

LEGISLATIVE COUNCIL

Thursday, 22 May 2014

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 10:30 and read prayers.

Parliamentary Procedure

SITTINGS AND BUSINESS

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) (10:31): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

Address in Reply

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 21 May 2014.)

The Hon. R.I. LUCAS (10:32): I thank the Governor for his speech, which outlined the Weatherill government's program for the next four years. As I have been quoted as saying publicly and repeat again today, in my view, it is the most lacklustre government program that I have ever seen in all my time in parliament and observing parliament for some time prior to me being in parliament, but there will be time for addressing that over the coming four years.

At the outset, can I acknowledge the retired members of the Legislative Council: the Hon. Carmel Zollo and the Hon. Ann Bressington. Much was said about the Hon. Carmel Zollo prior to her leaving because everyone knew that she was leaving. In relation to the Hon. Ms Bressington, there was a slightly different set of circumstances.

I want to place on the public record my acknowledgement for the work that the Hon. Ann Bressington did during her time in parliament. Certainly, from my viewpoint, I appreciated, in particular, the practical input from someone who had actually been there and done that in relation to drug-related issues. In particular, I know people within SA Health took a strongly divergent view, but the Hon. Ann Bressington, for the reasons she has outlined, had a personal background and then a professional background in the area. Certainly, some of us, and I put myself in that category, acknowledge the input she had on those issues as we debated them in the parliament.

I did not agree with all of her views on issues such as fluoridation and others, but that is, in my view, the beauty and the joy of this chamber. Hopefully, we can respect divergent views in this chamber, even if we disagree with some of those, and can acknowledge the expertise and the capacity that each member brings to the table on particular issues.

I want to congratulate the new members of the Legislative Council: the Hon. Tung Ngo but, in particular, my new colleague, the Hon. Mr McLachlan. I am delighted that he has joined the Liberal Party ranks in this chamber. I am delighted that he has also agreed to serve on the Budget and Finance Committee and to dip his toes in the select committee waters by having a look at how a select committee on the controversial issue of Gillman will eventuate—on both of those, we will serve together.

Given his undoubted expertise in business, in finance, in community affairs and a range of other areas, as he outlined in his impressive maiden speech to this chamber, I believe he will bring a lot to the legislative table. He certainly brings a lot to the Liberal Party, and on another occasion I will address some of the disparaging comments made about this chamber by the leader writer of *The Advertiser* today, along with the Attorney-General of the state (and the Premier on some occasions), but I will leave that to another occasion.

Certainly if I can speak on behalf of my colleagues in the Liberal Party, I believe in the Hon. Mr McLachlan there is the perfect example of a quality candidate bringing a lot to table, I hope over the coming years in the chamber. Hopefully, the leader writer for *The Advertiser* at the very least—I am sure we will not change the views of the current Premier and the current Attorney-General—and others will come to see the value that some members of this chamber can bring to bear in terms of public debate.

I also welcome back the re-elected MLCs on both sides of the chamber. There has been reference already to the Hon. Mr Maher being re-elected to this chamber. The Hon. Mr Gazzola pointed out that the Hon. Mr Maher was deeply despondent some six months out prior to the election. My understanding is that the Hon. Mr Maher was so deeply despondent that he had a \$1,000 bet with another Labor colleague last year that he would not be re-elected to the chamber in the No.4 position in the Legislative Council. The worrying thing is that he may well be following the example of the welsher from the west, the member for West Torrens, and not paying up. The member for West Torrens has not paid up his \$50, but the Hon. Mr Maher obviously deals in bigger gambling stakes than does the member for West Torrens, if he is putting—

The Hon. T.J. Stephens: It doesn't really matter if you're not going to pay it.

The Hon. R.I. LUCAS: That is true, if you have a bet and you don't pay up. Let's hope he clears the decks and pays up on that particular bet with his Labor colleague.

It does indicate the concerns at that time, which I will return to later in the address—the deep concerns between the left and the right in the Labor Party. The Hon. Mr Maher was bitterly disappointed that the right at that stage had done him over and put the Hon. Mr Ngo from the right in the No. 3 position on the ticket. He believed he was entitled to that because he believed he would lose in the election at the No. 4 position. I understand that wiser heads in the Labor Party told him to 'settle down, you are only a new chum and you will be re-elected at the election'.

I also welcome the new Liberal MPs in another place. I single out two in particular: Troy Bell, the member for Mount Gambier. I do so because Mount Gambier, as members will know, is my home town. Members of my family know Troy Bell through his education background. They spoke highly of him when the Liberal Party preselected him, and I know he will be a first-class representative for the seat of Mount Gambier.

I also welcome the new member for Hartley, the new lion of Hartley, from the Liberal Party viewpoint, Vincent Tarzia. In doing that I also not only congratulate him but also congratulate his family, in particular his parents who worked long and hard over a long period of time to assist him in his election, as did his many volunteers. As a member of his supporting team, we had the interminable Saturday early a.m. meetings that his campaign group held over a long period of time in terms of running his campaign.

Together with the member for Bragg, I was pleased to be associated with and to have been a small part of the team that had Vincent elected. I am also pleased to note that this unholy alliance between the member for Bragg and me, which saw the election of Vincent Tarzia in 2014, was also associated with supporting the election of Steven Marshall in Norwood in 2010. I am hoping that in 2018 the party might see fit that the member for Bragg and I be paired in another seat, which hopefully we can win, as part of a quest—a long quest now—for victory in 2018.

Finally, in terms of acknowledgements, and as other members have, I place on the public record best wishes from my wife Marie and me to Bob Such and his family in relation to his health issues. Unlike most others, I served with Bob when he was a member of the Liberal Party and in the Liberal cabinet, and we certainly wish him well in the very difficult battle he has with his health.

The first issue I want to address in my Address in Reply is to outline some early concerns I have about the operations of the ICAC in South Australia. These are concerns that I hope will be considered by the oversight committee that was established under the ICAC Act under section 47—the Crime and Public Integrity Policy Committee—and that also might be considered with the annual review of the exercise of powers, when the Attorney-General appoints an independent person to conduct a review of operations during each financial year. I will return to that aspect later on.

In making these comments about my early concerns about its operations, I want to place on the public record and make it quite clear that I am making no criticism at all of commissioner Lander. I have known commissioner Lander for a long period of time and I hold him in the highest regard,

and have great respect for his past record and great respect for the way, I am sure, he will set about tackling the particular task that is before us.

The issues and concerns I have are about how we, as a parliament, draft some aspects of the legislation. More particularly, my concerns are directed as to how the Weatherill government is using the ICAC, in my view, as an instrument of intimidation against public servants and staffers who are suspected of leaking, in the public interest, to journalists, the media and members of parliament. That is where my criticisms are to be directed in my contribution today: not at the commissioner but at the way we potentially craft the legislation and, more importantly, the way that this government uses the ICAC as an instrument of intimidation.

I am aware that the government, for a period of time now, has been very concerned about the large number of leaks of information, very embarrassing to the government, that are getting to both members of parliament and into the public arena. In my view, what has occurred since the establishment of the ICAC has been a deliberate strategy from the government and its officers of referring a number of these leaks to the ICAC for its consideration. I understand there might be at least two examples of leaked information that first appeared in the media being referred to the ICAC.

The first of these relates to the leaking of Premier Weatherill's confidential campaign strategy to the media. There was a whole series of articles, but I will not go through the details of those. In the *Sunday Mail* on 20 October, 'Did Des Corcoran's daughter try to destroy a Labor government?' was the headline of the story. Another headline revealed, 'Daughter of ex-Labor premier accused over leak. Did this woman betray Jay?'

The editorial that day stated, 'Tough on leaks, soft on creeps', and there was a whole series of articles in relation to that. That particular one was just the embarrassment to Premier Weatherill and his people that his confidential strategy had been leaked in the public interest by somebody; I am certainly not accusing Mary Lou Corcoran, but that was the coverage at the time. One of the articles by Sheradyn Holderhead states:

The woman, who Jay Weatherill believes was responsible for leaked confidential documents about his election strategy, can today be revealed as the daughter of former Labor premier Des Corcoran.

So that is pretty clear in terms of what *The Advertiser* had been told by some Labor sources. That was just the issue of Premier Weatherill being embarrassed that his campaign strategy had been leaked. It is not confidential commercial information, nothing about the security of the state; it is just a politician who has had his campaign strategy leaked and who is embarrassed about it and this issue is being pursued.

The second example refers to a story first covered, as I understand it, on 16 February of this year in the *Sunday Mail*, entitled, 'Teacher crimes under scrutiny'. It refers to some charges against teachers and some ongoing concerns about child protection-related issues within the education department. I do not need to go into the detail, but I give these as two examples—and I obviously do not have direct knowledge of the operations of the commission—of the case I want to put to this chamber. As I understand it, there may well be other examples where the government has referred similar types of issues to the ICAC.

The second general category, and I have direct knowledge of this, is that I have now been asked by two separate ICAC investigators to go along to the commission to assist them with inquiries into two separate examples of leaked information that I first raised in the Budget and Finance Committee of the parliament; one of those related to issues I raised in the public interest in May last year (so we are talking about 12 months ago) in relation to very serious dispute issues going on at senior levels of the Department of the Premier and Cabinet, in particular the expenditure of taxpayers' funds through the appointment of a firm (and a firm does a range of things) and one of the tasks it was evidently given to do, that is, to investigate allegations and to try to mediate or settle disputes between two public servants.

I raised the issue in the Budget and Finance Committee and also the issue of taxpayers' money being potentially wasted in my view on the appointment of a very senior group of people—at, I imagine, quite considerable cost to taxpayers—to settle a dispute between two public servants within the Department of the Premier and Cabinet. That is the first issue.

The second issue, members will be much more familiar with; that is, over a long period of time I had been raising issues in this chamber, potentially with the Hon. Mr Hunter in one of his

portfolio areas, and through the Budget and Finance Committee, with what was then known as the department for communities and social inclusion in relation to very significant wastage of taxpayers' money on the APY lands.

Members might recall issues of lavish spending towards the end of financial year, such as motorbikes costing \$360,000 being purchased and then locked up in a shed up on the APY lands and not being used, and a whole range of other concerns about travel allowances and other areas in terms of wastage of public taxpayers' expenditure in the hundreds of thousands of dollars.

I have not had a chance to go through all the details of those press stories, but certainly I raised some questions way back in August 2012, which might have been when the first questions were raised; there were stories at that time. I managed to get some other members of the media interested in following up the issue in early 2013, and there are some stories in the media in April and June 2013 on some of the issues that came out of those questions. That was 12 months to two years ago, and I am being asked to assist the commission in relation to, as I understand it, information that has been provided to me from within the Public Service on those issues.

I understand there may be other members of parliament who have been asked to assist the commission in relation to what I might call, in *Yes Minister* terms, 'leak inquiries'. I do just note at this stage that I am ready and willing and able to assist if I can, but I have not yet been contacted by the ICAC to assist any inquiries into the very many corruption or misconduct allegations I have made, through the Budget and Finance Committee in particular, in relation to 'cartridgegate', property purchases by departments with the involvement of former ministerial staffers, non merit-based appointment processes in the public sector, and a range of other issues that have been raised over a long period of time. Certainly, if I can assist the commission at any stage, I would be only too happy to do so.

I want to firstly consider the ICAC powers in the legislation in the first examples I have used, where there is a leak to a journalist; that is, where a member of the Public Service decides, in the public interest in their judgement, to leak something to a journalist and it is run. I am not a lawyer, but certainly in the initial discussions I have had with lawyers it is clear that the ICAC, in those circumstances, should it so choose, can force a journalist to answer questions and can force a journalist to reveal the source of the leak.

I think this is an important issue for members of the media because, potentially, what we have here—and I have given two examples where I believe issues have been referred to an ICAC—is that, if a journalist receives information from a public servant on a matter of public interest and the journalist runs that story, potentially (and this is what I think the oversight committee and reviews should be looking at) the ICAC powers have the power to force that journalist to reveal the source of the information—in this case, the public servant.

Clearly, it is in the government's interests to scare the bejesus (to use a colloquial expression) out of the public servants, if they can, to try to prevent the release of information in the public interest to the media or to members of parliament. It is therefore in the Weatherill government's interest to try to get as many of these issues, if they can, to be considered by the ICAC.

I am assuming also, looking at the powers of the ICAC, that the ICAC could, if it deems that it is required—and there are certain safeguards and precautions—tap the phones of the journalists and the public servants. Again, I think that is an issue which needs to be explored in the review. It needs to be explored by the oversight committee of the parliament in relation to the powers.

I think there are some very significant issues here for journalists and members of the media that their association and they as individuals ought to be addressing because, if what I am outlining is correct, there is potentially a very serious threat under the Weatherill government's usage of the ICAC to limit the flow of information to journalists, in particular.

The second category I have looked at is if there is a leak to an MP. I think credit goes to a number of people for the drafting of the ICAC legislation but, as I understand it, in the original draft, clause 6, at least in its current form, might not have even existed but, as a result of informed advice from a number of individuals, and others, we have the parliamentary privilege clause which has been inserted and supported ultimately in the legislation. It states:

Parliamentary privilege unaffected

Nothing in this Act affects the privileges, immunities or powers of the Legislative Council or House of Assembly or their committees or members.

I would urge the oversight committee and the review to look at this provision and compare it with some of the provisions in the other legislation, and I am having some work done on that at the moment as well. Certainly, the equivalent provisions in the Western Australian and New South Wales legislation are significantly different from the provision in our legislation. My advice is that ours is to be supported if we want to protect the capacity of members to continue to take up difficult issues and, certainly at this stage, I am not raising any concerns about the current drafting.

I do list that because of the advice I have received in relation to how we should interpret this. I firstly spoke to parliamentary counsel, who gave me some statements of fact in relation to the legislation but then referred me to the undoubted expert in the state, from a parliamentary viewpoint, on parliamentary privilege, and that is, indeed, our own Clerk, in relation to how parliamentary privilege can be interpreted. After those discussions, and others, I have come to the conclusion that clause 6 certainly and absolutely protects us as members of parliament and the sources that come to us in relation to provision of information.

There are some, as I understand it, who might want to argue about that but, certainly, based on the advice I have received and my own very strong view is that, we are protected. In particular, what I am saying is that if a public servant, for example, provides a member of parliament with information in the public interest and the member of parliament uses that information to raise embarrassing issues about the Weatherill government in a committee or in the parliament, if the ICAC asks to see that member of parliament, he or she cannot be compelled to reveal the source of the information given to the MP. That is quite different from the dilemma that confronts a journalist who might be dragged before the ICAC; that is, the MP through this provision of parliamentary privilege will have his or her source.

I think this is an important message and one that I want to put on the public record in this debate for public servants who are interested in accountability and transparency of government processes and who do put the public interest first. I want to speak on my own behalf, first, and say that in my 32 years in parliament I have never burnt a source. I have never identified a source of information that has been provided to me and I have no intention of starting to burn sources in relation to information that is provided to me.

Certainly, from my viewpoint, should I at any stage be asked by anybody the source of the information provided, whether it be for the taxpayers' spending in the Department of the Premier and Cabinet or for the taxpayer spending in the APY lands and the Department for Communities and Social Inclusion or, indeed, others, I will not be revealing the source of that information unless, in the end, a source agrees that they want to be identified.

My observations about this whole process and my concerns are that with potentially where we are heading we are going to lead exactly to what the Weatherill government wants, and that is significantly reduced transparency and accountability—a very significant danger to democracy. I believe that where this potentially might head is not what was intended for the ICAC by virtually all or the majority of members of parliament in this chamber and in another chamber and that was, in particular, we were of the view that we were trying to root out corruption as the layperson understood it to be.

The sorts of things such as what we have seen in New South Wales and some other eastern states—the potential problems with 'cartridgegate' and others—are the sorts of issues most of us fought long and hard for, particularly on this side of the chamber, as it was the Weatherill government, the Labor government, that was dragged kicking and screaming to support an ICAC eventually, but that was essentially the purpose.

If, however, what we are seeing is an increasing number of resources, an increasing number of references, being taken up by the ICAC because the Weatherill government is embarrassed about leaks of campaign strategies or whatever else it might happen to be, then speaking personally that is certainly not what we were intending the ICAC to be devoting its time and effort to, and I am sure that would be a view shared by many others.

In considering how this could have occurred I have looked at the specific issue. The obvious question to be answered is: how is leaking information—such as an embarrassing leak about

campaign strategies—under the ICAC Act interpreted by anyone to be corruption? I think it is an important issue. I can see that it could be interpreted as misconduct, because misconduct can be interpreted as, in essence, a breach of the code of conduct.

The Public Service Code of Conduct obviously says, without these exact words but when paraphrased, in essence: thou shalt not leak. There are obviously provisions, such as whistle-blower provisions and others in the public interest, but one could see how an allegation of leaking might be a misconduct issue. I am advised by the shadow attorney that if it is a misconduct issue it is referred to another agency to investigate, not the ICAC. It goes to the Ombudsman or some agency like that to consider misconduct issues.

So, I can understand if it was characterised as misconduct why there might be an inquiry by somebody such as an ombudsman or some other agency, but if the ICAC, as I understand it, is conducting these leak inquiries, how has that occurred? Now, again, the shadow attorney has advised me that to be corruption the ICAC has to determine there is some, in essence, personal benefit or interest in it for the person who is leaking. So potentially the ICAC could determine that a public servant in leaking information has been motivated in some way by personal benefit as opposed to public interest.

Now, if that is the potential interpretation that the ICAC is using, does that mean that the ICAC believes that the public servant who leaks to a journalist or to an MP has been paid money, for example, by the MP or the journalist? In all my time in politics I have never ever heard of an example where information that has leaked has been as a result of someone paying a public servant for that, but I guess if there were those circumstances, that is something the ICAC might deem to be corruption. Maybe the ICAC is making an assumption that anyone who leaks information is only doing so for the personal benefit, that if they are leaking to an opposition member of parliament or to a government member—more likely opposition member—at some stage in the future they might benefit by being given a job or a promotion in some way.

Again, in all of my 32 years in politics and on the information that has been provided to me, on no occasion has there ever been any discussion about what is in it for me. I am so upset about what is going on I want this to be raised publicly because something needs to be changed. That is almost overwhelmingly the reason that information is provided.

If, for example, the information has been leaked to a journalist, what is it that a journalist can offer? They cannot offer them a job, unless they can offer them a job as the editor of *The Advertiser* or the news editor of a television news station or something. I cannot see how the notion of a journalist being able to offer a personal benefit in relation to some sort of future job prospect might come about. So I am at a loss to understand—and, again, what I hope the oversight committee and the review under sections 46 and 47 will do is look at this issue and consider what have been the grounds for the ICAC in essence proceeding with leak inquiries, if that is indeed the case. That is the task ahead, I think, for that oversight committee and the independent review that has to be conducted by someone that the Attorney-General appoints.

The second broad area I want to address in my Address in Reply is the whole issue of the division, disunity and instability in the Labor government. It is clearly an important issue because the independent member for Frome has indicated that he is supporting the current Weatherill government on the basis of providing a stable government, and certainly the issues of division, disunity and instability in the Labor government will be key issues.

We have seen from the media feeding frenzy in the last two or three days that there is continuing public and media interest in this issue of division, disunity and instability in the current government. There is no doubt that there are continuing problems within the Weatherill government in terms of division, disunity and instability. We saw the outbreak early this year in relation to the right faction's attempt to drop Senator Farrell into the seat of Napier just prior to the state election and the comments that were being made at that particular time by named and unnamed members of the right. After that issue was resolved by Premier Weatherill, it was made quite clear that at that particular time those unnamed members of the Labor Party were threatening retribution.

I will just remind members of some of the comments quoted in the media at the time: 'Senior Labor right aligned MPs and figures have revealed recently to journalists that Weatherill created an effing disaster; Jay has had a tantrum, it's a bit effing rich. He has exposed a huge rift in the party. This is going to do a lot of damage to the party for a very long time. The Labor right will lock in

between now and the election so will give the appearance of just moving on until March 15, then Weatherill will pay.' *The Australian* also reported one Labor right MP saying—and this is a direct quote—'Mr Weatherill is a dead man walking' and reveals that the powerful Labor right faction is 'assembling the arsenal and it is just a matter of timing.' Of course, Mr Weatherill's victory in March in essence delays the early onset, I imagine, of some of those foreboding warnings from the Labor right.

What we have seen in this last week from the Hon. Mr Gazzola's contribution to the Address in Reply and the public dispute between the Hon. Mr Gazzola and the Hon. Mr Wortley over the presidency has demonstrated that the divisions and disunity between the Labor factions, between the left and the right and between individuals, continues apace just barely bubbling beneath the surface, but every now and again erupting violently in the public domain. As you would be aware, Mr Acting President, the Hon. Mr Gazzola eventually backed down in this particular dispute. The reason he backed down was due to threats of retribution in relation to future preselections, future cabinet positions and future perks of office that the Labor right made to the Labor left, and the fact that the Labor right took the presidency position in this council for themselves was an early example of that.

With regard to the Hon. Mr Gazzola's speech this week, most of the media attention so far has related to the very colourful descriptions of the Hon. Mr Wortley as a parasite and an embarrassment to the Labor Party and his call for the Hon. Mr Wortley to resign from his position as Legislative Council President. That was followed on, of course, with further reference by the Hon. Mr Gazzola to allegations made in this council by the Hon. Mr Redford back in 1995 and the Hon. Mr Ridgway in 2011 of corruption within unions, and that has been playing out publicly again this morning, as I understand it, and even as we speak, in relation to further pursuit of those issues.

The Hon. Mr Wortley is a very colourful member of the Legislative Council, if I can say that in a nicely understated way. I refer members to a speech I gave in June 2011 in this chamber where I quoted my view that the Hon. Mr Wortley was a man of infinitely flexible principles and beliefs. Whilst he was now a member of the right, I referred members to an edition of *Green Left* of 9 November 1994 and an article written by Chris Spindler, in which he said:

A new left faction of the Labor Party, the Progressive Labor Alliance, has formed in South Australia following the walkout of a section from the existing left faction. The walkout includes 14 unions and state parliamentarian Peter Duncan.

Of course, this faction, which you would have some familiarity with, Mr Acting President, was known colloquially as 'the Duncan left' or 'the hard left'. The leader of the new faction was Mr Russell Wortley. Mr Wortley was quoted as follows:

I respect that point of view, and at times I'm quite ashamed of the direction that the Labor Party has taken. But sometimes the fight has to be fought inside the Labor Party. There is no point in deserting the Labor Party; otherwise there [will be] nothing to restrain the Labor Party from drifting off into the right.

This is the now Hon. Mr Wortley warning the Labor Party that you had to stay on and fight within the Labor Party because otherwise there would be nothing to restrain the Labor Party from drifting off into the right. He went on to say:

At least we have some influence to stop some of the direction.

That was Russell Wortley, convenor of the hard left faction, or the Duncan left faction, 1994. As you would be aware, Mr Acting President, the Hon. Mr Wortley, as I said, a man of infinitely flexible beliefs and principles, moved from that view and position and that faction to the right faction and was rewarded with a position in the Legislative Council.

The Hon. Mr Wortley's record is a sorry one in terms of his ministerial performance. As has been pointed out before, the fastest no confidence motion ever in this chamber, or in any chamber, I suspect, after only four (I think) sitting days as minister; a successful no confidence motion moved against him in this particular chamber.

There was his infamous statement, which was referred to by another member earlier this week, where he could not trust himself to read a particular document because he might leak it to somebody else—people he should not leak it to. As a minister, his own Premier did not trust him, not giving him any real work at all.

He was a minister for local government relations, which means just getting on with local government, and he stuffed that up. He was a minister for industrial relations when—as you know, Mr Acting President—virtually all industrial relations issues are now handled by the federal jurisdiction.

For the first time ever, the industrial relations portfolio had WorkCover removed from it. WorkCover has always been part of the industrial relations minister's portfolio, but the Labor government decided he could not be trusted to handle the WorkCover issue so, for the first time ever, WorkCover was removed from the portfolio. He had, I think, 17 or 18 full-time staff in his office to handle what meagre tasks he needed to handle and then, eventually, he was sacked anyway by his own Premier.

There was the recent article in *The Advertiser*, 'Prosperous union for Labor's lucky couple', which had a very interesting photograph of the Hon. Mr Wortley indicating in that photograph what he thought of *The Advertiser*, I think, and *The Advertiser* photographer: a middle finger raised on the side of his face as the photograph was taken. I just wanted to correct that particular article—I am sure the Hon. Mr Wortley would wish me to do so—as to the accuracy of some of the information because the Tiser says that:

Labor pair Russell and Dana Wortley have experienced the lows of political life but will now command about \$420,000 in combined taxpayer-funded salaries, after the former's elevation this week to Legislative Council President.

Just to put it on the public record, on my calculations, for the Hon. Mr Wortley and the member for Torrens, it will not be \$420,000 in combined taxpayer-funded salaries, but will be closer to \$455,000 in taxpayer-funded salaries, as the member for Torrens has received two paid committee positions which need to be added to that particular story and, in addition to that, of course, I would assume, access to two taxpayer-funded cars and, in addition to that, access to another taxpayer-funded car and chauffeur for the Hon. Mr Wortley as President of the Legislative Council.

I think the Hon. Mr Wortley's woes and lack of support within his own party were best demonstrated by the Leader of the Government's answer to a simple question that I put to her yesterday, where we gave the honourable Leader of the Government the opportunity to indicate support for the Hon. Mr Wortley as being the best person from her party to be the President of the Legislative Council. When one looks at that answer, the Hon. Ms Gago studiously refused to provide any such support or endorsement for the Hon. Mr Wortley—a yet further indication of the deep divisions and disunity within the Labor Party on not only this issue but a range of issues.

The media attention thus far this week on the Hon. Mr Gazzola's speech has rightly, I guess, or understandably, concentrated on the 'parasite' and resignation issues, but I would refer members to a closer reading of the Hon. Mr Gazzola's speech in a couple of other sections because it is clear they have been made for particular reasons. He says:

I also note, from the Governor's speech, that the government will reform the existing WorkCover scheme so that it works effectively for both workers and employers and 'will also protect and enhance the wellbeing of the most seriously injured at work and will hold a clearer focus on recovery, retraining and return to work for those less seriously injured'. Changes to WorkCover will be subject to scrutiny and debate in this place in the not too distant future.

He then goes on to quote, with no other reference other than a reference back, obviously, to this WorkCover debate, that a survey of ALP members—the 2014 Vision for Australia Survey of Labor Supporters—indicates the 'importance of substantial engagement with supporters on the issues of policy and representation'.

Clearly the Hon. Mr Gazzola's message there is, as is similar to the message of the member for Ashford in the House of Assembly, that on the issue of WorkCover, which the right through minister Rau are attempting to crunch through the Labor caucus, there will be a fearful fight within the Labor caucus, flagged by the member for Ashford and flagged, albeit obliquely, by the Hon. Mr Gazzola in this speech, within the Labor caucus on this particular issue. Of course the Hon. Mr Gazzola and the member for Ashford do not have too much to lose in terms of speaking fearlessly, because it is obvious that neither of those members, as I understand it, will be seeking further Labor Party endorsement at future elections.

The second point the Hon. Mr Gazzola was making in his speech—and one would have to look at why he would say these things—is that he is quite specific about making comments about the Hon. Mr Maher. He rejects the claim I have made that there is trouble in paradise between the

Hon. Mr Maher and the Hon. Mr Gazzola. I stand by every statement I have made. I know for a fact that there are major issues between the Hon. Mr Maher and the Hon. Mr Gazzola and others in relation to the Hon. Mr Maher's lack of support for the Hon. Mr Gazzola as a fellow lefty and fellow member of the left, someone from whom the Hon. Mr Maher has sought advice (as well as from the Hon. Mr Sneath) as a new left member of this chamber. I do not agree with the Hon. Mr Gazzola's assessment that all is smelling of roses in the relationship between the Hon. Mr Maher and the Hon. Mr Gazzola.

I urge members and journalists to look at his comments in relation to the Hon. Mr Maher. He quotes from Mr Maher's maiden speech, which basically says good things about the Hon. Mr Gazzola, and he puts that on the public record. He then goes on to say:

About six months prior to the election a very dejected Hon. Mr Maher had all but given up hope. Now the Hon. Mr Maher is a parliamentary secretary on his way to a ministry.

He then says:

As a member of the left faction the Hon. Mr Maher will have to be quite creative in how and with whose support he becomes a minister.

The Hon. Mr Gazzola is saying that for a purpose and a reason. This is a message to the Hon. Mr Maher and a message to others. He is saying specifically to the Hon. Mr Maher: you've got on the first rung—parliamentary secretary—you did have the support of many of us in the past, but he is saying now that, 'the Hon. Mr Maher will have to be quite creative in how and with whose support he becomes a minister'. That is a clearly warning shot to the Hon. Mr Maher. The Hon. Mr Gazzola does not say that in an Address in Reply speech just by happenstance. There is a purpose in what he said in this speech—it was a cleverly crafted speech and there was a message in every line and every paragraph for somebody, and I think some people have missed some of it. The final line is the clincher:

The Hon. Mr Maher is the future and a member of new Labor—

whatever that is—

whereas I—

that's Mr Gazzola—

an old Labor, which valued loyalty and collectivism.

So the message from the Hon. Mr Gazzola to the Hon. Mr Maher, in clear terms, is that the Hon. Mr Gazzola and Hon. Mr Sneath were old lefties, they were old Labor. How does he define old Labor? These are people who value loyalty and collectivism, that is, they are loyal to their colleagues and they will be loyal to you. He is saying to Mr Maher: 'You're not old Labor, you're not characterised by loyalty and collectivism, you're in it for yourself, and you have duded your colleagues, you've not been loyal, you've not abided by the collectivism of the Labor left,' and he is calling you out on it.

That is a clear, specific and scathing message to the Hon. Mr Maher from one of his own colleagues. I am sure the Hon. Mr Maher would be used to people on this side of the chamber slinging arrows at him and being critical of him, but this is one of his friends, a fellow Labor leftie, in essence, publicly calling the Hon. Mr Maher out in terms of the way he has behaved. I think the view of many within the Labor left is that the Hon. Mr Maher might need to take the message that has been given to him by some senior members of the Labor left.

I did note, with a bit of a chuckle, that in the Hon. Mr Gazzola's speech he said, 'In my situation there was no consultation, no discussion, no negotiation and no ham and pineapple pizza.' As I tweeted last night, he did not get a ham and pineapple pizza but he did get the rough end of the pineapple inserted, by the Labor right, in an unfortunate position.

My final point, in terms of the division and disunity that the Hon. Mr Gazzola has highlighted in his carefully prepared presentation, relates to his final paragraph (which I am sure was said partly tongue in cheek). He said:

Finally, let there be no doubt that the Jay Weatherill minority government is united—

that is the bit that I believe is said firmly with tongue in cheek—

in that the right's dominance over policy and positions and a substantially weakened, almost to the point of irrelevant progressive left, gives the right almost free rein over the government's agenda.

What he is saying there is, 'We're all united, because in essence the right is crushing any view from anyone else, in particular from the progressive left, within the Labor caucus and the Labor government, and the views of minister Rau on WorkCover, the views of minister Koutsantonis on the budget issues and significant budget cuts, and all those, are the views of the Labor right crushing the views of the Labor left.'

As I said, media attention has understandably focused on the words 'parasite' and 'embarrassment to the labour movement', and that he should resign from the position as President. However, I urge members to look at what else the Hon. Mr Gazzola said and the messages he has left to the public in relation to division and disunity in the Labor Party, to the Hon. Mr Maher about personal ambition, loyalty and disloyalty and, I guess, to the community generally about the ongoing instability of the Weatherill Labor government.

In relation to the election result, I subscribe to the old adage that 'winners are grinners and losers can please themselves'. The Labor government has won, as I am sure you are aware Mr President, and they are busily, on every occasion, rewriting history. As I said, winners are grinners and losers can please themselves, and while we can debate particular issues in relation to aspects of the campaign in the electoral motions before the house, I accept that adage and acknowledge the reality.

However, I think what is of great concern to the people of South Australia is the hubris and ego of government ministers and staffers as a result of that election victory. There has been unseemly behaviour by some in terms of the hubris they have demonstrated. On election night, for example, down at the best footy club rooms in the state, the West Adelaide club rooms—

The Hon. T.J. Stephens interjecting:

The Hon. R.I. LUCAS: No, not the South Whyalla footy club; the West Adelaide footy club, where the Labor Party had its celebrations. One Labor media adviser said to a young female journalist, and I quote, 'You shouldn't be here you effing Tory bitch.' He then physically shoved the journalist, on that particular night. Even after that behaviour against a young female journalist, Premier Weatherill decided to keep on this Labor staffer, media advisor, Jason Gillick, because he and the government were obviously unhappy with the position that that particular media outlet had taken in the period leading up to the election.

I can just imagine if that had occurred on the other side of the fence—if a young Liberal staffer had behaved similarly to a journalist—the screams of outrage we would have heard from the Labor Party about an action calls for action. I think it is unacceptable. There was another example on that same night where another male journalist was abused but not physically pushed by Labor staffers who are still Labor staffers at the moment.

That sort of behaviour from journalists should not be accepted. It is being fed, of course, because the member for Croydon and the member for West Torrens have continued with a public baiting program against journalists whom they are unhappy with, whether it be in the member for Croydon's case through a Twitter war with particular journalists, or whether it be through individual comments of a disparaging nature that those members and ministers make to particular journalists because of what those Labor ministers and members perceive to be the unfavourable treatment of the Labor Party in the period leading up to the election by some media outlets.

I suggest to some of those members, particularly the member for West Torrens, get into the real world, you have been around long enough, you will find that media outlets variously are on your side and against you depending on where you happen to be in the electoral cycle. At some stage you need to grow up and accept that that is the reality of the world, and there is not too much in the end that you are going to be able to do about it.

Speaking of the member for West Torrens, the major change in relation to ministerial appointments after the election was his appointment as Treasurer of South Australia. I have to say that, in my view, it is a very sad day for South Australia that we have descended to the position where the member for West Torrens would become the Treasurer of the state of South Australia. I think it is good news for the Liberal Party in a purely political sense but, clearly, I think the member for West

Torrens knows in his own mind that he does not have the capacity to handle the job as Treasurer and to handle the brief of Treasurer.

In the brief period since the election, and since his going into the position, we have seen a number of very significant stuff-ups and errors from the member for West Torrens in terms of just not understanding the brief of being Treasurer. Back on 27 March, in his first bungle, he told the media after the Treasurer's conference that the GST is allocated on the basis of a per capita arrangement between the states. That is factually wrong. That is, in fact, the position that the treasurers in the eastern states want to implement to rip money out of South Australia.

Here we had the Treasurer of the state representing South Australia at a treasurer's conference telling the media that he understands the GST is allocated on the basis of a per capita arrangement. If that is what he was arguing within the treasurer's conference, heaven forbid in terms of the future of the state of South Australia. The eastern states' treasurers would be licking their lips saying, 'What have we got here? We have a South Australian treasurer who is telling the media that the GST is allocated on the basis of a per capita arrangement.' They would have thought that all their Christmases had arrived at once.

Whilst I had a lot of disagreements with the Hon. Mr Foley when he was the Treasurer, he at least understood how the GST was distributed between the states. The danger and the dilemma for South Australia is we have a Treasurer who is telling the national media completely the wrong thing, because he just does not understand how the GST is distributed.

Soon after that, on 31 March, he told the state media that our payroll tax threshold is one of the best in the country. He is saying that South Australia's payroll tax threshold is one of the best in the country. South Australia's was actually second worst, at \$600,000. In Queensland, it is \$1.1 million and in Tasmania it is \$1.25 million. No wonder they think there are no problems with small business, or whatever it was. We have a Treasurer who is telling the world that in South Australia our payroll tax threshold for small businesses is the one of the best in the country.

That is the lack of capacity of the member for West Torrens to understand even the most basic brief. It is not as if that was an obscure issue not debated in the election. For months that had been discussed, because the Liberal Party, during the election period, had promised to lift the threshold from \$600,000 to \$800,000. It was not an obscure issue; it was a prominent issue in state debate, yet the current Treasurer had no idea.

On 31 March he was asked on ABC radio to explain what 'net financial liabilities' were. When you look at the transcript and you listen to it, he had no idea, until clearly a staff member gave him a briefing note and he managed to read something embarrassing a minute or so later in that particular interview. When he was asked on the 31st again about the AAA credit rating, he said, 'I'm more interested in unemployment.' I am assuming he meant he was more interested in employment, but 'out of the mouths of babes'. On FIVEaa, when asked about the AAA, he said, 'Look, I'm more interested in unemployment.' Well, I guess he got it right. He and the Labor government have been more interested in—

The Hon. T.J. Stephens: They have made it an art form.

The Hon. R.I. LUCAS: They have made it an art form, as the Hon. Mr Stephens has indicated. Then on 1 May—he is not improving—the Tiser points out that he made an embarrassing \$380 million error in trying to explain reasons for government assistance to Nyrstar. I guess the Treasurer might say, 'It's only a \$380 million error, you know, in a \$15 or \$16 billion budget—what the heck.' On 14 May, again he got national GST figures wrong. He tried to take on the Leader of the Opposition in a debate on facts and information on GST and he said that a particular figure of \$1.4 billion was a national figure and not a state figure. He could not even read the federal budget figures.

On the issue of competence, there are very significant issues, sadly, for the state of South Australia. The member for West Torrens is not widely regarded by his own party. I note an article from 1 February, from Miles Kemp. Miles Kemp, as Labor members would know, has in the past had very close connections with the Labor Party and certainly would be privy to access to information from the Labor left. In this particular article, 'A faction too much friction; life inside Labor's rival ruling tribes', he, I thought intriguingly, outed Tom Koutsantonis. The profile which is included there—I assume it is part of Miles Kemp's article—says:

Tom Koutsantonis suffers from being accused of leaking to anti-Labor reporters and the hangover from revelations of his poor driving record when road safety minister.

We are all aware of his poor driver safety record. It is the reason why many in the community refer to him still as Turbo Tom. This is an outing in an article attributed to Miles Kemp, someone with close connections to the Labor Party, who says Tom Koutsantonis suffers from being accused of leaking to anti-Labor reporters.

I think everyone in the Labor Party knows that Mr Koutsantonis has been, and is being, accused by his own people of being a serial leaker for personal gain purposes to members of the media. Whilst all of us in parliament are aware of that—his colleagues are aware of it and the Liberal Party members are aware of it—here is someone with very close Labor connections putting on the public record the accusations against the member for West Torrens.

I also refer, whilst in this vein, to the member for West Torrens leaking and contributing to the factional instability within this government. I refer to an article of 4 June 2011, 'Factional rivals ready to fill Rann's shoes'. In that article is a statement, as follows:

There are powerful forces in the right who vehemently oppose Weatherill, including one who at a recent lunch with three senior political journalists decried the Education Minister as a 'coward'.

The education minister at that time was the Hon. Mr Weatherill. So, this journalist is saying that powerful forces in the right, in essence, attacked Mr Weatherill as a coward in front of three senior political journalists.

Labor Party sources at the time told me that the member for West Torrens (Mr Koutsantonis) was outed as being the person who was having lunch with the three senior political journalists and, when that became apparent, I am told, clearly Mr Weatherill was mightily upset, and it came to the situation where, ultimately (after a period of time, I might say, not immediately), the member for West Torrens identified himself as the source of that particular leak, story and criticism and apologised to Mr Weatherill for adding to the instability of the Labor government in that way.

These are just a number of examples (and there are many others those of us who are involved in politics are aware of) of the member for West Torrens leaking against his own party—against former premiers in particular and other members of the Labor Party. Loyalty certainly has not been his strong suit in terms of the views he has expressed quite openly to Labor supporters, Labor staffers and other Labor members but, more damagingly for the Labor Party, I guess, and for the future of this state, is his leaking to journalists about these issues.

The final issue I quickly want to raise is some brief comments in relation to the federal budget. I will have an opportunity during the Supply Bill and Appropriation Bill speeches to speak at greater length. I want to reject some of the claims being made by government ministers (in particular, the Hon. Mr Hunter), and others, that the Liberal Party in South Australia is the only state Liberal Party supporting holus bolus the federal budget and had not opposed the cuts. There are any number of public statements that have been made (and I suspect there is probably a debate today) when the state Liberal Party's position has been made quite clear; that is, we oppose the cuts to health and education which, in the main, will have greatest impact in years four through to 10.

Nevertheless, as a party that hopes to be in government some time during that period, we put the interests of the State of South Australia first and we have publicly expressed our opposition to those health and education cuts and, also, specifically, to the supplementary funding to local government for roads. I think it is some \$18 million. They are the official party positions.

I briefly want to add my personal reservations and concerns about one particular aspect of the budget, and I hope that it merits further consideration by federal ministers and the government, in relation to the changes to unemployment benefits for the under 30s. For those of us who have children of that age and who have a large number of friends of that age, we can certainly become aware that young people through no fault of their own can move in and out of unemployment.

Certainly I support, and I think the majority of Australians support, that where a young person clearly refuses to work over a long period of time, and that person is work ready or job ready and can work and a job is available, there can be genuine questions about whether the taxpayers forever and a day should be supporting that person. I think there is community support for that. I think there are some genuine questions to be asked about what has just been publicly announced—and the details

are still to be filled in—about whether the new changes would actually fit that model. I think there are significant questions about whether they will.

Potentially, some young people who do have qualifications but who are unable to get employment anywhere in South Australia—possibly because of the policies of the state Labor government and the highest or second highest on average unemployment in the nation on an average basis—and are prepared to work anywhere in South Australia but fall in and out of unemployment, might not have any support. That is concerning from my personal viewpoint, and these are personal views that I put on the record.

Some young people are lucky because their families are able to support them through a period when government assistance might not be available but, as we would all know through our work as members of parliament or, as I said, as parents of children of that age who have friends moving in and out of employment and unemployment on a relatively regular basis, there are some significant issues and there are some people who do not have the family support to help them feed themselves, look after their health needs and tackle the issues, as they move out of their 20s and into their 30s, of stable employment and, hopefully, a happy and healthy life for the future.

With that comment, as I said, the other issues of the federal budget I can address in the Supply and Appropriation bill speeches.

The Hon. S.G. WADE (11:48): I rise to support the motion that the Address in Reply as read be adopted. As we start the 53rd parliament of the Parliament of South Australia, I acknowledge the service of three groups of South Australians. Firstly, I extend my gratitude to the Governor and his wife for their esteemed service to the state. Taking on such a role involves significant personal sacrifice and they have served with grace, generosity and distinction. Secondly, I would like to acknowledge the service and passing of former governor Seaman and seven former members of this parliament and join the Governor in expressing sincere condolences to their family and friends.

Thirdly, I acknowledge the service of two former members of this council, the Hon. Carmel Zollo and the Hon. Ann Bressington. Both members fervently stood up for their values and beliefs and, despite differences we may have had from time to time, I know that their contributions were sincere and have made a lasting impact on this state.

These honourable members have been replaced by two new members, the Hon. Tung Ngo and the Hon. Andrew McLachlan. Both members bring unique and valuable skills, experiences and perspective to this place. The fact that the Hon. Tung Ngo arrived in Australia as a refugee highlights our nation's record as a welcoming nation and the ongoing contribution that refugees and migrants generally make to the life of our state and our nation.

I have had the pleasure of serving with the Hon. Andrew McLachlan on policy and electoral bodies within the Liberal Party and I know him as a thoughtful and intelligent person who I am confident will make a strong contribution to this council and this state.

The Liberal team in the House of Assembly has been refreshed and expanded with the election of five new members, four of whom replaced Labor members. Under our leader Steven Marshall, the member for Dunstan, we were humbled to receive 455,797 votes at the general election held on 15 March 2014, 53 per cent of the two-party preferred count. The system has not delivered the change for which South Australians voted, and the arrogant way in which Labor has assumed government is disrespectful of the will of the people of this state. For a party which suffered by malapportionment in the past, their attitude shows how self-interested, how parasitic this once great party has become.

I thank the Governor for delivering the speech in which the government outlined its program. The government's program is underwhelming and highlights why the people of this state voted to rid themselves of it. Many of the statements in the speech arouse a sense of *déjà vu*. We have heard many of the same platitudes and many of the same commitments from this government in the years gone by. What it lacked was a vision and a strategy to address the challenges facing the state.

Let me take a few moments to reflect on the government's performance and challenges in my areas of portfolio responsibility as we start this 53rd parliament. First, let me draw members' attention to the issue of fines. The government continues to fail to manage fines, from the fair imposing of fines to the fair reviewing of fines to the fair collection of fines in this state. The government uses fines more as a source of revenue than for their primary purpose, as a penalty to

support the enforcement of law. What other explanation is there for the fact that in recent years the government has increased the fines for driving unregistered threefold? Our penalty is 82 per cent higher than the average penalty in other states. Are South Australians really so thick, so noncompliant, so dangerous that they need a fine which is 82 per cent higher than other states? I think not. I think they just have a government that cannot control its budget and that continues to ramp up taxes and charges.

In the 2013-14 year alone, the government revenue from fines and penalties is budgeted to increase by 25 per cent to \$126 million. Levying fines to raise revenue rather than focusing on community safety and justice undermines community confidence in both systems. The government's fine regime is flawed and failing. The government continues to fail to collect a significant proportion of the fines it issues, which makes a mockery of the system.

Last year the government wrote off more money in unpaid fines than the police issued in expiation notices. The government's answer has been to introduce the Fines Enforcement and Recovery Unit, which on the government's own figures will not eliminate the debt for decades.

The third aspect of the problems in fines is the government's use of the victims of crime levy as an opportunity to raise funds to offset its budget black hole. This government has continued to increase the amount it collects in the name of victims. The levy has doubled twice since 2007, but have victims received the benefit of this? No, they have not. Like so many of the government's levies, this money is not finding its way to its stated purpose. Victims' compensation has not increased since the scheme was introduced in 1990.

Remarkably, the Labor Party committed at the 2014 election to increase compensation for victims—it is remarkable because the government has consistently opposed an increase in compensation every time it has been debated in this place—yet we see no urgency on the part of the government to support victims. Perhaps it is naïve to think that the government will readily honour its commitment considering how stubbornly it resisted an increase in the past. Labor has also consistently failed to protect children and failed to provide the range of victim support services that children need.

At the election the Liberal Party committed to providing \$600,000 a year towards the expansion of victim support services to children. In addition, we committed ourselves to allowing victims to speak from the heart, to increase fees payable for legal representatives and to roll out a disability justice plan as a broad strategy to systematically address the hurdles that South Australians with a disability face, including victims. We also committed to doubling the victims of crime compensation available to victims and to double grief and funeral expense payments.

The government is also failing to prevent future victims, particularly by failing to maintain a well functioning justice system. The system, on this front, has changed; that is, it is getting worse. South Australia's prisons are so overstretched that their capacity to deliver effective rehabilitation is being substantially undermined. Labor's rack, pack and stack approach has not slowed in recent years. Over the last 10 years the prison population has increased by more than 50 per cent, and over the last two years prison numbers have increased by 10 per cent.

In mid-February 2014, the prison system had 24 more inmates than there was room to house them. There were 2,427 inmates, of whom 830 were on remand. The recent spike in prison population is significantly related to an increase in remand. Already having delivered Australia's highest remand rate, the current government has overseen an increase in the remand rate to 34.2 per cent, up from 31.1 per cent in 2012; that is, more than 3 per cent in 18 months. When the annual cost of imprisonment is \$97,108 this 75 prisoner increase costs the state an additional \$7.3 million.

In terms of spare capacity, I understand that 5 per cent of spare capacity is required to run an efficient and effective prison system. That allows both operational, rehabilitative and program requirements. What it means is that in South Australia, considering that we have negative spare capacity, those facets of the operation of the system are undermined.

Another area of concern is the over-representation of Indigenous South Australians in state prisons. Indigenous South Australians have been particularly affected by the Weatherill Labor government's rack, pack and stack policies. The Indigenous imprisonment rate per 100,000 prisoner population in South Australia has increased by 52 per cent under Labor, compared with 37 per cent

nationally. The Indigenous prison population in South Australia has increased by 113 per cent, compared with 53 per cent for other South Australians.

I also want to reiterate the opposition's ongoing concerns at the impact of the government's compulsory third party insurance changes. The government's legislation to dramatically wind back compulsory third party insurance compensation for road accident victims showed a disregard for people with a less than catastrophic injury. The government's decision last year to take \$100,000,000 from the Motor Accident Commission to fund roadworks and speed cameras shows that the justification put forward for the reform was a charade.

This episode demonstrates a lack of respect for the legal rights of South Australians and for the legal profession which advocates for them. But this is not an isolated case. This government is not just failing on the details, but failing on the basics. Fundamental to the government's responsibility to deliver justice is the maintenance of the courts. South Australia's courts have some of the worst backlogs in the nation. There is a 20 per cent backlog in higher court non-appeal criminal matters, which is twice the national standard. Since 2002, when the Labor government was elected, the District Court backlog of cases older than 12 months has nearly doubled from 11 per cent to 21 per cent. In District Court criminal matters nearly 60 per cent of cases take more than 12 months and 19 per cent of cases take more than 24 months.

Higher courts in South Australia have the worst backlog of any Australian state, with 56 per cent of civil non-appeal matters waiting more than 12 months. In spite of the projected backlogs in the magistrates and district courts, the government is only budgeting for a 2 per cent increase in expenditure for the Courts Administration Authority between 2012-13 and 2016-17. Funding is virtually stagnant with, effectively, an \$8 million reduction over four years.

Under Labor, it takes years for criminals to face court, and that means that victims are waiting years for justice, and delays increase the risk that criminal cases will fall over, including due to the risk that witnesses will become unavailable for whatever reason. Increasingly, ordinary South Australians and businesses cannot afford to protect their rights. When claimants often cannot get listing dates for 18 months, many simply cannot afford to wait and have to settle on adverse terms.

What do we see from the government? Urgent action to address the crisis? We are still seeing a distinct lack of urgency from the government. Instead, we see what seem to be the stages of grieving—perhaps from the loss they were expecting, perhaps from the loss of the AAA credit rating, perhaps they are grieving the loss of their credibility and integrity. The Attorney-General continues to be in denial of the cause of the crisis. When courts are in serious need of modernisation, he says the solution is not 'throwing money' at problems. He then blames everyone around him, including the profession itself.

The Attorney says that we need drastic reform of court procedures and that the attitude of some in the legal profession is the urgent remedy required. The Attorney talks about the dangers that our legal system face if the courts and the professions do not embrace and participate in change. Considering the government has been in power for 12 years, and that he has been in office for four years, one has to ask: what leadership is the government providing for that change?

To say that the court's appalling performance is the result of the bad attitude of the legal profession is another offensive reflection on the profession. The biggest attitude problem is the government's arrogance and a decade of wasted opportunities. They have spent a decade failing to deliver fundamental reform and failing to invest in our courts and our legal system. In fact, we can all well remember the government's claim that it was not willing to invest in new court facilities because it was not willing to build a Taj Mahal for lawyers.

A classic example of the government's neglect in the justice system is in relation to the IT systems. Earlier this year, the government admitted that they had so badly underinvested in the courts that there is a \$51 million backlog in IT projects. They attacked the opposition for committing to include that investment in the upgrade of the courts. We are still yet to see a tangible demonstration of this government's commitment to the justice system. There is nothing in stone to indicate that a change is actually coming. But change is what South Australians voted for.

The two-party preferred vote was 53 per cent in favour of the Liberal Party. The Liberal Party was the preferred party of government in 24 of the 47 seats. It gained the largest share of the primary vote yet, despite this, the Liberal Party was not able to form government. The election on 15 March

was the third time in four elections that the Labor Party was able to form government without achieving a mandate from South Australians. Despite the Liberal Party winning on all other measures of support, the ongoing failure of the electoral system to match seats with votes means that an increasingly large share of South Australians are not getting the government they voted for.

In House of Assembly elections on 15 March, 455,797 voters supported the Liberal Party—that is 91,377 more primary votes than the Labor Party received. That is the equivalent of every voter in four whole House of Assembly districts; it is enough votes to win eight seats with 50 per cent plus 1 per cent of the vote. The total number of votes won across the state is higher than the equivalent number of votes required to win 37 of the 47 House of Assembly seats outright, without the aid of preferences, yet our system does not deliver this. It does not even deliver a majority of the 47 seats.

I note that the Attorney-General has criticised the proposition that the number of seats won should in some way correlate to the statewide popular vote. Of course, in one respect he is correct in that we have a system that comprises 47 separate contests. The two-party preferred vote is a by-product of these contests.

However, I remind the Attorney-General that the 2PP is not simply an academic by-product, as he suggests, that has no relevance to reality. It is what the good people of South Australia say they want. It is enshrined by the people by way of a statewide referendum in our state's constitution. The concept, practice and desire to have the popular will reflected in our parliament was put in the constitution by South Australians in 1991. They want the majority reflected in our parliament; they voted for it in 1991, they have been let down in 2002, in 2010 and in 2014. The opposition is keen to engage in constructive discussions with the government about electoral reform, but we do not think that the democratic will is an unattainable academic theory.

I would like to address some of the other remarks the Attorney-General made about this place and the members in it. He once again become nostalgic about his failed attempts to introduce Sainte Laguë, and bemoaned the failure of the OPV bill, decrying the current practice of electing people and implying that this in some way was undemocratic. In my view, this place is far more democratic in the way it is elected and the way it translates the votes of South Australians into representation.

In the Legislative Council the Liberal Party won 36 per cent of the primary vote, compared with 31 per cent achieved by the Labor Party and 6.5 per cent by the Greens. With that 36 per cent of the vote the Liberal Party secured 36 per cent of the seats. The Labor Party was fortunate that its vote, at just 86 per cent of the Liberal vote, managed to secure the same number of seats.

The Attorney-General again spoke yesterday in the House of Assembly favourably about optional preferential voting. As I have indicated in this house before, the Liberal Party is open to discussing that reform going forward and of course is even more open to it now that it seems that the federal parliament is intending to move that way. But, if the Attorney-General thinks that OPV is the answer, let me also remind him that the debate around that legislation and other electoral reform was also about how we can improve democratic representation in this place.

I remind the Attorney that if the logic that voters should not be forced to express a preference applies in relation to Legislative Council votes, it applies just as much to preferences for House of Assembly candidates. I assume he is seeking to introduce OPV as a method for electing members to the House of Assembly also. All of the arguments he has levelled at this place in relation to OPV apply equally to the House of Assembly.

Turning back to the current constitution of this place, I can say that, given the Liberal Party received the largest share of the statewide vote in both houses and the greatest share of seats in this place, the Liberal Party will continue to take very seriously the responsibility we carry, the mandate we hold as the most preferred party of South Australians. We will represent not just those who voted for us but all South Australians, despite the fact that our electoral system does not award seats in the House of Assembly proportionate to the support we received.

We also acknowledge the mandate of every elected member of this chamber. Although the Liberal Party would claim we have the greatest mandate with the highest number of votes received per member, all of us in this chamber have a mandate to represent the interests of those who elected us. At times, those interests will bring us into conflict on their behalf, but more often than not it should draw us towards a consensus as we collaboratively serve the interests of the state in its entirety. We

all want the best for South Australia, and I look forward to working with all members of this place—honourable members of the government, honourable members of the crossbench and my own party colleagues—to achieve this. I support the motion.

The Hon. T.J. STEPHENS (12:09): I rise to support the motion. At the outset I congratulate the Governor and Mrs Scarce on the way they conduct themselves at all times and represent the people of South Australia. I am incredibly proud of the work they do and, as I said in a previous speech, I rarely congratulate the former premier Mike Rann on a number of his appointments, but I think premier Rann got it absolutely right with Governor Kevin Scarce, and obviously Mrs Scarce plays such an important role. I sincerely wish them all the very best, as I believe their terms are coming to an end.

I would like to pay tribute to the Hon. Ann Bressington and the Hon. Carmel Zollo for the work they have done for this council. I would also like to congratulate all those MLCs who have been returned to this place.

In particular, Mr Acting President, I would like to congratulate you and the Hon. Mr McLachlan for being elected to the Legislative Council, and would like to place on the record that I thought both your maiden speeches were a credit to yourselves, your family and friends, and your parties, which decided to nominate you to be elected to this place. I have also been fortunate enough to hear and read the maiden speech of the members for Bright, Mitchell, Mount Gambier, Hartley and Schubert in the other place, and I was really impressed. I thought they were thoughtful, insightful and inspiring and I really look forward to working with those members.

A common theme in the speeches was the perilous state of our economy, and after 12 years of Labor government our economy is absolutely on its knees. The Premier says that he wants to embrace business—which is, of course, our theme, as to how we would get this economy to tick over again. There are things like payroll tax, land tax and WorkCover which are great places to start. It is not rocket science; the reality is that you really must reduce the burden on business to give business the opportunity to grow and employ people, the very people the Labor Party often says are its core constituency.

I hope it still thinks that working people are its core constituency, and not only people on welfare. I fear that this state is heading towards becoming just a welfare state. Business is finding it incredibly difficult to operate. Early this morning I headed up to my barber to be shorn, as is my wont. He could not do much with my head; this is the best he could do, but I was disturbed to hear him telling me how many people he knows who are in small business who are doing their best to get out of it. They want to sell and get some money for their business while they still can. We are not talking about anything other than the fact that this current state Labor government does not understand that the imposts and regulation that small business has to deal with is making it almost impossible for people to run sustainable businesses. That sort of feedback really disturbs me.

I will continue to work with the industries I have had particular relationships with. I said in my maiden speech that I would always support industries such as the club industry, the hotel industry, the racing industry and, in particular in recent times, the real estate industry, which has suffered with further burdens of overregulation, making it difficult for people to survive.

I made these notes last night and then, of course, I find that the health minister has decided that smoking outdoors in venues will be prohibited. Some people may say that that is entirely reasonable, but I say that unless someone has the guts to ban smoking then I think it is time we got off the throats of those who choose to smoke. It may not sound too bad, that you cannot smoke outdoors, but I have made some investigations and have found that hotels, for instance, have spent enormous amounts of money trying to comply with legislation to let people who do smoke participate in smoking.

I am not a smoker—this is not about self-interest for me, or my wife, who has fortunately given it up—but it is a legal pastime. We find that hotels and clubs have spent an enormous amount of money trying to ensure that all patrons can go and do their thing. If you do not like to smoke, you can be inside, you cannot have that burden pushed upon you, not like it was in the old days, but I have found that if somebody has a bowl of chips or some nuts, and they take them outside, then that will be deemed to be an area where people are eating so smoking will be prohibited.

So, the working class habit of having a couple of gaspers and a couple of beers after work with your mates—your comrades—well, this government has decided that they are not going to put up with that any more. Whatever happened to choice? Whatever happened to common sense? A bit of feedback that I have had, because I made some inquiries straight away about this, is that our reasoning is: because every other state in Australia does it. Well, maybe they have not got it quite right. Maybe people should have a bit of choice with these sorts of things.

I am informed that these measures will be put in by regulation. I will do my best to disallow these regulations, and I hope I get some support from the chamber. I am not a pro-smoking person, I do not particularly like it, but it is a legal pastime and, as I said, unless someone has the guts to decide that they are going to outlaw it, which I do not think is reasonable, I think people should have the choice. Why are we making people's lives miserable and why are we making it harder and harder for businesses to sustain themselves? Again, I think this is a brazen attack on working class people. If you want to have a cigarette and you want to have a beer with your mates after work, where is the harm—seriously? We are becoming a state of nimbys and I cannot understand why this government would go down this particular path.

We have had quite a bit of interference with real estate legislation over the last number of years. I was hoping that clubs and hotels would be left alone with no further extra regulation, no further deterrence for people to own businesses and work in those businesses. I would like to see people take a bit of self responsibility with regards to what they do in hotels and clubs, with no further regulation, or over-regulation, but, of course, the smoking thing has hammered that.

Certainly the real estate industry is doing it particularly tough at the moment so it would be wonderful if this government could just leave them alone, and not try and further regulate and make it more difficult for people to go about their business to buy and sell houses because, at the end of the day, people do buy and people do sell, and the government should try and get the hell out of the way.

I want to refer to the member for Enfield—and I will speak on behalf of my members in the Liberal Party and my crossbench colleagues if they would indulge me. Members of the Labor Party in this house can speak for themselves if they so wish, but for Mr Rau to—and I will read his comments as reported in the paper and I have since had a quick glance at his speech. I quote Sheradyn Holderhead:

Deputy Premier, John Rau, has used his reply to the Governor's speech to push the important issue of upper house reform and had a crack at its members. Mr Rau's remarks were made less than 24 hours after Labor colleague and upper house member John Gazzola used his reply to the Governor's speech to label President Russell Wortley 'a parasite', calling for his resignation from the plum post. Mr Rau said reform to the upper house was important and joked it was a common topic of conversation at barbecues with friends.

Well, I would like him to name the friends. I am not sure how many he has but I think he is using that a bit liberally. It continues:

When you go to a friend's barbecue they start saying, what about the upper house?

Well, I have to say that is not something I have ever been attacked with, and I do have a few friends that I go to barbecues with, believe it or not. It continues:

Because everybody is talking about it. They get quite excited, particularly when they have had a couple of beers.

Well, so should everybody. It continues:

Everyone has a view. Number one is, who are these characters?

Who are these characters? I think that this is a chamber in which we do not necessarily agree on everything but everybody brings something to this particular chamber. I know my colleagues on the opposite side have skill sets. They have worked in industries looking after the terms and conditions of working people. For the Deputy Premier to be making disparaging remarks about the types of people we are, I find incredibly offensive.

I would ask, 'Who is he?' Who is he, Mr Acting President? Was he a community advocate for the people of Enfield before taking that seat, or was he somebody who knifed a sitting member of the Labor Party and took that particular seat? Does he live in that community? These are questions that I think the Deputy Premier should ask himself before he starts questioning the character of the

people who are in this particular chamber. I certainly find it incredibly offensive on behalf of my colleagues, certainly within the Liberal Party, who all have real life experience, for the Deputy Premier to be saying, 'Who are these people?'

Then he goes on to attack all upper houses, including the Senate. Can I say that I believe the Senate performs an incredibly important role in our parliamentary democracy. I for one will always support it. Why the Hon. John Rau would attack the Senate is beyond me, given that—

The Hon. T.A. Franks: Why John Rau does anything is beyond me.

The Hon. T.J. STEPHENS: I acknowledge the Hon. Tammy Franks' interjection. I really find it quite offensive. It is one thing for people to be talking about changes and reform, but when you start talking about the types of people who are in this house, I am certainly going to get angry about it, and I am happy to defend my side of politics and the Liberal Party. I am hoping the honourable members opposite in caucus give him a fair dressing down, because I just do not know why he thinks he is such a trumped up person.

With those few words, of course I am disappointed to be on this side of the chamber. A total of 93,000 more people voted for us than the government. The rules are that the government is the government, so it is our job to hold them to account. To rebut the obvious arguments about the Liberal Party having a gerrymander under Playford for many years, I have to say premier Playford did outstanding things with this state and left us in a lot better place.

If only that were going to be the case. With 16 years of Labor rule, if this was going to be a stronger state, then perhaps we could live with it, but the facts are that we are not. We are leading Australia in a negative way on most economic indicators. Our unemployment rate is the worst in mainland Australia. This government constantly talks about its term. I can tell you that in 2002 we were mid-pack in a strong economy in economic indicators in Australia.

With that, I support the motion and wish all honourable members well in this coming term. Let us do good things for the people of South Australia. I know we work in their interests. The Deputy Premier may not think so, but then I often wonder what drives the Deputy Premier with some of his deliberations.

The Hon. B.V. FINNIGAN (12:23): Could I begin by thanking His Excellency the Governor and the establishment of Government House for the ongoing work that they do. I think everyone in this house, and outside indeed, agrees that the Governor has discharged his office with great distinction, and I certainly pass on my thanks to the Governor and his wife for the work that they have done. Congratulations to all the new members in this place and particularly to you, Mr Acting President. Your story, I think, is a great inspiration to us all and shows what is so great about our country.

I would like to comment on the election and congratulate the government on its forming government again. There will be a lot said about the election. There already has been and will be as time goes on. We already have a couple of select committees proposed in this chamber by the Hon. Mr Wade and the Hon. Mr Brokenshire, and the Deputy Premier in the other place has indicated the government is considering forming a joint committee on electoral matters. Out of all of that, one assumes there will be some sort of committee. I would certainly be happy to serve on any of those committees, if it be the will of the house. Electoral matters are important and I think something that we all take an interest in.

In relation to this election result, we have heard a lot from the Liberal Party asking why they are not in government given that they scored a significantly higher primary vote and a higher two-party preferred vote. While there is certainly validity in those arguments in that, ideally, a system would deliver a result where whoever gets the majority of the two-party preferred vote would form government, we all know that we have a Westminster system with single-member electorates. There are 47 seats in the House of Assembly and whoever can command a majority on the floor of the House of Assembly forms government. That is how it has always been in South Australia and I suspect it will be for a long time to come. No-one is under any illusion that that is the system that we work within and the objective is to get 24 votes or more on the floor of the House of Assembly.

Particularly the Liberal members have been suggesting that they have been somehow robbed at this election, which was the same argument they made in 2010. If the people of South Australia felt that the arguments they ran in 2010 about being robbed and not forming government

when they should have been valid, they certainly had an opportunity in 2014 to correct that, and they failed to do so.

It reminds me considerably of people in the Labor Party after 1975 who railed against Sir John Kerr and what had happened to the Whitlam government. The people of Australia had two opportunities to correct that, in 1975 and 1977, and both times resoundingly said, 'No, we don't want Mr Whitlam to be Prime Minister.' At some point, you have to accept that people voted the way they did.

There are 47 seats in the House of Assembly and whoever can command a majority in that house forms government. That is it. It is not particularly complicated. If you want a system that ensures (as the Hon. Mr Wade suggested happens here) that if you get X per cent of the vote you get X per cent of the seats, that is easily done. We get rid of single-member electorates and we have a list system. We have proportional representation in the lower house.

There would be no way on God's green earth that the Labor Party or the Liberal Party are ever going to do that because that would mean that the Hon. Tammy Franks and her colleagues and Family First, and others, would be represented in the lower house. We all know that no-one in the Labor and Liberal parties in South Australia, I am pretty confident, would be wanting to go down the track of the ACT, Tasmania, New Zealand or many European countries where you do have some sort of multimember electorates and some sort of proportional representation in the lower house. That would mean you would almost never have a majority government, and that will not happen.

The Hon. T.A. Franks: What about the lower house in New South Wales?

The Hon. B.V. FINNIGAN: The lower house?

The Hon. T.A. Franks interjecting:

The Hon. B.V. FINNIGAN: Yes, sorry, but it is not PR. I do not think it is really valid for the Liberal Party to complain about why they have not formed a majority. I think it is rather insulting to electors in places like Elder, Colton and Ashford, and other marginal seats, to infer that they did not really know what they were doing when they elected or re-elected a Labor member. I think it is pretty insulting to say that the people in those seats re-elected a Labor member and they did not really know what they were doing, they all wanted a Liberal government. To me, that is saying to the people in those seats, 'You didn't know what you were doing. You don't understand the electoral system, and we should fix it so that the outcome is as we should determine.' The people determine the outcome and that is the way it is.

You could as easily argue that the country voters are disenfranchised, in the sense that the central issue with the distribution of votes and seats in South Australia is that South Australia does not have a Wollongong or a Geelong. We do not have relatively large country areas compared to a lot of the other states. Eighteen per cent or so of the population live outside Adelaide and nearly all of those are Liberal seats so we know that, in effect, the election is almost always decided in metropolitan Adelaide and that does throw out the whole overall two-party preferred equation because the reality is that there are large chunks of Liberal vote locked up in country seats.

You could as easily argue that Labor voters in country areas are disenfranchised, in the sense that roughly 30 to 35 per cent of them on a two-party preferred basis vote Labor, but they have one seat out of the number of country seats—which I am not sure offhand, but it is about 12 or 13 in the lower house. You could say, 'Well, why isn't Port Pirie and Port Augusta together?' or 'Why isn't Mount Gambier and Millicent together?' so that there is more chance that the will of country voters is reflected in that there is more chance of Labor winning seats there. That certainly is not the case. I do not think that would be an appropriate manipulation of electoral boundaries. However, to suggest, as the Liberals have consistently, that there is some sort of gerrymander or that there is something fundamentally rigged about the system is a misnomer.

There are plenty of reasons to understand why the government was returned. I think there is a general feeling in the community that things are ticking along reasonably well economically. Now, there are certainly those who will say they are not and I do not pretend for a moment that everything is perfect. There is higher unemployment than we would like to see and we would certainly like to see more economic activity, and I would like to have seen Olympic Dam go ahead. There is a whole range of things that could be better, but many people in the community remember 17 per cent interest rates, 11 per cent unemployment and stagflation, and so they do not look around and see what is

happening in South Australia at the moment and think that it is a disaster. Yes, it could be better, but they do not feel that the economy is on the brink of some sort of collapse as was suggested by some.

I think the election of the Abbott government in September last year was definitely a big factor in the state election and not because people had already turned on Tony Abbott, although some people would like to think that is the case, but because people have an innate caution about one side of politics controlling all levels of government. So naturally, particularly when it was clear that Tasmania was going to elect a Liberal government, I think people were a bit more cautious about the idea of one side controlling everything.

In the coming term of government I think there has been more talk recently about the agricultural industry and I think that is very important. Of course, mining is a critical part of our economy, but agriculture is and will remain very much a bedrock of the South Australian economy. So I think it is very important that that is acknowledged and that considerable efforts are put into maximising our exports and maximising and enhancing the reputation of South Australia as a high quality destination for food and wine—to find food and wine, not to send it.

The great challenge that faces this government is that which is facing Western governments around the world, or governments in industrial economies around the world, since the GFC. There was a time not so long ago when revenue was plentiful at federal and state levels and governments were almost falling over themselves finding ways to spend it or give it away, but we know that since the GFC revenue has taken an enormous hit at the state level and at the federal level and, indeed, it is reflected around the world.

The great challenge that faces the government now in this state and into the future is that we simply do not have enough revenue to cover the cost of the things that people expect and want the government to do—and that is speaking very broadly, it is not a characterisation about this government. It is certainly the case that across the globe, with the development of the welfare state over the years as well as government participation in so many other areas in which they never used to participate, including the economy with businesses subsidies and so on, there is so much that is now expected of government and that governments want to do and that people expect them to do and it is hard to get to the position where revenue can provide for all those things.

So, as a community and a society we really have to think about whether we want to increase revenue, whether we want to cut back, or in some way reform or delineate who does what at the government level. I suppose the federal budget and what is happening there will be a test of where people see that argument going because essentially what the federal government has said is that there is a budget emergency, we need to fix it and in order to do that we need harsh measures.

On the other hand there are those, including the opposition, saying that it is not that bad, particularly compared to around the world, and that with our debt to GDP ratio we do not need to do anything drastic. So, where that argument lands in terms of community opinion is going to be very important because I think that is the central challenge that faces all governments around the world, including this one.

One only has to look at the ministries from the governments of 100 years ago or longer to see that when you look at the list of ministers you notice all the things that are not there compared to what is there now, in the range of responsibilities that the government has taken on.

Finally, if I may just touch on the federal budget—it was not part of the Governor's speech since it had not happened at that time—as a number of honourable members have. There are just a couple of things that I want to touch on. One relates to young people's access to the dole or to benefits and having to wait six months. I think that is a very tough measure and one that misunderstands how things are for people in the community. Not everyone can live with their parents or a sibling or find some sort of support for six months while they are waiting to receive benefits. I think that is going to be a very draconian measure.

The other thing is in relation to apprenticeships and apprentices getting loans. That, to me, is a sort of non sequitur. If you are doing an apprenticeship you are not doing a university degree, you are not studying; you are working and learning and being paid to work and learn. The key thing is that you are being paid to work. So if apprentices are finding themselves unable to make ends meet, the solution is not to get them to take out a government loan: it is to ensure that they are paid more because they are working; they are being paid to work. They are putting in their honest labour

and they should be adequately compensated for it. I do not see that that is the same as HECS at all because an apprentice is working as they are learning. Yes, they are receiving training and, yes, hopefully they will come out of it with a qualification that will assist them to earn money in the future, but they are not being paid just to go along and learn; they are being paid to work. They should not have to seek further income from the government to do that, particularly borrowed income.

Finally, I will just touch on the cuts to the foreign aid budget. I absolutely accept—as the Prime Minister would say—that there is a problem with the federal budget and it does need to be addressed, but to single out foreign aid for cuts I think is most unfortunate, a most retrograde step. We all know that around the world governments are facing budget pressures, but to essentially punish for our profligacy very poor people in surrounding nations around the world I think is simply shameful. Australia, as it is, ought to be contributing more to our foreign aid not cutting it back.

When we look at the things that this council has dealt with this week, including bike lanes and the probity of land deals and so on—these are important things, of course—but for a billion or so people around the world, they are struggling to find enough to eat and clean water and shelter. So, to suggest that a wealthy, advanced country like Australia should abandon those people or cut back on our foreign aid because of our own mismanagement I think is certainly unfortunate and it should be resisted. Mr President, I congratulate you on your election as well; you were not in the chair when I began. I commend the motion to members.

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) (12:39): I would like to start by acknowledging the contributions of members to the Address in Reply and thank them for their contributions. Most importantly, I acknowledge and thank His Excellency the Governor, Rear Admiral Kevin Scarce and his wife, Liz Scarce. The Governor and Mrs Scarce are strongly committed to the South Australian community and continue to support many individuals, organisations and charities in their work. They regularly open their home and are very warm, charming and generous hosts for a whole range of ceremonies and activities that help celebrate and acknowledge South Australians and their achievements. It is a great personal pleasure and privilege for me to have had the opportunity to spend time with them and to see the welcoming and very warm way that they engage with their visitors and I acknowledge all the support they have given me in my responsibilities.

I want to acknowledge the contributions of former members of the Legislative Council, the Hon. Carmel Zollo and the Hon. Ann Bressington, and acknowledge the incoming, the Hon. Tung Ngo and the Hon. Andrew McLachlan. I would also like to congratulate you, sir, on your elevation to the most important position of President. I think that Labor, during its past three terms in office, has a very proud history of electing very strong presidents who have all made valuable contributions to maintaining the standards and integrity of the Legislative Council: The Hon. Ron Roberts, the Hon. Bob Sneath, the Hon. John Gazzola and now yourself, sir. I look forward to your stewardship throughout this term of government.

At the opening of the 53rd parliament on Tuesday 6 May, the Governor spoke of the Weatherill Labor government's vision for the future of this state, and he outlined the three principles that will lead our government's direction and focus. It is a very effective and straightforward approach. It is about collaboration, innovation and commitment to an outward-looking approach which underpins our direction. As the Governor explained, they build on the Weatherill government's seven strategic priorities: an affordable place to live; creating a vibrant city; every chance for every child; safe communities healthy neighbourhoods; growing advanced manufacturing; realising the benefits of the mining boom for all; and, of course, premium food and wine from a clean environment.

We remain committed to those seven strategic priorities, which are already providing some excellent outcomes for South Australia. We have taken some unexpected hits since the strategic priorities were first set in place. We are all very much aware of BHP Billiton's announcement in August that its plans for the multibillion dollar expansion of the Olympic Dam mine was going to be delayed and, sadly, late last year we had Holden's confirmation that it would cease operations at the Elizabeth plant from 2017. There is no denying these changes have had a difficult impact on many people in this state and will continue to create many challenges for us. When our economy takes hits like this we must always remember that there are individuals deeply affected by these decisions.

Holden's decision is most certainly a blow to our community as we have a strong manufacturing industry built around the automotive industry. Indeed, Australia's car manufacturing industry has had to deal with many significant changes over recent years. But from these challenges opportunities will emerge and this government is determined to take hold of those opportunities and will accelerate its plans to transition our economy to a sustainable manufacturing base by 2017. We had planned these changes to occur over a decade but we recognise the urgency brought on by the announcement of BHP Billiton and Holden and therefore we have decided to move more quickly.

This government is very strongly focused on its vision to keep building South Australia. Our three core principles will take us to a stronger South Australia. Yes, we have challenges, but we are already well down the path of building a strong state.

In our capital city of Adelaide, we have \$3.4 billion of infrastructure projects, including 19 privately funded projects in and around the city that are in the approval pipeline or case management, with projects yet to commence construction worth more than \$750 million. We are creating a vibrant city which is helping to attract record numbers of visitors. The number of overseas tourists continues to grow, and Adelaide's reputation as a key destination in Australia is also growing.

Adelaide has been selected by *National Geographic* as one of the 17 smart cities of the world and was the release site for a television series. Adelaide was also selected, alongside Paris, Zürich and Shanghai, in the *Lonely Planet's* 2014 top 10 cities of the world. It consistently rated as one of the world's most liveable cities and is the nation's safest capital city, yet remains an affordable place to live when compared to other Australian states and territories. The renewal and revitalisation of the inner-city restaurant and bar scene, building on our vibrant city, is attracting attention all around the world. This is what we already have and what we will continue to build on.

We want to continue to strengthen our economy and create jobs. The new department of state development, which will be created from the merger of the Department for Manufacturing, Innovation, Trade, Resources and Energy and DFEEST, will have a single focus on the economic drivers that will lead the transformation of the economy of this state.

Our task is made more difficult by the savage cuts that we saw announced last week in the federal budget. The Abbott Liberal government seems determined to attack our society and punish those who need the most assistance. We are facing a terrible impact on the Australian economy and workforce, and it seems like a deliberate attempt to impact on the great efforts of the state government to grow our potential. We will not be defeated though. The impacts will be savage, the cuts will be deep, but our resilience and our resolve to keep pushing ahead with our efforts will not be overtaken.

Let me return to those three important principles: our focus on collaboration, innovation and an outward-looking approach. These things will help us build even better outcomes. We will intensify the level of collaboration between business, the government and academia. Collaboration and partnerships can achieve many things.

We already have the decision by Hewlett-Packard to expand its presence in Adelaide, creating more than 400 jobs over the next four years in high-end technology. Its operations will be completed with the Innovation and Collaboration Centre within the University of South Australia's new development in the Health and Biomedical Precinct on North Terrace. With the SA Health and Medical Research Institute now open for business, South Australia is well on its way to becoming the smart state. The Health and Biomedical Precinct is a beacon for high-quality jobs and high-quality people as well, and those jobs are likely to attract, as I said, more talented young people to this state.

This government will establish a health industry board to help harness our medical innovation and drive business opportunities that will create jobs. That brings us straight to the Weatherill government's second principle: innovation. We must constantly strive to find new and better ways of doing things. The government itself is taking the lead with the renewal of the South Australian public sector, for instance. As I said, we have already announced the creation of a new department of state development, and we will continue to reform the public sector and lead by example.

The Premier recently announced two new innovation centres, jointly funded by the state government and Hills Limited, as part of a \$5 million agreement. Uni SA, Flinders Uni and the Uni of Adelaide are part of this initiative which will help create an estimated 50 high-end jobs and numerous entrepreneurial start-up companies. The centres will find and reward local design expertise and

collaborate with education and research institutions, not to mention tap into the rich pool of independent advisers across Australia. This is government, business and academia working together and collaborative innovation in action.

Our third principle, to modernise and grow our economy, is this government's commitment to an outward-looking approach. What does that mean? It means that we turn our gaze to the world as part of our international engagement strategy, and we have identified India and China in particular. Unlike the Liberal opposition, we recognise the benefits of focusing our export and engagement activities on China and India rather than the scattergun approach they put forward during the recent election campaign.

Mention of their defeat at the ballot box is rubbing salt into a raw wound for members opposite. They are still very sore and sorry for themselves. They still cannot accept their loss. I suggest that they just need to get over it, get over themselves, stop their whinging about losing and get on with it. The Leader of the Opposition in the Legislative Council could not even manage a gracious or genuine reply to our Governor's speech. He spent most of his contribution whining about the election. It is time they stopped running down our state and got on board, rolled up their sleeves and did something to help support South Australia.

Our international engagement strategy will take South Australia into the future. The government's strategy for China has already brought remarkable outcomes in the 12 months to January this year. We have seen a 44 per cent increase in the value of South Australian exports to China. Overall the state's exports have increased by 12 per cent in the same period. Exports to China are three-quarters of that increase. We are using South Australia's unique and distinctive flavour to sell ourselves. We are also seeing inbound investment in mining and resources from China.

Later this year the Weatherill government will release its South-East Asia engagement strategy. We are already seeing an increase in exports to the ASEAN member nations. Looking towards Asia also brings cultural and social benefits and broadens our view and understanding of the world. In terms of an alternative, what do we get from the Liberal opposition? Very little! It is the same old nothing that they gave us during their election campaign, which failed to have them elected into government.

They lost because no-one knew what they stood for and that is because they did not have a plan for this state. They sat back, scratched their chins and thought to themselves, 'Well, we don't need to try too hard; we don't need to strive for a better future for the electorate, all we have to do is remain a small target and we'll win this election.' That was a very foolish strategy. They took for granted that the people of South Australia would just fall into line, would not understand the basis of their strategy—very foolish indeed of them to have had no real plan for this state. The people of this state are simply too smart to fall for that lazy and disrespectful attitude.

The Weatherill government's vision for South Australia is about renewal. Not only are we renewing the public sector and modernising the way we approach business and growth in this state but also we also recognise the need to renew ourselves. That is obvious when you look around this government and our new cabinet. We see fresh faces and we have renewed our ranks, and have brought in fresh people with fresh ideas: the member for Ramsay (Hon. Zoe Bettison), the member for Port Adelaide (Hon. Dr Susan Close), the member for Lee (Hon. Stephen Mullighan), and the member for Frome (Hon. Geoff Brock). So around our cabinet table we have four new faces. What do we see from the opposition in comparison? We just see the same old—the same old people doing the same old things, pretty much. Clearly, they have learnt nothing. It is the same old, tired faces in the same old, tired spots.

They have not even really bothered to refresh their shadow cabinet. The people who crafted their defeat, who lost them the unlosable election, are back in pretty much the same places, sitting there complaining and talking down our state, refusing to accept that they lost. In fact, they have not even bothered to match their shadow ministry to reflect the new and refreshed portfolios in this place. What have we been doing since the election? We have got on with it, and they whinge.

In conclusion, this Labor government is confident in its direction. We have many runs on the board from more than a decade in government, we have a solid and sound track record, and we are evolving and growing. Our seven strategic priorities show us the way forward for South Australia. This great state holds much potential and many opportunities, and I am confident that our three principles around collaboration, innovation and forward thinking will help turn our gaze to the world.

We have a clear commitment to the future, and will continue to build and grow this state for the next four years and beyond.

Motion carried.

The PRESIDENT: I have to inform honourable members that His Excellency the Governor will receive the President and members of the council at 3.30pm today for the presentation of the Address in Reply.

[Sitting suspended from 12:57 to 14:15]

Parliamentary Procedure

VISITORS

The PRESIDENT: Before I start, I would just like to acknowledge the Aboriginal youth parliamentarians joining us today in the chamber before they head off to Canberra next week to represent Australia at the National Indigenous Youth Parliament.

Honourable members: Hear, hear!

The PRESIDENT: I also acknowledge officers from the Australian Electoral Commission who are accompanying the young parliamentarians. This is timely as it is National Reconciliation Week. We look forward to you becoming the next generation of strong leaders in the future, so welcome.

Honourable members: Hear, hear!

PAPERS

The following papers were laid on the table:

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

Motor Accident Commission—Charter

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

Reports, 2012-13—

Adelaide Hills Wine Industry Fund
Apiary Industry Fund
Barossa Wine Industry Fund
Carrick Hill Trust
Cattle Industry Fund
Citrus Growers Fund
Clare Valley Wine Industry Fund
Deer Industry Fund
Eyre Peninsula Grain Growers Rail Fund
Grain Industry Fund
Langhorne Creek Wine Industry Fund
McLaren Vale Wine Industry Fund
Olive Industry Fund
Pig Industry Fund
Riverland Wine Industry Fund
SACE Board of South Australia
SA Grape Growers Wine Industry Fund
SA Rock Lobster Fishing Industry Fund
Sheep Industry Fund
South Australian Alpaca Advisory Group
South Australian Apiary Industry Advisory Group
South Australian Cattle Advisory Group
South Australian Deer Advisory Group
South Australian Goat Advisory Group
South Australian Horse Industry Advisory Group
South Australian Pig Industry Advisory Group

South Australian Sheep Advisory Group
Tandanya—National Aboriginal Cultural Institute
Teachers Registration Board of South Australia
Report of Actions taken by SA Health following the Deputy State Coroner's finding of
19 August 2013 into the death of William Edward Hunt.

Ministerial Statement

JUSTICE REFORM

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) (14:18): I table a ministerial statement by Deputy Premier John Rau on justice reform.

NOVITA CHILDREN'S SERVICES

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) (14:18): I table a ministerial statement from the Hon. Tony Piccolo on Novita's 75th anniversary.

Question Time

LEGISLATIVE COUNCIL PRESIDENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19): I seek leave to make a brief explanation before asking you, sir, a question about ensuring impropriety is not hidden.

The PRESIDENT: Can I just make a comment?

The Hon. D.W. RIDGWAY: I was just asking to seek leave.

The PRESIDENT: No, I am not giving leave. I have just sat through one of the most disgraceful episodes of speeches in reply I have ever heard in the eight years I have been here and probably in the history of this state. It has done this parliament no good by the fact that you have under parliamentary privilege hurled allegations at me, against some of which I have already fought defamation cases and won successfully. If you had any character at all, you would go out the front of this building and make the statements there. If your allegations have any credibility as you have said, you will sit there and I invite you to refer them to the appropriate authorities. The quicker you do it, the quicker you will be able to give me an apology. I am not accepting any questions on this. Ms Lensink.

DOMESTIC VIOLENCE

The Hon. J.M.A. LENSINK (14:20): I seek leave to make a brief explanation before asking a question of the Minister for the Status of Women regarding the government's workplace domestic violence policies.

Leave granted.

The Hon. J.M.A. LENSINK: The Women's Safety Strategy 2011-22, A Right to Safety, has in one of its frameworks for action at 1.3 under 'Promote gender equality' to:

Develop workplace measures to support women experiencing and escaping from domestic violence.

I have also examined the Women's Safety Strategy, which I think might be the most recent one, 2005-10, which outlines, department by department, each of the strategies. Within that, the only department reference that I can see which might address this topic is relationship violence at work. My questions for the minister are:

1. Is she aware of any departments that have workplace domestic violence policies?
2. For those departments that do not have them, what is she doing to address this measure?

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 her most important question, which indeed shines a light on the wonderful work that this government has done in this space. We have provided real leadership in relation to supporting women in the workplace who might be victims of domestic violence, by ensuring that policies are put in place to lend them support.

I have spoken in this place before on numerous occasions on our violence against women and children agenda, which has been quite a comprehensive one. I spoke—I think it was in question time this week—outlining initiatives in relation to our legislative reform of sexual assault and also our domestic violence legislation, the introduction of intervention orders, and the placement of a special domestic violence position in the Coroner's Court to help assess and address systemic issues. A great deal is being done in this place.

We have also, as I said, done quite a bit of work in terms of policy, right to safety. ARTS builds on the reforms undertaken through the Women's Safety Strategy to improve legislation and services and strengthen the community's understanding of the effects of violence against women, and also has a strong focus on early intervention and prevention as I have spoken about.

ARTS also outlines the South Australian government's commitment to the national plan to reduce violence against women and their children. ARTS is led by a chief executive group chaired by the Minister for the Status of Women, and the group involves chief executives, for example, from the Department for the Premier and Cabinet, the Attorney-General's, Corrections, Health, Communities and Social Inclusion, and Education and Child Development. That group brings together a range of strategic perspectives to assist government to deliver women's safety services in South Australia and there is a number of initiatives like the family safety framework, research and investigation, violence against women collaborations and the workplace domestic violence policies as well.

In relation to workplace domestic violence, given that I have spoken at length on the other initiatives in this place, I will move on to talk about the workplace domestic violence policies. Workplaces have been identified as key environments in which to undertake preventive action to help reduce violence against women and to support women who may be experiencing or escaping domestic violence. All South Australian government departments are implementing domestic violence workplace policies, if they haven't already. This was endorsed by the Premier some time ago. He has a keen interest in this area and, as I said, has personally endorsed a model policy to be looked at and adopted by agencies.

In terms of the agencies and the report to date, I have been advised that DCSI has completed their domestic violence workplace policy, DPC has completed theirs, DTF is completed, DECS is completed, Health is completed, PIRSA is completed, DMITRE is completed, DFEST I understand has just been completed, DPTI is completed, DEWNR is completed, EPA (that can be incorporated under DEWNR) is completed, SAPOL is completed and I think there are two, the AGD and DCS, that are in development and almost completed. So it is almost fully implemented.

Obviously, it doesn't stop there. We are also holding ourselves out to be a model employer and promoting the work that we have done and the policies that we have implemented to the private sector and encouraging the private sector to also include similar policies in their workplaces. Domestic violence workplace policies provide employers and employees with information about the support available for employees in the workplace.

Support for employees who experience domestic violence could include things like accessing personal leave; addressing health issues; attending legal conferences, hearings or meetings; financial child care; or other matters that may assist them to progress towards a life free from violence and its effects. Apart from the benefits to individual employees, domestic violence workplace policies position organisations to take a zero tolerance approach to all forms of violence against women and, of course, obviously workplaces are important settings for promoting equal and respectful relationships and have a positive role in promoting healthy and respectful cultures in the broader community.

DOMESTIC VIOLENCE

The Hon. J.M.A. LENSINK (14:28): Supplementary question. Could the minister commit to ensuring that these policies are available on the Office for Women's website and individual departmental websites to ensure that other workplaces might consider adopting them?

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) (14:28): I'm not sure that they aren't. I have to say, I find it quite incredulous that the opposition can stand there in this place poking their finger at what is a very impressive track record when it looks like the Abbott Liberal government is going to reduce money for housing that provides very important shelter for women seeking refuge from domestic violence.

We see a Liberal federal government that has not committed funding beyond, I think, this financial year. There is no further money in the forward estimates. They refuse to comment about the future of that homelessness money and, as I said, a part of that homelessness money here supports funding for shelter and housing for women seeking refuge. I think that the member opposite me should take a good hard look at their own Liberal government and, if they want to make a difference in this space, work on their own federal colleagues to lift their game and commit to future funding.

DOMESTIC VIOLENCE

The Hon. T.A. FRANKS (14:30): Is the minister equally concerned that it was under the Rudd-Gillard government that that homelessness funding was only available for a year into the forward estimates and indeed did expire in this current financial year and the Liberals have actually extended it for a year? Is she concerned about that as well?

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): Here we see the Hon. Tammy Franks, the biggest Abbott apologist in this chamber. It is unbelievable. Gobsmacking, Mr President, absolutely gobsmacking.

The Hon. T.A. FRANKS: Point of order. I find that offensive and I ask the minister to withdraw.

The Hon. G.E. GAGO: It was meant to be offensive, Mr President, but it certainly was not unparliamentary and I will not withdraw unless it is—

The PRESIDENT: The honourable minister, can we just say that in light of the disgraceful performance during the speeches in reply, I think we have really got to lift the standard.

The Hon. G.E. GAGO: True, Mr President.

The PRESIDENT: I think it would be good if you would withdraw.

The Hon. G.E. GAGO: I seek your guidance, Mr President, and I thank you for your advice and, given that, I think you are right. We should set an example and take the high moral ground and according to your advice, sir, I will withdraw the comment.

The PRESIDENT: Thank you.

RETAIL SECTOR

The Hon. J.S. LEE (14:31): I seek leave to make a brief explanation before asking the Minister for Business Services and Consumers a question about South Australia's retail sector.

Leave granted.

The Hon. J.S. LEE: Reported on the front page of *The Advertiser* of Monday 19 May, it revealed that Australia's biggest retailers and industry leaders used their submissions to the Productivity Commission's retail inquiry to demand an end to South Australia's outdated red-tape regime. Some of the industry leaders said they would be better off moving their businesses overseas.

They described the South Australian retail environment as 'anti-business, uncompetitive, inefficient, over-regulated, overtaxed and out of touch with economic reality'. Nigel McBride from

Business SA described on FIVEaa on 19 May that 'if these things didn't exist they'd invest more and they'd employ more people'. He further said that industry complaints about our uncompetitive taxes, levies and charges have got to be heard. My questions to the minister are:

1. How will the minister intend to rescue South Australia's retail environment from the excessive over-regulation, taxes and red tape?
2. With various industry leaders wanting to invest in South Australia, what processes will the government introduce to ensure their complaints are heard?
3. With the state budget to be released in June, can the minister confirm what measures will be in place for red tape reduction?

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) (14:33): I thank the honourable member for her questions. The CBS, the Consumer and Business Services agency, has been working extremely hard to reduce red-tape costs to the community. They are particularly mindful of how difficult it is to get the balance right between making sure that we have enough regulation in place to ensure that, for instance, consumer rights are protected and that safety standards are upheld, whilst, at the same time, making sure that the cost imposts associated with that regulation are not prohibitive.

I think the agency, CBS, does an extremely good job at getting that balance right and they are basically in a constant state of reviewing and monitoring and looking at opportunities to cut red tape wherever they can. For instance, a number of initiatives have been implemented in recent years by the CBS that have saved over \$21 million per annum and they are currently working on implementing a number of additional measures. It is anticipated they could save up to a further \$17 million per annum.

Some of the initiatives implemented in recent years include the interim approvals that are now issued to applicants for approval as responsible persons for liquor licences and gaming machine employees. This allows people to commence in their new roles much sooner. That is an estimated saving of about \$9.3 million per annum. A simplified financial assessment method for building work contractors' licence applications was recently introduced that is estimated to save around \$5.6 million per annum. A national registration of business names has commenced and businesses need now only register once to operate anywhere in Australia, and that is an estimated saving of about \$3.5 million.

A simplified reapplication process has been developed for people whose building work licences have lapsed within the previous 12 months, which is a saving of about \$1.9 million. The regulation of trade measurement was transferred to a national body, which makes sense, and nationally consistent laws have been introduced, and that is a saving of about \$0.5 million. There are some aspects of product safety; simpler liquor licensing for smaller venues; a streamlining of approval requirements for gaming machines; and a simplified process for councils to apply for declarations for dry areas, and so it goes on.

The CBS has also introduced a range of online services; things like removing the prohibition against bankrupts working as subcontractors; allowing building work contractors to engage their supervisors on a contract basis rather than as an employee; replacing the application approval process for gaming machine managers; and amending the approval requirements for responsible persons, as I have said, and so the list goes on.

As I said, it is an impressive track record. They work very hard in that space. It is a balancing act. We require regulation and legislation, as I said, to ensure that businesses are doing the right thing, that consumers' rights are protected, that safety standards and other standards are enshrined, while at the same time making sure that we keep reviewing the cost imposts of such regulation and looking at ways of streamlining and making businesses' lives easier.

FORUM OF AUSTRALIAN CHIEF SCIENTISTS

The Hon. K.J. MAHER (14:37): My question is to the Minister for Science and Information Economy. Will the minister advise the chamber—

Members interjecting:

The PRESIDENT: Please allow the Hon. Mr Maher to—

The Hon. T.J. Stephens: Please make sure you abuse your position.

The Hon. G.E. Gago interjecting:

The PRESIDENT: Minister. I think the only thing that has been abused in this place is parliamentary privilege. That is what has been abused in this place. The Hon. Mr Maher.

The Hon. K.J. MAHER: My question is to the Minister for Science and Information Economy. Will the minister advise the chamber of a visit by the Forum of Australian Chief Scientists and the risks that the federal budget poses to South Australia's hard-earned reputation as a world leader in innovative research?

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) (14:38): Great question. I see that the Hon. Kym Maher does not waste his opportunities to ask good questions in this place, unlike the Hon. David Ridgway opposite.

The Hon. T.J. Stephens: Why don't you answer without reading it. Let's see how smart you are.

The Hon. G.E. GAGO: I can hear the Hon. Terry Stephens squealing like a stuck pig over there—

The PRESIDENT: The honourable minister, let's just cool it down.

Members interjecting:

The PRESIDENT: She did not call him a stuck pig; she said he was squealing like a stuck pig. We need to lift our game a bit on this. Really, we are going into total disrepute in this chamber. The honourable minister.

The Hon. G.E. GAGO: I am very pleased to inform the chamber that Australia's top science brains will be touring Adelaide's cutting-edge research facilities today as part of a meeting of the Forum of Australian Chief Scientists. Australia's Chief Scientist, Professor Ian Chubb, and the chief scientists from New South Wales and Queensland will join South Australia's Chief Scientist at key precincts in Adelaide. The forum members will have the opportunity to sample the world-class quality of our science and research facilities, including the South Australian Health and Medical Research Institute (SAHMRI), the South Australian Museum and The Braggs building at the University of Adelaide.

Over the past decade, South Australia has been leading in innovative new research precincts and clusters that bring together universities, industry and researchers from around the nation and from around the world. This is, in no small part, due to the state government's continued investment in science, research and innovation to support initiatives like the Premier's Science and Industry Fund. The state government has also invested an additional \$8 million in Investing in Science, the government's action plan to guide investment in science, research and innovation, which I have previously spoken about in this place.

The \$8 million will boost the Premier's Research and Industry Fund and increase the Catalyst Research Grants from four last year to 15 to particularly assist younger researchers. In total, approximately \$170 million per year from across government is supporting the delivery of the 41 actions detailed in the Investing in Science action plan. It is no surprise that this government's investment is in stark contrast to the Tony Abbott Liberal government's investment in science, research and innovation. In this year's federal budget we have seen wideranging cuts to science and research programs, which will have a significant impact on South Australia's innovative research. This comes at a time when the state is working to attract world-class researchers.

The Abbott Liberal government's budget has cut more than \$845 million over five years to national innovation and commercialisation programs. These cuts will significantly hamper South Australia's ability to innovate and prosper through its own science and research work. This is at a time when we should be boosting the nation's expenditure on research and development so our businesses can continue to innovate and be counted on the world's stage, not reducing it.

These cuts send negative messages to researchers and potential investors, who may now bypass South Australia and take their money, their jobs and their innovation elsewhere. These cuts make no sense in a country that wants to prosper and this Labor state government will not stand idly by, like those opposite us, while Tony Abbott and Joe Hockey slash our science, research and innovation funding.

Part of the details include a slashing of \$80 million nationally from the CRC program, the axing of the Australian Renewable Energy Agency, a 1.5 percentage point reduction in assistance under the Research and Development Tax Incentive program, funding cuts to the CSIRO, the list goes on and on.

LAND ACQUISITION

The Hon. J.A. DARLEY (14:43): My question is to the Minister for Sustainability, Environment and Conservation representing the Minister for Transport. In transport-related land acquisition matters, are accounts submitted by dispossessed owners for reimbursement of reasonable valuation expenses independently assessed or are they assessed by departmental officers? If they are assessed by departmental officers, what are the relevant qualifications and experience in valuation of the assessing officers and when was the last time they had actual practical valuation experience?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:44): I thank the honourable member for his most important question and direct it to the Minister for Transport and Infrastructure in another place. I will take that question to him and seek a response on his behalf.

CONTAINER DEPOSIT SCHEME

The Hon. J.M. GAZZOLA (14:44): I ask the Minister for Sustainability, Environment and Conservation whether he will inform the house about the effect the increase in deposit from 5¢ to 10¢ has had on the return rates for the container deposit scheme?

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 and I will try not to fall into the Hon. Mr Parnell's trap and use those terrible puns, as they are wont to use over there. When I do puns they are excellent ones.

In South Australia we have many examples of world's best practice when it comes to waste management and recycling. In fact, just under 80 per cent of all waste is diverted from landfill for recycling in this state. This is a fantastic outcome. It reflects the two key objectives of our waste management strategy: to avoid or reduce the amount of overall waste and to maximise the useful life of materials by making them last longer through reuse and recycling.

The container deposit legislation (CDL), introduced in 1977 in South Australia, has played an important role in achieving these results. In fact, the CDL was declared a heritage icon in 2006 by the National Trust SA in recognition of the role it has played in contributing to South Australia's cultural identity. This is reflected in the results of independent research undertaken in September 2012. This research shows that 98 per cent of South Australians are supportive of the scheme, making it perhaps the most successful legislation ever passed in this state.

Thanks to our container deposit legislation the overall return rate for beverage containers in South Australia is currently 81 per cent, I am told. In fact, beverage containers make up less than 2 per cent of our litter stream. Despite these successes, in the mid to late 2000s a slight downturn in CDL return rates was noticed. There could be many reasons for this decline, but a contributing factor was likely to have been the diminishing value of the 5¢ return deposit, the amount paid for returning the container.

As most people in this place are aware, in 2008 the refund amount was increased from 5¢ to 10¢, and I am pleased to advise now that this has led to a consistently higher rate of return for beverage containers. The 2012-13 return rates show an increase of over 15 per cent compared with the 2007-08 period, when the refund amount was just 5¢. It is worth noting that in 2012-13, 594 million

containers, which equates to around 43,000 tonnes of material, were returned for recycling and potentially diverted from landfill. These are incredibly impressive numbers.

The container deposit scheme is such a success in this state, and held in such very high regard by the majority of South Australians, that we are now the envy of the country, and other jurisdictions are looking to copy what we have done. The Northern Territory has sought to do so and has now done so. We want to make sure that the scheme and its supporters keep growing and expanding, and that we all continue to reap the rewards from this astounding scheme.

The South Australian government supports the implementation of a national container deposit scheme. I believe that, if given the opportunity, the rest of Australia could achieve similar environmental and community outcomes as those that we experience in our state. This is why I was particularly frustrated when the scheme ceased in the Northern Territory. The Northern Territory is now pursuing a permanent exemption through the Council of Australian Governments process to the Commonwealth Mutual Recognition Act 1992. South Australia has supported and will continue to support the Northern Territory and other states, and my understanding is that that agreement has been reached for the Northern Territory to pursue its own container deposit legislation.

The Labor government in this state will continue to promote our container deposit scheme and its successes, and will continue to fight for its implementation across the nation. We will do this because our experience here in South Australia has taught us that it is the right thing to do. What I am hearing from interstate is that at least two other jurisdictions, if not more, are very interested in moving on this scheme very soon.

GOLDEN GROVE

The Hon. D.G.E. HOOD (14:48): I seek leave to make a brief explanation before asking the Minister for Environment a question regarding the Golden Grove development and community.

Leave granted.

The Hon. D.G.E. HOOD: The Golden Grove community was established quite close to existing quarry works immediately to their east, which the Spring Hill Environment and Safety Action Group alleges is now affecting community health in the region. Residents acknowledge that for 50 years the quarry has been in operation, and for much of its lifetime there were few houses near the quarry, and therefore little problem. The situation in 2014, according to the group, is quite different, due largely to the intensified housing developed under the Golden Grove (Indenture Ratification) Act.

One of the main concerns of the residents is silicosis from inhaling fine particles of sand from the quarry. Residents have significant fears for their health, I am told, which have been heightened by the recent death of a resident, allegedly from respiratory complications, and another in the same street allegedly suffering silicosis as well. Residents allege that trucks carting sand from the quarry along Ross Road cause significant dust and pollution for residents who live nearby, and that in their view the road is too narrow, has deteriorated, and no longer meets the needs of residents or the quarry operators themselves.

One of the frustrations of local residents is that the Environment Protection Authority has collected significant data from the area but, for some reason, is reportedly refusing to disclose those results to the action group. Residents recently aired their concerns at a 29 April City of Tea Tree Gully council meeting, following a deputation of over 60 residents to a meeting that was held on 25 February. The meeting resulted in the formation of a Golden Grove Extractive Industries Community Working Group, which has given the council's CEO leave to approach DMITRE, the EPA and DPTI to be on the working group. My questions to the minister are:

1. Has the EPA declined to release its data collected on airborne dust in the area and, if so, why? Will the minister undertake to make the data public?
2. What work has the EPA or government done with the quarry operators to reduce dust levels?
3. What resources are the government providing to support the work of the community action group, if any?

4. Will the government provide delegates, with appropriate authority to assist constructively and promptly, from the departments that council has resolved to have on the working group?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:51): I thank the honourable member for his most important questions. At the outset it is important to state that this is a local council and planning issue in the main. I understand that the EPA has been giving some advice to other government agencies, including DMITRE and DPTI, but it is a multiagency approach and one for which I am not primarily responsible as minister. However, I undertake to get a whole of government response to the honourable member's questions and bring back a response.

MINISTERIAL STAFF

The Hon. R.I. LUCAS (14:51): My question is to the Leader of the Government. Will the Minister for the Status of Women—

The PRESIDENT: Just one second, Mr Lucas. We are in question time, the Hon. Mr Hood, and the Hon. Mr Lucas is trying to ask a question.

The Hon. R.I. LUCAS: I'm relaxed. Will the Minister for the Status of Women condemn the behaviour of government media adviser Jason Gillick, who is employed by Premier Weatherill, following revelations that on election night, at the West Adelaide Football Club rooms, he said to a young female journalist, 'You shouldn't be here, you effing Tory bitch,' and then physically shoved the journalist?

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) (14:52): I thank the honourable member for his question. As I have said, we often see the Hon. Rob Lucas coming into this place with all sorts of allegations and innuendo, and his information is often completely incorrect and unfounded. I do not know whether, on this occasion, the allegations he has made are correct or not; I cannot say. No one has raised this issue with me previously, and I find it interesting that something that happened quite some time ago is now being raised by him in this place for the first time.

That having been said, I do not trust his assertions at all. He is regularly inaccurate and incorrect. Nevertheless, I do not condone the type of conduct he has described by anyone in any place at any time.

MINISTERIAL STAFF

The Hon. R.I. LUCAS (14:54): A supplementary, Mr President. Should the minister satisfy herself of the circumstances I have outlined, what action does she believe should be taken against a highly paid media adviser to the Premier and ministers of the government?

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) (14:54): I am not going to be verbally by the Hon. Rob Lucas. I have already said I have grave doubts about his assertion in the first instance, and I will take whatever action is appropriate, but I am not going to be verbally by him. As I said, he comes into this place regularly with incorrect, inaccurate, misleading information and often completely unfounded allegations. We see it time and time again. Just read his Address in Reply. Just have a look at his Address in Reply. As I said, in this instance I don't know the accuracy of his assertions. I am happy to have a look at those but I am not going to be verbally by him.

MINISTERIAL STAFF

The Hon. R.I. LUCAS (14:55): Supplementary question arising from the minister's answer: is the minister aware that the Premier in another place this afternoon in question time has acknowledged that the behaviour of the media adviser was in his view unacceptable?

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) (14:55): As I said, this is the first time that these allegations

have been brought to my attention. I was unaware of them prior to this instance. I do not know whether they were true or not, is what I said, and I made it very clear in this place that I do not find the conduct that he described acceptable in any way, shape or form. It is completely abhorrent behaviour and I have already said that in this place.

AUSTRALIA'S NATIONAL RESEARCH ORGANISATION FOR WOMEN'S SAFETY

The Hon. T.T. NGO (14:56): I seek to leave to make a brief explanation before asking the Minister for the Status of Women a question about the launch of Australia's National Research Organisation for Women's Safety (ANROWS).

Leave granted.

The Hon. T.T. NGO: The Australian Bureau of Statistics shows that 5.5 per cent of South Australian women have experienced physical or sexual abuse in the previous 12 months. My question is can the minister tell the chamber about the launch of ANROWS?

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 his most important question and I am sure that all members will join me in passing my condolences to all families—

Members interjecting:

The PRESIDENT: Can we please let the minister answer the question.

The Hon. G.E. GAGO: Thank you, Mr President. As I said, I am sure that everyone in this chamber would join me in passing on condolences to all the families who have lost mothers, daughters, sisters and aunts to acts of family violence. As I said, I am sure that everyone would join me in sharing those condolences. Sadly, way too many women and families are still affected by violence against women and children. Sadly for women, physical and sexual violence too often occurs. The ABS Personal Safety Survey shows that, in South Australia in 2012, around 41,600 women or 5.5 per cent of South Australian women experienced physical or sexual violence in the previous 12 months. That is why I was very pleased to attend the official launch of Australia's National Research Organisation for Women's Safety (ANROWS) in Canberra last Friday, along with other state ministers for the status of women and the federal minister assisting the Prime Minister for women.

ANROWS stems from the national plan to reduce violence against women and children which brings together government's efforts across the nation to make a real and sustained reduction in the levels of violence against women. Underpinning the national plan is the shared belief that involving all governments in the wider community is necessary to reduce violence against women in the short and longer term. One of the most significant issues facing our country is reducing violence against women, and that is why we have committed just under \$115,000 annually to ANROWS and it is part of a \$3 million per annum total contribution from all governments over three years to enable the organisation to establish and begin its research.

The research will study a range of topics including the impact of violence on specific groups of women such as disabled, rural and Aboriginal, the economic costs of domestic violence, interventions targeting perpetrators, and links between domestic violence and gender inequity. The research undertaken by ANROWS will not only enhance policy and program delivery across a range of government departments but it will also provide an opportunity to tackle the gender inequity and sexism that are still too often barriers for women in Australia. Of course, we know that those acts of inequity and sexism make the ground ripe for disrespectful attitudes towards women and violence towards women to grow and flourish. I am pleased to advise the chamber that ANROWS is chaired by Emeritus Professor Anne Edwards, the former co-chair of the South Australian Premier's Council for Women. She is an incredibly wise and competent woman, and I think she will make an excellent chair of this new body.

This government is committed to addressing violence against women and already has a whole of government women's safety agenda that complements the national plan to respond to violence against women and their children. This includes A Right to Safety, a 10-year initiative launched in 2011, and this builds on reforms undertaken by the Women's Safety Strategy to improve

legislation and services to strengthen community understanding of the effects of violence against women. It also has a strong focus on early intervention and prevention to stop violence against women occurring in the first place.

The Family Safety Framework has been implemented in 19 areas across the state. It works to combine services to high-risk families by sharing information and working closely with the families to guide them to services that can help them. There is effective new intervention orders legislation that I have spoken about here before and a research position in the Coroner's office to examine domestic violence related death.

It is my hope that if all governments share their research resources, successful policies and outcomes, we can successfully significantly reduce incidents of violence perpetrated against women and children. I look forward to working with the rest of the nation through this organisation on strategies to help keep women and children safe. This government will work tirelessly towards a time when we see fewer women harmed, fewer women fearing for themselves and their children, and fewer women feeling isolated and powerless.

AUSTRALIA'S NATIONAL RESEARCH ORGANISATION FOR WOMEN'S SAFETY

The Hon. T.A. FRANKS (15:02): I have a supplementary question arising from the answer. With regards to the Coroner's position in investigating domestic violence related deaths, what is the FTE of the Coroner's position? How many deaths have been investigated and reported on and how many are in the pipeline?

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) (15:02): The Coroner's position has been in place now for quite some time. It is a one FTE position, and the role of that position is to look at Coroner's deaths, Coroner's cases, to look at domestic violence related issues and particularly with a mind's eye to looking at systemic issues that might be occurring across agencies.

In relation to the number of cases, I think I have some figures here. The research position commenced in January 2011. As of 1 May 2014, the position has conducted file reviews and investigations on over 100 homicides, suicides or multiple fatality deaths reported by the Coroner. These reviews have contributed to three finalised coronial inquests with a domestic violence context. All three of these inquests have had findings and recommendations released which relate to systemic improvements regarding responses to domestic violence. These include responding appropriately to disclosures of domestic violence and interagency information sharing.

As a direct result of the finalised coronial inquests, 20 recommendations specific to improving domestic violence responses have been made by the state and deputy state coroners. They are all the figures that I have at hand.

AUSTRALIA'S NATIONAL RESEARCH ORGANISATION FOR WOMEN'S SAFETY

The Hon. S.G. WADE (15:05): Supplementary, sir. I appreciate the minister may need to take this on notice but, in terms of the scope of the consideration of the domestic violence officer, do they consider the deaths of children who die as a result of sexual abuse, child abuse or child neglect?

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): The role, as I said, is a one FTE position and it is specifically attached to the Coroner's office to facilitate investigations into deaths resulting from domestic violence or family violence. If the definition of 'domestic violence' is now being expanded to include carers and suchlike, it would need to meet that criteria. They are domestic violence or family violence related deaths.

AUSTRALIA'S NATIONAL RESEARCH ORGANISATION FOR WOMEN'S SAFETY

The Hon. S.G. WADE (15:05): A supplementary on my supplementary. If I can understand the minister's answer correctly, is the minister suggesting that if the child sexual abuse, child neglect or child abuse was perpetrated by a family member it would come under 'domestic violence' and if it was perpetrated by somebody who wasn't related it wouldn't be domestic violence?

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 don't have a copy of the act here and the definition but what I am saying is it would need to qualify under the definition of 'domestic violence' and, if it did, it would be captured by this position.

AUSTRALIA'S NATIONAL RESEARCH ORGANISATION FOR WOMEN'S SAFETY

The Hon. T.A. FRANKS (15:06): Supplementary. The minister indicated there have been three reports from the Coroner. Why are there only two published on the website, being Jakob and David Wyatt and Robyn Hayward and Edwin Durance? What is the third?

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) (15:07): The information that I have on the inquests is it was Zarah Abrahamzadeh, and that the release of that finding is still being awaited, Shane Andrew Robertson of 14 February 2013, Jakob and David Wyatt and Robyn Hayward and Edward Durance. Those are the inquests that I have listed.

ENVIRONMENT, WATER AND NATURAL RESOURCES DEPARTMENT

The Hon. M.C. PARNELL (15:08): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question about job cuts in the environment department.

Leave granted.

The Hon. M.C. PARNELL: Employees of the Conservation and Land Management Branch of the Department of Environment, Water and Natural Resources are currently facing a restructuring that will see a large number of them lose their jobs. There are currently 131 full-time equivalent positions in the Conservation and Land Management Branch and this is set to be cut to just 64 positions, not including a small number of external or short-term funded project positions.

One area to be hardest hit is the native vegetation management unit, which I understand is to be cut from around 28 positions to just eight. From next month, the work currently undertaken by this unit will either cease altogether or be transferred to existing regional staff, who will be expected to add these responsibilities to their existing workloads.

This means that qualified specialist staff will be replaced by general regional staff to undertake assessment of vegetation clearance applications, development applications, fire management and, increasingly, federal environment approvals under the EPBC Act. They will also be responsible for monitoring compliance and enforcement of a wide range of environmental laws. The staff set to lose their jobs are either taking packages or are competing with their colleagues for the shrinking number of positions available.

The most recent State of the Environment report for South Australia says that 'despite our best efforts biodiversity in South Australia continues to decline'. Fifty-five percent of the state's mammals are threatened or presumed extinct, 34 per cent of our birds, 30 per cent for amphibians, 23 per cent for reptiles and 14 per cent for plants. I also note that the proportion of the state budget going to the environment is only 2.24 per cent and that this figure has been dropping every year for the last seven years. My questions to the minister are:

1. Does the minister accept that the protection—

The PRESIDENT: The Hon. Mr Parnell, just a moment. Excuse me, cameraman. You are supposed to have the camera only on the person speaking, thank you.

The Hon. M.C. PARNELL: My questions to the minister are:

1. Does the minister accept that the protection and enhancement of native vegetation on both public and private land is a key factor in preventing species extinction?
2. How many more South Australian species are likely to become endangered or extinct as a result of the government's continuing cuts to the environment department and environment programs?

3. When will the government realise that looking after the environment is a key responsibility of government and fund it accordingly?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:11): I thank the honourable member for his most important questions. This Labor government has been the best friend to the environment that this state has ever seen. We have no intention of ignoring our responsibility to the environment but the environment portfolio, just like every other portfolio, has had to find savings due to economic challenges the state has faced through decreasing revenues and slashing by the federal Liberal government. You will see very soon our response to what the federal Liberal government is doing in terms of environmental vandalism in this state, but the honourable member is quite right, DEWNR is identifying a number of possible saving measures. These are currently being carefully evaluated to weigh their savings potential against their consequences, so this is a responsible process to help ensure the department takes a responsible and diligent approach to the allocation of its very valuable resources.

DISABILITY WORKFORCE PLANNING

The Hon. K.L. VINCENT (15:12): I seek leave to make a brief explanation before asking questions of the Minister for Employment, Higher Education and Skills on the subject of disability workforce planning.

Leave granted.

The Hon. K.L. VINCENT: A number of academics across Australia have been researching the issue of workforce planning in the disability sector, particularly with the National Disability Insurance Scheme (NDIS) rollout imminent. My office regularly advocates on behalf of constituents who have contracts with agencies that cannot find adequately trained support workers who reliably turn up to shifts. The situation is further exacerbated in rural and regional areas of South Australia as highlighted in an article in today's *Whyalla News*, so my questions to the minister are as follows:

1. Is the minister aware that we currently only have half the trained workforce necessary to cater for a fully implemented NDIS?

2. What workforce planning in the area of disability, including case coordinators, support workers, physiotherapists, occupational therapists, speech pathologists, psychologists, nurses, nurse practitioners, doctors, and other allied health staff who have specialist training, knowledge and training in the area of disability, is in place?

3. Is the minister aware of the work of research fellow Dr Natasha Cortis from the University of New South Wales that supports this push?

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) (15:13): I thank the honourable member for her most important questions. The employment of people with disabilities is an objective of this government. As part of our state Strategic Plan targets, we set ourselves a goal to attempt to increase the number of people aged between 15 and 64 with a disability to be employed in South Australia. We continue to work towards that target and it is an area that is a very challenging one for us and one that we continue to concentrate efforts on.

A number of actions have taken place, or are in place, in terms of our Skills for All reforms to the state's training system. It includes, I am advised, a learner support service for the most disadvantaged learners, including people with disability. These services include practical support services for learners with disability to complete qualifications and then work with disability employment services and for those particular providers to help develop pathways to workforce participation. I am advised that about one-third of the students receiving LSS had disabilities—that was the last report.

The South Australian government also tries to be an exemplary employer for people with disabilities. An innovative engagement support and employment model will be trialled in several public sector agencies throughout 2013-14 and positions in the public sector trainee pool will be made exempt for people with intellectual disability, and disability employment service providers will provide specialist support.

The South Australian government's participation and equity programs are helping to connect some of the most marginalised people with a disability to supported entry points into training and workforce participation. The government funds the State Transition Program, which supports secondary students with disability to transition to training or employment options. In addition, tailored, accredited and non-accredited Adult Community Education (ACE) for people with disability forms part of the government's \$3 million investment in ACE, and this is helping to build pathways for people with disability to further train or workforce participation.

As I said, these are some examples of our activities. I believe there is a lot more to be done in this space. It is a very challenging area and we continue to work to strive to improve employment options for people with disability.

DISABILITY WORKFORCE PLANNING

The Hon. K.L. VINCENT (15:17): I have a supplementary question. Forgive me, but the minister seems to have misinterpreted my question. While the subject of employment of people with disability is very important, this particular question was about the fact that we have half the projected workforce of people such as disability support workers—people supporting people with disabilities—needed for the National Disability Insurance Scheme.

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) (15:17): I will take those questions on notice and bring back a response.

APY LANDS, WATARRU COMMUNITY

The Hon. T.J. STEPHENS (15:18): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation questions about the Watarru community on the APY lands.

Leave granted.

The Hon. T.J. STEPHENS: Late last year it was reported in *The Australian* that the Watarru community was abandoned. It is my understanding that the government infrastructure and services, including the school, have been maintained and sustained in the Watarru community despite there being no residents present. My questions are:

1. What is the monthly cost of government maintaining services at Watarru?
2. Given the amount of funding going into Watarru for a very low and fluctuating population in the community, what is the minister's long-term plan for the community?
3. Is the school still functional, how many students attend on a regular basis and how many teachers are employed there?
4. Is the community store in operation?
5. What is the governance structure (i.e. is there a community council operating)?
6. What is the status of the community food garden? Is it still functional and who is actually attending to it?

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 thank the honourable member for his most important question. In relation to the Hon. Mr Ridgway's questions about supporting our industries, I have to say that the Liberal Party in this country is not supporting Aboriginal homelands in any way. We learnt in the budget that they are ripping half a billion dollars out of the Aboriginal portfolio, including funding to the municipal system. I am incredulous at how on earth this Liberal government and this Liberal Prime Minister could say that they want to improve the lot of Aboriginal communities and at the same time rip out half a billion dollars from Aboriginal programs and close down the MUNS service, which supplies remote homelands and communities with the services they need to continue to function. What is happening is that this federal Liberal government is actually turning out the lights on communities right across the country.

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

The PRESIDENT: His Excellency the Governor will receive the President and members of the council at 3.30 today, so I think we can line up and make a move.

[Sitting suspended from 15:20 to 16:13]

The PRESIDENT: I have to inform the council that, accompanied by the mover, seconder and other honourable members, I proceeded to Government House and there presented to His Excellency the Address in Reply to His Excellency's opening speech adopted by this council today, to which His Excellency was pleased to make the following reply:

Thank you for the Address in Reply to the speech with which I opened the First Session of the Fifty-Third Parliament. I am confident that you will give your best consideration to all matters placed before you. I pray that your deliberations will add meaning and value to the lives of our South Australian community.

*Parliamentary Procedure***MEMBERS' REMARKS**

The PRESIDENT (16:14): A little while ago I made mention of the appalling behaviour of members during the Address in Reply. Hopefully members have reflected on their contribution. Two days have passed since the Hon. John Gazzola made a contribution to this council, so I will ask the Hon. Mr Gazzola: have you reflected on what you have said and do you want to withdraw?

The Hon. J.M. GAZZOLA (16:15): Thank you, sir, finally. I agree, Mr President. To assist you in maintaining the standards of the council and out of respect for the standing orders of this place and honourable members, I withdraw my use of unparliamentary language and reflecting on the Chair.

*Bills***SUCCESSION TO THE CROWN (REQUEST) BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 8 May 2014.)

The Hon. S.G. WADE (16:15): I rise to support the Succession to the Crown (Request) Bill 2014. At the Commonwealth Heads of Government Meeting in Perth on 28 October 2011, the leaders of the 16 realms of the British commonwealth which have the Queen as their sovereign agreed to apply uniform changes to the rules of succession in each of their jurisdictions. The Council of Australian Governments subsequently agreed to introduce the reforms through a request and consent scheme, relying on section 51 (xxxviii) of the Australian Constitution, which provides:

The parliament shall, subject to this Constitution, have power to make laws for the peace, order and good government of the commonwealth with respect to:

(xxxviii) the exercise within the commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia.

All other realms of the British commonwealth have passed their succession laws and all other states of the Commonwealth of Australia have passed their request and consent bills. Through this government's tardiness this parliament is the last parliament to pass this law, other than the commonwealth parliament which, of course, is waiting for this bill from this parliament.

That fact was noted in the House of Lords. On 26 February 2014 in answer to a question the Advocate-General for Scotland said that at that time South Australia was the only state yet to introduce legislation. The Labor peer Baroness Hayter of Kentish Town in response said:

If I understand it, it is only Australia for which we now wait. We just hope that before the Duke and Duchess of Cambridge get to Australia, it may have done the necessary.

It was not to be. The bill is only with us now. This bill requests the Parliament of the Commonwealth of Australia to enact an act to change the law relating to royal succession and royal marriages. The

bill does not allow the commonwealth to change the rules of succession in the future without further consultation.

The bill will ensure that the sovereign of Australia is the same person as the sovereign of the United Kingdom. The bill will allow the passage of commonwealth legislation to reform the royal succession and royal marriages to remove the following three bars. First, males will no longer be given precedence over females in the line of succession. Secondly, the marriage of a descendant of King George II will no longer be void if made without the monarch's permission. Thirdly, those in line of succession will no longer be barred from marrying a person of the Roman Catholic faith.

The current bar about marriage to a Catholic is, in my view, sectarian and discriminatory. A British monarch, however, is already quite free to marry someone of any other faith other than a member of the Catholic community of Christianity. Even with the passage of these reforms the British monarchy will still require that the British monarch, and therefore our monarch, must maintain the principles of Protestant supremacy. First, the monarch must be in communion with the Church of England. Secondly, the monarch must swear to preserve the established Church of England, an Anglican church, and the Church of Scotland, a Presbyterian church. Thirdly, the monarch must swear to uphold the Protestant succession.

The monarch of Britain, and therefore the monarch of Australia, cannot be a member of another faith. A Roman Catholic is specifically excluded from succession to the throne. I respect that these laws are rooted in the history and culture of England. The bar on the monarch marrying a Catholic or personally being one has been British law since the passing of the Act of Settlement in 1701. The act aimed to prevent the descendants of the Catholic king, King James II, from ascending to the throne. James was deposed in the 1688 Glorious Revolution by supporters of the Protestant William and Mary, Mary being the eldest Protestant daughter of James II and married to William of Orange, who later became William III. The act was part of asserting the Protestant supremacy in England over 300 years ago.

Personally, I am disappointed that these discriminatory elements of the monarchy will remain. We are rightly offended that the monarchy discriminates on the basis of sex; why should we tolerate discrimination on the basis of religion? The president of the Catholic Bishops' Conference of England and Wales, Archbishop Vincent Nichols of Westminster, said that he welcomed the proposed reform as eliminating a point of unjust discrimination against Catholics. Cardinal Keith P. O'Brien of St Andrews in Edinburgh has previously labelled the act as discriminatory and offensive. He is quoted as saying that he is pleased to note that the process of change, which he hopes will lead to repeal of the act, has started.

Scotland's first minister, Alex Salmond, also welcomed the lifting of the marriage ban, but said it was deeply disappointing that Catholics were still unable to ascend the throne. He said:

It surely would have been possible to find a mechanism which would have protected the status of the Church of England without keeping in place an unjustifiable barrier on the grounds of religion in terms of the monarchy.

Of course, Mr Salmond is right: it would be possible to protect the status of the Church of England without maintaining a religious test on the monarch. We know that it is possible because it is being done. The Church of Scotland, a church in the Presbyterian tradition, has been recognised as the national church of Scotland since 1690, but it is not established. The Kirk is not state controlled and neither the state nor the Westminster parliaments are involved in Kirk appointments. The Queen is not the supreme governor of the Church of Scotland as she is the Church of England. The sovereign does have the right to attend the General Assembly, but she does not take part in its deliberations. However, the oath of accession still includes a promise 'to maintain and preserve the Protestant religion and Presbyterian church government'.

Likewise, there is no established church in Wales or Northern Ireland. In fact, there is no established church in any commonwealth country of which the Queen is monarch. In this regard, this Legislative Council and the state of South Australia led the British colonies in separating church and state. South Australia's pioneers were solid in their commitment to build a Christian society in this colony, but for many of them, financial support from government for religious purposes compromised the respective roles of the state and the church and would, in effect, undermine the building of a Christian society.

The act which established the colony of South Australia in 1836 made provision for the appointment of chaplains, although this clause was repealed in 1838. In 1846, Governor Robe pushed for religion to be aided out of the local revenues of South Australia. In response, the League for the Preservation of Religious Freedom became active and in 1849 published its manifesto. Signed by 19 nonconformist churchmen, it read in part:

The evils involved in the principle of state support to religion have been sufficiently obvious to most, if not all, of you in the Mother Country. It has impeded the spread of Christian principle by requiring mere outward observations as though they were essential and all-important. It has corrupted religion by making it formal, and weakened the state by compelling it to persecute, and wherever carried out to its legitimate consequences it has proved an effectual bar to the advance of the community in any of the paths of social or material progress. Judged by its fruit, it is condemned by the voices of experience from the first moment of its adoption to the present time.

The issue of state aid to religion was the central issue in the first democratic election in South Australia of 1851. Opponents to state aid were well supported at the polls and in late 1851 the Legislative Council defeated Governor Robe's state support to religion act by a majority of three. In that act, South Australia became the first British colony to achieve the separation of church and state.

Through the constitutional developments of the 1850s, the colonists repeatedly fought for a full-blooded importation of British institutions, including fighting for the right to establish this bicameral parliament. It is noteworthy that the one British institution that they fought against was an established church and, in that, South Australia led the colonies. Now, no part of the British commonwealth has an established church outside the United Kingdom.

British institutions are well regarded and commonly replicated around the world (Westminster parliaments, common law and legal systems) but established churches have not found favour anywhere in the British commonwealth beyond the United Kingdom; yet, through the monarchy, the established Church of England results in our Australian head of state not having the freedom of religion that his or her subjects do.

In the Australian context where sectarian division has been such a blight in our nation, I think that it is unhelpful that the head of state of contemporary Australia is defined in religiously discriminatory terms. I respect that these laws are rooted in the history and culture of Australia but, in my view, they are not appropriate to contemporary Australia. Today, I indicate my support for the passage of the bill.

The Hon. T.A. FRANKS (16:26): As the speaker before me (Hon. Stephen Wade) and, indeed, the minister have indicated, this bill comes before us as a result of the decision and announcement made in October 2011 at CHOGM in Perth. At that time, the UK Prime Minister, David Cameron, announced that the 16 commonwealth countries where the Queen is head of state had agreed to give female royals the same rights of succession as their brothers. Prime Minister Cameron stated at the time, put simply, 'If the Duke and Duchess of Cambridge were to have a little girl, that girl would one day be Queen.'

Under the ancient rules of male primogeniture, first-born royal daughters in direct line to the throne were leapfrogged by their younger male siblings. The principle was once commonplace in western societies and, indeed, some other societies but is now, I believe, rightly criticised and widely viewed as outdated and discriminatory. Indeed, the current law of male primogeniture has only allowed our current monarch, Queen Elizabeth II, to be Queen because she did not have any brothers.

These long-needed moves towards constitutional change gathered pace in the wake of the Duke and Duchess's wedding in April 2011, in anticipation that they would have a child and an heir, the anticipation in particular being to ensure that the firstborn would be the heir regardless of their sex. The changes take effect as of 28 October 2011, the date on which the commonwealth summit was held and the countries agreed to the plans.

In the 15 other countries where the Queen is head of state, the rules must also be changed. That change is needed to be legislated for in the commonwealth nations of the UK, New Zealand, Canada, Jamaica, Antigua and Barbuda, the Bahamas, Barbados, Grenada, Belize, Saint Kitts and Nevis, Saint Lucia, the Solomon Islands, Tuvalu, Saint Vincent and the Grenadines, Papua New Guinea and, now, Australia, the final state being South Australia.

I must comment at this point, and certainly the Hon. Stephen Wade was quite right to raise, that we are very late to the party in promoting and passing this bill which takes a step further in equality for women. Of course, we have a very proud history in this state of having been the first place to grant suffrage to women, yet I think we rest far too often on the laurels of our history or our 'her-story' in terms of the promotion of equal rights and, in general, human rights, and far too often we are lagging behind other jurisdictions in the area of equality these days.

However, the changes mean that, for all descendants of the Prince of Wales, younger sons will no longer take precedence over an elder daughter in the line of succession. There is no rewriting of history here, however, and 'history' is the word I use advisedly, not 'her-story'. For example, the current generation of royals will not be affected. It will not be retrospective, meaning, for example, that the Princess Royal will now not jump ahead of her younger brothers the Duke of York and the Earl of Wessex.

Our current monarch, Queen Elizabeth II, as I say, was only able to become queen because she did not have any brothers. The Princess Royal, Anne, will not jump the queue, if you like, with regard to the implications of this particular legislative change. I believe that, fortunately, times do change and I am pleased that we are now finally playing our part in changing these times. Prince William and Kate's child has moved into third place in line to the throne, but will be the very first royal progeny not to be subject to the centuries-old law of primogeniture which puts male heirs ahead of females.

The other point I would wish to make, and I guess the word primogeniture leads to this assumption, is that often in this debate and certainly in the government's speech there has been references to the term gender rather than sex. What I would like to point out is that sex refers to the biological differences; gender is the characteristics the society delineates and in this case as masculine or feminine, so sex would have been the more appropriate term to use when we were talking about boys or girls.

No matter what sex this royal heir had been, had we proclaimed 'It's a boy' or 'It's a girl', that would have made no difference on the impact of where it now stands in terms of the royal line of succession. It has been feared, however, that there could have been a constitutional crisis had the royal couple had a baby girl before the law was changed. I think the bill we have before us reflects the attitudes of a modern society and certainly I will support any areas where we see women and men being treated equally.

I also note that this bill, in terms of the laws across the commonwealth, applies an ancient and unused rule where descendants of George II are supposed to gain the consent of the monarch to marry. I understand that from here on in that will only apply to the first six people in the line of succession, so I do ask the minister for clarification of whether or not Princess Beatrice will have to ask the monarch if she can marry, but Princess Eugenie will not.

Members of the royal family who marry a Roman Catholic will also be able to now succeed to the Crown and certainly, again, the removal of discrimination upon the grounds of religion is somewhat welcome. Of course, I assume that it only does apply to Catholicism and not any other religion. That law in terms of Catholicism was brought in following the Glorious Revolution when a Dutch invasion helped overthrow a papist king so that a Catholic could never sit on what is termed our throne again.

The commonwealth leaders also agreed to overturn the 1701 Act of Settlement which means that only Protestant heirs of the Electress Sophia of Hanover, granddaughter of James I, could become king or queen. It was also agreed that the barrier with regard to marrying a Catholic would be removed, and I echo the words of the Hon. Stephen Wade in welcoming the removal of those particular bits of discrimination.

The rule will not be backdated, however, and it will be many years before another female heir will be close to the throne. The rule, had it been enforced before in British history, does throw up some interesting propositions, particularly for those who like to read royal magazines, *New Idea*, *Women's Weekly* and the like. We could have had a very different royal family had this rule been brought in a long time ago. Constitutional experts say that in 1509 Margaret Tudor would have taken the throne instead of Henry VIII and, as a result, Elizabeth I would never have been queen. It also might have meant that Queen Victoria would have been succeeded by her daughter Princess Victoria, the Princess Royal, in 1901 and not King Edward VII. When she died just a few months

later, her son Kaiser Wilhelm II would have ascended the throne, something, I understand, which may have prevented the First World War. It is also said that the Queen of England would have been at that time the completely unknown Princess Marie Cecile of Prussia.

The Hon. I.K. Hunter: One of my favourites!

The Hon. T.A. FRANKS: Indeed, one of your favourites, the Hon. Ian Hunter. It could have been a very different world had this law been brought in some centuries ago, but it is certainly a world that I welcome where, regardless of a child being a boy or a girl, they are treated equally.

As I previously stated, we are the last jurisdiction, and we were the first in terms of women's suffrage. I would hope that in the future we will be better. With those words, I commend the motion to the chamber, but I also ask whether or not there is still a difference in treatment between princesses Beatrice and Eugenie.

The Hon. G.A. KANDELAARS (16:35): I rise today to speak to the Succession to the Crown (Request) Bill 2014, which requests and consents to the commonwealth parliament's enactment of legislation to change succession rules throughout Australia. It is very timely; it comes but weeks after we saw Their Royal Highnesses The Duke and Duchess of Cambridge being greeted in Elizabeth by thousands of South Australians, as well as His Excellency the Governor, Kevin Scarce, and our esteemed Deputy Premier and Attorney-General, the Hon. John Rau.

Although their royal highnesses did not bring His Royal Highness Prince George of Cambridge with them on their visit to Adelaide, it is interesting to note that, without the changes identified in this bill, should His Royal Highness marry a Roman Catholic, he would be disqualified from succession. Similarly, without the changes identified, if His Royal Highness Prince George had an older sister, he would have overtaken her in the line of succession. This is obviously out of touch with 21st century realities. Of course, Her Majesty The Queen is not only Queen of Australia; she is also the sovereign to 15 other commonwealth realms.

At the Commonwealth Heads of Government meeting in Perth in 2011, the leaders of the 16 realms agreed to apply uniform changes to the rules of succession in each of their jurisdictions. Australia's former prime minister consulted with premiers and chief ministers before committing to the changes. At the time, the Premier signalled in-principle support on behalf of the South Australian government.

After the Perth decision, the Council of Australian Governments (COAG) agreed to introduce the reforms by a cooperative request and consent scheme, relying on section 51 of the Australian Constitution. I understand that the other states have agreed and passed legislation to make similar requests to the commonwealth parliament.

A request and consent bill such as this bill does not allow the commonwealth to change the rules of succession for Australia's sovereign in the future without consultation. The commonwealth is only allowed to enact a bill that the state parliaments have agreed. The draft commonwealth bill is included in schedule 1 of the South Australian bill. South Australia needs to enact the legislation so that the commonwealth can proceed with legislation so as to ensure that succession does not depend on gender and to end the disqualification arising from marrying a Catholic.

This is a simple bill. It is not a bill likely to create headlines or fanfare; however, it is critically important to ensure that South Australia and, indeed, Australia remain in step with the rest of the commonwealth. Passage of the commonwealth legislation will ensure that the sovereign of Australia is the same person as the sovereign of the United Kingdom.

The 16 commonwealth realms which share the same royal family, including Britain, Australia, Canada, New Zealand and Jamaica, must all pass an identical law before the changes can come into effect, unless the United Kingdom legislation covers it for all. I understand that every commonwealth realm has now passed the law except for Australia. I commend the bill to the house.

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) (16:40): I understand there are no further second reading contributions on this bill, and I thank those members who have contributed to the second reading. This is quite a simple bill, its main object being to facilitate the law relating to the effect of the gender

and marriage of royal succession being changed not only uniformly across Australia but also consistently with changes made to the law in the United Kingdom.

In relation to a question the Hon. Tammy Franks asked, I have been advised that, yes, she is correct: only those persons who are one of the first six persons in line to succession to the Crown need to obtain consent from Her Majesty. With those words, I commend the bill to the house and look forward to dealing expeditiously with the committee stage.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

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) (16:43): I move:

That this bill be now read a third time.

Bill read a third time and passed.

**PASTORAL LAND MANAGEMENT AND CONSERVATION (RENEWABLE ENERGY)
AMENDMENT BILL**

Second Reading

Adjourned debate on second reading.

(Continued from 8 May 2014.)

The Hon. K.J. MAHER (16:44): I rise today to support the bill. This bill has undergone a comprehensive consultation process before coming to this chamber. In the original drafting of the bill a wide range of stakeholders were consulted, including the Pastoral Board, the Commissioner for Aboriginal Engagement and the South Australian Native Title Services Office. Consultation on the bill was announced publicly in October 2011 through a media release. It was initially slated for a two-month period but, at the request of a couple of pastoral lessees and the member for Stuart, was extended for another month, giving a total of three months' consultation.

At the beginning of the consultation period the draft bill and explanation was posted directly to all pastoral lessees in this state and all native title groups. Key peak bodies and boards were consulted. Renewable energy developers were made aware of the bill, and the consultation provisions were made available on RenewablesSA's website. Submissions were received from pastoral lessees, wind farm developers, financiers of wind farms, peak bodies, legal bodies representing native title holders and Defence representatives.

The majority of pastoral lessees were supportive of the initial draft of the bill. A few issues were raised in submissions on the bill, and these were substantially addressed through amendments to the first draft and incorporated in the current version of the bill. I am told that the overriding concern from pastoral lessees was in relation to the quantum of payment they would receive from wind farm licences on their property. The bill is designed so that the Minister for Sustainability, Environment and Conservation, as the issuer of the wind farm licence, receives payment from a wind farm developer and then passes the funds onto the prescribed interested parties. These parties consist of pastoral lessees and native title holders.

The amount to be passed on to pastoralists and native title holders was not specified in the original bill. The current version of the bill provides that 95 per cent of wind farm payments will be passed to the prescribed interested parties and 5 per cent will be kept for administration. It is worth pointing out that the amount that will be paid for a wind farm licence will be commensurate with that paid by wind farm developers to owners of freehold land, taking account of the extra costs of developing in remote locations. The quantum of this payment is significant and will assist in providing a drought-proof income source for pastoral lessees. In the case of solar, compensation provisions are currently provided for in the Pastoral Land Management and Conservation Act 1989.

Some pastoral lessees were concerned about the potential for land being resumed for a solar facility with no development then occurring on the land. This bill now includes a sunset clause, which provides that a developer needs to substantially complete the solar facility within five years or the land reverts back to the pastoral leaseholder. The bill also includes certain milestones for wind farm developers to track progress and to provide for licence cancellation should development not progress.

I am told that one of the submissions received highlighted that they wanted clarification that solar and wind farm developments would not put pastoral businesses at risk. In the case of wind, the activity of pastoralism and wind operation can coexist, as evidenced on freehold land. The added benefit is a yearly income. In the case of solar, compared with the size of a pastoral leasehold, these developments will be small and the pastoral lessee will be compensated.

Large solar photovoltaic facilities in Australia range from 10 megawatts for the Greenough solar farm in Western Australia up to 105 megawatts for the Nyngan facility in New South Wales. A 50 megawatt solar facility, for instance, would require approximately one square kilometre of land. For comparison, pastoral leaseholds in the state vary from 50 to 16,000 square kilometres in size. Even if the leasehold were at the small end of that range, a large solar facility would take only one-fiftieth, or 2 per cent, of the leasehold. It should also be noted that pastoralists often hold more than one adjacent leasehold.

Wind farm developers raised the issue of having exclusive access from other wind farm developers before a licence is issued during the feasibility stage of a development, as well as the ability to offer more than one licence for a wind farm to account for different ownership models. Both these issues have been addressed in this current bill.

Financiers of wind farms requested the ability to be able to consent to a varying of licence conditions, which has been addressed, and Defence representatives have stated that wind and solar farm developments are incompatible with Defence activities. I note that this bill will now ensure that no development will occur over Defence land.

One of the new sections of the bill was introduced as a result of consultation to include multiple land use framework provisions. This section allows the coexistence of wind farm developments and resource exploration. Existing resource tenement holders' rights are now preserved through the requirement to negotiate a land access agreement with any tenement holder under the Mining Act 1971 or the Petroleum and Geothermal Energy Act 2000 before a wind farm licence can be granted.

The state has been a significant beneficiary from wind farm generators, and I am told that, according to the Clean Energy Council, South Australia has attracted \$3 billion in capital investment, which has translated to 842 direct jobs and 2,526 total jobs. I am told that a study prepared by Sinclair Knight Merz into the economic impact of five Hallett wind farms developed by AGL in the Mid North of the state estimated a 3.3 per cent increase in gross regional product during construction of the wind farms and a 1.4 per cent increase during operation. A recent Garrad Hassan report commissioned by the Clean Energy Council has shown that in the construction of a 50 megawatt wind farm it is estimated that \$50 million will be provided to South Australia's gross state product and a 2 per cent boost to the region's gross regional product.

Wind farm project development generates employment in regional areas especially during the construction and maintenance phases. The report I mentioned before estimates that, for a 50 megawatt wind farm, 48 full-time equivalent direct construction positions are created and a further 4.63 full-time positions during operation. In addition to direct employment generated by construction and operation of the wind farm, there are, of course, flow-on effects to the wider community. Local retail and services benefit from the increased economic activity and the locality of a wind farm, and it is estimated for every direct construction and maintenance job created, two additional indirect jobs are created.

Additional benefits are created by wind farm developers who contribute funds to community groups to get projects that provide a public benefit to regions and in the form of sustainability or community development grants. It is my understanding that the amount of funding provided in the past has varied but has generally ranged from approximately \$100 to \$1,000 per megawatt of installed wind farm capacity. Some wind farm owners also contribute to local communities through

direct sponsorship of projects or sporting events such as football clubs or community festivals. I commend this bill to members.

The Hon. K.L. VINCENT (16:51): I speak today very briefly at the second reading of the Pastoral Land Management and Conservation (Renewable Energy) Amendment Bill 2014 on behalf of Dignity for Disability in support of this bill. I would like to thank the Hon. Ian Hunter, Minister for Sustainability, Environment and Conservation, for availing my office of his staff member Andrew Fisher and departmental staff for a briefing on this bill.

Dignity for Disability supports the measures outlined in this bill that will allow pastoralists to receive between \$8,000 and \$12,000 per wind turbine for farmers and pastoralist lessees. We hope that these measures contribute to more licences being sought as well as granted and to help drought-proof properties for wind farms on pastoral lands and expedite the process in terms of solar measures. We certainly support the establishment of wind farms and believe that they are a good source of sustainable energy for South Australia. We have all of this open space and we certainly should be using it to generate renewable energy for the good of the future of this state. With those few brief words, I commend the bill to the house.

The Hon. T.T. NGO (16:53): I rise to indicate my support for this bill. This government has ensured that South Australia is foremost in renewable energy and climate change policy action. South Australia has reached its target of achieving 20 per cent renewable energy production by 2014 and has committed to achieving a 33 per cent generation of electricity from renewable sources by 2020.

In October 2013, the South Australian government committed to an investment target of \$10 billion in low carbon generation by 2025 in recognition of the fantastic economic potential of this industry. Since 2003, there has been \$5.5 billion in investment in renewable energy, with some \$2 billion (40 per cent) of this investment occurring in regional areas. I am pleased to note that as of March 2013 in South Australia, per person, we have 725 watts of installed wind power compared to a national average of 163 and 205 watts of installed solar photovoltaic power per person compared to 98 nationally. This is a commendable result to date and one that enables us to be compared favourably internationally. We want to continue to build upon this achievement into the future.

The bill the government has introduced will provide renewable energy investors with access to 40 per cent of South Australia's land that is crown land subject to pastoral lease. The intent of the bill is to provide a new form of tenement for wind farm developers to exist in parallel with a pastoral lease and to fast track access to portions of pastoral land for commercial scale solar farms.

To date, wind farm development in the state has only occurred on freehold land. The bill seeks to make pastoral land as accessible as freehold land currently is to renewable energy investors. It is important for us to recognise that the solar resource in the north of our state is world class and realise the potential benefits of this resource.

The 2011 version of the bill was released for a three-month public consultation in October 2011. It was directly mailed to all pastoral lessees in the state, as well as being announced through a media release and posted on RenewablesSA's website for comment. Other direct consultation has occurred with the Commissioner for Aboriginal Engagement, the South Australian Native Title Services Office and the South Australian Chamber of Mines and Energy.

The bill was also subjected to an industry review to ensure it was fit for purpose from an industry perspective. As a result of this thorough consultation a number of issues were able to be addressed. For example, pastoral lessees were keen to have stipulated the percentage of a licence fee which would be passed through to prescribed interested parties under the bill. The bill was amended to address this issue.

A pastoral lessee stands to benefit financially from a wind farm licence. The South Australian government will charge a licence fee for use of pastoral lease land that is commensurate with that paid by wind farm developers to owners of freehold land. This fee will take account of the extra costs associated with development in remote areas. Ninety-five per cent of this fee will be distributed to a pastoral lessee and any other parties with an interest in the land, such as native title holders. A wind farm licence will be granted for at least 25 years with the option to renew for another term of at least 25 years. Prior to the granting of a licence, a wind farm developer will be able to gain access to pastoral land upon approval by the minister responsible for the act.

Flowing from the consultation process, pastoralists also queried whether wind farm developments would interfere with a pastoralist's ability to undertake their rights under the pastoral lease. The licence area of a wind farm will be very small compared to the overall size of a pastoral leasehold. The licence area will consist of a series of circles around each wind tower and a few areas that may, for safety, be locked, such as a substation. The wind farm licence authorises a wind farm developer to build access roads and infrastructure associated with the wind farm. The pastoral lessee will be able to make reasonable use of any access tracks that are built by developers from roads to the turbines. Pastoralism can occur between the wind turbines in the same way as occurs on freehold farming land.

A wind farm developer will make information available on an ongoing basis regarding planned activities on the land and the location of access roads and infrastructure, and a pastoral lessee will be able to make reasonable use of access roads built by a wind farm developer.

The wind farm licence conditions will be negotiated on a case-by-case basis in recognition of the very nature of pastoral lease land and the great variation in the scope of wind farm projects. As I have said, 40 per cent of the land in South Australia is government owned and used for pastoral purposes. This bill will open the land to renewable energy developers. Portions of this land contain high quality wind and solar resources.

For solar, I am told that interest from developers is mainly focused in the northern areas of state, where resources are highest. For wind, a detailed feasibility study for development potential on the Eyre Peninsula established that an outstanding area for wind farms is situated on crown land subject to pastoral lease. I am told that there is also an emerging trend of wind developers becoming more attracted to inland sites in South Australia.

The government is aware of a number of proponents seeking to access crown pastoral leasehold land to develop the projects. I am told the total estimated capital investment of these proposals is around \$500 million, which is around 15 per cent of the \$3 billion in existing capital investment in wind farm development. To date, existing investment has led to the creation of approximately 800 direct jobs, predominantly in regional areas.

This bill will ensure that South Australia will be the first jurisdiction to specifically allow for coexistence of wind farm development and the activities of pastoralism and resource exploration on crown land. The intent is to not only attract renewable energy investment to states but to stimulate growth in the clean energy industries of the future and provide employment and economic opportunities for many regional communities.

The government recognises the increasing value of the renewable energy sector and its importance to the economic future of the state, and that is why South Australia has committed to an investment target of \$10 billion in low-carbon generation by 2025. I commend the bill to members.

The Hon. G.A. KANDELAARS (17:02): I rise briefly to indicate my support for this very important bill. The intention of this bill is to provide a new form of tenement for wind farm developers on land leased for pastoral purposes. In addition, it aims to fast-track access to portions of pastoral land for commercial-scale solar farms.

Growing our use of renewable energy will have a direct and lasting benefit to our environment, our state's sustainability and on our immediate and long-term economic prospect. We should all be committed to ensuring the protection of our environment and the sustainable use of our natural resources, because we know that a healthy environment is essential for a healthy community and a healthy economy.

South Australia leads the nation in addressing climate change, renewable energy investment and production, waste management and water security. We are the first state in Australia to introduce dedicated climate change legislation. We released a strategy to reduce greenhouse gas emissions and begin a climate change awareness program.

As a result of these policies, South Australia's emissions are lower today than they were in the 1990s, in spite of our economic and population growth. In fact, just last month the Australian government released the latest measures of South Australia's emissions reduction progress report. It states that South Australia's net greenhouse gas emissions were 30 million tonnes of carbon dioxide equivalent in 2011-12. This means that 2011-12 greenhouse gas emissions in South

Australia were 10 per cent lower than the 1990 baseline. Interestingly, over the same period, South Australia's gross domestic product rose 65 per cent.

Quite clearly, the increased use of renewable energy can and does go hand in hand with economic growth. Here in South Australia we already lead the nation in the uptake of alternative energy sources. Since coming to government in 2002, we have seen the amount of electricity generated from renewable energy increase from 0.8 per cent to around 31.7 per cent.

According to all major research agencies, the science on climate change is clear and it is imperative we act now. The Intergovernmental Panel on Climate Change has released the working group II report 'Impacts, adaptation and vulnerability', and the working group III report 'Mitigation of climate change'. These reports show that the effects of climate change are already being felt around the world and that the world is ill prepared to manage its risks. They also show that greenhouse gases are growing globally at an increased rate and that immediate and significant mitigation action is required if temperature rise is to be limited to 2° by 2100.

South Australia must build on its national and international reputation as a leader in the use of renewable energy. If this bill is passed, it would make South Australia the first jurisdiction with legislation that specifically allows for coexistence of wind farm development and the activities of pastoralism and resource exploration on crown land. The successful passage of this bill would not only attract renewable energy investment to the state, it would also significantly stimulate growth in the clean energy industries of the future and provide employment and economic opportunities for many regional communities.

This is particularly important in light of recent federal cuts to the sector, particularly the axing of the Australian Renewable Energy Agency (ARENA). At a state level, we must continue to forge ahead in our renewable energy and climate change policies to ensure that we attract investment from national and international companies. The bill we are discussing today will provide renewable energy investors with access to 40 per cent of South Australia's land mass, that is, crown land subject to pastoral lease. This is important because we have already seen the positive benefit of creating the right environment for renewable energy investment.

We should be extremely proud of the fact that South Australia has already reached its target of 20 per cent renewable energy production by 2014 and we have committed to achieving 33 per cent electricity generation from renewable sources by 2020. In October 2013, South Australia committed to an investment target of \$10 billion in low carbon generation by 2025, in recognition of the economic development potential for this industry.

Since 2003, \$5.5 billion have been invested in renewable energy with some \$2 billion (40 per cent) of this investment occurring in regional areas. As of March 2013, per person we have 725 watts of installed wind power compared to the national average of 163 and 205 watts of installed solar photovoltaic power per person compared to 98 nationally. This performance puts us in the international space for comparison.

The successes and the direct regional benefits of these policies can be clearly demonstrated just by looking at the wind energy industry. Our state has proved an attractive destination for wind farm development. According to the Clean Energy Council, almost \$3 billion have been invested in wind farms in South Australia, with 1,203 megawatts of capacity, or 559 turbines, installed to date. This represents 38 per cent of the Australian total wind power generating capacity right here in South Australia. Importantly, this investment has led to the creation to date of approximately 800 direct jobs, predominantly in regional areas. This is 800 people who may otherwise not have been employed.

The potential economic benefits are enormous. Wind farms in South Australia vary in size between 34.5 megawatts to 159 megawatts. Let us take a look at the example of a 50-megawatt wind farm. The Clean Energy Council estimates the construction of this wind farm could contribute between 0.1 and 2.6 per cent to the gross regional product, depending on the size of the regional economy. During the construction phase alone, it is estimated that 48 full-time jobs are created. In addition, there is the flow-on effect of 112 regional job opportunities being created indirectly.

There will also be direct benefits to pastoral leaseholders if this bill is passed. Each application for a licence will be negotiated on a case-by-case basis. This is in recognition of the diverse and individual nature of each lease. Before a wind farm licence is granted, the responsible minister will consult with the pastoral lessee and any other person who has an interest in the land.

In addition, the pastoral leaseholder stands to benefit financially from a wind farm licence. The South Australian government will charge a licence fee for the use of the pastoral lease land that is commensurate with the amount paid by the wind farm developers to the owners of freehold land. Ninety-five per cent of this fee will be distributed to a pastoral leaseholder and any other party which has an interest in the land, such as native title holders.

This payment will be far in excess of any compensation payment that may be made. Most importantly, this payment will provide leaseholders with a yearly income, that is, a reliable, drought-proof income. This is vital because the effect of climate change will be felt through changing rain and weather patterns that will continue to disrupt the earning potential of pastoral leaseholders. I commend the bill to members.

Debate adjourned on motion of Hon. T.J. Stephens.

TRAVEL AGENTS REPEAL BILL

Introduction and First Reading

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) (17:12): Obtained leave and introduced a bill for an act to repeal the Travel Agents Act 1986. Read a first time.

Second Reading

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) (17:13): I move:

That this bill be now read a second time.

This bill will repeal the Travel Agents Act 1986 and implements a key recommendation in the national Travel Industry Transition Plan approved by a majority of state and territory governments on 7 December 2012. The bill illustrates the South Australian government's ongoing commitment to remove unnecessary red tape for business and promote efficient and adaptable regulation.

The transition plan recommended sweeping changes to existing travel agents regulation which has been in place since 1986, following the introduction of a cooperative scheme for the uniform regulation of travel agents, known as the national scheme. The terms of the national scheme require jurisdictions to enact uniform legislation requiring travel agents to be licensed and for those agents to become and remain members of the Travel Compensation Fund, or TCF. The TCF monitors the financial position of travel agents and administers compensation to consumers who have suffered financial loss because their travel agent has failed to pay a travel or travel-related service provider on their behalf.

Now, after two decades in operation, the national scheme has steadily become ill-suited both to modern industry practices and to how consumers purchase travel today. The rise of electronic commerce, in particular, has fuelled the growth of direct distribution channels. Making travel arrangements is now predominantly an online business, with consumers cutting travel agents out of many transactions.

It is now estimated that two-thirds of travel and travel-related expenditure—or \$18 billion out of \$27 billion—is now made without relying on a travel agent. Growth forecasts predict that this trend is likely to continue. As a result, a significant number of consumer transactions are currently falling outside the scope of this existing regulatory scheme and the pool of consumers who are eligible to access compensation by the TCF is now shrinking. However, the compliance burden associated with satisfying the TCF's prudential oversight requirements remains high relative to its declining benefit to consumers. In March 2011, PricewaterhouseCoopers estimated the cost to industry of complying with the TCF's requirements alone at around \$19.3 million; in 2012, KPMG put this cost at \$18.4 million.

The industry itself is also increasingly globalised, with many overseas players entering the local market, bypassing the national scheme altogether. Recent collapses of well-established local agents controlled by offshore corporations indicated how complex ownership arrangements are

undermining the effectiveness of the TCF's prudential oversight. These are circumstances which the national scheme cannot prevent and future similar incidents are not unlikely.

In addition to its shrinking coverage, the national scheme also raises concerns about regulatory duplication. Travel agents—particularly those that are incorporated or publicly listed—are already subject to financial controls under laws of general application and under industry-led mechanisms, such as accreditation obtained through the International Air Transport Association, the IATA. In practice, these controls cover the majority of the travel agent market, which is dominated by a small group of large companies.

It was in light of these challenges that state and territory consumer affairs agencies developed a Travel Industry Transition Plan, taking into account two independent cost-benefit analyses, and two rounds of public consultation. The transition plan envisages a regulatory scheme for travel agents informed by contemporary market conditions. These reforms consist of two key changes to be implemented by the end of 2015.

The first change removes the TCF's prudential supervision function and puts measures in place that would trigger the closure of the fund. This was achieved through changes to the TCF's governing trust deed on 1 July 2013. The second change involves repealing travel agents' licensing legislation by 1 July 2014. This bill will achieve this requirement and will also preserve, for a limited time, certain powers relating to the TCF. These powers provide for additional matters that are not included in the TCF's governing deed, such as the right of the TCF trustees to sue and be sued in the name of the TCF.

Other provisions that will be preserved are the minister's original power to declare the TCF as an approved compensation scheme. The limited continuation of these provisions is required in order to align with the TCF's termination date. This is currently either 31 December 2015, or as soon after 30 June 2015 as the TCF's obligations are met and the fund is officially closed.

Removing the national scheme will not leave travel agents unregulated and consumers without redress. The bill will enable fuller reliance on the Australian Consumer Law and existing company laws, as well as industry-led regulatory mechanisms and remedies such as credit card charge-backs.

A key advantage of the ACL is that it applies existing levels of consumer protection to transactions with all travel agents as well as travel providers. Complementing these measures will be a new industry-led accreditation scheme, to be administered by the Australian Federation of Travel Agents, or AFTA. The scheme is required to be implemented from 1 July 2014, coinciding with the proposed commencement date of the bill.

With the help of a one-off grant of \$2.8 million, funded by the TCF, AFTA has significantly progressed its voluntary scheme. It has also negotiated with a UK insurer, International Passenger Protection, to introduce new insurance products into the Australian market covering defaults by both travel agents and suppliers. Such developments have not been possible in the presence of the national scheme, with travel agents already subject to TCF and licensing costs. TCF funds will also be used to support the creation of a consumer voice.

The transition plan recommended that a one-off grant be made for the purposes of consumer research and advocacy to assist in empowering consumers who transact within a globalised travel industry. CHOICE has been the successful tenderer to undertake this project.

The bill is the culmination of a lengthy process of collaborative reform that has been in place since early 2009. All jurisdictions are cooperating to achieve the passage of similar legislation within the required time frame. The state of Victoria passed its repeal legislation in March 2014; New South Wales and the Australian Capital Territory have introduced their repeal bills and expect them to be passed by both houses in May; and Queensland expects to have its repeal legislation passed by 1 July 2014.

The bill will enable travel agents to transition into an environment that is appropriate for contemporary market conditions and existing regulatory coverage. It will also enable an experienced, well-established industry to play a central role in overseeing the activities of its representatives in the absence of a more prescriptive regulatory framework. Importantly, the bill will help place the Australian Consumer Law centrally as the most appropriate form of protection for consumers and

regulation for travel agents, both at present and in the foreseeable future. I commend the bill to the house. I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause provides the short title.

2—Commencement

This clause provides for the commencement of the Act and ensures that, even in the event that the Act is assented to by the Governor after 1 July 2014, the Act commences from 1 July 2014.

Part 2—Repeal of *Travel Agents Act 1986*

3—Repeal of Act

This clause repeals the *Travel Agents Act 1986*.

4—Transitional provisions

This clause provides transitional provisions to preserve specified sections of the *Travel Agents Act 1986* relating to the administration of the Travel Compensation Fund until the termination of the trust deed according to its terms, as follows:

- (a) the approval of the trust deed by the Minister made under section 19 will continue to apply;
- (b) section 21, which permits appeals to the District Court against certain determinations of the trustees, will remain in force;
- (c) section 25, which provides that the trustees may enforce rights (subrogated to the trustees due to payment from the compensation fund) against the directors of a licensed travel agent (or former licensed travel agent) that is a body corporate, will remain in force until the termination date in relation to a claim made against the compensation fund in respect of matters occurring before the repeal date;
- (d) section 26, which provides that the trustees may sue and be sued under the name 'The Travel Compensation Fund', will remain in force in relation to any legal proceedings brought by or against the trustees before the termination date in relation to a matter occurring before the repeal date.

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

At 17:23 the council adjourned until Tuesday 3 June 2014 at 14:15.