAH?
6. Why does SA Health appear to have an 'ignore it and it will go away' approach to chronic pain, in contrast to other Australian states and territories?
7. As SA is the only state not to have adopted the recommendations of the National Pain Strategy 2010, why is this the case, and are there any plans to implement the recommendations?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:41): I thank the honourable member for her most important questions on chronic pain programs

in SA Health. I undertake to take that question to the minister in the other place and seek a response on her behalf.

FINNIGAN, HON. B.V.

The Hon. T.J. STEPHENS (14:41): I seek leave to give a brief explanation before asking the Leader of the Government in the Legislative Council a question regarding the government's continued acceptance of the vote of the Hon. Mr Finnigan.

Leave granted.

The Hon. T.J. STEPHENS: The Premier stated on FIVEaa on Tuesday 6 May 2014, in relation to questions regarding the government's acceptance of the Hon. Mr Finnigan's vote, that: 'No, we don't take his vote.' My questions to the minister are:

1. Can the Leader of the Government confirm that the government will not take the vote of the Hon. Bernard Finnigan?
2. Will the minister categorically rule out that the Labor Party has or will lobby for the vote of the Hon. Bernard Finnigan?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:42): I thank the honourable member for his question. The Premier made it quite clear about our position in relation to the Hon. Bernard Finnigan's vote, and I have nothing further to add to his comments.

FINNIGAN, HON. B.V.

The Hon. T.J. STEPHENS (14:42): Supplementary question: given that the former federal Labor government would not accept the vote of Mr Craig Thomson, why is this government not adopting the same attitude?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:42): I have already answered the question. The Premier has been quite clear in this matter and I have nothing further to add.

FINNIGAN, HON. B.V.

The Hon. T.J. STEPHENS (14:42): Further supplementary: given that the Premier said that you will not accept the Hon. Mr Finnigan's vote, can we take that as a given?

Members interjecting:

The PRESIDENT: I think the minister has already made it quite clear that she has answered the question. The Hon. Mr Hood.

Members interjecting:

The PRESIDENT: Will members allow the Hon. Mr Hood to ask his question?

The Hon. G.E. Gago interjecting:

The Hon. T.J. Stephens: You're a liar.

The PRESIDENT: Will you sit down, please, the Hon. Mr Hood? It is unparliamentary, the Hon. Mr Stephens, to call another member a liar, so please withdraw.

The Hon. T.J. STEPHENS: I withdraw, Mr President.

The PRESIDENT: Thank you. The Hon. Mr Hood.

SOUTH-EAST DRAINAGE SYSTEM

The Hon. D.G.E. HOOD (14:43): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question regarding drainage levies in the South-East.

Leave granted.

The Hon. D.G.E. HOOD: The current budget indicates that the \$5.7 million income from the first year of a drainage levy in the South-East has been delayed until 1 July this year. Previous budgets estimated as much as \$16 million over forward estimates from such a levy. The South East Drainage System Operation and Management Bill (or SEDSOM, as it is referred to) was the mechanism for this levy and it was tabled on 31 October 2012, but the bill was prorogued in the House of Assembly at the conclusion of the 52nd parliament. This is welcomed in the south-eastern community which does not want the levy at all, and Family First certainly supports that view.

To date the drains have been public works for the benefit of the South-East community for decades to enable the cultivation of land that would be much more difficult without the drains. As the former member for Mount Gambier told the other place on 13 November last year, the drains make dairy and potato crops, beef, lamb and wool, forestry and tourism possible in the region. I would add that, like roads, they are vital infrastructure for one of the state's economic powerhouse regions.

The previous parliament refused to extend the life of the Upper South East Dry Land Salinity and Flood Management Act, resulting in its expiry. My questions to the minister are:

1. Given that the enabling legislation has not yet been tabled in this parliament, how far out into the forward estimates is the government now postponing collection of the budgeted levy?
2. Is the government preparing a new SEDSOM bill in light of the expiry of the legislation? If so, when will it go out to consultation or be tabled in this place?
3. What steps has the minister taken with regard to the Natural Resources Committee recommendation that he write to the federal Parliamentary Secretary to the Minister for Environment requesting that the Productivity Commission undertake an inquiry into the drainage schemes themselves? Has the minister progressed with that at this stage?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:45): I thank the honourable member for his most important question. I have said in this place before that over the past several years the state government has provided additional funding for the South Eastern Water Conservation and Drainage Board for the operation, management and maintenance of the South-East drainage system, amounting to approximately \$6 million over two years on top of the base funding the government provides of \$2.1 million. This additional funding was needed to complete urgent asset maintenance, repairs and upgrades on ageing public infrastructure, such as bridges on public roads and property access culverts, monitoring stations and the like.

It was proposed that from 1 July 2014 expenditure for the maintenance and operation of the South-East drainage system would be partially offset by revenue from beneficiaries of the drainage system—direct beneficiaries—and more broadly, perhaps, through the raising of a levy as proposed by the South East Drainage System Operation and Management Bill. You all know it—it was in the SEDSOM bill that was before this house previously.

The bill was introduced into parliament on 31 October 2012, and included provisions that the Minister for Sustainability, Environment and Conservation may raise a levy to help support an effective drainage system into the future. The drainage network is currently managed and operated by the South Eastern Water Conservation and Drainage Board, who operate under the South Eastern Water Conservation and Drainage Act. The board manages the drainage network to address the issues of flooding and dryland salinity and to meet the environmental water requirements of wetlands that are connected to the drainage network.

The board currently has the lead role in the management and maintenance of drainage infrastructure, the approval of private drainage works and the issue of authorisations to take water from drains. However, debate on the second reading of the bill was adjourned and has not resumed, as the honourable member said in his question.

During 2013, recognising the importance of the preparation of such a strategy, the South-East Natural Resources Management Board and the South East Water Conservation and Drainage Board resolved to work together to develop a South-East drainage and wetlands strategy. The two boards are currently working together to progress the development of the strategy.

The future reintroduction of the SEDSOM bill to parliament is under my consideration. The state government will continue its current funding and will not be increasing this amount. I intend to

speak with local communities, including stakeholders, about the drainage system, its value and who benefits from the drainage system and consequently who should contribute to its upkeep and maintenance in addition to the taxpayer through the state government's contributions.

NATURAL RESOURCES MANAGEMENT BOARDS

The Hon. J.M. GAZZOLA (14:48): I ask the Minister for Sustainability, Environment and Conservation a question about the program Caring for our Country. Will the minister update the council on the importance of the federal Caring for our Country funding for the vital work undertaken by the state's NRM boards?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:48): I am very pleased and thankful for the honourable member's most important question on this very important topic. Our environment and our natural resources are one of our state's greatest assets. We all carry responsibility for caring for them and for ensuring that we leave them in good condition for coming generations. But it is often the eight natural resources management boards who plan and carry out important local projects in the end and who bear the responsibility for them.

The federally funded Caring for our Country program, introduced in its current form in 2008, plays a very important role in the work and projects carried out by our NRM boards. It is an initiative that funds environmental management of our natural resources by our supporting communities, our farming communities and other land managers to protect Australia's natural environment and sustainability. In South Australia in the first five years of the Caring for our Country program, from 2008 to 2013, the eight regional NRM boards received a total of \$88 million of funding. This is a substantial amount of money and provided much needed complementary funding for a range of projects.

It was previously projected that the next five years of Caring for our Country funding allocated to our state would be about \$85 million. That money would have built upon existing state-based funding and enabled many great projects to get off the ground. Unfortunately, it now seems that the federal Abbott Liberal government's cuts announced in last week's federal budget may put many future projects at risk. The Australian government has announced its plans to merge Caring for our Country and Landcare to create a single national landcare program.

Measures that avoid duplication and ensure funding goes directly to benefit communities and regions are admirable—they are admirable policy decisions—but if experience is anything to go by the primary motivation of this federal Liberal government would be to cut funding for environmental programs. The Liberal government in Canberra has already abolished the Climate Commission, the Environmental Defender's Office has been defunded and the Australian Renewable Energy Authority. We are still waiting on more detail regarding how this new program is intended to function, but what is clear is that the Australian government will make substantial savings over five years, savings in the order of \$483.8 million. This will be achieved primarily through a reduction in uncommitted funding for future grant rounds.

A significant reduction in the program will have considerable implications for natural resource management across our state. As you would be aware, the regional NRM boards in South Australia are funded through a variety of sources, including NRM levies, state recurrent funding, the state NRM program as well as the Caring for our Country program. The Australian government is a significant source of funds for all the regional boards in South Australia, but in particular those boards with limited capacity to raise funds through the imposition of the NRM levy. By that I mean, perhaps, Kangaroo Island, AW and SAAL (South Australian arid lands).

In fact, Australian government funding provides over 50 per cent of total income to four of the regional NRM boards in South Australia. This funding allows individual NRM boards, in conjunction with community and local authorities, to develop projects and initiatives that are designed specifically to address local issues. The projects are varied and include ways of tackling problems around water resources, animal and plant control, biodiversity, climate change and culture. These projects tend to be practically designed and often provide tangible activities and outcomes that are visible to the wider community. People have the opportunity to be involved and informed and to become part of the solution.

For example, the Alinytjara Wilurara NRM board is focusing on increased participation of Aboriginal people and resource management and linking community and culture to conservation. The Kangaroo Island NRM board is tackling water health and biodiversity, as well as pest management and eradication. These projects are underpinned and supported by capacity-building surveillance and a visitor education program, and they are just two examples.

As you can see, the types of projects undertaken through the Caring for our Country funding have the potential for a lasting positive impact on the environment and our communities. It would have extremely adverse impacts, however, on our regional communities if that funding was diminished. The future of such programs, as I said, are now in jeopardy and those who will suffer the most will be the future generations of our state, but particularly those in regional South Australia, unless we continue, as a state, as a parliament, to stand up for our regions, to stand up against the federal Liberal government's cuts.

The Hon. J.M.A. Lensink interjecting:

The Hon. I.K. HUNTER: You never have. You never have and you never will. Every other state Liberal government around the country is getting on board with the campaign against these cuts, but not you, not the Liberal Party of South Australia. You are the cheer squad for Tony Abbott's cuts.

The Hon. J.S.L. DAWKINS: I rise on a point of order. Mr President, the minister needs to refer his remarks through you, sir, and not direct them at the opposition.

The PRESIDENT: And it would probably be appropriate for the minister to be able to give his answer without any interruption. The honourable minister.

The Hon. I.K. HUNTER: Thank you, Mr President, I have been browbeaten by the Hon. Ms Lensink all week: shouting over the top of me, interjecting to defend Tony Abbott's cuts, and I take great pleasure in responding through you, sir, that the Liberal Party in South Australia formed the cheer squad, the only Liberal cheer squad in the country, for these bruising cuts of the federal Liberal government which will impact on South Australia's regions harshly. Get behind us. Stand up for your state for a change and attack these cuts for what they are: an impost on country South Australia.

NATURAL RESOURCES MANAGEMENT BOARDS

The Hon. J.M.A. LENSINK (14:54): A supplementary, sir. Can the minister please explain the implications of the cuts his own government made in the last Foley budget, in the order of \$24 million, to NRM programs and state appropriations?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:54): In fact, we have actually improved engagement with local communities—

Members interjecting:

The PRESIDENT: Let the minister answer the question.

The Hon. I.K. HUNTER: We have improved our engagement with local communities, even drawing in federal funding. That is what we have done; we have drawn in federal funding, and only by fighting the federal Labor government, at the time, on the River Murray did we get that funding. Again, it was with no support from the Liberals opposite; they were out there cheering for the New South Wales Liberal Party. That is what they do.

They are traitors to South Australia, this bunch over here. All they want to do is support the cold, ideological cuts that the federal Liberal government wants to impose on our state. We will stand up against them and fight for South Australia: they never will.

DOMESTIC VIOLENCE

The Hon. T.A. FRANKS (14:55): I seek leave to make a brief explanation before asking the Minister for the Status of Women, representing the Premier, a question on the issue of a royal commission into domestic and family violence.

Leave granted.

The Hon. T.A. FRANKS: As members would be well aware, we have seen yet another tragedy in the Encounter Bay area of this state this past weekend, with a suicide and murder. It is part of a national trend, and a trend that the Labor Party in Victoria has risen to the challenge to address. The leader there, Mr Andrews, has called for a royal commission, which, he says, will examine family violence 'from the ground up', looking into the criminal system, the courts, health, services, housing, education, alcohol and drugs.' He says:

We expect victims to make a deeply personal and terrifying leap, to come forward and seek protection, but we're not doing our bit. We're not there to catch them when they make that leap. Instead, those seeking help fall into endless waiting lists.

As we know, this case in South Australia involved, again, one of those victims who fell onto an endless waiting list. Will the Premier consider a royal commission into domestic and family violence in South Australia?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:56): I thank the honourable member for her most important question, and will refer that question to the Premier in the other place and bring back a response. May I say, though, that this government takes domestic violence and violence against women and children extremely seriously. We have put in a series of initiatives and programs that are very valuable responses indeed, for instance, the Family Safety Framework initiative of the Women's Safety Strategy.

I have spoken about it in this place before so I will not go into a lot of detail, but we have been able to roll out that Family Safety Framework into all our regions now, including the APY lands, one of the most recent rollouts. It is a means of case managing, if you like, involving multi-agency responses to those women who have been assessed as being at high risk of violence, and we are very pleased to have been able to roll out that initiative.

I also remind members in this place that this government reformed sexual assault legislation as well as domestic violence legislation in the past year or two. We introduced intervention orders, and there were a number of reforms within those measures. One of the most important ones was the introduction of intervention orders that gave powers to police to enable them to implement, if you like, restraining orders on perpetrators straightaway. In many instances there is a complaint about a domestic dispute, police go out to a person's home and they assess whether the women and children are at high risk of domestic violence. These new orders give the police the powers to remove the perpetrator from the family home and secure the women and children in the family home rather than having to find them a safe house and dislocate them from all their support systems.

What did we see the Liberal opposition do when it was trying to form government? What did we see them do about domestic violence in the lead-up to the election? What was its platform? It was going to unwind these very important measures. Its platform was to reverse what this government had done with intervention orders and to remove the powers that the police have and give them back to the courts. Of course, the reason that we reformed this area, after extensive consultation with the key stakeholders right across the sector, was that the problem with the old system was that it took too long to get restraining orders through the court system and out on the ground so that perpetrators could actually be removed.

What did the Liberal opposition want to do? It wanted to remove the powers of the police to slam orders on there and then and be able to remove perpetrators from high-risk environments there and then. What did the Libs want to do? No, they wanted to send it back to the court and let it spend another week or so in the court while the perpetrator was out doing harm to their partner and children. It was a disgraceful thing to put in place—disgraceful—and they did not even get what they were proposing to do.

Of course, on top of that, is another of our other measures: SA Police (SAPOL) is the lead agency for the development of a comprehensive integrated early intervention gateway—we call it MAPS (the Multi Agency Protection Service)—and SAPOL is going to partner with the Department for Communities and Social Inclusion and other departments to streamline the referral and notification process of key agencies that will enable them to assess, analyse and respond to child protection and domestic violence issues in a more timely and coordinated way. That is yet another initiative that we have put in place.

At election time the Jay Weatherill government announced additional measures for data collection, particularly around repeat offenders of domestic violence, and a number of other important measures. This government has been extremely serious about this very important policy area. We have taken the risk to women and children in relation to family and domestic violence very seriously. We have put a number of measures in place and we continue to look to develop new initiatives to help protect women and children from domestic violence.

LEGISLATIVE COUNCIL PRESIDENT

The Hon. R.I. LUCAS (15:02): I seek leave to make an explanation before asking the Leader of the Government a question on the subject of the Hon. Mr Gazzola's explosive speech to parliament yesterday afternoon.

Leave granted.

The Hon. R.I. LUCAS: As members will be aware and, indeed, as I am sure you will be aware, Mr President, the Hon. Mr Gazzola raised a number of issues in his contribution yesterday. The first and most serious related to a series of allegations made over a period of time in this chamber in relation to your actions, Mr President, as a union official; allegations made by the Hon. Mr Ridgway and, in part, made earlier by the Hon. Angus Redford back in July 1995.

Secondly, the Hon. Mr Gazzola summarised his particular view of your capacity in the following words, that is, that you, Mr President, were a 'parasite and an embarrassment to the labour movement'. My question to the Leader of the Government is: does the minister believe that the Hon. Mr Wortley was the best qualified member of the Labor Party in the Legislative Council to hold the office of the President of the Legislative Council?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:03): We see yet again mudraking going on in this place, we see this appalling conduct which the Hon. Mr Robert Lucas is renowned for. He is renowned for mudraking and political pointscoreing. He has a reputation for that low life sort of behaviour. I remind honourable members that I am not, in fact, the minister for the behaviour of other members of this parliament. Each member in this place is responsible for their own behaviour. Each and every one of us in this place is elected by the people of South Australia, and they expect us to behave accordingly. I call upon the Hon. Rob Lucas to behave himself accordingly as well.

LEGISLATIVE COUNCIL PRESIDENT

The Hon. R.I. LUCAS (15:05): I have a supplementary question. Given the minister's refusal to endorse you, Mr President, does the minister believe that these serious allegations of union corruption made against the Hon. Mr Wortley should be considered by the federal government's royal commission on union corruption?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:05): I have answered the question. The question is completely irrelevant, and the Hon. Rob Lucas knows it is. He knows that he is muckraking. He knows that he is trying to score cheap political points, and I challenge him to behave himself in this place in a dignified way.

VOCATIONAL EDUCATION AND TRAINING

The Hon. K.J. MAHER (15:06): My question is to the Minister for Employment, Higher Education and Skills. Will the minister inform the chamber about the red tape review of the vocational education and training sector?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:06): I thank the honourable member for his very important question—his genuine question. As I have said, it is an important question, especially at this time when we are left wondering just how committed and serious the federal Liberal government is about supporting people to gain the skills necessary to get jobs. That is what it is all about: trying to ensure that people have access to gaining employment and, of course, accessing the VET sector

is a very important and critical pathway to assisting people to develop the skills they need to gain employment.

You just have to wonder when the federal Treasurer, Mr Hockey, announced last week what looks like a \$400 million reduction in our VET and higher education sector. An amount of \$400 million is going to be stripped from our VET and higher education sectors. That is a \$400 million reduction over four years in funding for apprentices, trainees, vocational education and higher education—all of these students are going to be impacted.

It is a grave concern that the federal Liberal government will cease funding national partnership agreements; that is going to result in around a \$37.5 million budget impact in 2017-18, equating to an almost 23 per cent reduction in real terms for vocational training from 2014-15 through to 2017-18.

In addition, 10 commonwealth-funded skills and training programs are going to be abolished by this federal Liberal government. They will cease from 1 January 2015—a reduction of 10 skills and training programs, or to put it another way, it is almost a \$20 million commonwealth reduction to South Australia over about a three-year period, I think that figure is.

Sitting alongside this, we see a federal Liberal government that is also cutting industry support funds, such as Enterprise Connect and Commercialisation Australia, to the tune of \$1.845 billion. It is astonishing, really, and unbelievable when you consider how integral vocational education and training is to our economy and to the future particularly of our young people but not just young people. I have already spoken in this place today about the importance of training to older workers who have perhaps been retrenched to be able to reskill, upskill and find future employment, but regardless of these heartless and difficult cuts which are extremely difficult to understand, here in South Australia we will fight these budget cuts. This government will stand up for South Australians and we will fight for the interests of South Australia.

This government's record speaks for itself. In 2013, Skills For All funded 134,900 course enrolments, attracting more people to training and generating a 63 per cent increase on the 84,300 enrolments in 2012. This meant an additional 52,800 additional enrolments in government funded courses. I am advised that South Australia has gone from being one of the most costly jurisdictions for training to now being the most cost-efficient. We are now the most cost-efficient TAFE system in the country with a 44 per cent reduction in the cost per hour to publicly funded training.

We want to do all that we can to assist registered training organisations to be their best for the people of South Australia and that is why I announced in April my intention to undertake a red tape reduction review in the VET sector with the goal of simplifying the process for employers and training providers and improving outcomes for students. I decided to undertake this review in response to feedback from businesses, in particular, and the training sector about the increased burdens on RTOs in meeting government reporting requirements and the duplication of effort between state and federal jurisdictions. We aim to maintain our reputation for having a high quality vocational education and training system, one that minimises unnecessary regulation burden and provides the best possible outcome for students.

Harder though this is going to be when we take into account the millions of dollars that the Abbott federal government has ripped out of our system, we will fight, as I said, to maintain our standards here. The review will look at identifying areas where there are administrative processes that could be streamlined, identifying areas of overlap and duplication, and areas of improvement for ICT systems, including looking at issues regarding the national regulation, so we can refer those matters to COAG to be included in their harmonisation efforts.

HUMPHREY PUMP

The Hon. J.S. LEE (15:12): I seek leave to make a brief explanation before asking the Minister for Water and the River Murray a question relating to Humphrey pump located in the Riverland.

Leave granted.

The Hon. J.S. LEE: The Cobdogla Irrigation and Steam Museum in the Riverland is home to the world's only working Humphrey pump. The pump provided water for the Cobdogla irrigation

area for 40 years and after ceasing use became a major tourist attraction and centrepiece of the museum. The state government provides funding for the museum and pump via SA Water. Over Easter in 2012, SA Water ceased operation of the pump after a gas leak. An investigation was conducted and the Cobdogla Steam Friends Society hoped the pump would be in operation again later that year; however, the pump is still not operational and results of the investigation were never made public. Constituents have continually raised the issue with the member for Chaffey and they would like some answers from the government. My questions to the minister are:

1. Will the minister explain why the Humphrey pump at Cobdogla is still not operational after the gas leak happened two years ago in 2012?
2. What were the results of the investigation into the pump's gas leak?
3. What assurance can the minister provide to ensure the Humphrey pump will be operational again?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:14): I am enchanted by the honourable member's most important question about that historic pump which is a sight indeed; it is quite large. While I was aware there were some issues with it, I was not aware of the timeframe in terms of its repair and putting it back into practice. I will ask my agency to report to me on that and I will seek an answer to bring back.

NATURE PLAY SA

The Hon. T.T. NGO (15:14): I seek leave to ask my very first question to the Minister for Sustainability, Environment and Conservation about Nature Play SA.

Leave granted.

The PRESIDENT: Congratulations on your first question.

The Hon. T.T. NGO: Will the minister tell the chamber about the South Australian government's new initiative Nature Play SA?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:15): I thank the Hon. Mr Ngo for his very excellent question. He can ask another one any time he likes. There is a growing body of research that demonstrates that investing in development from an early age can offer substantial rewards and returns to both individuals and communities long into the future. I am pleased that this government is taking a very positive action in this respect. It was my great pleasure to officially launch an important new initiative, Nature Play SA, in recent months.

The PRESIDENT: I will just ask the cameras, I am as flexible as I can be, but you must have the cameras focused on the person on their feet.

The Hon. I.K. HUNTER: That would be me.

The Hon. J.S.L. Dawkins interjecting:

The Hon. I.K. HUNTER: Thank you, the Hon. Mr Dawkins. I will start again. It was my great pleasure to officially launch an important new initiative, Nature Play SA, in recent months. The launch took place at a lecture given by Mr Richard Louv, an international expert on what he calls nature deficit disorder, hosted by the Australian Conservation Foundation and supported by the South Australian government. I acknowledge that my honourable colleague and shadow minister for environment, the Hon. Michelle Lensink, was in attendance, and she commented to me afterwards what an excellent speech I gave. I'm sure she did! I seem to recall that. If she did not give me such comments, she probably just overlooked it.

Nature Play SA is an independent, not-for-profit organisation that will assist parents and grandparents, schools and community groups to put a focus on outdoor play. I know that parents try to do their best for their kids and Nature Play is not about blaming anyone, certainly not parents, nor is it about denying young people the wonders of the modern age in technology that fascinates so many, but not me.

It is about helping us get back a balance of getting kids to experience, appreciate and respect the beautiful and natural environment we have in this state. Research has shown that the average South Australian child spends 4.5 hours a day in front of a screen and only two hours outside. The electronic age has brought with it amazing opportunities for our children, including the ability to be connected to the world instantaneously and experience state-of-the-art entertainment and enjoyment. However, the drawback is that more young people are spending too much time indoors. This new age has coincided with rising rates of childhood obesity, increased rates of depression and behavioural disorders amongst young people. Clearly something is not right and, while television, games and computers are not solely to blame, there can be no doubt that this increasingly sedentary lifestyle is having a lasting effect on our children.

Nature Play SA was inspired by the book *Last Child in the Woods* written by the prominent American journalist and author, Mr Richard Louv, a world leading commentator on the importance of nature play. Mr Louv argued that increasing urbanisation, less access to natural areas and the lure of screen time has resulted in a childhood that is increasingly spent indoors. This, he argues, has contributed to a wide range of health and behavioural problems. He has coined the term—and the Hon. Mr Wade reinforced it earlier—'nature deficit disorder' to describe this phenomenon. His research has shown that unstructured play outdoors in nature is essential to a child's physical, mental and emotional development. In his words, 'Time in nature is not leisure time, it is an essential investment in our children's health and also, by the way, in our own.'

Nature Play SA will be an important resource for all South Australians and will provide stimulus and ideas to encourage all of us to take advantage of the wealth of outdoor, and mainly free, activities at our doorstep. To help establish nature play, \$2 million in funding from the state government has been provided, and I am pleased to advise that Mr Tim Jarvis AM has been appointed as the patron of Nature Play SA. Tim was named as the 2013 Australian Geographic Adventurer of the Year. He is a world renowned explorer, environmentalist and scientist, author, public speaker, sustainability advocate, and father of two boys aged five and two—a perfect role model to encourage children to go outdoors and play and explore.

Nature Play SA will also be supported by organisations from the environment, health, education, child development and recreation sectors. Nature Play is an exciting initiative and I am certain it will become a very valuable resource for our community.

Ministerial Statement

PREMIER'S CLIMATE CHANGE COUNCIL

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:19): I table a copy of a ministerial statement made by myself relating to South Australia's Climate Change Vision—Pathways to 2050.

Matters of Interest

ABORIGINAL SOBRIETY GROUP

The Hon. G.A. KANDELAARS (15:20): Recently I visited the Aboriginal Sobriety Group's Lakalinjeri Tumbetin Waal facility at Monarto. ASG has been operating since 1973 when it commenced as a voluntary self-help group for people wanting to overcome alcohol and/or drug abuse. Today ASG administers a range of drug and alcohol services which provide a complete substance misuse recovery pathway. Lakalinjeri Tumbetin Waal (LTW) at Monarto is one of those services. I was shown around the LTW site by site manager, Craig Minervini. Lakalinjeri Tumbetin Waal means 'clan, family, community' healing place, and it undertakes drug and alcohol rehabilitation programs that provide holistic support for clients using a cultural, social and emotional wellbeing framework.

Last year marked the 10th year that the LTW's healing program has been in operation. During that year, LTW had 56 clients. These clients participated in one of LTW's three-month healing programs. Whilst most LTW clients are from South Australia, there are also clients who travel from as far away as Queensland, New South Wales and the Northern Territory. Increasingly, clients are being referred through drug courts.

LTW is a non-medical dry rehabilitation centre located on a farm at Monarto. Clients live in and are assisted, through a number of programs over a three-month period, to recover from drug or other substance misuse lifestyles. Programs include gardening, painting, woodwork and gym activities as well as activities dealing with life skills such as cooking, cleaning and financial counselling. These activities are backed up by both individual and group counselling and support.

LTW is undertaking an assessment on the possibility of providing agricultural programs, involving local farms. This could possibly extend LTW's programs to clients through farm schooling on animal husbandry and cereal cropping. LTW is always looking at extending the programs that can be offered to their clients, to hopefully help clients become more job ready. Prior to entry, clients must undertake a needs assessment with ASG's substance misuse team, to ensure that they are ready for stabilisation and receive appropriate care.

The team undertakes a detailed assessment of clients' needs and develops a case management plan which includes referral to appropriate external stabilisation services. Following stabilisation, some clients may be referred to LTW, ASG's rehabilitation program. To enter ASG's LTW program, clients must be able to maintain drug and alcohol free status throughout their stay at LTW. The LTW program takes into account common beliefs and rituals of various Aboriginal clans, so that all communities can share in the healing process. LTW's framework comprises four strategic directions and takes into account:

- education with the program providing information about the nature of addiction and its effect on humans including physical, mental, emotional, spiritual, behaviour, characteristics and attitudes;
- skills development, introducing clients to tools for sober living, structured activities for lifestyle skills, self awareness, communication skills, problem-solving skills, enhancing self-esteem;
- counselling, be it one-on-one or group counselling;
- culture, learning and spiritual growth with reference to Aboriginal heritage, mediation, elders' stories, dreamtime, lectures, smoke ceremonies and art and craft.

LTW has a no-tolerance attitude to drug and alcohol, which ensures that LTW is respected. I commend the Aboriginal Sobriety Group for their LTW program.

LEGISLATIVE COUNCIL PRESIDENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:25): On 30 November 2011 I tabled two statutory declarations, one signed by Mr Allan Cotton, declaring that Mr Russell Wortley, having involvement in the Federated Gas Employees Industrial Union, directly advised him that if he paid a sum of money to the union he would organise a substantial redundancy payment in support of his leaving Sagasco.

He declared that Russell Wortley advised him to make the payment to Danny Moriarty, who in 1995 was the subject of a motion in this very place, which urged the responsible Labor minister to inquire into substantive allegations of conflict of interest in his postings within Sagasco and the union. He declared he paid that money to Danny Moriarty and resigned as intended.

I also tabled a statutory declaration made by Mr David Butler—he was an employee of Sagasco around the same time as Mr Allan Cotton. He declared the union had advised him that he could, after paying a substantial amount to the union, get a better redundancy payment than he had been offered by Sagasco. He declared that his ensuing conversations with the union took place, at least in part, in the presence of Mr Russell Wortley. He then declared that he paid \$5,000 to the union. This was placed on a table in front of Danny Moriarty, who threatened him not to open his mouth, and he then received his non-standard redundancy pay.

Later that year he attests that he saw Mr Wortley at a gas company barbeque. Perhaps you may recall the conversation, Mr Wortley, where I quote he said that 'you were a crook and he never wanted to speak to you again'. Some 19 years ago in this very place it was said about Mr Wortley, and his roles in Sagasco and the union:

On every occasion that your duty to your own self-interest and your duty to anybody else for whom you are expected and trusted to act conflicted, you erred on the side of self-interest.

This case was built upon by me, with some very specific examples in November 2011. Until now we have waited patiently for Mr Russell Wortley's response to those salacious but nonetheless well-evidenced allegations.

Last night our former president acted in a way that I believe corroborated the evidence put forth by Mr Redford and me. Some may call it a bizarre or scathing attack, but in any case it was a condemnation of his character and his integrity, which only thickens the cloud which now hangs over his head. Mr Wortley, your own Labor colleague last night implored you to respond to these allegations of 1995 and 2011. The opposition now joins your own Labor side in saying that you can no longer reasonably preclude a response. Even today in question time I asked you and gave you an opportunity to respond to those allegations.

This morning the Leader of the Opposition, Steven Marshall, indicated that the opposition will consider looking to pursue the Royal Commission into Trade Union Governance and Corruption in investigating those allegations. I note in particular the royal commission's terms of reference regarding bribes, secret commissions or unlawful payments arising from arrangements between employee associations and any other party. I believe the silence has spoken volumes. He has given us no option than to pursue avenues outside this parliament.

At the time of this alleged activity Mr Wortley had a very healthy salary, a union-paid super, a gratuity of an undisclosed nature, nine weeks per year of service to be paid out when you left (regardless of the reason), private health cover, a clothing allowance, a fully-funded car (renewed every two years), a telephone with full rental and calls, five weeks' annual leave (plus 20 per cent leave loading), rostered days off, a 38-hour week, a 19-day month (and all rostered days off could be accumulated and taken at Christmas time), and sick leave of 15 days per year (which could be taken without a medical certificate). All unused sick leave could be accumulated and paid out each year or all sick leave could be paid out upon the termination of employment.

One of the men you allegedly facilitated payment from was in his mid-30s, married with three children at school and paying off a house. Before he knew it would cost him \$5,000, he recalled being delighted by the information that the union could get him 4½ weeks of redundancy pay for each year of service. It was probably more than he and his family had ever seen. The other man who you facilitated taking payment from had to pay the union something in the order of \$900. The best he could do was about \$700, so he scratched together some 1980 collectible gold coins.

My office visited their homes. They were the homes of hardworking, honest, South Australian families. How the President can sleep with his \$260,000 a year salary whilst knowing the situation he put those men and their families in is beyond me. It is now time for the President to come clean and address the allegations that have been made in this parliament.

TOURISM

The Hon. K.J. MAHER (15:30): Today, I rise to speak about the importance of the tourism sector to local businesses and, more broadly, to the South Australian economy. Recognition of South Australia's world-class tourist experience is becoming more and more well known around the world. With the great work done by the tourism sector, it is no surprise that international visitors to South Australia has reached an all-time high, with 378,000 visits in the year to December 2013. South Australia should be proud that international visitors choose to come to South Australia in greater numbers than ever before and inject about \$727 million into our state's economy. It takes the state's total tourism revenue to about \$5.1 billion, when including domestic expenditure.

This government is committed to encouraging more people to choose to visit this state when taking a short break or heading off with the family for their holidays. That is why, as a government, we have taken the decision not only to improve the marketing of our state with the new brand and new targeted campaigns, but to invest in building infrastructure for the future, whether it is significantly improved public transport, a new airport that rivals any other in Australia or all around the world, or the successful oval redevelopment. Events like the Santos Tour Down Under, Clipsal 500, the Fringe, the Adelaide Festival and WOMAD already attract tens of thousands of visitors from interstate and overseas and generate tens of millions of dollars for the state's economy.

In recognition of the significant contribution cruise ships make to our state's tourism industry, the government has worked to increase the number of cruise ship visits both to Adelaide and regional South Australia. The 2013-14 cruise season saw a record 28 cruise ship visits to South Australia by

14 different ships. They brought approximately 67,000 passengers and crew and injected a total of \$14.5 million directly into the South Australian economy.

The oval redevelopment has provided a world-class stadium that attracts some 50,000 people into the city each week, many from regional South Australia and interstate. This government has successfully implemented world-class campaigns to market our beautiful state. Campaigns like 'Barossa. Be Consumed' and its award-winning ads are marketing the Barossa region and have been seen by tens of millions of people around the world. The website beconsumed.southaustralia.com promotes restaurants, producers, cellar doors, attractions and accommodation available right throughout the Barossa region. I understand that since the state government launched this innovative website, not only has it become globally recognised, winning a Favourite Website Award but, more importantly, the flow-on effect to tourism in the region has been significant. The Barossa Visitor Information Centre has received a record number of sales, including accommodation and tourism bookings and general inquiries. This is a great result for small business and tourism operators in the region.

Recently, I had the opportunity to travel to Whyalla where I spent some time touring the region with the new member for Giles, Eddie Hughes. It was a great opportunity to visit an area that is realising some of its potential and tourism possibilities. I paid a visit to the Whyalla Visitors Information Centre and the HMAS *Whyalla*. This is a great facility, with happy and helpful staff eager to share the many ways to experience this state's great region.

I also pay tribute to the former member for the area, Lyn Breuer, and the new member, whose uncompromising and ferocious advocacy for the area has seen tourism grow. I am very pleased to see in the last couple of days that the giant cuttlefish are returning to the area in great numbers. I am sure it is not necessarily the case that it coincides with Eddie Hughes becoming the new member, but it is good to see them return nonetheless.

Just last week, I had the opportunity to travel to the Fleurieu Peninsula to launch the Yankalilla and District Heritage Trail. Thanks to its diverse range of historic and natural attractions, and quite close proximity to Adelaide, the Fleurieu Peninsula is one of our state's most significant and valuable tourism destinations, with more than two million day trips every year.

Each year this beautiful area draws around 700,000 visitors. The Yankalilla and Normanville Heritage Trail is a fantastic initiative that was driven by local people who recognised and wished to protect the local history of the region, as well as benefit local businesses. The trail will no doubt improve visitors' experience of the region and hopefully increase their length of stay. By offering visitors more reasons to stay longer in this and other areas, and turning day trips into overnight visits, this trail and other such initiatives have the potential to positively impact on accommodation providers not only in this area but right around our state.

I am proud of the many world-class, unparalleled experiences South Australia offers tourists from interstate and around the world. The government continues to promote this great state as a destination of choice for anyone thinking about taking a break. The tourism sector is drawing more visitors than ever before, providing opportunities for visitors and businesses, and is a huge part of the economy. It is ever-growing.

MULTICULTURAL UNITY FOR DOMESTIC VIOLENCE IMMUNITY

The Hon. J.S. LEE (15:35): Today it is my privilege to speak about an event called Multicultural Unity for Domestic Violence Immunity (for the purposes of the *Hansard* I will call it MUDVI). I was very honoured to be invited as a guest speaker by the organiser, Sarika Young, to give the opening speech at the inaugural event on Friday 16 May 2014.

The Multicultural Unity for Domestic Violence Immunity event is the first of its kind in support of White Ribbon, and I would like to congratulate Sarika Young on her amazing effort in putting together a multicultural fashion and entertainment charity function. The purpose of MUDVI was to raise funds for White Ribbon so that it can increase awareness and provide further support in preventing abuse and domestic violence against women and children, and my heartfelt congratulations and special thanks go to Sarika for putting her heart and soul into organising a successful and meaningful event. I would also like to thank all the sponsors, performers, volunteers and participants who donated their time, talent and resources to support the event.

As the shadow parliamentary secretary for multicultural affairs and a strong advocate for women in our community, I was moved by Sarika's vision to organise an event that featured performers and catwalk models from multicultural backgrounds. For instance, the multitalented event organiser, Sarika Young—who is also an actor, model, dancer and trainer—has an Italian/Indian heritage, while the MC was the talented singer Barry Southgate from the *X Factor*, who is of African/English/German and Indonesian descent. Other artists, including African Soul, the Bollywood dance group Fusion Beats, South Australian young rappers Street Assassins, an incredible singer, Nez Erok, with her rich Turkish culture, and fashion designer Chantra Hem, with Cambodian/Chinese heritage, are the multicultural faces who contributed beautifully to the MUDVI event.

Sarika chose to create a fashion and entertainment theme to involve a young and diverse audience to tackle a very important issue in our society; that is, domestic violence. Last November police commissioner Gary Burns revealed that police attended more than 10,000 domestic incidents in the 2012-13 financial year—an average of 27 a day—and issued almost 3,000 interim intervention orders since the measure was introduced.

I would like to highlight the introductory statement of a federal parliamentary report called 'Domestic violence in Australia: An overview of the issues', which stated:

Each culture has its sayings and songs about the importance of home, and the comfort and security to be found there. Yet for many women, home is a place of pain and humiliation...Violence against women by their male partners is common, widespread and far reaching in its impact. For too long hidden behind closed doors and avoided in public discourse, such violence can no longer be denied as part of everyday life for millions of women.

The above statement serves as a reminder of how important it is for all of us to take strong action and have zero tolerance for domestic violence.

I was incredibly upset to see the news on the front page of the *Sunday Mail* on 17 May about the horrible death of Graziella Dailler at Encounter Bay. The heartbroken family of the mother who was murdered by her violent partner revealed that Graziella had repeatedly sought help to leave her abuser but was failed by the system. The Liberals are serious about having a zero tolerance domestic violence law as an election policy. Under our policy violent spouses face a zero tolerance approach, including making it harder to escape murder convictions.

Domestic violence also impacts heavily on the welfare and safety of children. The state Liberals have this week introduced legislation to create a commissioner for children and young people with full investigative powers to provide greater protection for children at risk in South Australia. I would like to congratulate the Hon. Stephen Wade on this important legislation.

Violence has a profound and damaging impact on its victims and on the community as a whole. I would like to acknowledge a number of organisations for their prevention campaigns and support in preventing violence against women and these include the Coalition of Women's Domestic Violence Service of South Australia, Centacare and White Ribbon Australia. I know there are already many White Ribbon ambassadors in parliament and I would like to congratulate them for all their work.

FEDERAL BUDGET

The Hon. T.T. NGO (15:41): The Abbott government has broken its promise to the people of Australia, cutting billions of dollars in health grants to public hospitals. No Australian premier was warned about these cuts and now states all across Australia must find a way to pick up the pieces. One thing is clear: South Australia will be hit particularly hard.

The renegeing of the National Health Reform Agreement and the axing of the national partnership agreement will cost South Australians approximately \$600 million. The Nursing and Midwifery Federation state secretary Elizabeth Dabars said this about these cuts:

We are looking down the barrel of 500 nursing jobs to go which is basically the equivalent of closing down the Modbury Hospital. It is a complete disgrace.

These cuts also represent the equivalent of losing 600 hospital beds—the size of the Flinders Medical Centre. On the weekend I attended a function held by the Australian Medical Association where many doctors and healthcare professionals told me how horrified they were by the prospect of these cuts and assured me that the result will be absolutely dire across South Australian hospitals.

Changes to health funding in this country will leave South Australians worse off. These cuts are being proposed not just in South Australia but in other states around the country. Liberal premiers like Mike Baird and Denis Napthine have voiced their displeasure and even the Queensland Liberal Premier Campbell Newman, who is no stranger to aggressive cuts in public spending, thinks the Abbott government 'has gone too far'. Mr Newman, usually one of the most vocal supporters of the Abbott government, is now calling on the public to voice their disapproval of these cuts and to raise it with their local federal Coalition MPs.

I understand that concerned health groups are organising a rally to oppose this attack on public hospitals. I trust that many of those opposite, including the Hon. Robert Lucas, shadow health minister, will be there. The honourable member is very well respected in the community and I am sure one day he may be a health minister and will have to deal with this very issue; therefore he could be a valuable ally in standing up for this state. Now is not the time for party politics but for standing up for what is right for South Australia.

DISABILITY UNMET NEED

The Hon. K.L. VINCENT (15:44): As I said in question time just last week, when I was first elected to this place four years ago one of the early issues I raised in question time was public monthly disclosure of the growing unmet needs list for disability services in SA. As of January 2012 that information has been publicly available and it does not paint a pretty picture. I know that the government will say that it has funded this and increased that when it comes to disability funding, and I acknowledge that some positive steps have been taken, but we are not getting on top of this disability crisis.

Despite South Australia being the first to sign up to the National Disability Insurance Scheme (NDIS), adults in South Australia will not be rolled onto the scheme until 2019. Telling them that their urgent accommodation, respite, community access and community support needs ought to wait another five years is not acceptable. Despite all the increases in disability funding and the rhetoric that the NDIS will be the panacea that solves all the issues in the disability community, the numbers being reported on a monthly basis show otherwise.

Back in January 2012, category 1 reported unmet need of 1,217 services across 995 clients. However, in March 2014, the most recent report available, the same category (category 1) figures show that there is an unmet need of 1,807 services across 1,514 unique clients. This is an increase of 50 per cent in both cases—unmet need services and unique clients—and, remember, this is just category 1, critical need, which means that clients are either homeless or at immediate risk of homelessness or harm to themselves or harm to others.

I believe that it was on Easter Monday this year that I was phoned by *The Advertiser* for comment on whether I would support Mr Gazzola or Mr Wortley for the position of president in this place. Since that time, just a month ago, the factions within the Labor Party have fought it out, eventually resulting in your taking up the position of president in this place, Mr President. Events in the last 24 hours have yet again seen this ferocious factional fight descend into chaos again, arguably bringing this parliament and this chamber into disrepute. I note that the Premier is quoted on Adelaidenow's website as saying:

I expect everyone to get on with the job of actually representing the people of South Australia and not indulge themselves in these personal attacks over what is essentially about who gets what job in the Parliament.

Well, yes, Premier, so would Dignity for Disability like to see this. Since this stoush erupted a month ago, two constituents my office has advocated for since I was elected to this place in 2010 have died. Their family carers, who have both passionately advocated for both women over many years, are grieving terribly. Both constituents had significant disabilities, and one was an 11-year-old girl.

Mr President, while you and your factional mates and enemies indulge in the most disgraceful displays of behaviour, both inside and outside of this place and outside to the media, I would ask you to think about what service you are doing for our community, this state, as an elected paid member of this chamber. You might want to consider that in the context of the state's escalating unacceptable unmet needs list in disability, whilst later in the week I attend the funerals of two South Australians who have never and never will have the privilege of warring over who gets a \$100,000 pay rise and a chauffeur-driven car. Please, as your own Premier suggests, get on with doing a better job for South Australians, particularly those who are struggling with disability, chronic illness, mental illness,

homelessness, family breakdown and all the other disadvantages you seem to be completely oblivious to.

Motions

CYCLING STRATEGY FOR SOUTH AUSTRALIA

The Hon. M.C. PARNELL (15:48): I move:

That this council—

1. Notes—
 - (a) the Velo-city Global 2014 Cycling Conference will be held in Adelaide from 27 to 30 May 2014;
 - (b) the expiration of the cycling strategy for South Australia in 2010 and the failure of the government to develop a new cycling strategy over the last four years; and
 - (c) the 2013-14 state budget allocated over \$1 billion to the Department of Planning, Transport and Infrastructure but less than one half of 1 per cent of that amount to cycling.
2. Congratulates all those responsible for bringing the Velo-city Global 2014 Cycling Conference to Adelaide, including the European Cyclists' Federation, Bike SA, the Adelaide City Council and, in particular, the advocacy of Adelaide Lord Mayor, Stephen Yarwood.
3. Calls on the government to—
 - (a) re-establish a cycling strategy for South Australia in consultation and partnership with the cycling community; and
 - (b) at least double the allocation of funds to cycling infrastructure in the next state budget to at least 1 per cent of the Department of Planning, Transport and Infrastructure's allocation.

This motion is timely because a number of events have coincided in recent times to put the issue of cycling in South Australia onto the public agenda. These events include the attendance in Adelaide next week of hundreds of international delegates to the Velo-city 2014 International Cycling Conference. This cycling conference is the premier global event for cycle planners and cycle advocates and people who take cycling seriously as a form of transport. We are very glad to have this conference in South Australia; it is a real feather in the cap of our state.

The motion refers to the organisations that have got behind it including the European Cycling Federation, our own Bike SA, and the Adelaide City Council, and I have made in the motion particular reference to the advocacy of Adelaide Lord Mayor Stephen Yarwood. Mr Yarwood, His Worship the Mayor, has had a bit of flack of recent times for his advocacy for cycling. That leads me to the second of the events that have put cycling on the map and that is the opening of the Frome Street Bikeway.

Listeners to talkback radio and people who pay attention to the blogosphere would have seen the Lord Mayor getting a pretty tough time, but cyclists came out in force at the opening last week. Estimates varied, in fact varied wildly. The lowest estimate I saw was 150 people; other estimates were as high as 3,000. In my view—I was there—there were certainly more than 1,000 people who attended the opening of that bikeway. So, these are two events that have come together and put cycling on the map.

I want to refer a bit later on in my remarks to Frome Street and to some of the reactions to that facility, but before I begin I want to just point out to members that after I put this on the agenda for parliament two weeks ago I put out a call to the cycling community to tell me—or more accurately tell the parliament—what it is that they felt about cycling in South Australia, what the priorities should be, and how could we make our state a better place for cycling. It will probably be of no surprise to members that I was inundated with comments. Maybe it was the carrot of being mentioned in *Hansard*, because I did say that I would try to refer to as many of these comments as I could, but, as a consequence, there were over 60 submissions. I will not refer to every one of them, but I will refer to many of them, and so this contribution on cycling will take some time, but I make no apologies for that.

What I will say to those who took the trouble to write to me with their thoughts about cycling is that, if I do not refer to you today in parliament, I will certainly be packaging up these submissions into a report which I will be presenting to the Minister for Transport and the department of transport. The only other thing I would say before I get into the substance of my address is that it has surprised

me somewhat that the government has been quite silent on the issue of cycling over the last little while. Certainly, when international conferences come to Adelaide it is the practice of usually the Premier to make a grand announcement. Now, the conference officially does not start until next week so maybe we will wait to see what happens, but the announcement, of course, cyclists are all waiting for is that we will have a new cycling strategy for South Australia—the last one expired four years ago—and we will have a significant increase in the budget for cycling facilities.

When I put this on the agenda, I did receive some communication from the RAA and a delegation came to visit me, which was a most worthwhile exercise because I think members of the motoring community and their lobbying organisations do understand that we need to share the road. I think many of them also understand that the more people out riding bikes, the fewer cars on the road, the less congestion and the greater the capacity for road users who cannot use bikes—delivery vans, for example, people living with disabilities, the elderly. There is more space on the road for motor vehicles if more people ride bikes. I appreciate the feedback I received from the RAA and I look forward to working with them. The motoring lobby need not be the enemy of cycling; we need to share the roads.

The submissions that I received came from a number of places. Many of them were emails or comments directly to me. Comments were made on my website and on my Facebook page, and there was also a deal of feedback on the Adelaide Cyclists online forum as well, so I will mix and match some of those different submissions.

Let's start with the issue of who exactly is cycling in Adelaide. I think probably a better way of phrasing that question is who isn't cycling in Adelaide. We know that it is men, women, old people, children. We know from the Cycling Promotion Fund statistics that come out every year that bicycles have outsold cars in Australia for 14 years in a row. There are more bicycles than cars out there, but they are not on the roads. They are in sheds and they are gathering dust, largely because people do not feel safe on the roads. So that is the challenge before us.

The issue of promoting or encouraging cycling is not to do with a lack of bicycles because there are more than enough bicycles to go around: it is a question of making the environment safe for cyclists to be able to use their bikes. We know from bicycle counts of people coming into the Adelaide CBD that the increase in cycling in 2011 was 17 per cent on the year before, in 2012 an 8 per cent increase, and the number of cyclists coming into the city of Adelaide at the last count in 2013 was 5,529. I thank Peter Lumb for forwarding those statistics. I received an email from Edward Stratton-Smith who says:

Every weekday morning there are parents across the metropolitan area using their cars to drop their children off at school. Some, but by no means all, then use their car to travel to work. We know it is not all of them because we all notice the significant difference to traffic during the school holidays. Some figures suggest that traffic volumes drop by anything up to a third. Outside schools the situation is generally the same. The space is clogged with cars. We take some steps to alleviate it by having children in fluoro vests stand with their teachers holding stop signs. Outside many schools the congestion is ridiculous. Some parents we know have little choice because of the distance they live away from their children's school. They are in the minority though. Most children easily live a bikeable distance from their schools. That is particularly so with our primary schools that are zoned and cover relatively small geographic areas.

Edward Stratton-Smith was not the only person to draw attention to the fact that very few children now ride their bikes compared to when you and I were primary school children, Mr President. He goes on:

Some people will never get on a bicycle. That is fine. Nobody will force them. However, a large chunk of the population falls into the 'interested but concerned' category. They would ride if they felt safer on the roadways—if cars were slower and less frequent, and if there were more quiet streets with few cars and paths without any cars at all. That is what we need.

Terry Grealy wrote to me about some of our newest cycling residents—I will not say 'citizens' but 'residents'—in South Australia. Terry writes:

At Thebarton Senior College, over the past 12 months our Bike Club has sold approximately 70 refurbished bikes to refugee-background students.

I say residents rather than citizens because we know many of these people are still living an uncertain existence, many on bridging visas and the like. Terry goes on:

This cheap and reliable transport makes a substantial difference to their lives. They use the bikes to get to school, for shopping and errands and to visit friends. They are on low incomes and the saving in bus fares is very significant to the students. More students would be encouraged to ride if there was a network of safe, clearly sign-

posted cycle routes throughout the metropolitan area. Secondly, the safety of all cyclists could be enhanced immediately by a law demanding that motorists keep at least a metre from cyclists.

There is a reference there to a bill that I introduced in the last parliament on behalf of the Amy Gillett Foundation requiring exactly that standard to be met, the 'metre matters' campaign. I received a note from Jillinda Thomson who said:

I love riding my bike but do find it difficult and dangerous that the sides of the road are often uneven, rocky and strewn with dangerous items like glass. I have discovered the Greenway from Outer Harbor to the city and ride on it regularly and wonder why it is not better known of and better utilised. In the meantime I enjoy it that it is not crowded...

In relation to the cycling strategy for South Australia which, as I said, applied from 2006 to 2010 and then expired and has not been replaced, it surprises me that there has not been more fuss made of it. Maybe it is because many in the cycling community feel they are on the drip feed. A number of cyclists said that 18 months ago they were called to a meeting at the transport department where the cycling strategy was discussed but it does not appear to have advanced at all. I think it is unacceptable that such an important mode of transport which had its own dedicated strategy should be allowed to languish. The importance of the strategy is that, unless you know what you are trying to achieve, it is hard to put in place programs to achieve it, and it is even harder to allocate the necessary budgetary funds. Kenneth Abraham wrote to me:

Yes, we need a cycling strategy and we need it fast. For too long we have been looking towards the US and the UK to compare our initiatives, overlooking that those countries are still decades behind leading countries like the Netherlands, Denmark and other countries who are rapidly following suit.

When I asked the cycling community to write to me, many people wrote very long lists of suggestions and, whilst I do not intend to go through all of them, there are a number that I think are worth putting on the public record. For example, Peter Davis wrote to me saying:

...I only started cycling about five years ago but have always been very passionate about being fit and healthy. Here is a list of things that I think need doing to improve cycling amenities around Adelaide suburbs and encourage more people to start or return to cycling.

He goes through a comprehensive geographical list which starts at Taperoo, Lady Gowrie Drive and goes through the Sturt River bike track, the Onkaparinga track, Pedler Creek, right down to creating a bike lane on Mount Lofty Summit Road up to Mount Lofty because we know that that is a very popular, especially weekend, pursuit.

Peter Davis also points out, as do a number of other correspondents, that the signs placed by roadwork contractors advising of lane closures or reduced speed limits are often placed right in the middle of the bike lane where they cause maximum disruption to cyclists. He says:

Every year I meet cyclists who come to Adelaide for the [Tour Down Under] and they comment on the fantastic way we can ride in either direction from Adelaide to get to the beaches or the Adelaide Hills, as well as North or South, but they expect, because we are the [Tour Down Under] city, that we would have much better cycling infrastructure. But in fact we are the 'poor cousin' when it comes to cycling infrastructure.

He goes on:

I am retired and I have been riding for about five years, but none of my friends will ride their bikes nowadays because it's too dangerous. They have bikes just gathering dust in the shed. I ride with about 40 or 50 others in different groups and myself and none of them will ride on Brighton Road and Portrush Road even with white lines painted on the road—it will still be far too dangerous.

Ian Smith wrote to me saying:

Reject the Austroads guidelines and adopt a combination of the Irish National Cycle Manual and the Copenhagenize Design Manual. Many more of my friends and students at our school would cycle if crossings at major roads were sustainably safe for pedestrians and cyclists and that the cycling 'infrastructure' along roads was at least to Austroads standards. The SA government is a signatory to Austroads, however they totally disregard what is contained in the pages. This is probably because it is so wordy and is nowhere like the simplicity of the Irish Cycling Manual.

Fiona Paterson de Heer wrote to me with 14 detailed ideas, many of which involved putting the emphasis back on the re-education of motorists, including learner and probationary drivers. She also raises the longstanding issue of whether buses and trams can be equipped to carry bicycles and makes the practical suggestion that a safe bike lane from Marion Railway Station to Flinders University would be a good initiative.

She also points out that, with the frequency of theft of bicycles and bicycle parts and the incidence of vandalism of bikes, we need many more safe and secure bike-parking stations. I would add that, having seen some of the new stations on the Seaford extension, I can see that they have more secure cages, which I think is a great initiative. Fiona Paterson de Heer goes on:

The issue of licences for cyclists is a distraction. Most cyclists are already licensed car drivers. By cycling they are adding neither to pollution, congestion, nor wear and tear on the roads.

Simon Lownsbrough wrote to me with a comprehensive list of the good, the bad and the ugly about cycling and cycling infrastructure and he starts by saying:

Thank you for the opportunity for feedback. I would be seen by others as a MAMIL—

which, for those who do not know, stands for middle-aged men in lycra—

That is, I renewed my interest in bicycles in my 50s. I ride road and wear lycra. I have been riding now for around five years. I ride around 250 kilometres plus per week with 170 kilometres of that my weekday commutes. Along the way I have accumulated broken ribs and fingers, lost skin, and become fitter and happier than my 30-year-old self.

In his list of the good things about cycling he mentions the following:

Despite all the stories we hear of accidents, near misses and threatening behaviour, most cycling is quite safe. To put this in context, I ride one hour each day and around four hours on the weekend. That adds up to in excess of 8,000 kilometres per year. I interact with and get passed by numerous motor vehicles. The vast majority are careful or at least pass safely enough. A lot are quite courteous, letting me in if I need to change lanes.

Cycling brings people together. If a cyclist needs assistance, another rider will stop. We nod to each other as we pass. We'll strike up conversations with complete strangers as we grind up a hill. We share and are aware of our surroundings. I do most of my local shopping by bike—it just makes sense. I have locked the bike and entered the store while others are still trying to find a car park, and I am home quicker, plus I have given someone else easier access to a park purely because I did not use one.

My commute is 18 kilometres long. Work colleagues ask me 'How long does it take you to get to work?' When I say 25 to 30 minutes their reactions are priceless, and I'm just an old hack—I'm not really fast, so it seems that a lot of people don't understand what can be achieved on a bike.

On his list of the bad things about cycling he mentions:

Every few months someone will take offence at my existence on the road and swerve towards me or threaten me in some way. Around once a fortnight I will have a car not see me or pass too close or overtake, then turn or pull over unsafely. Nearly every day cars will try to overtake me on the approaches to pinch points, such as road narrows or roundabouts, because they don't want to be slowed by a bicycle. They then have to brake heavily to negotiate the roundabout. If they judged the situation well they would realise that I am actually quicker than them through the pinch points at such roundabouts.

He goes on with some comments on bad cyclists and bad drivers and then gets to the ugly. He talks about ugly cyclists and ugly drivers. I want to be very comprehensive with this contribution, so I will read what he says about ugly cyclists:

As with any other segment of society, there are some bad apples, littering as they go instead of pocketing their used gel wrappers and CO₂ canisters, urinating behind trees, ignoring road rules, leaving the scene of an accident, etc. These are the ones the public notice, and we are all affected. As an example, access to potable water at Norton Summit has recently been taken away because of bad behaviour by some cyclists. This has a very real effect on all riders in the Hills, and more seriously there are repeated calls for registration and other backward initiatives.

In relation to ugly drivers he talks about a situation that he encountered outside a nursing home at Semaphore, but I will leave members to read the full report to the minister to hear that story. Also on the ugly list he talks about ugly authority:

I was deliberately hit at a roundabout once. I was injured, but when I spoke to police they were just not interested, despite the driver being in the wrong and despite me having the driver's numberplate.

The last of his ugly list is ugly public opinion, stating:

Forget the helmet debate, please, please don't ever consider licensing riders—what a furphy! The Netherlands got rid of that in the 1950s. It is at best a smokescreen, at worst unmanageable and a huge blow to the healthy and clean alternatives for people in cities—sensationalist hack journalism just to stir the pot. Of course we need freedom of speech—it just makes me sad when these people have so little respect.

Under the heading of 'Education' and then 'Legislation', he makes some valuable comments about improvements. I would add at this point that, in my 20 or 30 years of cycle advocacy, we often refer to the 'four Es' of cycling: engineering, enforcement, encouragement and education. Really, whilst

the style of campaigning changes, the truth of those four elements is still with us. Under 'Legislation' he says:

We do need rules, we need fair rules, that acknowledge the difference between bicycles and motor vehicles. We could do worse than look at what Denmark do and tailor their experience and legislature to our culture and conditions.

I received a submission from Patrick Dupont, who many people will know works around here:

I am a daily cyclist, including commuting 30 kilometres to work a couple of times a week, and, while pleased with some of the recent improvements to cycling infrastructure, I consider that we are still a very long way off best practice. I am also particularly concerned with the poor standard of public debate on cycling issues of late (often characterised by very aggressive anti-cyclist comments in the mass media and on social media) which I believe translates significantly to additional and unnecessary risk to people who choose to ride their bikes on the roads.

He points out, as many of us know, that the Queensland parliament recently reported, following an inquiry into cycling, and many of their recommendations, I think, would apply equally to South Australia as they do to Queensland. Peter Lumb wrote to me and said:

I'm pleased you are encouraging the state government to go through the process of developing a new cycling strategy for South Australia. Like you I think it is timely.

He points out that there is academic research recently which shows that while we all assume that car use is increasing, there are some trends to show that car use is in decline. He refers to a paper written by Newman and Kenworthy, entitled, 'Peak car use: Understanding the demise of automobile dependence', which shows that there has actually been a decline in car use in a range of countries, including Australia, since 2006. I have not read that report but I look forward to it because Peter Lumb makes the point that we should not be putting more money at modes of transport in decline. Peter Lumb also draws the connection between cycling and walking because much of the policy motivation that applies to cycling is equally relevant to walking. He says:

It is common for conditions for pedestrians in urban forms to improve when cycling infrastructure is built and vice versa. Shared paths are currently the norm.

And that maybe rather than considering just a cycling strategy for South Australia it should be a plan for cycling and walking. He also draws attention to the increase in use of electric cycles and points out that there are now a range of cycles appropriate for people living with a disability. He says:

A strategy should include anticipating future interest and demand and understand the needs of e-bike users and a greater diversity of bikes which can be used by people with disabilities (like those manufactured in the Netherlands by www.vanraam.com). Such bikes are popular in Europe but have not arrived here yet.

I did notice, looking at the agenda for the Velo-city conference, that Peter Lumb, I think, is giving a paper on cycle use by people living with disabilities. We had a good contribution from Alex Martin. He was looking for alternatives to some of the busy and dangerous roads, such as South Road. He makes the point that the marked bicycle lanes need to make sense. He points out that in some places, such as Unley Road approaching South Terrace:

...left-turn lanes are positioned on the right side of bicycle lanes, which means that these two lanes of traffic are being steered into each other at the point where they enter the intersection. It's designed to cause collisions and it's worse than having no lanes marked at all.

Brad Lay wrote to me and pointed out that the online 'Cycle instead' journey planner, whilst a great initiative, is problematic because it often produces routes that include main roads and roads that are of poor quality and dangerous for cycling. So, I think we need to make sure that if we are going to be giving people online trip planners that it is made very clear what the status of roads is, whether they are busy roads, arterial roads or quiet back streets, because it is not always obvious by just looking at a map.

Peter Smith says the state transport plan should contain an integrated cycling strategy for the whole of metropolitan Adelaide. He points out that there is currently a capital city bicycle infrastructure group, comprising the Adelaide City Council and the Department of Planning, Transport and Infrastructure, which coordinates cycling infrastructure investment in the inner city and that the inner rim councils had been invited to join but that this could easily be expanded to all metropolitan councils in order to put in place a decent bicycle strategy. Mark Roberts says that he lives in Seacliff and the last two jobs have been on the other side of the city. He states:

I cycle regularly to work and find that quite often I am in bike lanes that are against the flow of traffic. I think bike lanes should be open at least during the entirety of daylight hours, preferably 24 hours (darkness is the time a lot

of cyclists are most vulnerable due to ineffective lights). Not everyone rides to work/school from 6am to 8am and 3pm to 6pm. I am certainly outside of this schedule.

I received a lengthy submission from Heather Wardle who is, I think, probably a regular correspondent to many members of parliament; an absolute terrier when it comes to bicycle and road safety issues and someone who has put in thousands of hours of advocacy work on behalf of Adelaide cyclists, for which I thank her. In her submission she gives a long list of infrastructure issues that need fixing, especially those in the Prospect and Adelaide City Council area.

Again, I will put all her submission in my report; however, as I mentioned before, she does point out that the Queensland Inquiry into Cycling Issues has a range of recommendations, many of which are appropriate for South Australia as well. These include recommendations for minimum overtaking distances. In fact, one issue that the Queensland parliament did balk at, but which many cyclists have called for, was that of strict liability legislation, which I will come to shortly. Edward Stratton-Smith says:

That investing in high-quality cycling infrastructure increases the number of people using a bicycle as transport for some trips is beyond doubt. Even within countries such as the Netherlands the modal share in different cities is strongly correlated with the quality of the infrastructure. That an increase in bicycle use for everyday journeys and a reduction in car use brings benefits to a city is equally beyond doubt. One only needs to consider the expense of building and maintaining a road network not to mention the cost to the household budget of running a car (or two as is often the case). Any reduction in either of those costs can surely only be a good thing.

Edward points out that:

Since 2006, the city of Seville in Spain has increased the number of cycling journeys daily from under 5,000 to about 72,000 per day; that is from a modal share of less than 0.5 per cent to around 7 per cent. It has achieved that primarily by building a 120 kilometre Dutch-style network of well-connected bicycle tracks...The infrastructure in Seville is quite far short of the standard Dutch cycling infrastructure but nevertheless, even in its short lifespan of six years, it has paid handsome dividends.

He then goes on to say:

Any new cycling strategy must have clear goals about the type of network that will be built and the time frame. We cannot of course catch up with the Dutch and the Danes within the five year life of a cycling strategy (well actually we could if we wanted to) but we can make clear how far we wish to have progressed when the strategy is next updated.

Alexander Stretton wrote to me saying:

I wholeheartedly support the re-establishment of a cycling strategy for South Australia. Having recently spent time in cities here and abroad (Melbourne, New York, etc.) I believe South Australia is falling behind in terms of forward thinking, logical road design that eases pressure on congestion and promotes the safe, healthy and economically beneficial alternative form of transport—the bicycle. An updated plan, drawing on design nationally and internationally, in consultation with relevant bodies is of high importance...Thus, an increase of spending on cycling infrastructure is vital for South Australia not only to catch up to the rest of the world, but also to share in the myriad of positive outcomes that increased cycling brings to a town, a city and a state. These positives are well documented and spread much further than reducing congestion on our roads.

In the motion I refer to the fact that the budget for cycling is currently less than one half of 1 per cent of the relevant agency's budget, and my call in the motion is for that to be at least doubled. A number of correspondents thought I was not being ambitious enough. Peter Lumb wrote saying:

Like some others I would encourage you to argue for a higher than 1 per cent proportion of the state infrastructure spend going to cycling. I would support 4 per cent as reasonable, but I'd like to see higher allocations talked up in an effort to begin a shift in thinking about funding cycling infrastructure.

He points out, as I have in the media—and, in fact, to anyone who asks me—that it is particularly important for the state not to drop the ball, given that the current federal Liberal Coalition government has made it clear that its attention will be given to roads, and that it is not going to fund public transport. They have effectively been silent in relation to cycling, but not many people are holding their breath. Shane MacLaren wrote and said:

As a commuting and recreational cyclist I fully support the initiative to increase funding to cycling. It is very important to divert a significant amount of money (but a small percentage of road funding) into bike lanes and cycling promotion. There are huge health benefits as well as improved amenity of our city in this area.

Andrew Bischoff wrote to say:

I have been riding (nearly every day) for over 30 years, witnessing all types of changes and safety improvements for cyclists in Adelaide. I have ridden every main road and climbed every hill in our beautiful city but my

biggest triumph and fondest memory is the day my wife and I rode into town with our two daughters to enjoy milkshakes in a cafe on Rundle Street.

This freedom (and health benefits) that I shared with my family has only been possible because of my knowledge and experience riding in traffic day in and day out. Many of the families at my children's schools will never enjoy a family ride because of their fear of the road, a fear that could ultimately lead to an unhealthy lifestyle.

The Mike Turtur Bikeway has opened the door to hundreds of cyclists, the Monday to Friday peak hour is now filled with commuters and walkers, and the weekend is parent time with all ages following close behind.

The new Frome Road segregated path will hopefully dust off many, many more bikes.

Any budget spent is worth it for a parent to know that riding into town will be a safe and healthy journey for themselves and their children.

I will just mentioned that the Mike Turtur Bikeway happens to be part of my route into town and it is not uncommon these days at the major intersections, while cyclists are waiting for the lights, for there to be upwards of 20 bikes gathered at each intersection. Alice Jones wrote to me saying:

Having recently relocated to Adelaide from the UK, I can view Adelaide's cycling provision with a more global outlook...and I have to say that the cycling infrastructure is woefully poor in comparison with European cities. In addition the attitude of motorists towards cyclists is shocking. There have been many times when I have felt endangered by impatient and aggressive drivers. I wholeheartedly support these proposals, and feel that increasing the funding and provision for cyclists on SA's roads will not only improve the conditions and safety for cyclists, but will also help motorists to realise that we have a legitimate place on the state's roads!

Probably one of the main topics that people raise, and it is a point on which cyclists are not unified (and I do not think that we could expect them to be), is the question of whether cycling facilities should primarily be on our roads or whether they should be segregated facilities either off-road or segregated physically from motorised traffic on the roads. Matt Weeks, for example, wrote to say:

Hi Mark, I've ridden for 30 years almost daily. The number one piece of advice I would put forward to government is: separate cyclists from motor vehicles. Think of a concept like 'bike freeways' and that will get you closer to what we need.

Shane Sody wrote to me—and people might recall Shane worked in this building for many years—and stated:

I would like an end to the practice of bicycle lanes just disappearing or ending at random places (typically where a road narrows) with no thought or even a signed suggestion to cyclists on where they should go from that point.

A typical (but by no means unusual) example is The Parade, Kensington, heading westbound, about 250 metres east of Portrush Road. One motorised vehicle lane and one bicycle lane, becomes two motorised vehicle lanes, and cyclists are assumed to disappear at that point.

Richard Boswell stated:

Cycling is not an inherently dangerous activity. It is only dangerous when performed in close proximity to motor vehicles. Recent studies by Australian universities have shown that in collisions between motor vehicles and bicycles, the driver of the motor vehicle is at fault in approximately 80% of cases. The most certain way to avoid the chance of collisions between motor vehicles and bicycles is to physically separate motor vehicles and bicycles on the transport network. The way to achieve this is by investing in safe, separated cycling infrastructure.

The fear of collisions with motor vehicles is the greatest inhibitor of the uptake of cycling as a mode of transport. More people would travel by bike if they felt safe doing so away from the danger of motorised traffic. More bicycles on the roads means fewer cars on the road.

But if you are going to separate bikes and cars do it properly.

Roger Foster wrote to me, and I will acknowledge that Roger is a fellow player of the diatonic button accordion which makes him an all-round good bloke. He said:

I enjoy bike riding as a form of transport and I rode for a year every weekday to the city and back to Warradale. I started using the old railway easement bikeway which runs parallel to Anzac Highway but found that my time was much better on Anzac Highway itself and hence have always used that, which brings me to my point, being that the distinction should be made between bikeways for leisure and those for transport purposes. Generally one is not a substitute for the other. We need both.

I echo those points: if you are trying to get from point A to point B a recreational meandering path that gives way at every cross street is no substitute for a more direct route. Angela Osborn says:

I want to be able to ride my bike to uni (Magill), but the lack of bike lanes on busy roads makes me fear that it's unsafe.

Richard Bentley says:

As a regular cyclist in Adelaide for 10 years and now Alice Springs there is one common issue I note. If cyclists ride legally on the road but at half the speed of cars/trucks one day someone will get hit. However, while ideally speeds could be reduced or separation provided by designated lanes, this will not happen in every situation immediately. I was in Adelaide recently and noticed that nothing has changed on Main North Road as you approach Fitzroy Terrace in 15 years. I understand why because there is no space to accommodate both vehicles and bicycles so we must take our chances.

Patrick Dupont writes saying that he rides 30 kilometres to work in Adelaide on separated paths and main roads from Christies Beach. He says:

I am a competent cyclist and used to riding in traffic. I mostly love my commute but I still get scared riding along Marion Road when motorists drive too close to me. This generally happens when I am approaching big intersections where the bike lanes disappear and motorists seem to think this gives them permission to squeeze me out. My bike doesn't disappear when I get close to an intersection so why does the bike lane? I would much prefer to ride on separated/protected bike lanes the whole way but they just don't exist and I don't want to stop riding. I hope Frome St is just the beginning and we will see many more protected bike lanes popping up. If that happens, one day I'll be able to ride the whole way to work in safety without being harassed and squeezed out by motor vehicles.

Judy Moate wrote to me saying that she has one of those bikes that is gathering dust in the shed. She says, 'My husband loves riding, the kids do too,' but she feels that it is unsafe and that is what holds her back. She says:

The more pathways available away from traffic makes me feel much better about getting back on my bike and saving it from the dark depths of our shed.

I mentioned earlier that Frome Street cropped up in a number of these submissions because, clearly, it has been in the news of late. Of the number of people who wrote to me, whilst a couple of people had some suggestions about how the design might be tweaked, universally people thought that dedicated infrastructure was good for cycling. Heather McCulloch was one, Will Matthews was another, and Anthony Cheshire was a third, but I will not go through their submissions in detail.

A number of people commented on the coastal bikeway. I understand that there are a number of issues around that, but the main issue that is raised is that it is not yet complete. There are a few spots where the route still has to be selected to make sure that it does not harm the coastal environment, but a long-distance, recreational path such as that is something that was welcomed by many cyclists.

Similarly, many people who wrote to me called for more dedicated suburban bikeways, not just those in the CBD. Suggestions were made for car-free Sundays in the city, and I notice that a number of cities around the world have adopted that. Jeremy Ryder wrote to me saying:

Mark, as a frequent cyclist around the CBD and into the surrounding suburbs, I fully support increased bicycle infrastructure and an increase in the budget allocated to improving cycling infrastructure. I think the new bicycle path along Frome Rd is a great start. But I also think cheaper measures are also effective, such as the green bike lane down Waymouth and Pirie streets. It would be good to see these paths put on the other side in between the parked cars and footpaths to afford cyclists protection from cars. We have to contend with doors, but this is the case as it is anyway.

Nick Edwards suggests that one of the main issues that is obvious when he is out riding is that bike infrastructure is rarely designed by cyclists. I know for a fact that the cycling community was actively engaged in the design of the Frome Street bikeway, which is probably a big part of the reason it has been so successful. Anyone who rides would know that the kerbside lane is also often the spot where the service hold covers are—the gas, the sewerage, water supplies. Bike lanes designed by cyclists are invariably free of those impediments. David Southern and Nick Crush also wrote talking about segregated bikeways. Robert Kortchak wrote to me saying:

I have been an active user of bicycle transport as my main mode of transport for over twenty years, to improve my own health and wellbeing, and to contribute to general societal environmental wellbeing. Unfortunately in that time I have been hospitalised twice as a result of traffic accidents that would have been avoided by better cycling infrastructure and a more generally positive attitude to cycling in the broader community.

Charles Baird draws attention to the need for an education campaign for both cyclists and motorists and then, as other people also added, enforcement by the police.

Jim Cooper said that as an urgent priority the minimum overtaking distance from bicycles should be mandated and he agrees with one metre for roads with speed limits up to 60 km/h and 1½ metres in streets with speed limits greater than that, but a number of other people thought that they were both too small and that two metres was more appropriate.

Strict liability legislation was raised by a number of people. Ross Goble was one and he also pointed out a case that many members might have seen where the police appeared not to take very much interest in a dangerous car-dooring incident that was captured by the cyclist on his camera attached to his helmet and featured prominently on one of the commercial news and current affairs stations. Even though it could be described as a hit-and-run accident, the police did nothing more than write a letter to the driver.

The idea of strict liability legislation was raised by Matthew Hender, describing it as 'presumed liability for motorists'. That is an initiative that has been introduced overseas. He says:

A car hits a cyclist and it's their fault. They have crumple zones, cyclists don't, and cars are really hard. Cars should be responsible for the safety of other less well protected people rather than trying to get there first, which they will do anyway.

A number of people thought that the road rules needed to be changed; Kenneth Abraham for one. Others talked about the ability for cyclists to be able to treat stop signs as give way signs; slow down in other words, but not have to unclip from the pedals. David Latty wrote about many of the same issues—better education, dedicated lanes on Anzac Highway, and a range of other initiatives.

Now, I am getting towards the end, Mr President, you will be pleased to know, but I will say that no-one else puts cycling on the agenda of this place and it amazed me that with this international conference coming next week we have heard nothing from the government about it, so whilst it might seem to some a bit tedious to be putting forward all these thoughts, here are people who in good faith have written to a member of parliament and sought to have their comments incorporated into the record.

One issue that I do not propose to go into because it is one on which cyclists never agree, and I think is a distraction from the real issue of cycle safety, is the issue of helmets. A number of people I think have very good reasons for thinking that the compulsory bike helmet laws are a disincentive to cycling; other people hold different views, but I do not propose to agitate that debate now. If members are interested I am happy to put another motion on the *Notice Paper* calling for a debate on helmets.

Similarly, driver and motorist education is something that just about everyone raised because everyone who has ever ridden a bike knows that your safety on the road depends on the attitude of fellow road users and in particular motorists, but I will refer to just two or three more submissions, and one that I think is important is from Angus Kingston. Angus, as some people might know, is the founder of Adelaide Cyclists which is a very popular online website where all things related to cycling are discussed, and last time I looked there were about 3,000 contributors to that website. Angus Kingston writes:

Adelaide is a great city for cycling; it really is. On the sports side of the coin it is voted in the top 10 training locations in the world. That is up there on a par with Majorca. It is because of the variety it offers so close to the CBD. As a place to ride for transport it is also good. The Linear Park and other greenways are good, but things could be better. Most of the problems come down to the attitude of car users to cyclists—aggressive, uneducated, impatient. I am sure you will hear this many times over, but the one area I think really needs addressing is driver distraction which is the euphemism for texting, tweeting, taking phone calls, and general use of smart phones while driving. Over the last five years since I started www.AdelaideCyclists.com I've seen the number of riders increasing and also the level of aggression and numbers of small and major accidents, many caused by driver error and possibly from distraction. Also it's worth noting the correlation that smart phones were not so universal five years ago, Facebook wasn't so widely used...and Twitter's burst of popularity hadn't happened. These distractions are seen by cyclists all the time and I would like to see campaigns to raise awareness and increase police targeting of drivers (and cyclists if that may be the case).

A couple of submissions relate pollution, and I will not go through those but we all know that if you are riding a bicycle you are not polluting the environment with particulates or with greenhouse gases, and similarly it goes without saying that the health benefits of regular exercise, including cycling, are one of the main reasons why this form of activity and transport needs to be encouraged.

As I said, I have only touched the tip of the iceberg of these people who were desperate to have their views recorded in the *Hansard* record of this parliament. Many of them feel they have not been listened to. Cyclists are numerous, as I have said, there are more bikes than cars in Adelaide and I am glad to have been able to put some of their thoughts on the record. The remainder I will package up and send to the transport minister and the transport department. I am happy to make copies available to any members of parliament who want them.

I look forward to the Velo-city conference coming here next week. I hope to participate in a number of the sessions. I would like to acknowledge again the advocacy of Lord Mayor Stephen Yarwood, who, in many ways, is one of the key people responsible for bringing that conference here. He has taken a bit of a hiding in some of the media outlets, as I have mentioned, but I think he is doing a fine job in promoting choice in transport, as he puts it. It is not about forcing people to ride bikes but we know people will ride bikes if the environment is made safer. I commend the motion.

Debate adjourned on motion of Hon. J.M. Gazzola.

ADELAIDE CITY SKATE PARK

The Hon. T.A. FRANKS (16:37): I move:

That this council—

1. Notes that skate parks across the world provide for considerable positive youth development opportunities;
2. Notes that the Adelaide City Skate Park has been an outstanding social and recreational space for South Australia since June 2000, and in this time it has also provided a career launch pad for professional skaters and riders;
3. Expresses concern that, as a result of announcements to build new medical facilities on the site of the Adelaide City Skate Park, the state government has terminated its lease with the Adelaide City Council effective June 2014, yet has not made a corresponding financial commitment for a replacement central city skate space; and
4. Calls upon the state government to urgently ensure a temporary skate facility in the interim and commits to funding a new permanent central city skate space in the upcoming budget.

I rise today to talk about a situation concerning the city skaters and the wider community. I am talking about the future of the Adelaide City Skate Park. I say 'future' because it is actually a lack of future that the skate park is currently facing. The skate park has actually been an iconic site in our city for many years. It is an excellent social and recreational space but it has also been the starting point for many professional skaters and riders.

The current skate park is well located, easily accessible, and it is also accessible to people from outside the city. It is close to convenience stores, cafes, toilets and other relevant facilities, and it is highly visible—it is a safe space—and it helps to integrate the skating community of our wider metropolitan area. Indeed, it is a place where tourists come. The skate park's original lease was for 20 years and that commenced in June 2000, but the lease states that after 10 years either party can request termination of that lease with 12 months' notice and, indeed, that is what has happened.

The Weatherill state Labor government provided formal notice on 18 June 2013 and indicated that they would like to work cooperatively with the Adelaide City Council to 'identify future options for the skate park's relocation'. So the state government terminated that lease and it takes effect on 18 June next month. Of course, the site will now be the site of the new Cancer Research Centre for the University of South Australia. Now that is a welcome development but what is not so welcome is the delay that we have seen in securing a future for the current city skate park.

So far, no allocation has been made in the long-term financial plan for the relocation of the City Skate Park, even though it is now 11 months since we saw the termination of the lease. The park and its users therefore find themselves not knowing what the future may hold and whether or not they will have a facility to continue to socialise in and skate in that is so accessible, so open and so integrated.

The government has not been particularly quick in making the plans to relocate the skate park and the Adelaide City Council has indeed been consulting very actively with its current users of that skate park and indeed other community members on what a future park might look like. The Adelaide City Council has recognised the importance of that recreational and social space. I challenge the Weatherill Labor government to do the same.

The Adelaide City Council has formally endorsed three sites for consideration for the establishment of a new skate facility and indeed possibly a broader activity hub. They are Park 27, Tulya Wodli in the Riverbank precinct, Narnungga (Park 25) or indeed the old RAH site which, as we know, is having claims laid to it for many projects that may affect the future of our city.

The relocation of the skate facility is contingent of course upon a funding commitment from the Weatherill state government. Premier Weatherill has been quoted as saying that the skate park will be relocated to ensure that young people still had a place to meet but so far, 11 months on, no-one knows what is actually happening. The government has not released any plans or consultations for the future of the park and indeed, in just a few weeks, we know that that lease will expire.

The skating community is hoping that a new site will be equally, if not indeed more, accessible and visible to the public. They are concerned that it may be shunted off to the side and disconnected from the wider community. That they do not want. The newly redeveloped Victoria Square is attracting groups of skaters. I would note that this is causing some clashes with businesses and while I do believe that there are some valid concerns for public safety and indeed there are allegations of damage being done to the wooden public seats from skaters, who are grinding on the curved wooden benches, that space is also quite well designed for skaters and the broader public to happily coexist. However, the situation has the potential to escalate once the City Skate Park on North Terrace closes in June this year.

Such incidences and information highlight the need for planning of a new skate park urgently to replace our iconic site that we currently have on North Terrace. That site is becoming increasingly popular. According to the ABS figures, the participation between 2009 to 2012 for boys and young men in bike riding grew from 66 per cent to 70 per cent and for girls from 54 per cent to 57 per cent, and indeed skateboarding and rollerblading grew from 56 per cent to 60 per cent for boys and from 42 per cent to 47 per cent for girls. There is a growing interest in action sports such as skateboarding, roller derby, BMX, etc. Indeed, BMX has now replaced baseball at the Olympics as of the 2008 Beijing Olympics.

I would like to list the reasons why the City Skate Park is so popular and so successful. It is, as I said, accessible by public transport. It is in a high profile location that creates high awareness and provides a safe environment. It supports all abilities and ages. It is lit at night, has CCTV and an emergency phone. It has a range of supporting infrastructure and it is close to other stores such as convenience stores and public facilities such as toilets.

It would be an absolute tragedy to lose that space but, lose it we will, because in June, of course, the lease will expire and sometime shortly after, the redevelopment of the Riverbank will begin. The council's Active City Strategy recommends that the council and the state government will:

... engage with young people in exploring opportunities for a larger youth activity space that supports a range of skate styles as well as complementary urban activities such as parkour and three on three basketball.

This strategy also recommends that we ensure that the space remains highly visible, prominent and accessible. The termination of the City Skate Park lease has brought forward urgently the need to address and implement this strategy. The closure of the skate park is now imminent.

It is weeks away. It is likely that there will be a period in which no purpose-built skate facility will be available in the city. It is recommended that consideration is therefore also given to urgently establishing a temporary skate facility such as that which can be achieved through the installation of skate modules. That can provide a temporary skate park, which is also an excellent opportunity to really properly engage with the community and test the different site options and see what could be possible for our vibrant city of Adelaide.

Skate parks have the ability to provide for considerable youth development, personal adjustment, social integration, and particularly so for young people. It is quite well known that the good skate parks satisfy the leisure needs of young people—they reduce loitering and they reduce delinquency. A recent study by the researchers from the University of WA found that skate parks are more likely to promote good behaviour and community engagement amongst our young people than the stereotypes of what a skate park would have previously indicated.

The community survey has revealed that young people cooperate, they learn, they teach, they help and they respect others in skate park environments. They socialise with friends and they take turns at the skate park. These instances of good behaviour far outweigh the rare incidents of any antisocial behaviour at skate parks. The findings of that research highlight the importance and benefit of having a skate park in Adelaide, should anyone need further convincing.

Should anyone need inspiration for what could be possible in Adelaide in our vibrant city, they need not look further than either the Fremantle Youth Plaza or the Belconnen Skate Park. Both

are open, popular, modern, visible, close to facilities and create that very community I have been talking about. They also host many high-profile skating competitions and events and provide for that opportunity. That space could be such an asset to Adelaide, and we are about to lose it. It is important that the government urgently works with skaters and, as we have already seen in the new redevelopment in Victoria Square, if we don't have a skate park in the city our city may indeed become a skate park. That would lead to conflict between skaters and the community that could very well be avoided had the government taken this issue more seriously 11 months ago when it announced that the lease was to be terminated.

I certainly have a lot of sympathy for, and share the frustrations of, those skaters who have been waiting for an announcement from government. Certainly during the election just past, where the Weatherill government was returned on 15 March, I note that many promises were made to the skating community. The Labor candidate for the seat of Adelaide tweeted on 22 February, as part of his campaign, 'Only Labor has \$20m for investment in the parklands—a new skate park on the riverbank? love#adelaide'.

We were told many times during the election that #jaygetsit. The Greens are here to challenge the Labor government and ask if #jaygetsit why have we waited 11 months since the termination of the lease on the old skate park to see any announcement on the funding of a new skate park? With the state budget next month we still have not heard a single peep from this government about what it plans to do to ensure that that community of skaters, which is about to lose its facility in a month's time, is actually given a new skate park and that site commences to be redeveloped.

We know that it will take a lot longer than a few weeks to build a new skate park. We know these skaters will be missing out on that facility for a few months—we hope it will not be a few years. We urge the Labor Weatherill government to show that #jaygetsit and that we have a #vibrant #adelaide, not just for the Lonely Planet guide but also for the skaters that use that current facility. With that, I commend the motion to the council.

Debated adjourned on motion of Hon. J.M. Gazzola.

Bills

MARINE PARKS (SANCTUARY ZONES) AMENDMENT BILL

Introduction and First Reading

The Hon. J.M.A. LENSINK (16:49): Obtained leave and introduced a bill for an act to amend the Marine Parks Act 2007. Read a first time.

Second Reading

The Hon. J.M.A. LENSINK (16:50): I move:

That this bill be now read a second time.

I will give a brief recap of the history of the development of marine parks in South Australia. They were initially commenced federally by the former Howard government and they were proposed under the previous Liberal government as well. What we have had in South Australia is the legislation passed in 2007, the outer boundaries claimed in 2009, and when we got to the details is when things really became interesting. We had initial draft sanctuary zone scenarios put out in November 2010. They were created using a Marxan program, which is a computer program using mathematical modelling. I think it is fair to say that there was a lot of consternation about the data that was used to create those draft scenarios.

It was discovered that large areas had not been mapped, or not mapped accurately, and therefore they were viewed as very much an ambit claim. The community outrage led to the establishment of marine park local advisory groups, which were set the task of coming up with the community's preference for where the sanctuary zones should be, and in many instances they had to correct information that the department put out. They worked hard to find outcomes. A lot of people volunteered their time and put in a lot of effort, but it was quite clear that the department had its own agenda, including a set determination of the percentages that should be used.

There have been motions in this place. We also had a select committee established in the previous parliament which looked at the initial sanctuary zones and its interim report reported on that,

so I would commend anyone interested to have a good read of that. My own speech was on 20 March 2013 and I spoke in particular about the government spin which was used to inflate the impact of certain scientific data, in particular the over-estimation of the so-called spillover effect, which I think I could only categorise as mystical, wishful thinking in the way that it was promoted by this government.

Anyone who understands the scientific method—and I will go back to the Karen Edyvane report of 1999, which was published by this government and should have been the guiding method to establish the marine parks, and also the NRSMPA, which is the national representative system of marine park areas—the method that should be used is that in the first instance you establish baseline data, including ecosystem mapping, and secondly, you identify threatening processes and then you design the parks from there. That has never been the process that has been followed in this state.

There has been a lot of money spent on this process. It is estimated some \$20 million so far just to come up with the boundaries and zoning, including spending money trying to propagandise the people of South Australia to convince them that this program was going to be good for them and that their particular marine parks were great. In April 2012 the stakeholder forum was held for two days. I think the membership of that was stacked in favour of what the government's preferred zones were going to be.

Quite recently I received some more information, under freedom of information, which is, I think, worth referring to. It has come from the government in relation to the process that took place. This is an internal departmental email, but I do respect the privacy of public servants and will not read out the names that are referred to; suffice to say it is very senior people within DEWNR who have made these particular comments. I will just read out some of them:

Day 1 highlights:

- Minister set the scene very clearly, along the lines of the briefing notes.
- Minister (and minister Gago) made it clear that the government was firmly committed to the marine parks outcome, but that we would not be able to achieve a CAR system in this first pass. Interestingly, there was little reaction to this statement.

Also:

- The discussions were productive...with some common ground...reached.
- Some very good pick ups for conservation (larger zones in iconic/ecologically important areas—well aligned with our latest 'concept' map).

I think those concept maps will be quite interesting.

- MPLAG outcomes respected in a lot of cases, so we didn't get the total number of zones down by much.
- Working up a quick assessment of where we got to overnight for the minister. At first glance looks like similar costs to MPLAG outcome with a few less zones. Better conservation/science outcome. About the same impact on GVP.

The second email refers to day 2:

Very much mirrored day 1...Zoning refinements again broadly in line with our 'concept' map. Morgan—that is Professor Gary Morgan—

had to abstain from KI zones due to potential impact on fishers.

He informs me that he actually objected to those proposals—

I understand Premier wants strong KI outcome (tourism).

I think that is particularly interesting.

Owen—

that is Peter Owen of the Wilderness Society—

felt that not enough done overall but that's to be expected. Still have 84 zones—more than we hoped for.

Someone who works for the minister, who I will not name, was:

Concerned about costs overall as we didn't reduce displacement. Minister suggested possible disclosure of maps more broadly before draft plans released (to test merits). I think Premier wants quick action on any accord.

That is also of note.

We are drafting up a communique tomorrow for possible public release. Wording will be challenging.

A further email the next day, which was between similar senior public servants, read:

I got the sense from minister...that the forum was the end of the reset process. No more time for discussion. Need to move on with the accord we've got.

I think those comments in themselves are telling; that the department, and indeed the Premier, had a particular agenda, which was, 'Let's sort this out and move on.'

That particular set of zonings was released for public comment, with the final consultation taking place in November 2012. I am advised that there was not a lot of change between that April stakeholder meeting and the final ones the government decided on.

In this so-called 'reset' process the number of regions that have been affected, the large number of regions that were represented at the Burnside Town Hall meeting, was reduced to three, in particular, which have been hit hard and have seen their zones increased. I might add that these three regions did not have the opportunity to have further consultation. There is the top of the Gulf St Vincent/Port Wakefield area, Kangaroo Island and the Fleurieu area, and the West Coast. The commercial sectors which have been impacted in particular are the marine scale, rock lobster and abalone—and I will talk about the sardine industry which has had its own unique situation thrust upon it by the incompetence of this government.

In the recreational fishing sector it has been harder to determine the impact and that is because RecFish—which is supposed to be representative of all recreational fishers in South Australia—unfortunately climbed into bed with the government on the basis that it extracted a special deal from the government which I will discuss in a bit of detail.

If we just look at the issue of the top of Gulf St Vincent, in the initial round the zone did not have a particularly big impact on local fishers, either recreational or commercial fishers, so they merrily put their MPLAG recommendations in and did not expect much more. However, the one which was published following the stakeholder meeting was clearly much larger than the original proposed by the department. I would urge anyone who wants to check that for themselves to go on and do a comparison on the DEWNR website.

I would like to quote from Mr Jeff Sutton, who is a spokesperson for the Marine Park 14 Action Group who has talked about a meeting on Sunday 19 August 2012 at Port Wakefield attended by approximately 235 people—which is a fair number of people in that town. He said:

Our amended Sanctuary Zone clearly takes in the creeks, breeding grounds and nursery areas and Five Mile (head of the Gulf) addressing the scientific demands, whilst excluding traditional land-based recreational areas.

In Minister Caica's own document dated 7/2/2012 it states, and I quote, 'Over 200,000 South Australians enjoy recreational fishing each year, making a valuable contribution to tourism and economic activity in regional communities.'

The Government has committed to minimising the potential impact on recreational fishers and has assured that fishers will continue to have access to all jetties, boat ramps and popular beaches, as well as iconic fishing sites around the State.'

We sincerely believe our proposal addresses those Government ideals.

Mr Sutton then goes on to say:

The unjust impost of SZ1 commencing just 450 metres from the Port Wakefield boat ramp is rectified by the Action Group presentation which if left unchanged will cause overwhelming hardship to the Port Wakefield Township and District and completely scare off would-be development.

He describes it as 'anti-tourist, anti-development and shows a complete disregard for people's livelihoods and future'. He says it is in breach of SARFAC guidelines (SARFAC being the old name for RecFish) which says that no sanctuary zone should be located within a five-kilometre radius of an established boat launching facility.

So how did this happen? The MPLAG had put in its particular zoning and it focused on a region which was quite different to the final one which was published, so they did not have the opportunity to have any input. It was a recommendation by the chairman of their own committee that

breached the recommendations of the MPLAG who, at that stakeholder forum, went in there and argued that the top of the gulf should be closed off and, lo and behold, that was agreed to.

I do not know of another process where this should be considered acceptable but clearly this is, as has been characterised by Dr Gary Morgan, an exercise in 'negotiating lines on maps' and has nothing to do with any particular science. If one particular stakeholder can have that level of influence over an entire community without their input, I do not think that that is a defensible process at all particularly when, from my understanding, the conservation groups who had been part of the MPLAG had focused on one of the river areas rather than the top of the gulf. It came as a complete surprise, out of left field, and has been a most unfair process to say the least.

I think there is a particular agenda within government to do with Kangaroo Island. It is a fantastic part of the world, but I think they have a view that it is somehow going to become a tourist Mecca by dint of the fact of having sanctuary zones all over the place. We have heard the argument many times that many people who might be involved in fishing can suddenly revert their business to ecotourism, which I think is a fiction.

I would like to refer to some of the issues to do with RecFish because they have been exposed through freedom of information requests by my colleague the member for Goyder, who discovered why they would have jumped into bed with the government, and that is through a deal they had. They had an agreement to be funded \$125,000 in order that they would promote the government's marine parks as they were agreed upon—one of their members being on this particular group which promoted this and then, lo and behold, they became great advocates for the process.

This agreement was to go to boat and camping shows and also to publicly endorse a document which is clearly using data that came out of the environment department—it includes all the maps that the environment department designed—and they were quite happy to put their logo on it and to tell everybody about all the benefits. It is called Recreational Fishing in SA Marine Parks. In all means, it is a DEWNR document. Apart from the foreword from RecFish, it is in every other way a DEWNR document.

It was revealed quite recently that RecFish had been funded for a number of its services. Also, quite surprisingly, it was exposed through this newspaper article, through this FOI, that there were members of RecFish's own committee who were not even aware that they had received funding, which is probably in breach of public funding guidelines and something I have referred to the Auditor-General.

With the new marine parks program, there is some \$160,000 for compliance, which is not a great deal for our entire coast. We believe that they could have brought the communities onside with them, as takes place at a number of aquatic reserves that already exist across the state, such as Pelican Lagoon on Kangaroo Island, which I think I might have mentioned in this place before. If they ever see somebody with a reel or a tinny or anything of that nature, they go and tell them that that area is an aquatic reserve and that it is illegal for people to fish in there.

This process has done anything but that in bringing people from regional communities on board; I think that it has actually set the conservation cause back a long way because it has been such a difficult process. I might add too—and I have said this before—people may have accused members of the Liberal Party of stirring up people. We were not stirring people up; we were just listening to what they had to say. Country people are very reasonable people; they are common-sense people, and they can smell spin a mile off. They are very straightforward and they are very willing to compromise, but this whole process has been a complete disgrace. We will not have a network of marine parks, but a patchwork, I think is the only way to describe it.

What this bill does is it converts 12 sanctuary zones into habitat protection zones. It is out for consultation. These zones will come into effect on 1 October this year, so I will need to call this bill to a vote soon, certainly within the next few weeks and months.

Due to the technicalities of the way this legislation works, I am unable to amend the zones. I think the marine park local advisory group submissions would be the best approach to replace those so that we would adopt the marine park local advisory group sanctuary zones in preference to the ones that the government has currently gazetted, but unfortunately I am unable to do that due to the technicalities. This bill is really to send a message to the government that there is a problem that they need to fix and I am unable to amend the boundaries for them, so I am proposing that they

should do that themselves. This is due to the advice of our learned drafters at parliamentary counsel and I do thank them for their assistance.

I would now like to go through each of the sanctuary zones which have been identified to provide some background as to why they have been selected. The marine parks numbering of the 19 parks goes from west to east, so the furthestmost western park is the Far West Coast. I do not have any proposed changes to that one.

Park No. 2 is Nuyts Archipelago. There are two zones that have been identified there. Sanctuary zone 1 which is Nuyts Reef and sanctuary zone 8 which is the Isles of St Francis. The feedback that we have in relation to the western zone abalone fishery is that the area fished within these two zones represent 34.31 per cent or 8,248 kilograms of the average annual greenlip abalone catch and 17.19 per cent or 2,592 kilograms of the blacklip abalone catch. However, as noted by one of the industry submissions regarding the impact of the sanctuary zones:

The impact is complicated by the rotational nature of the fishery where divers fish successive reefs in each year thereby allowing reefs to recover. Restricting the area available to fish will impact on the ability to rotate between reefs and therefore may have major implications for the long term sustainability of the fishery.

That is from the Marine Parks Management Alliance submission. The northern zone rock lobster: the impact of those two sanctuary zones will lead to a loss of 7,335 kilograms. Stakeholders, including mayor Allan Suter, the Mayor of Ceduna, suggest reverting to the MPLAG submission and there is an alternative suggestion from the northern zone rock lobster stakeholders.

Park No. 3, which is the West Coast Bays Marine Park, sanctuary zone 2, at Cape Blanche, they say they can live with even though there will be losses in that area. In the Investigator Marine Park the particular zone there is Pearson Island and a significant amount of rock lobster is caught in this region—on average 82,683 kilograms per annum—and the sanctuary zones will result in a loss of up to 5,900 kilograms. It is also an important area operationally as it provides sheltered coast to work from and protection from weather.

Sanctuary zone 5 is Thorny Passage. That is used, I am advised, extensively by recreational fishers and sanctuary zones 1 to 5 are safe areas for families to use; however, I have not had any firm figures for that particular zone to be able to support that that one should be included in the bill.

The Sir Joseph Banks Group was not going to be included but because of the incompetence of the environment department and the unwillingness of the government to find a solution for the sardine industry it has been included, so that is sanctuary zone 1 at Salt Creek which is a key production area for sardines—South Australia's largest fishery by volume and a key supplier to tuna feed lots.

Initially the South Australian Sardine Industry Association (SASIA) supported the LAG submission. There is a whole set of correspondence from SASIA where they tried to seek a response on time. They sought advice from the department about whether their particular method of fishing would be in breach of the act and, after the close-off date, they received a reply from the environment department that said that it actually would, even though they use what is called the purse seine method of fishing which is not harmful to the environment, where their catch is collected within a net and they pump aboard the vessel a mobile school of fish which has been captured. During this period the vessel is stationary but it is at the mercy of wind and tidal flows and may drift several miles, so the issue for them is whether they happen to inadvertently drift into a sanctuary zone while they are completing this process.

DEWNR has advised SASIA that vessels will have to have all their fishing gear stowed at all times while travelling through a sanctuary zone, which may lead to a situation whereby to comply with the act they will have to dump their catch, which sounds rather silly. SASIA has sought an exemption from this via a permit but this has been refused by minister Hunter.

Marine Park 7, the Neptune Islands Group, sanctuary zone 1 (North Neptune Islands) is an important area for northern zone rock lobster. An alternative was suggested which would have drastically reduced the impact from between six to seven tonnes to one tonne of annual catch. It is also an important area operationally because it can be fished in a variety of weather conditions. I might add that for some reason it has been viewed by the government that shark cages with berley are allowed. It may well be because Rodney Fox is an ambassador for the marine parks, so one

must question why he is happy with marine parks when his activities are deemed okay but activities which do not harm the environment are not.

Marine Park 8 (Gambier Islands Group), Marine Park 9 (Franklin Harbor) and Marine Park 10 (Upper Spencer Gulf) are not proposing any changes to those particular zones. Moving to Marine Park 11 (Eastern Spencer Gulf), there is a sanctuary zone 1 which is Cape Elizabeth which is a lot bigger than the marine park submission and a productive winter fishing ground for marine scale fisheries. However, we are not proposing that that one be included in the bill.

There are no proposed changes to the sanctuary zones of Marine Park 12 (Southern Spencer Gulf) and Marine Park 13 (Lower Yorke Peninsula). As to Marine Park 14, which is the Upper Gulf St Vincent, which I mentioned previously, sanctuary zone 1, the Clinton Wetlands and Port Wakefield, there are early estimates from the Marine Fishers Association—and I am seeking confirmation on whether these figures are up to date. Their early estimate was that there will be displacement of 16 marine scale fishers from that area, a loss of 35 tonnes of garfish (\$315,000), 20 tonnes of yellowfin whiting (\$160,000), 33 tonnes of calamari (\$396,000), 80 tonnes of snapper (\$720,000), 20 tonnes of salmon (\$50,000), nine tonnes of King George whiting (\$107,000), and 13 tonnes of other species (\$66,000), for a total of \$1.8 million, which is a huge amount for one town of that size to lose and it will have a significant impact. As I have explained, I do not believe that there are any environmental credentials for the way that that whole process took place—certainly not on a fair basis. We recommend reverting that to the marine park local advisory group submission, but we have had to include the whole zone within this bill, because that is the technical nature of the way it has had to be drafted.

Marine Park 15 is the Encounter Marine Park. There are quite a number of zones there that we think are unfair, the first one being sanctuary zone 5 at Rapid Head which, according to the Marine Fishers Association, will displace 2.5 marine scale fishers with a loss of 15 tonnes of calamari at \$180,000 and five tonnes of garfish at \$35,000. There is also a popular boat ramp which is in contradiction to previous commitments that were given.

I have had representations in relation to sanctuary zone 6 and sanctuary zone 7 which is Coorong Beach North but they are not included in this bill. However, sanctuary zone 8 (Shoal Bay) is included and that will displace three marine scale fishers with the loss of annual catch of some 24 tonnes at \$195,000. We recommend that that should revert to the marine park local advisory proposal north of Kingscote towards Carrickalinga.

Next is sanctuary zone 10 which is Cuttlefish Bay-Cape Coutts, which would lead to the displacement of half a marine scale fisher with a loss of five tonnes of shark and five tonnes of snapper. It will have a very heavy impact on charter boat operators who operate in that area and will therefore also impact on tourism, which is in contradiction to the Premier's edict to the April 2012 stakeholder group that tourism was to be a main focus. I am yet to confirm the figures from the charter boat operators about that impact.

Sanctuary zone 11, known as The Pages, will impact on a number of fishers there. This particular zone and sanctuary zone 3 in Marine Park 16 will have a very heavy impact on the Central Zone Abalone Fishery with losses of 5,606 kilograms of blacklip and 5,543 kilograms of greenlip at a combined export value of \$464,000, which is a huge amount for that particular region. Rock lobster fishery informs us that there would be a minimal impact of 300 kilograms.

Marine Park 16 is the Western Kangaroo Island, and sanctuary zone 1, which is Cape Borda, will displace one marine scale fisher with a loss of 3.5 tonnes of marine scale species. It is also a very important northern zone rock lobster fishery with an average annual harvest of 13,228 kilograms almost entirely within this zone. An alternative boundary was suggested which would eliminate 90 per cent of the reduction. Again, this is an area where sardines are harvested, so there may be similar issues with inadvertent drifting while pumping aboard as per my previous comments.

The other zone is sanctuary zone 3—Cape Du Couedic, which will have a major impact on northern zone rock lobster as it represents some of the best areas in the entire northern zone. It is estimated that 15,794 kilograms would be lost, affecting up to 16 fishermen. An alternative suggested zone could reduce this to about five tonnes. In the report that the sector commissioned to examine the impact, Mr I. Knuckey states:

There was extreme concern from fishermen about the level of impact this sanctuary zone would have on the industry, individual operators (many of whom operate out of Vivonne Bay) and the economy of Kangaroo Island itself. This area is so important to fishermen, partly, because it offers areas to fish (and safe anchorages) either side of Cape Du Couedic, so it can be worked with weather coming either from the east or west.

I mentioned the Central Zone Abalone Fishery, that this is that area, and the two combined would lead to loss of some \$464,000 in blacklip and greenlip. Southern Kangaroo Island, sanctuary zone 1 has been identified as an issue, but has not at this stage been included in the bill. The Upper South-East Marine Park and the Lower South-East Marine Park presented some concerns, but they were not significant enough for them to seek to have these zones amended.

To return to the Kangaroo Island impact: the Kangaroo Island Marine Action Group, of which Andy Gilfillan is one of the spokespersons (son of our former colleague, the Hon. Ian Gilfillan), has stated that its strong advice is that all the zones should revert to marine park local advisory group advice, and their estimate is, for all those zones combined, a loss of income for fishermen on the island: for abalone \$598,000; rock lobster over \$2 million; and, the marine scale sector \$323,000, so a total for Kangaroo Island of just under \$3 million per annum—\$2,956,600.

That is the complete list and rationale for each, and I would like to thank all the stakeholders I have spoken to—probably about 30 stakeholders—and have provided me with advice on all these areas. A number of regional stakeholders appreciate the audience they have had and the ability to speak to the Minister for Regional Development, the Hon. Geoff Brock. When he has attended he has said that he is listening—he acknowledges that he is not the Minister for Environment, but he certainly is the Minister for Regional Development, and these sanctuary zones will have more than a significant impact—I think significant is a understatement—and will certainly tear apart the fabric in some areas.

It should not be seen as environment versus people's livelihoods; I think we can have both, but the government has been bloody minded and unreasonable and has sought particular outcomes. Perhaps they have been trying to prove they are a bit hairy chested to certain stakeholders and are quite happy to displace people unfairly, but I hope that the minister is able to do more than listen, that he will seek information from the affected stakeholders and that he will also seek answers from the government on this, as it really has been quite duplicitous in the entire way it has gone about it. The minister needs to satisfy himself about where the facts lie and, if he thinks there is a problem with it, then he absolutely has to demand changes to the system. They will come into effect on 1 October, and there will be repercussions if there are not changes. We will see some more activity, that is for sure.

Without changes to the marine parks there will be multiple job losses and a loss of millions of dollars from those regions. There are lost opportunities for genuine conservation. This whole process has been a complete sham and poorly designed at the start because the government has not wanted to own up and lose face about where it took it, that it overcooked the omelette to start with. It is a missed opportunity for genuine conservation as well. With those comments, I commend the bill to the house and look forward to contributions in due course.

Debate adjourned on motion of Hon. G.A. Kandelaars.

COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE BILL

Introduction and First Reading

The Hon. S.G. WADE (17:30): Obtained leave and introduced a bill for an act to establish a Commissioner for Children and Young People; to make related amendments to the Freedom of Information Act 1991; and for other purposes. Read a first time.

Second Reading

The Hon. S.G. WADE (17:31): I move:

That this bill be now read a second time.

I table this bill to establish a Commissioner for Children and Young People. The children and young people of South Australia deserve every opportunity to fulfil their potential and strive for their dreams. Every child has the right to a safe, loving environment in which to grow. Families, government and the wider community need to work together to ensure that children and young people are given the best possible chance in life. The bill seeks to do this by promoting the wellbeing of children through

the establishment of a Commissioner for Children and Young People. It is the fulfilment of a Liberal Party policy commitment at the 2014 election. Our policy stated:

We will move quickly to appoint a Commissioner for Children and Young People with investigative powers, to escalate child protection to the top of a Marshall Government agenda and advocate for the rights of all children and young people in South Australia.

The Commissioner for Children and Young People will help our state ensure that child safety and development is systematically and effectively pursued across government, in particular in our education and family services. We all want South Australia to be a better and safer place for children and young people. The Liberal team said that we would move quickly to appoint a Commissioner for Children and Young People, and we have. This commitment stands in stark contrast to the approach of the Weatherill Labor government.

The Hon. Robyn Layton QC first recommended that the Labor government appoint a Commissioner for Children and Young People in her report, 'The State Plan for Child Protection', in 2003. Over 10 years later, despite numerous platitudes, the Weatherill Labor government is yet to establish a Commissioner for Children and Young People. For a good portion of this time, Premier Weatherill was the relevant minister who failed to deliver.

In 2012, the Labor government released a discussion paper on child development legislation proposing an advisory council and formal community networks. Neither the discussion paper nor a draft bill released in July 2014 provided for a commissioner. The consultation response was so strong in favour of a commissioner that a revised bill released in October 2013 provided for a commissioner, albeit a watered down form of commissioner.

The bill to legislate for Labor's Commissioner for Children and Young People was never introduced into the parliament, in spite of a commitment that we would see it by Christmas. The bill that I table today draws on the government's latest draft bill, dated 3 October 2013. The parts of the draft bill relating to the Child Development Council (Part 5) and the child development alliances (Part 6) have been removed for the following reasons. First, stakeholders called for the commissioner role to be established in a standalone statute. Second, the Child Development Council and the child development alliances have been removed. A number of key stakeholders urged that these bodies should not be established at all. One, the AMA, said that there is a lot of work to be done on the interaction of bodies and it is preferable not to prescribe what should happen at this stage.

Let me highlight the key points in which Labor's proposed commissioner is inadequate and which are addressed in this bill. First, Labor's commissioner would not be independent. The Law Society criticised Labor's commissioner model, saying that:

The commissioner is not independent and accordingly will not be able to truly safeguard the rights and best interests of children and young people.

Secondly, stakeholders and child protection experts see Labor's proposal as inadequate in that it lacks investigative powers. Under the Liberal bill, which I have tabled, the commissioner will:

- be the voice of all children and young people in this state;
- promote the United Nations Convention on the Rights of the Child in all areas of community life;
- monitor the decisions of government and non-government agencies in terms of their inclusiveness in considering the rights and interests of children and young people;
- conduct ongoing research and provide suggestions to government about ways to strengthen the rights of children and young people in South Australia;
- ensure that all agencies of government that deal with children are implementing and following best practice policies on child protection matters;
- have full investigative powers be a truly independent statutory officer; and
- produce an annual report and be fully accountable to parliament;

Recent disturbing child protection incidents in South Australia highlight that the risk to children and young people increases when the government fails to put in place appropriate processes to ensure transparency in the protection of young people.

The need for a commissioner was highlighted by the recent case of Chloe Valentine. The Adverse Outcomes Event Committee and the Child Death and Serious Injury Review Committee are

both fundamentally reviews of departmental documents. The Coroner undertakes inquests into a small number of deaths each year and, at this stage, we do not know whether he will hold an inquest into the death of Chloe Valentine. Now, more than two years after Chloe's death, her family has not been engaged to seek their perspectives on the case.

The commissioner will not replace these bodies but, with full investigative powers and a broader scope, the commissioner will be able to complement the established institutions and consider the value of investigation in the particular circumstances of each case. The first case a new commissioner for children and young people could investigate is the tragic death of Chloe Valentine. We need, and the family needs, a complete understanding of all the circumstances that gave rise to the tragic death of Chloe, including the performance of Families SA, because we need to make sure that we provide better protection for children in similar circumstances in the future. The longer the Weatherill government delays in establishing a commissioner for children and young people, the greater potential risk that children experience in circumstances similar to Chloe Valentine.

I conclude by thanking all the children and young people, and the range of adults and organisations supporting them, who have provided input into the evolution of this bill, particularly through the consultation on the government's child development bill. The Liberal team has considered a wide range of input and developed what we think is a strong bill, but it will not be perfect. I indicate to the wider community and to all elements of the parliament, including the government, that we would be delighted to work with them to consider possible enhancements to the bill, so that South Australia can have the best form of commissioner as early as possible and the children and young people of South Australia can have the best level of care possible. I commend the bill to the house.

Debate adjourned on motion of Hon. A.L. McLachlan.

Motions

BURNSIDE COUNCIL

The Hon. J.S.L. DAWKINS (17:39): I move:

That in accordance with the recommendation in the report of the Select Committee on the Inquiry into the Corporation of the City of Burnside, the Legislative Council refers the report to the Office of Public Integrity for its consideration.

I rise to speak to this motion as the acting chairperson of the select committee at its conclusion earlier this year. I suppose the reason for that is that after a quite lengthy and complex inquiry the committee was, for a period, unable to conclude its work because of the lengthy illness of the Hon. Ann Bressington who was, as we all know, the chair of the committee.

The members of the committee patiently waited hoping that the Hon. Ms Bressington would be available to chair the committee prior to the election so that we could conclude a report that had been developed after hearing from a large number of witnesses and significant hours of work by the committee. Unfortunately, the Hon. Ann Bressington was not well enough to do that and so the committee appointed me as the acting chairperson for the last two or three meetings, I think it was. We developed our report which was delivered to the then president of the Legislative Council prior to the government going into caretaker mode.

I do commend to anyone who is interested in the work of the committee on this matter to read the body of the report because I think it covers what is one of the most complex matters that I have dealt with in my parliamentary career, and I think my colleagues on the committee would agree with that. For those who have an abiding interest in matters to do with the City of Burnside or with local government in general then it is worth a read.

The recommendations of this committee were, first, that the investigator not complete the inquiry and a final report; secondly, that the Ombudsman not be requested to proceed with the inquiry and a final report; thirdly, that the inquiry and a final report not be completed by a select committee of the Legislative Council; fourthly, that the report of the committee be referred to the Minister for State/Local Government Relations to consider this report and in particular to give consideration to amending the Local Government Act 1999 to give the Ombudsman and District Court power to consider conduct of a past council member; and the fifth recommendation—which is the actual basis of this motion—is that the Legislative Council considers referring this report to the Office of Public Integrity for its consideration.

That was the determination of the majority of the committee. I note that the Hon. Mr Kandelaars has made a dissenting statement and no doubt at some stage he will speak to that dissenting statement. However, I thank the members of the committee for the manner in which they have dealt with what has been quite a difficult matter. There are obviously significant differences of opinion about matters that may have occurred in relation to the City of Burnside over a significant period of time.

I thank the members of the committee—obviously, the Hon. Ann Bressington, who was the chairperson, the Hon. Mr Darley, the Hon. Mr Wade and the Hon. Mr Kandelaars—for their diligence, particularly in those last few meetings when we were obviously very keen that the work of the committee but also the time and effort of witnesses should be reflected in a report of substance and, as we have here today, a recommendation of action by this council.

In conclusion, I particularly thank the staff of the committee; initially, our Black Rod, Mr Chris Schwarz, who helped us enormously in dealing with what was a complex inquiry, and great credit to Ms Ann McLean for the work she did as our research officer and as someone who drafted a very good report for the committee to adjust in its normal manner.

Once again, I do say that this has been a matter of great complexity. It is one, however, that the majority of the committee feels strongly should be further dealt with, and the majority view was that this should be done by the Office for Public Integrity. I commend the motion to the council.

Debate adjourned on motion of Hon. A.L. McLachlan.

FAMILIES SA

Adjourned debate on motion of Hon. R.L. Brokenshire:

1. That a select committee of the Legislative Council be established into statutory child protection and care in South Australia, including a review of Families SA management of foster care with particular reference to—
 - (a) how foster carers are recruited, managed and supported; and
 - (b) the provision of information and support to foster parents regarding the history and needs of a foster child; and
 - (c) any other relevant matters.
2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 7 May 2014.)

The Hon. S.G. WADE (17:47): I rise on behalf of the Liberal team to support this motion. I acknowledge the ongoing interest of the Hon. Robert Brokenshire from Family First in relation to child protection. My most acute awareness of his commitment to this area was gleaned from working with him on the select committee on the independent education inquiry, otherwise known as the Debelle inquiry. The Hon. Mr Brokenshire was the chair of that committee, which did valuable work in making sure that we properly understood the issues coming out of the Debelle inquiry so that we could maximise the enhancements to our child protection system.

The Liberal Party supports the establishment of a broad parliamentary committee on Families SA. Shortly before the election, the Hon. Mr Brokenshire, on behalf of Family First, called for a standing parliamentary committee to examine child protection issues. While this motion does not propose a standing committee, I think that the Hon. Mr Brokenshire, in his speech, indicated this may well be a forerunner of a full parliamentary standing committee, and certainly I agree that it does give us the opportunity to assess the level of work that such a committee might have to do.

The focus of the motion is on foster care, and the Liberal Party is aware of a range of concerns in relation to foster care, issues such as an apparent general belief amongst foster carers

that the department does not offer them the respect they deserve, the feeling amongst foster carers that there is a lack of adequate information. The motion itself, in paragraph 1(b), particularly refers to the provision of information and support to foster-parents regarding the history and needs of a foster-child.

Also, in relation to foster care, the opposition is well aware of concerns in relation to the processes used with regard to the removal of children from foster care placements, but the motion is broader than foster care. The committee that is proposed is to 'be established to inquire into and report on statutory child protection and care in South Australia' and it goes on to refer to foster care.

Some of the other issues which I believe are worthy of potential consideration by this committee and which would come within those broader terms of reference are issues such as the departmental structure itself. Certainly the Liberal Party is of the view that the integration of child development, education and child protection within one agency, the Department for Education and Child Development, has not been a success, but this committee may well be able to consider that further.

There have certainly been concerns in relation to the training provided to staff within the department, particularly those who are commonly engaged in child protection or working with children. Certainly there has been discussion recently about the internal review of decisions, such as decisions to try to preserve a family, decisions to remove a child and decisions to place a child, and people have raised questions as to whether the department is ready, willing and able to properly review decisions that it makes.

Another issue that would come within the potential gambit of the committee is the consideration of the effectiveness of current reviews of adverse events. I have had the privilege of meeting with the chair of the Child Death and Serious Injury Review Committee and I believe the work of that committee is extremely valuable—interestingly, another initiative out of the recommendations of the Layton review. It is a very valuable review, but it is also limited. The review is fundamentally a review on the papers.

I think one of the issues which this parliament has considered in the past and which may well benefit from further consideration by a committee such as this is the risk of substance abuse. Certainly the 2007 Select Committee on Families SA expressed concern that the department was not properly assessing the risk to children and young people from the substance abuse of their parents and carers. Another aspect which I believe would come within the terms of reference and which would be a potential issue that this committee might choose to look at would be, in fact, the review of the progress and the impediments to progress in the implementations of the reviews. I know that there is scholarly consideration in the child protection area as to the impact of reviews and in what circumstances they are positive and in what circumstances they are negative.

Certainly, the state has had in the last 11 years a series of reviews. I am sure that there are many others, but the ones that I am particularly aware of are the Child Protection Review (commonly referred to as the Layton Review of 2003), the Commission of Inquiry Into Children in State Care (commonly known as the Mullighan inquiry of 2004), the Children on APY Lands Commission of Inquiry in 2007 (again under Commissioner Mullighan), the select committee of this house into Families SA in 2007 and only last year the Independent Education Inquiry (commonly called the Debelle inquiry).

I think this committee might consider reviewing the progress in the implementation of those reviews and, as I was intimating earlier, I think we need to be careful that we do not merely take a quantitative approach to implementation, but rather that we reflect on the net impact. We need to make sure that efforts towards continuous improvement do not lead to processes and a culture that focuses on compliance, rather than real outcomes—real protection for children and young people.

With those comments, I certainly believe that the Hon. Robert Brokenshire has made a strong case for the benefit of a select committee into statutory child protection and care in South Australia, and on behalf of the Liberal Party I indicate that the opposition will be supporting the motion.

The Hon. K.J. MAHER (17:54): The care and welfare of South Australia's children is without a doubt the highest priority not only for government but for the whole community. As a father of three young children, I understand the community's absolute determination to ensure that these matters

are being addressed appropriately and that everything that can be done to guarantee the safety and wellbeing of our most vulnerable children is being done.

This government welcomes such public scrutiny, but we also recognise under the Children's Protection Act the interests of vulnerable children must be put first. What we do in terms of child protection must be in the best interests of the children at risk. Any politically motivated witch-hunts do little to advance child protection. They might be useful to provide a steady stream of media coverage but should never be undertaken where there are any risks that the best interests of children will not be put first.

With this in mind I encourage those honourable members who seek to sit on this committee to make sure it does not repeat some of the flaws of the 2009 select committee of which the Hon. Mr Brokenshire was a member. In particular, it would be dangerous and counterproductive to re-examine some of the matters that have already been exhaustively dealt with in previous investigations.

The previous select committee used some factually incorrect data and information in coming to its conclusions. For instance, that select committee report stated, 'attempts by Families SA to recruit foster carers have failed.' This is not founded. At the time of the report's tabling, the number of foster carers had actually risen; in fact, the number of foster carers is still above what they were when the Hon. Mr Brokenshire was last a minister. That former select committee report stated:

In recent years, there has been a steady decline in the proportion of children in foster care. Seventy-three per cent of the children were placed with foster carers in 2003-04 compared with 49.5 per cent in 2007-08...Despite the large increase in the children needing care, the number of foster carers in South Australia has remained static.

The report went on:

According to the evidence, the family based foster care system is in crisis, with severe consequences for children...

That statement from the previous report demonstrates a fundamental misunderstanding of the data. It is true that there had been a decline in the proportion of children placed with foster carers; however, Families SA places a high priority on children being placed in family-based care and has continued to support the recruitment and retention of foster carers and at the same time has increased its focus on placing children with relative and kin carers.

There is evidence that children's development and wellbeing is enhanced through the placement with family-based care. Placement with relatives also enhances children's identity and security. The number of children being cared for by relatives has gone from 341 in 2004-05 to 767 in 2008-09—an increase of 124 per cent. Frequently the evidence provided of the alleged inadequacies of the department's performance is not situated in the context of the challenges faced and has not been constructed.

An inquiry must also be conducted in a manner that protects the identity of the children and the families who are subject to orders of the Youth Court and statutory child protection processes. These are requirements of the Children's Protection Act and there are limits to the information that can be provided. Over and above this, if we are to shed light on the issues that need attention, I implore members to address them with the best interests of families involved in the processes. Equally every foster care situation is unique and the families and children involved and broadbrush claims and conclusions may do a disservice to many.

The government will not oppose the establishment of this committee. We do not oppose it on the basis that the inquiry has the potential to offer constructive outcomes and hopefully it will be driven by more than politics and will always seek to do what is in the best interests of the children in the system. Inevitably this select committee will hear from adults, foster carers and biological parents. It will not hear from children themselves. It is important to remember that the wishes of those adults may not always coincide with the best interests of the children in question. I think the Guardian for Children and Young People's recent newsletter summed it up perfectly when it said:

There is nothing wrong with adults in a child's life presenting their views and interests but at times it may be difficult to differentiate between what is the child's voice and what is being filtered through the adult's interests.

What we ask on behalf of the child is that adults who have different opinions about what decisions should be made or what actions should be taken, acknowledge their different views and agree to work collaboratively and cooperatively to achieve the positive outcomes that the child deserves. It is

not easy to leave self-interest, fixed position, personal rivalries and ambition at the door, and a good dose of bravery is what is needed.

If such an inquiry is to be set up into statutory care and protection in this state, I would suggest it is important, like was suggested in the newsletter that I quoted from, that self-interest, fixed position and political rivalries are left at the door, and I sincerely hope the report can produce higher quality recommendations than the 11 pages produced by the last committee.

[Sitting suspended from 18:00 to 19:45]

The Hon. G.A. KANDELAARS (19:45): I rise to voice conditional support for the motion before us. As been noted by my colleague the Hon. Kyam Maher, this government welcomes public scrutiny into child protection, one of the most sensitive, confronting and complex areas of government. In fact, the care and protection of young children and young people is arguably the most scrutinised area of government. Indeed, it is this government that has initiated much of the public examination of child protection in South Australia through the comprehensive review of South Australia's child protection system via the 2003 Layton report, the Mullighan Children in State Care Commission of Inquiry, and the Debelle royal commission.

This government has well and truly shone a spotlight on child protection, making it a priority in the whole community. The importance this government places on child protection is evidenced by significant progress we have made. The Leyton review identified in 2002 that there were 283 care and protection social workers working in Families SA when the Hon. Robert Brokenshire was a minister in the Liberal government. Since that time, we have more than doubled the workforce.

The budget for Families SA in 2002, when the Hon. Robert Brokenshire was a member of government, was around \$90 million. The total budget for Families SA in 2012-13 was \$325 million. Since 2002, we have introduced a Guardian for Children and Young People to cast an independent eye over matters involving children in care. We have established an independent special investigation unit to examine allegations of abuse and neglect in care.

We have introduced a Child Deaths and Serious Injury Review Committee to independently examine child deaths and serious cases of harm and recommend ways to prevent similar events occurring. We have set up the Council for the Care of Children, which includes leaders from the community who advocate for South Australian children and young people. None of these protections was in place when the Hon. Mr Brokenshire was a minister in the Liberal government.

We have established the Health and Community Services Complaints Commission to provide an independent complaints body regarding concerns raised about public, private and non-government health or community services, or providers, including concerns about child protection and alternative care. We have provided funding for advocacy organisations, such as CREATE, to enable non-government and community organisations to continue to support young children and young people under guardianship and those who care for them.

This extensive list of achievements is evidence not only of the government's commitment to child protection but also of the number of avenues that exist already for public scrutiny on how the system operates. I reiterate: the government welcomes public scrutiny into child protection, one of the most sensitive, confronting and complex areas of government. A further inquiry must seek to add something constructive to the challenges we collectively face. It must not be a simple political pointscoring exercise.

The Hon. T.A. FRANKS (19:49): I rise briefly on behalf of the Greens to indicate that we will support this motion to set up this select committee. Certainly foster carers play an incredibly valuable role in our society, a role that is often tough enough without systematic dysfunctional processes around them. So, if we can expose that and see better ways to support foster carers and the children they care for in this state, we certainly think it is worthy of support.

I note that, although we have heard a lot of words from our two Labor members tonight about how much they have done for child protection, I would hardly think that anyone could ever argue that we have done everything we can for child protection, and there is always further to go. I note that the commissioner for children and young people, as put forward in a bill by the Hon. Stephen Wade, the shadow Attorney-General, this evening is yet another step forward in that process. With those few words, I commend the motion.

The Hon. K.L. VINCENT (19:51): I will also be very brief. I take the floor to support the motion on behalf of Dignity for Disability. As I think is very evident by the contributions tonight, this is a very complex area, and for that reason, as well as many others, it requires a bipartisan approach. Unfortunately, recent cases that came to light prior to the Debelle inquiry and after that would indicate that we already know what happens when there is not an avenue for public disclosure and public scrutiny when it comes to these matters. With those few words, Dignity for Disability will continue its proud record on child protection issues by supporting the motion.

The Hon. D.G.E. HOOD (19:51): I thank the members who contributed to the debate, with a particular thank you to the Hon. Kyam Maher. It is customary sometimes, when minor parties, cross benches or the opposition put up motions for select committees, for the government to be somewhat scathing and cynical, but I thought his contribution was well balanced and fair, and I thank him for that. I thank other members. The Hon. Mr Wade made a sensible contribution, as he often does, as did the Hon. Ms Franks, the Hon. Ms Vincent, etc. So, thank you to all members who spoke.

I rise on behalf of the Hon. Mr Brokenshire in this instance, who had his surgery yesterday. Members will be pleased to hear that he is faring well, obviously in a fair bit of pain, after a hip replacement. He will be back fighting fit and firing in this chamber in a matter of a few short weeks.

Family First is in our name, but nothing is more important to us than protecting our children in South Australia. We have a track record on that issue over a number of years, with the then Hon. Andrew Evans moving the change to the statute of limitations for sexual offences prior to 1982, which to the credit of the parliament was supported by every member of parliament at the time. That then started our long history of credibility on this issue.

This motion is quite wide ranging, and deliberately so, dealing with the subject. Its first purpose is to look at the issue of foster carers, as the Hon. Mr Wade outlined in his contribution. Many other things can be looked at—the terms of reference are deliberately broad. Family First does not think there can be much else more worthy of our regular and careful attention than child protection.

The Productivity Commission's report on government services shows that in 2011-12 some \$3 billion was spent on nationwide child protection and out-of-home care services. Foster care, as this inquiry proposes to review, is a large part of those out-of-home care services, which cost about 65 per cent or \$1.8 billion of the national child protection cost. The Australian Institute of Family Studies projected that for 2011-12 South Australia spent in total \$201 million on child protection-related expenditure.

You could say that we will always have that cost with us, but Family First does not accept that. The economic cost is only one metric to consider when it comes to child abuse and neglect, and there are of course many other significant issues, including the emotional, mental, physical and spiritual harm that come with failure in child protection. Political commentary in employment context talks about direct and indirect jobs, which are relevant, of course, but the costs that I have mentioned—that is, over \$200 million in South Australia for child protection—are very real direct costs as well.

The indirect costs of the personal, family and community breakdown resulting from all the other harm I have just described would compound far higher to the true cost of South Australia of not getting child protection right, and that is what this committee aims to assist. I choose to highlight the economics today as it is the language that governments of any persuasion would understand and, indeed, many people understand. Investing in child protection and strong families will make this not only an economic issue but will make sense in all the other ways that I have outlined.

This is a very important committee and we are pleased that it will pass this chamber. The government has said they will not support it but they will not oppose it, which is effectively the same thing, and I would like to thank the opposition for their support, the government and the crossbenchers who have indicated support. With that, I commend the motion to the chamber.

Motion carried.

The Hon. D.G.E. HOOD (19:55): On behalf of the Hon. Mr Brokenshire, obviously, I move:

That the select committee consist of the Hon. Jing Lee, the Hon. Stephen Wade, the Hon. John Gazzola, the Hon. Gerry Kandelaars and the mover.

Motion carried.

The Hon. D.G.E. HOOD: I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place and to report on 19 December 2014.

Motion carried.

GILLMAN LAND SALE

Adjourned debate on motion of Hon. J.A. Darley:

1. That a select committee of the Legislative Council be established to inquire into and report on the sale of state government owned land at Gillman, with reference to—
 - (a) the state government's holding of state government owned land at Gillman over time and the events that led to an agreement between the state government and Adelaide Capital Partners in relation to state government owned land at Gillman;
 - (b) the conduct, including public statements, of the state government in respect of the agreement, and the decision not to offer the land for sale by open tender;
 - (c) the interaction between the state government, including the Economic Development Board, Renewal SA and parties who identified an interest in land at Gillman;
 - (d) the involvement of lobbyists and other third parties in negotiations between the state government and Adelaide Capital Partners;
 - (e) the role of Renewal SA, including Renewal SA Board members, in the sale of land at Gillman;
 - (f) the role of Renewal SA and other parties in the development of the Gillman master plan;
 - (g) the state government valuation process regarding the subject land;
 - (h) infrastructure planning undertaken by the state government to support development at Gillman and surrounding areas;
 - (i) the sale of other state government owned land at Gillman over the past 12 years;
 - (j) state government policies and guidelines;
 - (k) principles of good public sector practice; and
 - (l) any other relevant matters.
2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 7 May 2014.)

The Hon. R.I. LUCAS (19:57): I rise to support the motion of the Hon. Mr Darley in relation to the establishment of a select committee to inquire into and report on the sale of state government-owned land at Gillman with reference to a series of issues of concern that the Hon. Mr Darley raised in his contribution.

The Liberal Party is already on the record through our shadow minister with prime responsibility for this particular area, the member for Bragg, indicating our willingness to support an investigation into this particular area: the decision the government took to sell 400 hectares of land at Gillman to a private consortium without offering the land via public sale.

There is a whole series of questions that the Hon. Mr Darley, the member for Bragg, the member for Davenport and a range of other media outlets in particular have raised that need responses. They can really only be provided through the hard work of a parliamentary committee of inquiry. I pay tribute to some of the work that media outlets such as *The Australian* in the first instance

and also *InDaily* and other media outlets of course as well over a period of time have taken in pursuing this particular issue.

It is an indication of the importance of the work that some media outlets undertake in relation to trying to get information out into the public arena. This particular issue has had its difficulties. Ultimately, some of these journalists have managed to get copies of documents, which is not always possible for them, and put them on the public record, and also, in the case of some of the journalists, to get quotes from former members of the board of Renewal SA expressing their particular concerns about the government's processes on this particular issue.

One of the important issues that was not touched on in great detail by the Hon. Mr Darley (but certainly from our viewpoint will be an important part of the work of the committee) is that this particular agency, in terms of the way it was established, has a degree of independence in terms of its operations but, as the Hon. Mr Darley has indicated, there is certainly an argument in relation to how it handles taxpayer assets, that it should nevertheless follow established and due processes of government.

The Hon. Mr Darley has raised in great detail, not just in his contribution in the council but publicly on any number of occasions, his concerns as a former valuer-general in relation to whether or not the taxpayers did indeed get a good deal from the particular deal that the government wanted to see achieved, and that will obviously be an important part of the work of the committee. The aspect that I want to concentrate some brief comments on is the critical role of government and the critical role of ministers, and in particular Premier Weatherill and minister Koutsantonis. Their sticky fingerprints are all over this particular deal—in particular minister Koutsantonis.

Minister Koutsantonis made a number of statements to journalists in the early stages of their pursuit of this issue which, in my view, will not bear any close investigation at all. When the committee looks at the information that was available at the time minister Koutsantonis made those statements, in my early judgment it will be quite clear that he was deliberately misleading the public of South Australia in the period leading up to the state election on what was a critical issue for the government and for that particular minister.

Premier Weatherill, of course, through his public statements has sought to distance himself to the greatest extent possible from this particular deal, but the information provided to members of the opposition would indicate clearly that this deal would not have happened without the active engagement and approval of Premier Weatherill. So, the integrity and the credibility of the government and its most senior representatives (that is, the Premier and the now Treasurer) will be investigated, as it should be, by this particular committee of inquiry.

When you have former board members being quoted in *The Australian*—Mr Theo Maras, who resigned immediately following the sale, told *The Weekend Australian* that he had been unhappy with the process because of a:

...lack of competition and lack of transparency. I was not happy we did not follow the normal and due process of going out to public tender.

You have minister Koutsantonis and others telling the media that there had been, in essence, no other interest in this particular deal or this particular land, and then various media outlets and journalists subsequently were flooded with individuals and groups indicating that what minister Koutsantonis was saying was not correct, was not accurate, was not factual, and that indeed they had, to varying degrees, expressed interest in this land and would have wished to have participated in some sort of public tender process or something similar to that, rather than the truncated process that minister Koutsantonis and Premier Weatherill had signed up for.

What the committee will need to explore is not only the processes that Renewal SA and the various departments and agencies followed but also what specific involvement minister Koutsantonis and his ministerial officers and Premier Weatherill and his ministerial officers had in terms of bludgeoning this particular project through to its conclusion.

Certainly there are indications—I think it has now been put on the public record, so it is clear—that minister Koutsantonis was actively engaged in this particular process. It will be important for the committee to establish the extent of that engagement and whether it was limited to what has been put on the record, the formal meeting with minister Koutsantonis and the board, or whether it

involved other attempts by minister Koutsantonis and his staff to, as I said, bludgeon the Renewal SA board into changing its view on this particular deal.

It will be important for the committee to establish what those processes were. It is clear from what is now on the public record that the board had a strong view that was opposed to what the government was doing, and then, in the process of a week or so, it changed its position. Subsequently a significant number of the board members resigned in protest at the actions of the government on this issue. So the work of the committee is ahead of us.

The Hon. Mr Darley has outlined in detail some of the issues that need to be pursued. Certainly, and as I have indicated, from the opposition's viewpoint we see this as an important issue that potentially strikes at the heart of the integrity and credibility of some of the most senior government representatives, together with government agencies that have been involved. There has been recent publicity, and it is important for this committee to be established this evening and for it to commence its work immediately.

Freddy Hansen, the former highflying chief executive of Renewal SA, has just been kneecapped by the Weatherill Labor government only a couple of years into a five-year term. I am sure he will receive a very healthy payout with the knee capping, so we need not feel too sorry for him, but, as we understand it from media reports, he is fleeing—my word, not his—the shores of Australia to return to his home in the United States. That will occur in the week commencing 2 June, according to media reports. So if this committee is established tonight it should meet very quickly to establish its initial processes in terms of advertising, appointment of staff and all those administrative things that we need to do.

Certainly, as one member of that committee I will be supporting the very early decision to invite Freddy Hansen along, kneecapped or not, to the first evidence-taking meeting of the select committee to assist the committee in its dealings. That would certainly be a much cheaper exercise than having to fly the whole committee to Oregon, or the United States, with Hansard, as attractive as that might be, to go to Oregon—or wherever it is he is heading—to take evidence with Hansard. In the interests of the taxpayers of South Australia I would hope that the Labor members of the committee will assist the majority of the committee in an early meeting of the committee, probably no later than Friday of this week, as well as an early meeting to save money for the taxpayers of South Australia.

I am sure, as the Clerk can advise you, Mr President, that there has been at least one example where a select committee of the Legislative Council has been required to travel overseas to take evidence and that was the select committee in the early to mid-1980s which looked at the South Australian Timber Corporation, and it travelled as far as Greymouth on the western shores of New Zealand to take evidence in relation to some significant investments that the timber corporation had taken on behalf of the taxpayers of South Australia.

So, there is nothing contrary to standing orders but, as I said, in the interests of the taxpayers of South Australia, I would hope that those Labor members who were appointed to the committee will make themselves available to prevent that sort of unnecessary expense for the taxpayers in terms of taking evidence from Freddy Hansen prior to his leaving our shores on 2 June.

It may well be that even if we take evidence—given that we have had no documentation from the departments and agencies or any other evidence—that we still need to get information from Freddy Hansen and that might be possible by way of video link-up, or some sort of technology link-up or correspondence and questions to be sent to him, and we would need to explore with him as to whether or not he is prepared to assist the committee's inquiries in that way should the committee make that decision.

I obviously cannot pre-empt a decision of the committee but should the committee take that decision, it may well need be that we get back to him. He may well feel disposed to protect his own professional interests. He might want to follow the evidence that others give—because he is leaving our shores, others might want to dump on him and his reputation, and blame him for everything—and he might want to defend his interests by following the proceedings of the committee and, if he wishes, to clarify issues at a later stage.

Anyway, I am jumping a long way ahead when I do not need to. From that viewpoint can I conclude by saying that the Liberal Party members, as the member for Bragg has previously indicated, strongly endorse the motion that has been moved by the Hon. Mr Darley.

The Hon. T.T. NGO (20:12): I rise today to place on the record the government's opposition to this dangerous motion that presents significant risk to this state without providing anything close to a benefit in return. The risk is to private investment into our great state—not just a risk to this specific investment, but to the perception generally of South Australia as a great place to do business. Private investment in South Australia is crucial to the ongoing economic prosperity of our state, particularly private investment that supports the mining industry.

This government has made supporting and facilitating the development of the mining industry a key strategic priority. Mining exports in the year to March 2012 totalled \$4 billion—four times greater than a decade ago. When a group of South Australian entrepreneurs show that they are willing to risk their own money to invest in a strategic objective, it is incumbent upon the government to consider the opportunity very seriously and very carefully.

This is exactly what occurred when the government was approached by Adelaide Capital Partners (ACP) to purchase the land the subject of the Hon. Mr Darley's motion. Let us be clear about what the Hon. Mr Darley's motion potentially places at risk: we are considering risking the creation of over 6,000 jobs; we are considering risking the development of a global logistics hub to support the exploration and development of South Australia's oil and gas reserves; we are considering risking the provision of industrial allotments catering for other large-scale transport logistics uses; and we are considering forfeiting a long-term strategic advantage for South Australia in a key growth industry. And to what end? What clear and likely benefit justifies this risk? What is clear is that this land has lain dormant for decades. The approach by ACP presents an opportunity for the development of this underutilised site using private sector money. This is a unique opportunity. Right back to the MFP days, significant investment of government funds has been an assumption to develop the land.

Renewal SA's board provided advice to the then minister for housing and urban renewal that the proposed sale of the land at Gillman to ACP, first of all, represented good value; secondly, had been managed in accordance with the Renewal SA's existing policies regarding off-market transactions; thirdly, had been guided by independent probity advice; and, finally, was ultimately a matter for cabinet. The government is comfortable with the advice received from Renewal SA's board and welcomes scrutiny as to the sale process.

Let us be clear though, any witch-hunt threatens the viability of the transaction and threatens private sector investment in South Australia. The government makes no apologies for supporting economic development. It has been widely reported, but for the record I stress it here again, that ACP was granted a period of exclusivity to seek the necessary international investors necessary to proceed.

A select committee probing the transaction before it has been completed has the real potential to jeopardise an important transaction crucial to the future of South Australia. ACP continues to negotiate with investors prior to deciding whether to exercise its option to purchase. A politically motivated witch-hunt threatens to undermine the transaction with ACP and, more generally, the private sector's confidence to invest in this state.

All those with an interest in the continued economic development of the state should be careful to conduct themselves in a fashion that does not scare off international investors who are needed to make the potential development a reality. Asking the select committee to inquire into the proposed transaction seems a futile and potentially dangerous exercise, therefore, the government opposes this motion and urges other members to do the same.

The Hon. M.C. PARNELL (20:17): The Greens are supporting this motion to establish a select committee to inquire into and report on the sale of government-owned land at Gillman. Like many in the community we believe that there are important unanswered questions around the decision by the government to not offer this land for sale by open tender or, it seems, by any other process that maximised its value to the community. None of the explanations offered by the government so far are believable and the community has a right to know what is going on.

The government has effectively said that no other credible proposals for the use of the Gillman land have been put forward and that the executive arm of government was quite within its

rights to negotiate and strike a deal in secret with a single bidder. We know that a number of other proposals from different companies had been put forward over the years and rejected. There is an old adage in politics that if you want to get to the truth you follow the money. I think this is exactly what this select committee should do and I have every confidence that it will.

One aspect that I would particularly like the committee to investigate and report on is whether this land deal with Adelaide Capital Partners is connected in any way with the decision to axe the Newport Quays development at Port Adelaide. The possible link between these two developments derives from the links between the key players and, in particular, the Brown brothers—Todd and Simon. The potential link between the failed Newport Quays development and the Gillman deal is something that a number of people have raised with me and in particular a number of journalists who have joined the dots and quite reasonably come to the conclusion that this matter needs further investigation.

So how have people come to this conclusion that the two matters may be related? To explain the link we need to look at the main players and we need to look at the timing and, as I have said, we also need to follow the money. Let us start with Newport Quays. The Newport Quays development commenced in 2004 when a consortium of developers comprising the Urban Construct Group of Companies and Brookfield Multiplex Group signed an agreement with the state government through the Land Management Corporation. The LMC subsequently became the Urban Renewal Authority and is now known as Renewal SA.

The Port Adelaide Waterfront Redevelopment Project Development Agreement was signed on 25 October 2004 and terminated seven years later on 31 October 2011. I do not need to go into all the reasons why the Newport Quays development was axed, but it is probably fair to say that it was a combination of economic, social, environmental and political factors. From the government's perspective, these were euphemistically packaged up in the phrase 'change of approach'.

Not surprisingly, the Newport Quays consortium were unhappy with this decision to axe their project, and they commenced legal action against the state government to recover damages. I should at this point note that my source for much of this information is an affidavit sworn by Todd Hamish Brown, the CEO of the Urban Construct Group of Companies, dated 9 December 2011. This affidavit forms part of the evidence considered by the Select Committee into Land Uses on Lefevre Peninsula—a committee which I chaired and which reported on 28 November 2013.

The affidavit was in support of the consortium's claim for damages against the state government. Mr Todd Brown claims the government was 'capricious' and acted in 'bad faith'. He alleges misleading and deceptive conduct and claims compensation for 'economic loss, loss of use, loss of profit or loss of opportunity' for what was to be a \$1.5 billion project—perhaps even more. Mr Todd Brown puts forward a range of alternative rationales for the cancellation of Newport Quays by the government, including that the government did not advise Newport Quays of the potential impact of the proximity of Incitec Pivot or Adelaide Brighton Cement on certain stages of the Newport Quays project.

Todd Brown also believed that the popularity of the Newport Quays development was significantly impacted by media reports of the Texas fertiliser plant explosion, to the point where apartments in Port Adelaide were unsaleable according to real estate expert opinion. Todd Brown also suggests that the government had several ulterior motives for cancelling the development agreement, including their desire to win back public support in the lead-up to the Kevin Foley by-election.

I refer to the affidavit that was filed in court because it is the most comprehensive account of the consortium's version of events and because it is already on the public record. In fact, I was surprised to get a guernsey in the affidavit myself, largely as a result of the Greens' efforts to shine some light on the EPA's misgivings about building new houses so close to noxious and dangerous industry. I am actually immortalised at paragraph 80 of the affidavit, for those who care to read it.

According to the original court documents, the legal claim by the consortium against the government was for unspecified damages; however, media reports refer to compensation of 'hundreds of millions of dollars'. Sarah Martin, in *The Advertiser* of 15 December 2011, reported as follows:

Urban Construct is suing Patrick Conlon and the government over the \$2 billion Newport Quays development.

The consortium behind the scrapped Port Adelaide project, comprising Urban Construct and Multiplex, has engaged senior lawyer Michael Abbott, QC, to take action against the Government and its development agency, the Land Management Corporation.

Premier Jay Weatherill last month retracted approval for the 50ha multi-stage development and said the developer would be paid \$5.9 million in compensation.

But *The Advertiser* understands the consortium may be seeking hundreds of millions of dollars in damages.

So, that is Mr Todd Brown and Urban Construct. Let us now look at the business interests of his brother, Mr Simon John Brown. Simon Brown is a non-executive director of Adelaide Capital Partners, the successful (and it seems the only) bidder for the Gillman site. ACP is half owned by two companies: Gerlach Asset Development and ResourceCo Holdings.

Simon is also a director of ResourceCo. ResourceCo is wholly owned by ResourceCo Holdings, which is in turn half owned by a holding company called SJK Brown Investments Pty Ltd. Simon Brown is a director and owner of SJK Brown Investments. Up until 2004, so was his brother, Todd Brown. There may be other business connections amongst the dozens of companies involved in their various business interests, and I would be surprised if there is not, but this is a start. The Brown brothers are linked by business interests as well as by blood.

The story of Adelaide Capital Partners' deal with the state government to buy 400 hectares of land at Gillman for \$100 million has been outlined well enough by others and I do not need to go through it all here, but I would like to follow the money.

Among the issues to be determined by this select committee will be whether or not the value to be received for the sale of the Gillman land was appropriate, and this is a separate issue from the question of whether or not the process was sound and issues around the lack of any competitive tender. Most of the commentary suggests that the land has been grossly undervalued. If that is the case, why was the land disposed of so cheaply?

Let's consider the facts as best we know them. The deal with Simon Brown's company, Adelaide Capital Partners—the option to purchase the land at Gillman—was made on 18 December 2013. The following day, the settlement of brother Todd Brown's lawsuit against the state government was reported, that is, 19 December 2013. According to *The Advertiser*, the case settled for around \$8.4 million, which is a little more than the \$5.9 million that was offered by the government but well short of the hundreds of millions in losses and potential losses that had been suggested.

This raises a number of questions. One question is whether this relatively low settlement is an acknowledgement by the Newport Quays consortium that their case was weak and it was unlikely to amount in more compensation if it went to trial. It is hard to know whether that is the case, but it seems that they were doing quite well in court up until that point.

On 23 March 2012, the ABC reported that, at a preliminary hearing, Mr Michael Abbott QC, on behalf of the consortium, told the court that the government 'terminated this for the purpose of dealing with someone else and getting a higher price'. He said, 'They have used their discretion to line their own pockets.' Mr Abbott also said that the Port Adelaide by-election may have been another political reason behind the termination.

This argument seems to have landed on fertile ground because, on 31 May 2012, Judge Lunn, a master of the Supreme Court, ordered the government to hand over a range of documents that relate to the LMC's deliberations and communications in respect of, and the reasons for, the termination of the Newport Quays agreement. So, at that point, the consortium was about to get access to the real reasons Newport Quays was being axed. Judge Lunn said, at paragraph 28 of his judgement:

There had been a groundswell of constituents in that electorate who were not happy with the development. There is a reasonable possibility that the termination was linked to the forthcoming by-election and that, if so, it would have been capricious on the part of the LMC.

The judge also noted:

There is no explanation about why the termination was first publicly announced by the Premier and the second defendant rather than the LMC [the second defendant being Patrick Conlon].

From mid-2012, there is very little on the public record until the case settled on 19 December 2013, some 18 months later. Effectively, Urban Construct and the Newport Quays consortium appear to

have accepted that the termination was not wrongful and that it was not entitled to uncapped damages.

What conclusions can be drawn from all this? Ultimately, the select committee will need to hear from all sides, but one proposition that must be tested is whether the Gillman land deal is, in some way, a sweetener for Urban Construct settling its legal action against the government after the Newport Quays development was axed.

Here is the question: was the Gillman land deal part of an off-the-record settlement of the Newport Quays lawsuit? Or to put it another way, was the state government's deal with Simon Brown's company part of some informal arrangement or understanding that would see Todd Brown's companies settle their court action against the state government for a relatively modest amount of compensation? This is why we need this select committee: to get to the bottom of these murky waters. If the government has nothing to hide, it has nothing to fear. I urge all honourable members to support this motion.

The Hon. K.L. VINCENT (20:28): Very briefly, I take the floor on behalf of Dignity for Disability to support this motion. In fact, Mr Parnell has just taken the majority of my contribution from me by saying that, if the government has nothing to hide, it has nothing to fear. Again, I do not hear anyone in the community saying that there is such a thing as too much accountability when it comes to matters that affect our community, so we certainly support this motion to look into a matter that is obviously very important to the South Australian community.

Motion carried.

The Hon. J.A. DARLEY (20:29): I move:

That the select committee consist of the Hon. Kyam Maher, the Hon. Rob Lucas, the Hon. Andrew McLachlan, the Hon. Tung Ngo and the mover.

Motion carried.

The Hon. J.A. DARLEY: I move:

That the select committee have power to send for persons, papers and records and to adjourn from place to place and to report on 19 November 2014.

Motion carried.

Bills

ELECTORAL (LEGISLATIVE COUNCIL) (OPTIONAL PREFERENTIAL VOTING) AMENDMENT BILL

Introduction and First Reading

The Hon. M.C. PARNELL (20:30): Obtained leave and introduced a bill for an act to amend the Electoral Act 1985. Read a first time.

Second Reading

The Hon. M.C. PARNELL (20:31): I move:

That this bill be now read a second time.

This is a simple bill that members have seen before. In fact, it was debated in the last sitting week of the last parliament. The bill amends the Electoral Act to introduce optional preferential voting into the South Australian Legislative Council. The rationale for this bill is known to all members. It is to put control of voting back into the hands of voters and away from parties and groups. It abolishes group voting tickets that allow parties and groups to determine a complete allocation of preferences.

Under this bill, voters can choose to number as many or as few squares as they want, either above or below the line, on the Legislative Council ballot paper. The purpose is to ensure that the composition of the Legislative Council most accurately reflects the will of voters. If there are parties, groups or candidates that they do not want to preference, then they should not have to.

In the period since November, when we last debated this measure, there has been an important development and that is the interim report earlier this month by the Joint Standing Committee on Electoral Matters on Senate voting practices (as part of the broader inquiry into the

conduct of the 2013 federal election). The interim report was tabled in the federal parliament on Friday 9 May 2014. It had the general support of all the major parties.

The relevance of this report to the South Australian Legislative Council is that the voting system for the Senate is to all intents and purposes identical to that in our Electoral Act. I would like to just quote briefly from the foreword by the chairperson of that committee:

The 2013 federal election will long be remembered as a time when our system of Senate voting let voters down.

Combined with pliable and porous party registration rules, the system of voting for a single party above the line and delegating the distribution of preferences to that party, delivered, in some cases, outcomes that distorted the will of the voter.

The system of voting above the line has encouraged the creation of micro parties in order to funnel preferences to each other, from voters who have no practical way of knowing where their vote will ultimately land once they had forfeited it to the parties' group voting tickets...

The 'gaming' of the voting system by many micro parties created a lottery, where, provided the parties stuck together in preferencing each other (some of whom have polar opposite policies and philosophies) the likelihood of one succeeding was maximised.

Instead of a lottery ball popping out of a machine, in Victoria, a micro-party candidate popped out as the winner of a Senate seat.

The Australian Motoring Enthusiasts Party received just 0.51 percent of the primary vote, but their candidate was elected to the Senate through 'gaming' the system. Clearly, given the circumstances, this election did not represent the genuine will of the voters...

The current system of Senate voting above the line, and its reliance on group voting tickets, should be abolished and replaced with a new system that puts the power of preferencing back in the hands of the voter.

Our considered view is that the new system should be an optional preferential voting system where the voter decides whether to preference and how many parties or candidates to preference. We also suggest consequential reforms to below the line voting to remove the need for voters to complete every box.

I could not have said it better myself. I have one minor disagreement with the committee's report, but it is minor in the scheme of things; that is, the federal committee is only proposing partial optional preferential voting below the line, not full optional preferential voting, as is in my bill. The committee recommends that below the line voters should be required to put a minimum sequential number of preferences equal to the number of vacancies so, in other words, at least six numbers for a half Senate election or 12 for a double dissolution.

The reason I do not support partial optional preferential voting is that it fails the logic test. Forcing voters in South Australia to number at least 11 squares below the line in a Legislative Council election does not guarantee that a voter's preferences will actually elect anyone. If the voter's choices are all for small party or Independent candidates, their vote will still exhaust without electing anyone, so I say let's not make this any more complex than it needs to be.

Finally, I will say that I fully expect this bill to be considered by a parliamentary committee looking into electoral matters, whether that be a select committee of the Legislative Council or a standing committee, as foreshadowed in another place today by the Attorney-General. I would be happy for that to occur provided the committee goes about its business efficiently and we do not find ourselves on the last sitting day before the 2018 state election arguing how to change the system. There is no excuse not to get reform underway in this first part of the parliamentary term, not wait until the end. I commend the bill to the council.

Debate adjourned on motion of Hon. G.A. Kandelaars.

Motions

BUDGET AND FINANCE COMMITTEE

Adjourned debate on motion of Hon. R.I. Lucas:

1. That a committee to be called the Budget and Finance Committee be appointed to monitor and scrutinise all matters relating to the state budget and the financial administration of the state.
2. That the standing orders of the Legislative Council in relation to select committees be applied and accordingly—

- (a) that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only;
 - (b) that this council permits the committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to any such evidence being reported to the council; and
 - (c) that standing order 396 be suspended to enable strangers to be admitted when the committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.
3. That members of the council who are not members of the committee may, at the discretion of the chairperson, participate in proceedings of the committee but may not vote, move any motions or be counted for the purposes of a quorum.
 4. That a full-time research officer position be made available to assist the work of the committee.

(Continued from 7 May 2014.)

The Hon. G.A. KANDELAARS (20:37): I rise to speak on this motion. It will be no surprise to the Hon. Rob Lucas that the government opposes this motion for the same reason it has previously done so. This is not an appropriate way for such a committee to be established. The purpose of the standing orders for the establishment of select committees by the Legislative Council is so that the committees can be set up to look into a particular matter. This is a pseudo standing committee and not really a select committee, as it would consist of more than a one-line term of reference.

There are other existing mechanisms in this place, such as the estimates process in the House of Assembly, question time in both houses, the Auditor-General's Report, and the opposition's growing love for fishing expeditions that we know often result in their coming here with misleading information. It is important that this parliament has scrutiny, but it is also important that this parliament has credibility. So, if this is a genuine attempt to establish a select committee that seeks to provide some scrutiny, why not have one of the Independents, or if the opposition really were serious about this they would be proposing amendments to the Parliamentary Committees Act to establish a standing committee that would be part of the normal structure of the houses of parliament. For these reasons the government opposes the motion.

The Hon. M.C. PARNELL (20:39): I will be very brief. The Greens will support this motion, as we have every year that it has been put up. Certainly, the Hon. Gerry Kandelaars raises some interesting points about whether we could short-circuit this process and have some form of standing committee looking into budget and finance matters, but the short answer is that we do not and that this is the next best thing.

I will say that one part of this process I do like—and, in fact, it is a model that I have urged upon the Attorney-General's staff to consider when he introduces his intended standing committee into electoral matters—is the ability, as occurs in many other parliaments, for members who are not a formal part of the core membership of the committee to participate in deliberations, to ask questions of witnesses and to be part of the general work of the committee. I referred in an earlier contribution tonight to a federal committee that looked at electoral matters and, when you look at their report, you can see that there is a relatively small number of members, but there were 20 or 30 others who participated in that committee's work.

My experience with the Hon. Rob Lucas, who has in the past chaired this committee (who knows whether that will continue?), is that at any time I have asked to attend and ask questions of witnesses the request has always been granted and I have always had a fair go. I think it is a good model. I think in many ways it is a better model for getting to the bottom of matters than the estimates process the other place enjoys. For those reasons, the Greens will be supporting the re-establishment of this select committee.

The Hon. R.I. LUCAS (20:41): I thank members for their contributions. I will be, mercifully, brief. Can I acknowledge the comments the Hon. Mr Parnell has made because, indeed, I think in the Legislative Council this was a trailblazing reform in relation to what is referred to as 'non-participating members', for want of a better phrase. The Hon. Mr Parnell is indeed correct that the committee has never refused the opportunity for a member to attend should he or she indicate. As I think I indicated in moving the motion, a reasonable number of other members of the Legislative Council at varying stages have availed themselves of the opportunity to participate.

I think, as I indicated, the committee has also been amenable on occasions when one or two members had questions they wanted to ask but were unable to attend. They provided those questions to members of the committee and we have assisted those non-participating members in that way as well. We welcome the Hon. Mr Parnell's comments and, as I said, if he is indeed pursuing that with the Attorney-General in relation to other committees, it will be interesting to see what the government's response is, given their trenchant continuing opposition to even the existence of this particular committee. Sadly, they are ever conservative in terms of worthwhile reforms regarding accountability and transparency in the committee processes.

The second point I make is in relation to the standing committee comment that the Hon. Mr Parnell has made. Certainly, as he will know, that remains my very strong view. Should I live long enough ever to see a Liberal government in power, I hope that will be an initiative of the Liberal government. This government, of course, given its trenchant opposition to even a select committee, is unlikely to support a standing committee because a standing committee would actually guarantee permanent staffing to the committee.

This committee frequently passes a motion supporting the provision of research assistants to the committee and, Mr President, as the third president, I think, under that, the blowtorch will be placed upon you in terms of standing up for the integrity of the Legislative Council. The two previous presidents have failed dismally in adhering to the wishes of the Legislative Council in terms of providing assistance to the committee.

I know on a previous occasion that the government, when it opposed that particular provision, said that this was, in essence, a device for the Hon. Rob Lucas, as the potential chair, to get additional staffing. Can I assure all members that, for the brief period the committee did have some part-time assistance, my approach was that the research assistants available to the committee should be available to the members of the committee other than myself as the chair. Clearly, the research officer had to take instruction from me as the chair, but I am very happy for them to act in response to individual requests from other members.

As I indicated at the time, I am in the fortunate position of having had previous experience as both treasurer and shadow treasurer. A number of these documents and procedures are more familiar to me than potentially to other members, so the potential assistance of some corporate knowledge and staffing on the committee is more likely to be there for members of the government and the minor party members, and indeed members of the opposition who might not have had that same experience of public sector accounting. So, in the brief period that particular officer did some useful work in terms of trying to explain to members of the committee through research papers the sometimes difficult and complex public sector accounting rules which are not always consistent with accounting rules that some members might have of private sector organisations, and they can appear arcane or difficult or complex when compared to private sector accounting provisions.

If the council passes this particular motion, we look forward to the potential for your enthusiastic support, that you would break away from the inhibitions and restrictions placed upon the committee by the two previous presidents from the left. You, Mr President, as a member of the right now, the dominant faction in the Labor Party, may well choose to demonstrate your capacity to be different to those other unreconstructed lefties who might have inhabited the position of the president in days gone by. Time will tell as to how you might respond should this particular motion pass the Legislative Council. With that, I thank members for their support.

Motion carried.

The Hon. R.I. LUCAS (20:47): I move:

That the select committee consist of the Hon. J.A. Darley, the Hon. G.A. Kandelaars, the Hon. K.J. Maher, the Hon. A.L. McLachlan and the mover.

Motion carried.

The Hon. R.I. LUCAS: I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place and to report on 19 November 2014.

Motion carried.

*Address in Reply***ADDRESS IN REPLY**

Adjourned debate on motion for adoption.

(Continued from 20 May 2014.)

The Hon. T.A. FRANKS (20:47): I rise somewhat briefly, given the hour that we have reached in this place, to present an address in reply to the Governor's speech. I thank Uncle Lewis O'Brien for his generous welcome to country and appropriately noting that we are in Kurna land when we meet in this place. I also thank the Governor and his wife for their ongoing service, not only to this parliament but the state of South Australia.

I note that the Weatherill government has continued to identify the key seven strategic priorities as continuing in their importance to this government and those priorities which were outlined when this parliament gathered for the last Address in Reply in 2012. Indeed, the Greens support an affordable place to live; creating a vibrant city; a chance for every child; safe communities, healthy neighbourhoods; growing advanced manufacturing; and realising the benefits of not only the mining boom but any other industries for all and sharing whatever wealth we have as a state and, indeed, we support premium food and wine from a clean environment. These are all quite constantly held strategies that would be endorsed by the Greens, but I think in some areas we would have a different way of going about achieving those goals. Certainly we commend the government on those particular goals.

We agree that we need to keep the best and brightest in this state and that they cannot just be attracted by small bars and vibrant cities. While they will not have a skate park for at least a few months, if not a few years, they certainly need not only great jobs but good jobs, sustainable jobs, clean jobs, green jobs and jobs of the future. If our state is to have a future, we need to have future-focused jobs to get us there.

I note that the government has outlined that WorkCover reform will be a key issue that it will bring into this place. I have not been in this place for as long as my Greens colleague, the Hon. Mark Parnell, and I pledge never to speak for over eight hours in a speech; however, I certainly look forward with some trepidation to the debate on WorkCover.

I would not necessarily use the word 'buggered' in terms of the Minister for Industrial Relations' reference to the system of WorkCover. I probably would have said broken. Certainly, it is not serving either injured workers or those who pay into the scheme; however, I also would not have used the unfortunate words of minister Rau, when he said that he would be playing hardball on WorkCover in this place. I certainly do not think that that is a way to frame any debate that is so important to our state and, indeed, impacts so profoundly on the lives of those who are injured in their workplace.

We have to have a focus on recovery. We have to have a focus on not sacrificing those people who are injured at work and not having a scheme that does not serve them. I look forward to a debate that does not seek to play hardball but looks to create a supportive model that is also sustainable for our state.

I also commend the government's ambition to reduce red tape, but I note that, while they have extolled the virtues of the small venue licence, across liquor licensing in particular, the entertainment consent provisions mean that we still have an archaic and outmoded approach to those particular small businesses that have a licence other than the small venue licence. The Greens have long argued against the culture cops and liquor enforcement having anything to do with policing entertainment and culture in our licensed premises, and I will certainly be bringing that legislation back before this place so that all licences, where appropriate, can enjoy the freedoms and flexibilities that are now enjoyed by those who are able to access that small venue licence.

Small bars, indeed, have been a hallmark of the Jay Weatherill Labor government. I certainly note that they have started to thrive in our vibrant city but, obviously, those small bars do not necessarily provide the breakfasts that some in the government might wish to see available before football games.

In the election when I came to this place, the prime issues were the building of the stadium, the blowout in the costs and the paying off of the SACA debt to create the ability to have football in

the city. Of course, we now have a football stadium. It was up and running before this 2014 election and, certainly, people were able to walk over the bridge which, I think, opened three times—three soft openings—prior to the election. I think I walked across it a few times at various events or opportunities, and I have to say that I have noted that South Australian people do actually love the football stadium, and that we did build the bridge and people seemed to get over it with the results of this election.

However, that does not let the government off the hook—and that was not to make a pun—when it comes to its priorities. This state has prioritised the building of a very expensive upgrade to our football oval, particularly in comparison to other AFL stadiums built around the country, such as Metricon or Patersons Stadium. I am not sure that we got the best deal of all of the states. We certainly could have got a lot more money out of the AFL, I would contend.

I certainly support football in the city, though; indeed, it does bring in a vibrant culture to the city on those particular days. However, for a minister of this government, which states that they support small business, to be advocating in social media that a particular small business in Leigh Street should be opened so that he and his colleagues might be able to have breakfast before a football game does show that they are a little out of touch when it comes to the needs of small business. Indeed, it makes me have some reservations about whether or not they really are truly looking to remove red tape and support small businesses, particularly when they do not understand that a particular business might not be the appropriate business model to provide breakfast if it is more geared to either a week day market, a corporate market or, as many businesses on both Leigh and Peel Street precinct are, a small bar.

I look forward to the government's attention being placed on the Education Act. I certainly think that, in this state, while quite rightly we have had a lot of debate and discussion, in this place and elsewhere, on child protection and child development, we have not been talking about education in this place. I look forward to that perhaps becoming more of a focus of all sides of politics, because if we let our education system fall behind and become out of step with the most progressive and modern approaches we will not be able to have those fantastic future-focused great, green, clean and high-tech jobs that we would like to see in our state and indeed are essential if we are to remain competitive.

I also welcome the Premier's indication that mental health will again be placed higher on the agenda. Certainly, suicide levels are unacceptable not only in this state but, of course, across the country and regional areas in particular and in some cohorts of the population more than others. I welcome finally that the Weatherill Labor government has rectified an ongoing lack of support to Lifeline in the metropolitan area and, indeed, did announce funding for it during the election period. However, I note that we were the only capital city around the country not to fund Lifeline until that point; so that was a sorry state of affairs that certainly needed to be addressed. There is nothing like an election to put these issues to the fore and see those great community services get the recognition they deserve. There were many cases of that.

What I would also ask is, since the Social Inclusion Board's Stepping Up report, which, of course, ran for five years to 2012, where was the state government's response to mental health between 2012 and the current day? An update of the Stepping Up report is well overdue, more than two years overdue. While I commend the government for saying that they are going to look at mental health as a priority, I do observe that the last report, Stepping Up, did expire in 2012.

On that note, I also cannot fail to observe that the Weatherill Labor government is also extolling the virtues and successes of having a community visitors' program in mental health and is looking to extend that to disability. Again, the Labor government was dragged kicking and screaming by the Liberal opposition into introducing the community visitors' scheme under mental health. It took long debates in this place and it was a Liberal opposition amendment to the government bill that finally saw the introduction of that scheme.

At the time, again, we were the only state in the country not to have a community visitors' scheme for mental health; so that was to our shame and detriment. I commend the work of those opposition members who saw that happen and rightly acknowledge that that is indeed where that particular idea came from.

I also find it interesting that the government has talked about premium produce, yet I cannot fail but to make some observations that the government's free range eggs, the 'free range, not fake range' campaign, during this past state election indeed fell foul—

The Hon. I.K. Hunter interjecting:

The Hon. T.A. FRANKS: I did not even mean to make that one, but I just went there. It is a late hour, my puns come out, sorry. One might have noticed that when we talk about eggs in this place the puns are there. It fell foul of the Electoral Commissioner and, despite the election campaign advertisement on Facebook, the 'Jay for SA' campaign, it is not yet possible for a South Australian consumer to go and buy free range egg products under the South Australian label. Despite being assured so in the election, it was handy to have that election process to be able to report that particular falsehood in advertising to somebody who could then adjudicate, and the Electoral Commissioner did adjudicate and rule that the Jay for SA's 'free range, not fake range' egg campaign was misleading and incorrect and that they not only print an apology but also withdraw it.

The Greens' legislation, which we moved with the member for Finnis in the previous parliament, I believe remains the better way forward on this, rather than an onerous impost on those true free range producers to somehow come up with working together on some sort of label or sticker on their cartons, which will enable their competitors to have 'free range' written on their egg cartons, even if they are not true free range, but somehow the consumer is meant to know that this little 'laid in SA', or whatever the slogan ends up being, will be the difference.

Anyone who has tried to buy true free range eggs knows how confusing it is already. The simplest thing would be to go to into your supermarket, market or local shop and, if it says 'free range' on the carton, then you know it is free range inside the carton. It is not that hard—there are ways to make that happen, and we may be pointing out to the government the way the ACT has done that in previous years as another way forward.

The result of the election has, as we know, left us with a minority government in the lower house where government is formed, with two elected Independents holding what are called the balance-of-power positions. Of course the new minister Brock has been labelled 'a kingmaker', but this is not a monarchy, this is a democracy. If you want to look at where a democracy's power lies, it lies in the numbers.

I welcome that the lower house will now have debates in which the results are not foregone conclusions. Like this place, it will have to have some debates that may be real debates and not going in with the government that has the numbers no matter what are the merits of an argument. I wish the new minister, Geoff Brock, well with his role and I also wish the member for Fisher, Dr Bob Such, well with his recovery and return to this place.

I note that our former members, the Hon. Ann Bressington and the Hon. Carmel Zollo, made extensive contributions to this council. I welcome the new members, the Hon. Tung Ngo and the Hon. Andrew McLachlan, to this place. I have come to respect that there are many aspects to this council that are different from other houses of parliament.

It has been remarked to me by a former senator that this council is a very intimate place, so you cannot really pick too many fights and have too many enemies in this place. In fact, a good debate will sometimes win the votes in the end as well, and I have learnt from this place that people can put forward new and fresh ideas and actually have opposition, crossbench or government members listen, absorb, reflect and sometimes work together. I believe that brings quite good outcomes when those processes are followed.

I also do particularly want to note the victories in the lower house of the re-elected members for Ashford and Colton and in particular I congratulate Steph Key on her victory. Like many others, I was probably quite surprised on the night and I am sure the Hon. Steph Key—former minister—was probably quite surprised as well. I cannot help but reflect that the member for Ashford brought to this place in my time in this parliament quite controversial issues—issues of sex work reform, issues of marriage equality, issues of voluntary euthanasia, yet she achieved not only a victory in that seat but a swing towards her against the predictions of all the psephologists, all the pundits and all the betting polls predictions, so I particularly congratulate her for that.

I also congratulate the Hon. Kyam Maher for defying those odds. Certainly many did not believe he would be returning to this place and, as has been remarked upon elsewhere, he is back

and indeed elevated not only to Acting President currently but also to parliamentary secretary. Other aspects of the election of course have been raised by many other speakers in this place but I do join with many people in expressing some concern about the Habib flyer—a pamphlet for an electorate in the southern suburbs of metropolitan Adelaide that showed bullet holes, was bullet ridden, and used the font of those horrific and disgusting ads which proclaimed in mainstream media under the Gillard government that, should you enter Australia by boat to seek asylum, you would not be staying here.

I think that while I would not call that pamphlet racist, certainly the federal Labor MP Ed Husic called it racist. I believe it was a dog whistling pamphlet. I believe it was a pamphlet designed to appeal to those who might suspect that Caroline Habib might be Muslim, and certainly dog whistling should be something that all of us should not use in either electioneering or indeed in government. Unfortunately, in Australian politics, I think we have seen dog whistling not only used but also perfected over the last few decades.

I look forward to the various select committees or other committees exploring the entrails of this last election. I certainly think that we could learn something from the federal government here with a committee that crossed the houses and looked a bit beyond the square, looked at other issues of more ably reflecting the will of the people when they go to vote. Different electoral methods such as multiparty electorates and more proportional representation should not just be restricted to this house.

Indeed, our House of Assembly would look very different if we did not have a single member lower house electorate where 50 per cent plus one of the vote meant winner take all. I think we would have a lot more women in the other place if we had different and better and more reflective proportional systems and, certainly, when we do talk about electoral reform, I would like to see those issues countenanced as well. With those few words, I commend the motion to the council.

Debate adjourned on motion of Hon. K.J. Maher.

At 21:10 the council adjourned until Thursday 22 May 2014 at 10:30.