

## LEGISLATIVE COUNCIL

Wednesday, 18 June 2014

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 14:16 and read prayers.

### *Parliamentary Committees*

#### LEGISLATIVE REVIEW COMMITTEE

The **Hon. A.L. McLACHLAN (14:17)**: I bring up the third report of the committee.  
Report received.

### *Parliamentary Procedure*

#### PAPERS

The following papers were laid on the table:

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

Reports, 2012-13—

Northern and Yorke Natural Resources Management Board  
SA Murray Darling Basin Natural Resources Management Board

Regulations under National Schemes—

Heavy Vehicle (Fatigue Management) National Regulation  
Heavy Vehicle (General) National Regulation  
Heavy Vehicle (Mass, Dimension and Loading) National Regulation  
Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation  
Heavy Vehicle (Transitional) National Regulation  
Heavy Vehicle (Vehicle Standards) National Regulation

### *Ministerial Statement*

#### SOUTH-EAST ASIA ENGAGEMENT STRATEGY

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 my very hardworking cabinet colleague minister Martin Hamilton-Smith relating to the target of a new engagement strategy for the South-East Asian economy, a very important initiative.

*Members interjecting:*

The **PRESIDENT**: I am asking the Leader of the Opposition to desist. Questions without notice.

### *Question Time*

#### HEYSEN TRAIL

The **Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19)**: I seek leave to make a very brief explanation before asking the Minister for the Environment a question about public liability insurance on the Heysen Trail.

Leave granted.

The **Hon. D.W. RIDGWAY**: Yesterday I asked the minister whether the Heysen Trail and bike trails nearby the Yourambulla Caves were covered by the state government public liability insurance. Indeed, I have checked and the management of the Heysen Trail falls under the minister's jurisdiction. My questions to the minister are:

1. What are the public liability insurance arrangements for tourist attractions such as the Heysen Trail?

2. It would appear from his inability to answer yesterday that attractions such as Yourambulla Caves are not covered. He will have to take this on notice because the very good hardworking people in his office I am sure will know it, but he will not: can he provide a list of all of the state tourism attractions that are publicly accessible that are not covered by state government public liability insurance?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:20):** I thank the honourable member for his most important question. I will have to check whether that is directly my responsibility or we share responsibility with another minister and get back to the honourable member with an answer.

#### NATIVE VEGETATION

**The Hon. J.M.A. LENSINK (14:20):** I seek leave to make a brief explanation before directing a question to the Minister for Sustainability, Environment and Conservation about native vegetation.

Leave granted.

**The Hon. J.M.A. LENSINK:** Last year the Native Vegetation (Miscellaneous) Amendment Bill 2013 was passed in this place and there has been quite a bit of discussion in various media outlets in relation to the significant environmental benefit and value of it. In particular, regional councils had expressed a number of concerns as had regional LGA associations.

The minister responded last year by saying that the consultation process was under consideration and that he expected workshops to be completed in February 2014 before a decision would be made. My question is: can the minister provide an update on what the status of those negotiations is and when he expects a decision to be made?

*Parliamentary Procedure*

#### VISITORS

**The PRESIDENT:** Before the minister answers I would like to recognise the presence of the Hon. Ms Caroline Schaefer. Welcome.

*Question Time*

#### NATIVE VEGETATION

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:21):** I thank the honourable member for her most important question. I also thank you, Mr President, for recognising the Hon. Ms Schaefer for if I were to do so I am sure it would be ruled unparliamentary—but welcome anyway. In relation to the honourable member's question I can say a few things, and then I might handball to the Hon. Ms Schaefer, who I am catching up with straight after question time to address some of these issues with her.

Native vegetation plays a vital role in the health and prosperity of South Australian ecosystems, communities and natural resource-based industries. Less than 30 per cent of native vegetation remains in South Australia's agricultural areas with some regions lower than 10 per cent, I am advised. One-quarter of all the plants and animals recorded in South Australia are considered to be threatened.

Under the Native Vegetation Act 1991 and Native Vegetation Regulations, authorised clearance of native vegetation in South Australia is generally required to be offset by a significant environmental benefit. The Native Vegetation Council, supported by the Department of Environment, Water and Natural Resources, is reviewing the policies relating to significant environmental benefit offsets and the way in which the significant environmental benefit requirement is calculated.

The proposed changes aim to deliver greater clarity and rigour through a new consistent approach to native vegetation assessment, applicable to all clearance applications and within all natural resources management regions across the state. The Native Vegetation Council is currently engaging with impacted stakeholders to determine how to best manage this process. I have spoken to the chair of the council and urged an approach that is both realistic and also values our important native vegetation but also has a pragmatic outcome for those who are impacted; an outcome that

landholders, mining companies, farmers and irrigators can live with and an outcome that benefits native vegetation generally.

There is no reason, of course, to be afraid of this consultation process. I know there have been some comments in the media remarking on probably worst-case scenarios. Whilst that is an understandable part of human nature, it is not to be expected that those outcomes that are being imagined will be delivered. As I said, we want pragmatic outcomes that landholders, conservationists, farmers and irrigators can live with. We also want good outcomes for native vegetation.

As I said, I will have some discussions with the chair very shortly, talk about these issues with her and look forward to a short further period of consultation before coming up with some recommendations from the council.

#### TAFE SA

**The Hon. S.G. WADE (14:24):** My questions are to the Minister for Employment, Higher Education and Skills:

1. Can the minister confirm that TAFE SA Mount Gambier is closing its hospitality school?
2. Can the minister advise how many staff have been offered voluntary redundancy packages at the Mount Gambier TAFE SA campus?
3. Has TAFE met its redundancy targets for 2013-14?
4. How many redundancies are planned for TAFE in 2014-15?

**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) (14:25):** I thank the honourable member for his important questions. I am not aware of any changes to the hospitality services provided at Mount Gambier. These are operational matters and, as I've said in this place before—

*Members interjecting:*

**The PRESIDENT:** The minister is trying to answer a question from the Hon. Mr Wade not from anyone else. The honourable minister.

**The Hon. G.E. GAGO:** Every day I'm in this place I have to explain to the opposition because they just fail to understand a very basic premise and that is, times have changed. The model of education for TAFE's operation has changed. It changed a year or so ago and it shifted from being a service run by the state government to an independent corporation—an independent statutory body run and managed by its own independent board.

I have said in this place before that I am responsible to ensure it meets its statutory obligations but all other matters—all its operational matters, its administration matters, the way it structures its fees, the courses that it offers other than those covered on a community service obligation-type provision—are for the board to consider. I've said in this place before that if honourable members want detailed information about those operational matters they should go to the body that is now responsible for that—the independent statutory authority board—and ask their questions there.

#### TAFE SA

**The Hon. S.G. WADE (14:27):** I seek leave of the council to give an explanation before asking a supplementary question.

Leave granted.

**The Hon. S.G. WADE:** I refer the minister to the submission of the South Australian government to the House of Representatives' committee on the South Australian government's response to the inquiry into the role of the technical and further education system and its operation in Australia dated May 2014, which reads:

It is to be noted that whilst TAFE SA is established as a Statutory Authority, from a financial accountability perspective it remains under the portfolio of the Minister of Employment, Higher Education and Skills, the same portfolio as DFEEEST, the funding agency responsible for all of VET in South Australia, inclusive of private providers.

In that context I ask the minister why has she not sought a briefing on the TAFE redundancies to the Mount Gambier TAFE?

**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 can only reiterate and I would have thought that the honourable—

*Members interjecting:*

**The PRESIDENT:** Minister, sit down for a second. The minister is trying to answer a question from the Hon. Mr Wade. It is an important question and it is going to be an important answer so please let her do this in silence. The honourable minister.

**The Hon. G.E. GAGO:** Thank you, Mr President. The honourable member fails to grasp a very basic concept. I have explained it in this place several times before. There is a TAFE Act of 2012 that is available for the honourable member to read. The TAFE Act SA 2012 was brought into operation on 1 November 2012 and establishes TAFE SA as a statutory corporation. The legislation separated TAFE SA from DFEEST resulting in a more commercially autonomous position for TAFE SA, transparency between the public provider and the purchaser, and funder of training and access to income-contingent loans for eligible vocational education and training students.

As I have said, it is important to make it very clear: TAFE SA is a statutory authority governed by a board that is independent of government. This is not rocket science, and I have provided this information ad nauseam in this place, but the opposition just fail to grasp that the world has moved on; the previous modelling for TAFE has changed. It changed in a way that we made perfectly, publicly clear.

*The Hon. D.W. Ridgway interjecting:*

**The PRESIDENT:** Will the honourable member please allow the minister—

*The Hon. D.W. Ridgway interjecting:*

**The PRESIDENT:** Yes, well, you don't talk while the answer is being given.

**The Hon. G.E. GAGO:** We were publicly accountable for the changes that were made. Legislation was passed through both houses of parliament. The world has changed, but the opposition just can't get it and they can't move on. Those changes mean that the day-to-day decisions of the TAFE SA board, including things like courses, the fees it charges, the student services and staffing issues are made by the board, not the government.

The government remains responsible for the strategic direction and framework of TAFE SA's operation to ensure that our strategic objectives are fulfilled, and that TAFE SA fulfils its statutory obligations. That is the different roles of the government and TAFE. I have explained it time and again. It is not rocket science, it is just that life has moved on. TAFE from 10, 20 years ago has changed. It is not the responsibility of the government, it is its own independent statutory authority. It is the service provider, the government is the service funder.

#### TAFE SA

**The Hon. S.G. WADE (14:32):** By way of supplementary question, if the minister is correct and that all the government is responsible for is TAFE's strategic directions and frameworks, when the government advised the House of Representatives' committee that the minister had financial accountability for TAFE, to what were they referring?

**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) (14:32):** I have just outlined that TAFE is—

*Members interjecting:*

**The Hon. G.E. GAGO:** It is just unbelievable! I have said ad nauseam that TAFE SA remains the service provider, that the government remains the service funder.

**TAFE SA**

**The Hon. S.G. WADE (14:33):** By way of supplementary question, if the minister is asserting that TAFE is no different to a private provider, is the minister asserting that she has financial accountability for all private providers, considering that her department is telling the commonwealth parliament—

**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 have answered that ad nauseam.

**The PRESIDENT:** The minister says she's answered it. The Hon. Ms Franks.

*Members interjecting:*

**The PRESIDENT:** Will you allow the Hon. Ms Franks to ask a question?

**TAFE SA**

**The Hon. T.A. FRANKS (14:33):** By way of supplementary question, on what date was the TAFE Act 1975 repealed?

**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 don't know. I will find out and bring it back for the honourable member. I encourage her to do her own research. For goodness sake, what a lazy opposition you lot are.

**TAFE SA**

**The Hon. T.A. FRANKS (14:33):** Given that the government's own submission to the recent TAFE inquiry run by the House of Representatives and Senate says that the act will soon be repealed, can the minister confirm that it has been repealed?

**The Hon. K.J. MAHER:** On a point of order, supplementary questions need to arise from the original answer. I do not think this is at all from the original answer.

**The PRESIDENT:** I think the honourable minister is doing quite a good job for herself. The honourable minister, do you want to answer that question?

*The Hon. G.E. Gago interjecting:*

**The PRESIDENT:** No. The Hon. Mr Maher.

**TAFE SA**

**The Hon. K.J. MAHER (14:34):** My question is to the Minister for Employment, Higher Education and Skills. Given members opposite show very sudden interest in the TAFE sector, will the minister inform the chamber about the important role TAFE SA plays in training South Australians?

**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) (14:34):** Good; at last, a good question. I am eternally grateful to the honourable member for his most important question. Today the Australian Education Union (AEU), along with staff and students from TAFE, is celebrating all that is great about TAFE in South Australia, and is campaigning to ensure that this continues. As Minister for Employment, Higher Education and Skills, I want to take this opportunity to speak about the fantastic role that TAFE SA plays in training South Australians.

TAFE SA prides itself on being the largest provider of vocational training programs in the state and continues to work directly with industry, both locally and regionally, to ensure that graduates are ready for work. In 2013 alone, TAFE SA had almost 90,000 students, studying more than 802 different qualifications. I recognise the important role that TAFE SA plays in providing critical entry points to people who face disadvantage in training and the labour market, particularly learners facing language, literacy and numeracy barriers and those without an initial post-school qualification.

It is worth noting that in 2013, Skills for All course enrolments at TAFE SA increased by 22 per cent for young people, 40 per cent for females, 39 per cent for mature aged people, 65 per cent for unemployed people and 17 per cent for those from low socioeconomic backgrounds. There was also a 31 per cent increase for people with a disability. This is significant, because this Labor government recognises that people with skills and qualifications have much higher rates of employment than those without.

It is a great credit to TAFE SA and NCVA. The student outcomes 2013 TAFE report for South Australia indicates that 79 per cent of TAFE SA graduates were employed after training, and of those employed after training, 72.2 per cent found the training relevant to their career. It is even more impressive that 90 per cent of graduates were either employed or went into further study after training. These results do not happen by accident. TAFE SA staff continue to be recognised as leaders in their field and it is the dedication and commitment of TAFE staff that underpin the quality of the organisation.

For example, we have seen a principal lecturer in mechanical engineering win an award for TAFE SA industry collaboration and be nominated for this category at the state training awards. A lecturer in enrolled nursing received a Premier's award for service for volunteering in the ambulance service in her local community. I would like to particularly congratulate those two people.

Nearly 12 months after it became one organisation, it would be remiss of me not to mention the work of the TAFE SA board. The board has implemented some important reforms that have modernised governance arrangements to ensure TAFE SA remains the key public provider in a competitive system. The state government continues to invest significant public funds for the delivery of high quality training and services to South Australians. Since 2007-08, the state government has made the single biggest investment ever in infrastructure used for vocational education and training.

To date, almost \$230 million of capital projects have been undertaken, including a \$38.3 million mining engineering transport centre at Regency Park scheduled for completion in July this year, and the \$119.6 million development of the sustainable industries education centre at Tonsley. A further \$22.8 million has been invested across regional South Australia, upgrading infrastructure and developing campuses at Berri, Whyalla, Mount Gambier and Victor Harbor.

However, we know that this investment is at risk from the federal Liberal government's decision to rip around \$360 million in funding for apprentices, vocational training and higher education in South Australia out of our VET system over the next three years. There is no doubt that these cuts will have a detrimental effect, and that is why this government, unlike those opposite, will continue to fight against these appalling cuts. As I have just outlined, TAFE SA does play a significant role in our communities and I would like to place on record my sincere appreciation to all TAFE SA staff for their continued work.

#### TAFE SA

**The Hon. T.A. FRANKS (14:39):** Supplementary: in the minister's understanding of the welcoming of the TAFE sector and congratulating them on National TAFE Day today, is she aware of the words of the AEU in their submission to the House of Representatives inquiry that in their conclusion:

The South Australian government has failed in its responsibility to the Parliament of South Australia by undermining TAFE through the introduction of full contestability for VET funding, and by the government's Skills for All agenda.

**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) (14:40):** I am aware, and I have enormous respect for the AEU. As all unions do, they play a very important role in our community. The union is entitled to their opinion and I am aware of their views on this matter; however, the government has a different view on this. We have undertaken significant reform in this sector; we have shifted from a system that had numerous single administrative units and TAFE organisations scattered all around South Australia, each running itself. We moved (I cannot remember the exact number now) from a large number to about three and then in recent years we have moved from three to one: our new statutory authority, TAFE SA.

We have said that we would move to a model of contestability to open up the marketplace to more training operators, and we did this as a means of improving productivity, of being able to provide more courses at cheaper costs and to be able to reach more people, having more people trained by opening up that marketplace. That has been an extremely successful productivity driver. It has worked very effectively. We have seen our VET sector here in South Australia go from what was nationally the most cost-inefficient sector in the nation—that is what we had to wear—to now the most cost-efficient sector in the nation. It is those reforms, including that change in model, that have assisted us in that way.

**The Hon. I.K. Hunter:** And your great leadership.

**The Hon. G.E. GAGO:** And my great leadership, and those before me. I have outlined (so I will not go through it again) our commitment to TAFE SA and the valuable role that they continue to play in the provision of VET services to South Australia. Their role is still pivotal in a whole range of ways. They are an excellent, very high-quality service provider and they are also responsible for delivering our community service obligation, those elements that have particular emphasis on access and equity to those who are the most disadvantaged and are unlikely to be picked up easily through some of those other training providers.

It is a great partnership. I admire and respect the work that TAFE does and congratulate them on the enormous and very valuable contribution they make to this state, but make no apology on the reforms that we have made and will continue to develop.

**The PRESIDENT:** The chamber has all of a sudden become very orderly. What's happened? The Hon. Mr Hood.

#### CHILD PROTECTION

**The Hon. D.G.E. HOOD (14:43):** I seek leave to make a brief explanation before asking the minister representing the Minister for Education and Child Development a question relating to sexual abuse by children in schools.

Leave granted.

**The Hon. D.G.E. HOOD:** The ABC recently reported a disturbing trend amongst schoolchildren that members will have no doubt seen. Under FOI provisions, the ABC obtained data showing that education departments around Australia had received at least 940 reports of serious sexual assaults amongst children in the year 2013. Nine incidents from South Australia were reported with children engaging in 'sexualised language, innuendo, and inappropriate touching', one child reported to be 'grooming' another child, while another detailed how one child was blackmailed over sexual incidents. South Australia has the fourth highest child-on-child sex abuse allegations, which puts it roughly in the middle of the pack, obviously. What is disturbing is that criminologist Dr Wendy O'Brien shared her belief that we have a problem now—and this is a national problem, not just isolated to our state—in how we collect the data, so it is likely that the number of offences is actually much higher than reported.

Dr O'Brien also indicated that there is a culture of denial and non-disclosure within Australia, and this certainly appeared to be the case for a mother from New South Wales, who raised the issue of sexual assault with her son's principal. Despite significant allegations of sexually inappropriate behaviour in that case, the behaviour was dismissed as being within the realms of 'normal behaviour'. My questions are:

1. Will the minister outline the policies in place for recording incidents of sexual abuse and how that data is collected here in South Australia?
2. What training is given to teachers, caregivers and other employees at schools in relation to reporting these inappropriate incidents?
3. What policies are in place for the prevention of sexual abuse of children within our schools, and what can be done about 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) (14:45):** I thank the honourable member for his most important question on a very concerning topic, but I do point out that the Minister for Education and Child Development in this state is not responsible

for issues that are occurring in other jurisdictions. However, I am quite sure she will take the issues of the policies of the department and the training provided to staff on notice, and bring back a response for the honourable member in due course.

### MATES IN CONSTRUCTION

**The Hon. J.S.L. DAWKINS (14:46):** I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation, representing the Minister for Mental Health and Substance Abuse, a question regarding MATES in Construction.

Leave granted.

**The Hon. J.S.L. DAWKINS:** MATES in Construction is an award-winning suicide awareness and prevention program that has been launched in the South Australian construction industry. It was established as a not-for-profit organisation in Queensland in 2008 to address the high suicide rate in the construction industry.

MATES in Construction was brought to South Australia through the drive and commitment of a number of union and industry bodies and receives funding from the Building Industry Redundancy Trust and the commonwealth government. Since its introduction to South Australia, the organisation has:

- supported and case managed 154 construction workers;
- provided 1,734 construction workers and safety staff with a one-hour general awareness training course;
- provided 215 construction workers and safety staff with a four-hour connector training course;
- provided 23 construction workers and safety staff with a two-day applied suicide intervention skills training course;
- presented training at 40 South Australian building sites; and
- continued to respond to crisis calls from South Australian construction workers.

MATES in Construction is also currently in consultation with a further 14 sites with a view to providing further training. The organisation does not charge fees for any of its services and offers a very important service to members of the construction industry. My questions are:

1. What involvement has the minister's office or his department had with MATES in Construction in its efforts to lower the suicide rate in the construction industry?
2. Will the minister commit to further engaging with MATES in Construction to assist in its mission to support the mental health of South Australian construction workers who are two times more likely to complete suicide than the average male, and up to six times more likely to die from suicide than from an accident at work?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:48):** I thank the honourable member for his very important question, and I would like to acknowledge his ongoing interest in this very important policy area. I will take this question to the Minister for Mental Health and Substance Abuse in the other place and seek a response on his behalf.

### MARINE PARKS

**The Hon. T.T. NGO (14:48):** My question is to the Minister for Sustainability, Environment and Conservation. Can the minister advise the chamber what progress has been made on the implementation of the marine parks program?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:49):** I thank the honourable member for his most important question. I can confirm that I am very pleased to be able to provide an answer and very pleased to provide information on the progress of South Australia's marine parks program. I am also very pleased to be able to recognise, here in this



chamber, that this program is one of the most significant conservation initiatives ever undertaken in this state.

I am sure honourable members are aware that marine park management plans for each of South Australia's 19 marine parks were finalised in November 2012. While the plans came into effect at that time, fishing restrictions are not due—as most members will know—to come into effect until 1 October this year. This was important to ensure that industry and the community have ample time to prepare for changes out on the water.

Our state's marine parks have been carefully zoned to set aside some of the most unique areas of our coastline for conservation purposes. Most importantly, these zones have been carefully designed and based on sound and robust science. Throughout this process the government has been committed to ensuring that the best scientific research is considered and we have made it publicly available at each stage of the marine parks program.

The science supporting the benefits of marine parks is overwhelming, I am advised, perhaps a little too overwhelming for some of my colleagues opposite who have in this place and elsewhere consistently sought to refute or ignore the science behind marine parks.

The design of South Australia's marine parks program is based on the best available and extensive international, national and local marine science. The 14 design principles that provide the scientific basis for the marine parks program were developed after consideration of three decades of Australian and international marine protected areas scientific and management experience.

In addition, the government sought input from an independent scientific working group. This is a group of 12 highly respected and credible scientists. They have significant expertise in a range of scientific fields relative to the marine environment, such as marine ecology, marine biology and biological oceanography. The location of our 84 sanctuary zones are areas of high ecological importance and ensure protection for areas including:

- the southern right whale breeding grounds and sea eagle nesting sites at the Bunda Cliffs in the Great Australian Bight Marine Park;
- the biodiversity 'jewels in the crown' of South Australia's marine environment at the Isles of St Francis and Nuyts Reef in the Nuyts Archipelago Marine Park;
- critical marine nursery areas in the mangroves and seagrasses in the Upper Spencer Gulf and Upper Gulf St Vincent Marine Parks;
- world class scuba diving at Topgallant Isles in the Investigator Marine Park;
- reef fish, Australian sea lion and New Zealand fur seal hotspots in the Pearson Island group in the Investigator Marine Park;
- popular diving and snorkelling sites at Chinaman's Hat, near Innes National Park in the Southern Spencer Gulf Marine Park and at Noarlunga Reef in the Encounter Marine Park;
- the Australian sea lion habitat at Seal Bay in the Southern Kangaroo Island Marine Park; and
- the ecotourist destination and world-renowned great white shark hotspot at North Neptune Island in the Neptune Islands Group (Ron and Valerie Taylor) Marine Park.

These are just some of the incredibly unique and diverse areas that lie off our coastline, and I can assure all members that this government remains firmly committed to ensuring these areas are protected. We have always been determined to get the balance right between conservation and other community needs, and that is why we have run such an extensive community engagement program.

In 2006 public consultation occurred on the Marine Parks Bill, a bill which I should point out was supported at the time by the Liberal Party. This was followed by another round of public consultation regarding the park's outer boundaries in 2009. More than 2,000 submissions were received at that time, I am advised. Local communities were then asked to participate in the marine parks planning process through local advisory groups. These groups met between late 2009 and May 2011 and had the opportunity to directly input into the design of marine parks.

Key stakeholders, including the commercial fishing industry, were also extensively consulted over many years, in addition to a range of other bodies including the Marine Parks Council and the Scientific Working Group. In addition, we sought an independent analysis of marine park impacts.

In line with the Marine Parks Act 2007, each draft management plan that was released for public consultation was accompanied by an impact statement describing the expected environmental, economic and social impacts of that draft plan. The impact statements were released with the draft zoning so the government could receive further advice from stakeholders and the community to further minimise the impact on users.

As a result of that, the government made more than 50 amendments in finalising the marine park management plans. These changes were of course in addition to the input the government received from the community and stakeholders over many years.

The changes to the zoning proposed in the draft management plans maintained good conservation outcomes whilst reducing the impact on users of the marine environment, such as commercial and recreational fishers. For example, these changes reduced the impact on South Australia's commercial fishing industry from 2.1 per cent to 1.67 per cent of its annual gross value of production.

There were also changes to accommodate popular recreational fishing spots, such as Black Point near Whyalla, Chinaman's Hat and Cape Elizabeth on Yorke Peninsula, Cape Forbin on Kangaroo Island, and Port Arthur and Port Wakefield at the top of Gulf St Vincent, just to name a few. The government has, at every step of the way, been committed to involving the community and key stakeholders in the design process of our parks. We have always been committed to ensuring that our parks are based on sound science. This is what sets us apart from the members opposite who refuse to acknowledge the wealth of scientific data and research that is readily and easily available.

We will continue to rely on credible science and we will continue to ensure that the community and stakeholders are informed and play a key part in our marine parks program. I can advise that work is currently underway to prepare for the commencement of fishing restrictions in sanctuary zones on 1 October. Extensive information has been provided across the state to ensure people know where sanctuary zones are located and what rules apply in these zones.

Officers from the Department of Environment, Water and Natural Resources continue to attend public events, such as boat shows and field days, to provide information about marine parks. CDs containing the GPS coordinates of the zones have been widely distributed and these coordinates are available on the marine parks website. In addition, the My Parx phone app for iPhones and Androids is also available to provide users with information about the locations of zones and the rules that apply. Signs at key locations around the state will be installed to help inform the public about the locations of sanctuary zones and the rules that apply.

The overwhelming feedback we have been receiving is that there is widespread support for marine parks and the locations of the sanctuary zones. The government has long held the view that marine parks will boost our fishing, tourism and recreational industries, as has been evidenced in other places around the world. In addition, we expect marine parks to generate new business opportunities and new jobs.

The government has considered the full range of scientific information, along with important information from the community and stakeholders, to ensure that healthy examples of our marine life are protected for current and future generations without undue impact on people's lifestyles and livelihoods and, unlike those opposite, we rely on expert scientific advice. They make it up. Whenever they are out in the country they talk to stakeholders and they tell them what they want to hear. They don't take on leadership. They refuse to. They go out and tell people what they want to hear. They refuse to acknowledge the great science that is behind these marine parks.

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

**The PRESIDENT:** The honourable minister will take his seat. The Hon. Ms Lensink, please, contain yourself.

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

**The Hon. I.K. HUNTER:** Mr President, she says, 'They started it. He started it.' That's the only comeback that they have to the science. That is the only comeback they have to the science: 'He started it.' That's all they can say. No wonder they lost at the last election.

**The PRESIDENT:** The honourable minister, take your seat.

*Parliamentary Procedure*

### VISITORS

**The PRESIDENT:** It is my pleasure to acknowledge the presence of the Hon. Mr Ian Gilfillan. Welcome.

**Honourable members:** Hear, hear!

*Question Time*

### CITY HIGH-RISE DEVELOPMENT

**The Hon. M.C. PARNELL (14:57):** I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills, representing the Minister for Planning, a question about high-rise development in the south-east corner of the city.

Leave granted.

**The Hon. M.C. PARNELL:** Last week, the South East City Residents Association (SECRA) wrote to the Minister for Planning, and other members, concerning the approval of an eight-storey building in Hume Street on a block of only 394 square metres. The approval of this building was upheld by the Environment, Resources and Development Court as it was consistent with the Capital City DPA, which significantly increased maximum building heights and came into effect on interim operation; that is, before public consultation had been completed. SECRA writes to the minister:

It beggars belief that an 8 storey building containing 30 serviced apartments with no off street parking was allowed to be constructed in a narrow street containing only single and double storey residences by the court. However it appears that the court had no option but to assess the proposed development on the Capital City Development Plan Amendment (DPA) which was introduced by yourself, as the Minister for Planning, on 28 March 2012.

Is it any wonder that such an inappropriate development could occur in a narrow residential street when interim regulations are introduced in apparent haste and without adequate consultation and proper consideration of the implications of such regulations? This development will be a monument to what can occur when planning regulations are introduced without due process.

The letter concludes:

Unfortunately because of the decision of the Environment, Resources and Development Court of South Australia to allow this development there is now nothing that local residents can do to prevent such a high, overshadowing inappropriate development in their narrow residential street.

Is this the type of development that you, as the Minister for Planning, consider is appropriate in narrow residential streets in the City of Adelaide? If not, what action will you take to ensure that we do not have a recurrence of such an inappropriate development?

The letter is signed by John Underwood, chairperson. My questions to the minister are:

1. What is your response to SECRA?
2. Will you commit to a review of city planning in light of this decision and other approvals granted under interim operation of the Capital City Development Plan Amendment?

**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) (15:00):** I thank the honourable member for his questions and will refer those to the Minister for Planning in another place and bring back a response.

### OFFICE FOR THE PUBLIC SECTOR

**The Hon. R.I. LUCAS (15:00):** I seek leave to make an explanation prior to directing a question to the minister representing the Minister for the Public Sector on the issue of the public sector.

Leave granted.

**The Hon. R.I. LUCAS:** On 7 May the member for Davenport asked of the minister:

Can the minister assure the house that when the current Commissioner for Public Employment concludes his term she will ensure the position is publicly advertised and there is an open and merit-based appointment process for the new position?

Minister Close responded:

I am yet to turn my mind to such an eventuality...

As I have outlined to the house that response was misleading in that on 7 April minister Close took a submission, submission 102, to cabinet in relation to an appointment process for Ms Erma Ranieri to be the new commissioner for public employment.

I raised some further issues yesterday by way of question and, as a result of that, I have been contacted further by staff within Ms Close's portfolio area expressing concern about the minister's answer and the misleading nature of the information that she has put on the public record. I have been further advised that Ms Ranieri actually had a meeting with the staff, as I indicated yesterday, and at that meeting she gave all employees a glossy employee information brochure detailing the review process that Ms Ranieri was about to conduct.

The public servants have raised with me a series of questions that they have sought my assistance in getting answers to from either the minister or the government in relation to that particular glossy brochure—who gave approval for that particular brochure to be printed, the cost and a variety of other issues as well. My questions to the minister are:

1. Did Ms Erma Ranieri give staff within the designated areas that I outlined yesterday a copy of a glossy employee information brochure detailing the review process when she met with them prior to this issue being raised in the parliament on 7 May?
2. On what date did Ms Ranieri commission the printing of that particular glossy employee information brochure and what was the cost of that brochure?
3. Who gave Ms Ranieri the authority to conduct and implement the review for this new office and to appoint consultants and to print glossy brochures in relation to that process and, in particular, when was that approval given to Ms Ranieri to conduct this process?
4. Did Ms Ranieri discuss this particular review process and approval process with minister Close or with Premier Weatherill?

**The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:03):** I thank the honourable member for his questions and will refer them to the relevant minister in another place and bring back a response.

#### **FINLAYSONS WOMEN IN BUSINESS**

**The Hon. J.M. GAZZOLA (15:03):** I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about Finlaysons Women in Business event.

Leave granted.

**The Hon. J.M. GAZZOLA:** The Finlaysons Women In Business group is a forum of South Australian women lawyers, clients and relevant contacts in government and business to network and discuss business ideas, issues and opportunities. Minister, will you tell us about your attendance at the Finlaysons Women in Business function?

**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) (15:04):** I thank the honourable member for his most important question. As a government that takes women's leadership seriously and sets targets to increase the participation of women in leadership positions as part of the state's Strategic Plan, I always enjoy attending events where women are able to network and meet other contacts and leaders in relevant fields.

On Tuesday 10 June I attended Finlaysons Women in Business event. This business group was launched in 1997 to provide an inspiring and productive forum for female lawyers, clients and contacts in business and government, to get to know each other better and to explore business

opportunities and discuss issues and ideas. The keynote speaker for the event was Ms Maggie Beer, an amazing and very accomplished South Australian, as we all know. She is an amazing woman and obviously a leader in her field.

I was thrilled to be able to introduce Maggie, given that she is a respected mentor to many, and to listen to her talk about her career, the challenges that she has faced and the advice that she can pass on to other women who aspire to be leaders in their field. Maggie is one of Australia's best known culinary icons and very much a Barossa food tradition in her own right. Maggie's fame has been built on a career that spans occupations in farming, restaurants, food production, exporting, food writing and, of course, her very famous television presenting. Most of all she is a leader and an inspiration to many other women.

Making the most of fresh, healthy seasonal ingredients is something that Maggie is passionate about, particularly through her new venture the Maggie Beer Foundation 'A Good Food Life for All'. We all know that food is one of the best ways of nurturing wellbeing and this is especially important as we get older. Maggie has made it her personal mission to link the latest research of nutrition's impact on brain health and general wellbeing with her very intimate knowledge, understanding and skills of what good food can do for people's state of mind.

Listening to female leaders like Maggie, I am proud to say that I am part of a government that takes women's leadership seriously and that we are prepared to do something about it, and that is why we have set in South Australia's Strategic Plan to increase the participation of women leadership. I am very pleased to say that we are currently the best performing jurisdiction in Australia, with women comprising just under 48 per cent of the state government's board members. This is even more impressive when you consider that for the ASX 200 it is currently 18 per cent of women representation on boards.

We have come a long way but, clearly, we still have further to go and I want to see more women taking on leadership roles around our state. To that end, the South Australian government is offering another set of scholarships for 25 women to attend board training, delivered by the Australian Institute of Company Directors. We did a similar thing last year and we are repeating it again this year. This scholarship program is a great way to help women secure the skills and confidence they need to boost their career prospects. It is especially important that we continue to help women who may otherwise not have the opportunity to participate in this type of program and this type of development.

Priorities for the scholarships will be given to South Australian women living in regional areas, Aboriginal women, women from culturally and linguistically diverse backgrounds, women living with a disability and, this time around, we have said that at least two of the scholarships will be awarded to older women aged 60 and over, and at least two will be awarded to a young woman aged 25 years of age or under. Applications, forms and answers to frequently asked questions are available on the Office for Women website. The applications close on 20 June—it is the 18<sup>th</sup> today so interested people need to sign up quickly.

The low numbers of women in leadership is just one of the many issues affecting South Australian women and the Premier's Council for Women wants to address what matters to them. The role of the Premier's Council for Women is to provide quality, independent advice to the South Australian government to advocate for improved opportunities, wellbeing and services for all women in South Australia.

Recently, the council sought input from South Australian women and what is important to them through the Premier's Council for Women survey. This survey closed last Friday and I look forward to being able to update the chamber with the result of that survey in the near future. I thank Finlaysons for inviting me to attend their event and congratulate them on providing such a useful forum for women leaders that assists in the development of other women leaders in this state.

#### *Parliamentary Procedure*

#### **VISITORS**

**The PRESIDENT:** I would like to acknowledge the presence of the Hon. Terry Cameron, former member. Welcome.

*Question Time***BORDERLINE PERSONALITY DISORDER**

**The Hon. K.L. VINCENT (15:10):** I seek leave to make a brief explanation before asking questions of the minister representing the Minister for Health about borderline personality disorder services in South Australia.

Leave granted.

**The Hon. K.L. VINCENT:** I, of course, have raised the issue of borderline personality disorder or BPD on several occasions in this place and to this day I continue to be concerned about the lack of strategy in relation to this mental health condition in this state. My apprehensions about this lack of coordinated treatment have continued as I have been contacted by constituents whose loved ones and their family members have BPD diagnosis and they suicide or die as a complication of suicide attempts.

The rate of BPD within the South Australian population is somewhere between 0.7 and 2 per cent so it affects a significant number of our community. The seriousness of this issue struck a chord with the producers of ABC's 7.30 and they aired a story earlier this year in late February illustrating some of our failings as a community in our healthcare system through the tragic story of one family.

Last week after more than two years stuck somewhere in the bureaucracy of SA Health, the Statewide Mental Health Clinical Network Chair finally released the BPD working party's report titled 'An overview of current delivery of Borderline Personality Disorder services in the public sector across South Australia and a proposed way forward'. There is an opportunity to give feedback for four weeks and then I very much hope that SA Health and our public mental health services are given the resources and mandate to get on with implementing the recommendations made in the report.

I would also note that in sentencing Ashley Polkinghorne on the death of her daughter, Chloe Valentine, Justice Trish Kelly talked about Ms Polkinghorne's borderline personality disorder diagnosis and the issues that would be caused if she did not have treatment and was to become a parent again.

Clearly the impacts both socially and economically of BPD are significant and we cannot afford to ignore the existence of this condition, and fail to have a statewide strategy to manage this mental health condition any longer. If we do have a strategy we will save money in our emergency departments and other health services over time. My questions to the minister are:

1. Will tomorrow's state budget include resourcing support for the minister to establish a statewide BPD specialist service?
2. Will the minister ensure mental health services within SA be accepted as core business in both principle and practice?
3. Will the minister where evident encourage the elimination of entrenched and widespread negative attitudes towards all mental illnesses particularly those with BPD across mental health and general health services and actively address the culture of stigma, discrimination and exclusion from these services?
4. When will the minister appoint a clinical BPD coordinator to develop a statewide work plan?
5. Will that clinical BPD coordinator be mandated to work with senior staff within each local health network to develop a clear plan to address the supervision and support requirements of those clinicians working with people with BPD?
6. Will the minister establish a steering committee to work toward developing partnerships in research to foster quality improvement initiatives and collaboration on BPD?
7. Will the minister give particular attention to the development of services within Country Health SA, where BPD services are limited or unavailable?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation)**

**(15:14):** I thank the honourable member for her most important question to the Minister for Mental Health and Substance Abuse in the other place on the issue of borderline personality disorder services. I won't take her first question to the minister. She will have to wait to see the budget tomorrow as it is handed down by the Treasurer.

Of course, in relation to question 2, I will refer that to the Minister for Mental Health and Substance Abuse. I can confirm right now that in relation to question 3 the minister is a very strong advocate against stigma in relation to mental health disorders. The remaining questions 4 through to 7 I will take to the minister in the other place and seek a response on her behalf.

### **STUDENTS, DISABILITY**

**The Hon. A.L. McLACHLAN (15:14):** I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question regarding completion rates of disabled students in vocational education and training programs.

Leave granted.

**The Hon. A.L. McLACHLAN:** I refer to the Department of Further Education, Employment, Science and Technology Agency Statement in the 2013-14 budget, Volume 3, where it stated that in 2011-12 there were 5,924 students with a disability participating in the vocation, education and training program, but that only 3,655 students with a disability completed their vocation, education and training program. Will the minister explain why, out of 5,924 students participating in the program, only 3,655 completed the vocation, education and training program?

**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) (15:15):** I thank the honourable member for his most important question. This government works very hard to increase training to all South Australians. In an earlier government question today I outlined the percentage increases in training enrolments right across the board, including Aboriginal students, students with disabilities, young people, older people—it was quite a comprehensive list. As I indicated, these things do not happen by accident; they happen because we have worked extremely hard to try to improve access to training for South Australians.

We set ourselves a goal to increase the employment opportunities for people with a disability. We set a target to increase by 10 per cent the number of people aged 15 to 64 with a disability employed in South Australia by 2020. We have set that target because this government is serious about these things, and we are not afraid to set ourselves a target, albeit a very ambitious one, a target that will be extremely difficult to achieve. But we are not afraid to stretch ourselves or to make ourselves publicly accountable by setting these targets and measuring ourselves against them and accounting for them publicly, unlike the former Liberal government, which did not set itself any targets, never held itself publicly accountable.

However, although there has been some movement in that area, as mentioned in the figures earlier today, nevertheless this remains a particularly challenging area for us, and there are a number of actions we have taken to try to improve ourselves in this space. Under the Skills for All reforms the state's training system includes learning support services for the most disadvantaged learners, including those with a disability. These services include things like practical support services for learners with a disability to be able to complete their qualification and then work with disability employment services providers to develop pathways to workforce participation.

I am advised that up to one-third of those students receiving the learner support services have a disability. The South Australian government also aims to be an exemplary employer of people with a disability. An innovative and engaging support and employment model will be trialled in several public sector agencies throughout 2013-14. Positions in the public sector trainee pool will be made exempt for people with an intellectual disability and disability employment service providers will provide specialist support.

The South Australian government's participation and equity programs are connecting the most marginalised people with a disability to support entry points to training and also workforce participation. The government funds the State Transition Program, which supports secondary students with a disability to transition to training or employment options. In addition, tailored accredited and non-accredited adult community education (ACE) for people with a disability forms

part of the government's \$3 million investment in ACE, and this helps to build pathways for people with a disability for further training or workforce participation.

As you can see, we are active in that place. We would like to see much higher figures of engagement, particularly completion. People do not go through to complete their qualification for a range of reasons. Some of them are very complex. Some of them are simply that they have been able to find employment without having to complete their qualification and they engage that way. In other cases, they choose to enrol or engage in other training pathways, or simply need some time out for personal reasons. As I said, there is a range of reasons why people do not complete. We aim to improve our engagement rates with this important demographic and we continue our efforts in this area.

#### *Matters of Interest*

#### **FEDERAL BUDGET**

**The Hon. K.J. MAHER (15:21):** The federal Liberal Party plans to cut \$5.5 billion from our state's hospitals and schools over the next decade. In health, this equates to 600 hospital beds or the closure of an entire hospital. And what have the state Liberals had to say about this? Next to nothing, Mr President—next to nothing.

Recently, in this very chamber, the Hon. Rob Lucas, seemingly proudly, pointed out that the state Liberals had written a letter. They took the huge and bold step of writing a letter. They went all out, all guns blazing and wrote themselves a little letter. Then the Hon. Rob Lucas told this chamber, with the straightest face he could manage, that the state Liberals had taken the drastic step of mildly criticising a couple of budget measures buried away in lengthy speeches to parliament.

While just about every other state Liberal leader has come out swinging, been extremely critical and has joined our state's Premier in a very public campaign against these unjust budget cuts, what have the Liberals done? Apparently, they wrote a letter. You can just imagine the conversation between the Liberal leader and his chief strategist, the Hon. Rob Lucas. 'Jeez, this federal budget is completely toxic. It's gonna be horrible for South Australia. It'll trash the Liberal brand. What should we do, Rob? Should we just tell the public to vote Labor again?' 'Well, dear leader, we need to continue our small target strategy. Let's not make a fuss. Let's not stand up for our state. Why don't we write ourselves a little letter? Just make sure Pyne doesn't find out about it, though.' 'Great advice, Rob. You're a genius, as always.' I guess you have to give the opposition some credit. They are still deeply, desperately and single-mindedly dedicated to their small target strategy.

A number of Liberals have suggested that Steven Marshall, the member for Dunstan, owes so much of his career to the federal member for Sturt, Chris Pyne, that he would not properly criticise the federal budget. Other Liberals have suggested that, with Chris Pyne's people controlling the internal review of the state campaign, many are afraid to criticise for fear of adverse findings. Or maybe the reason for the fear of the Pyne forces is the sudden influx of some 80 new members to the Waite branch of the Liberal Party, with similar influxes occurring in Davenport, Morphett and Heysen—but I will have a lot more to say about that in the near future.

The only real criticism we have heard from the state Liberals is from the member for Morphett—and to him I say, good on you. Well done for supporting the people of this state. Maybe the member for Morphett is the only one of those who remain within the Liberal Party who really wants to be a minister. The Hon. Rob Lucas has come in for his fair share of criticism for the last campaign. This would usually be unfair, and I would usually rush to the defence of the Hon. Rob Lucas, but if you are backgrounding journalists that you are the principal architect of the campaign, that you are the political nous, then I guess you have to wear it when it all goes pear shaped.

In an article in *The Advertiser* on 24 March, a journalist reflects the general tone of commentary. I quote in part, because it is worth quoting:

High-profile identities such as Rob Lucas, Iain Evans, Vickie Chapman and David Ridgway have been involved in all the Liberals' losing election campaigns.

It leads to the unavoidable conclusion that for the good of the party all should do the decent thing and quit before the next election to allow the party to bring in new faces, fresh ideas and a way to portray a level of optimism about the future.

The article goes on to say:



Take Rob Lucas. He was elected to the sedate surroundings of the Legislative Council on November 6, 1982. He has just been returned for another eight-year term in the Upper House, which will take him through to 2022. That's 40 years...Mr Lucas, along with Mr Evans and Ms Chapman, have been key players in defining election strategies, choosing marginal seat candidates and even leaders of the party.

The article concludes:

You wonder how many consecutive election defeats you need before you realise that perhaps politics is not your strong suit.

One of them has done the right thing by his party and will eventually step down, but with the sort of irony that only the SA Liberals can muster, the other two named at the end of this article have been promoted—with irony that only the state Liberals can muster.

On behalf of all the Labor members of parliament, rank and file members of the Labor Party, and all Labor supporters and voters, I say to the Hon. Rob Lucas: ignore them all. Ignore the constant calls from the media and the advice of your own colleagues, and you stay at the forefront of shaping Liberal Party policy. Do not resign, do not look for greener pastures, do not dream of enjoying the good life with your ponies. Now well into his fourth decade in this chamber, I am sure the Hon. Rob Lucas's best days lie ahead of him. Just because you have helped engineer four election losses in a row does not mean you will not be fifth time lucky. Just stick with it; do not be deterred. Just keep on smirking while you lose. Far be it from me to give advice, but I say to the South Australian parliamentary Liberal Party: hold your nerve, stick with the small target strategy and, above all, stick with the Hon. Rob Lucas.

### TREASURY PORTFOLIO

**The Hon. R.I. LUCAS (15:26):** I want to talk about Treasurer Tom Koutsantonis, who clearly is out of his depth and struggling to handle the new Treasury portfolio. I outlined some of the detail of that yesterday. Treasurer Koutsantonis also has some very significant enemies within the government, both amongst MPs, staff and senior Labor figures within the union movement. The fact that he, according to Labor Party market research, is easily the most unpopular minister both in the former government and the current government is testament to that fact.

The Liberal Party has been advised by a source with intimate knowledge of workings of senior levels of the Weatherill Labor government that former treasurer Kevin Foley has been assisting Mr Koutsantonis over recent weeks in his preparations for the delivery of the 2014-15 budget. This raises some very significant issues, as Mr Foley of course is a registered lobbyist on the Lobbyist Register. Mr Foley is registered in the business entity name Foley Advisory Pty Ltd. His clients are listed as the Australian Submarine Corporation, Gregsand Pty Ltd, Kamela Pty Ltd, Nyrstar, Prime Space Projects Pty Ltd, Rochford Pastoral Company, SkyCity Casinos, HYLIC Joint Venture, Braemar Iron and Weeks Group of Companies—some 10 companies that he is listed as representing.

I am assuming that Mr Foley's role with Treasurer Koutsantonis has not been one of being employed as a paid lobbyist. I believe even Treasurer Koutsantonis would not be that stupid—well, I hope he would not be even that stupid—in relation to employment of Mr Foley, but it does raise very significant issues of potential conflicts of interest. Any lobbyist that gets access to information before any other lobbyist or indeed anybody else operating in the business arena has a potential considerable advantage in having access to that information before it is released publicly on budget day.

One only needs to look at the range of issues that budgets will consider: revenue either increases, decreases or not with the whole discussion about that; any reviews there might be of government operations (approaches and policy towards industry assistance, for example); general policy directions of any nature; the issue of whether or not there will be privatisation or sale of government assets by a potential treasurer and Treasury; and there are many other issues, of course, that are included in budget documents. For example, any knowledge of increases or not of revenue or tax increases in particular areas, or whether advice might be provided about whether or not a government or a treasurer should break promises and increase taxes, potentially has a significant influence on areas of considerable business operation. Even knowledge of these issues gives a potential competitor an advantage in the marketplace. It would certainly give a lobbyist a privileged position in indicating to potential clients—not just existing ones—that that lobbyist had access to either assisting, mentoring or guiding the current Treasurer of the state.

There are many questions that Treasurer Koutsantonis must now answer. For example, since the election, how many meetings, telephone calls and discussions has he had with Mr Foley? What has been the nature of those discussions? Has there been any discussion at all about any aspect of the budget document (which has not yet been released, and which will not be released until Budget Day tomorrow)? Will Treasurer Koutsantonis provide details of all emails between himself, his staff, Treasury and Finance, and Mr Foley on any issue since the election? Was Mr Foley consulted about details of Treasurer Koutsantonis's approach to his budget speech, which will be given tomorrow? Was he provided with access to draft copies of the budget speech?

These are very serious issues that strike at the heart of the whole budget process. They strike at the heart of the tremendous power and access that lobbyists have had to senior levels of the Rann Labor government and the Weatherill Labor government over many years. In the interests of transparency and accountability, Treasurer Koutsantonis must provide answers to all these questions; certainly, whilst I am not expecting that he will answer them all, I am submitting freedom of information requests today seeking that information.

I say at this stage that I have been given no evidence of any improper actions by Mr Foley, and therefore I make no accusations against Mr Foley. My accusations are directed solely at Treasurer Koutsantonis and his political judgement.

### REFUGEE WEEK

**The Hon. T.A. FRANKS (15:31):** I rise today to alert the council to the fact that this week is Refugee Week; indeed, this is held every year across the world in the week surrounding 20 June, which is World Refugee Day. The theme for this Refugee Week is 'restoring hope', and I have to say that it is a well-chosen theme because never have we needed more hope in the areas of our policy on and treatment of asylum seekers and refugees.

From the introduction of mandatory detention under the Bolkeus ministry in the Hawke/Keating era, through the years of Howard and the post-September 11 environment, where asylum seekers were considered to be terrorists (even though there was no proof of such things), through to policies under Rudd and Gillard, which claimed that no advantage would be given to those seeking our help, and now with the offshore detention and horrific stories we are hearing from Manus Island and Nauru under this Abbott government, which has continued the policies of cruel and inhumane—and indeed illegal—treatment of asylum seekers and refugees, I have to say that this is a time where we do need hope.

People seeking asylum have been used as political, pointscore fodder by various governments. It is popular to kick asylum seekers, to demonise asylum seekers, and to cast refugees as somehow having broken a law; indeed, many Australians would assume that because we do lock up these people they must have done something wrong. Well, under international law they have not done anything wrong, and that is why I commend those members of the Labor caucus who yesterday put a change of policy proposal to a vote of their colleagues in the Labor caucus. It is sad that it did not get taken up, but I commend them, particularly those women in the Labor Party who have shown leadership on this issue in past days.

The Australian government is not currently meeting its obligations under the 1951 Refugee Convention, and it is a sad day indeed when it is popular to treat people, in their absolute time of need, people who are fleeing persecution and who need our help, so cruelly.

What I would point to is that governments have found it of political benefit to dehumanise refugees, whether that was under Howard and the restriction of media access to asylum seekers, the allocation of numbers to people rather than using their real names, and certainly not allowing them to have any ability to tell their story not only to the media but of course to the Australian community. These have been tactics used by various Labor and Liberal governments to the detriment, I think, of all of us who would consider ourselves champions of human rights.

The words 'transferees', 'detainees', 'unlawful' and 'illegal' are all inappropriate words but they are all words that have been politically powerful. The term 'queue-jumper' has risen in currency but the truth is: there is no queue for many of these people.

Australia has more than enough capacity to welcome asylum seekers and refugees. A refugee is somebody who has actually been found to have a well-founded fear of persecution. They have been found through due process to need our help.

Given the government's lack of leadership, I just want to take some time today to pause and reflect on the great community leadership we are seeing in this area. Many who have walked the streets of Adelaide in the past week would have seen the street art and the paste-ups of Peter Drew and the words of those who have written from inside detention centres and indeed the beautiful drawings of a young man who is a refugee. Those words and those drawings that have appeared on Adelaide streets over the past week have shown that there is hope that the community is standing up.

In the past week we have seen, we believe—although it has been done under the cover of darkness—children and their families removed from Inverbrackie. That is no way to treat people who have lived in our community, who were welcomed by that Hills community, who will be lost from those schools, and those schoolchildren who will miss the friends they have made in those schools. We must do better. We can do better. The community is showing us how to do better. It is time our parliament listened.

### INTERNATIONAL WORKERS MEMORIAL DAY

**The Hon. J.M. GAZZOLA (15:37):** The date 28 April is the day on which the World's Trade Union Movement holds its International Workers Memorial Day for those who have been injured or tragically killed in the work place. Last year in Australia 186 people were killed at work. Hundreds more die each year as a result of work-related illness and disease, including those caused by asbestos. On this day cities around the world hold special services to honour the memory of victims and raise awareness of the need to further improve safety in the workplace to prevent occupational accidents occurring.

On Monday 28 April I had the privilege of attending the International Workers Memorial Day service and among those present was the Hon. John Rau who did the second reading. This was a special service held at the Pilgrim Uniting Church, devoted to honouring those who have lost their lives due to work place illnesses and accidents. More than 150 people attended the service, many paying tribute to family and friends they have lost.

In the prayers for workers and workplaces, Penny Jacomos from the Asbestos Disease Society of South Australia said:

We pray for all who are responsible for ensuring workplace safety—the union leaders, government officials, and members of parliament, inspectors, employers, victims' associations and health and safety representatives. Give them wisdom, foresight and courage as they seek to improve worker safety.

Joe Szakacs from SA Unions said:

We pray for our community that workplace safety become a greater priority. Help us all to see that accidents are not something that happen to others but something that we all need to be aware of and that we need to strive to overcome. We pray that safety information will always be available, be studied and become part of work practice. We ask that our safety laws, codes and guidelines are strong and effective and help ensure that accidents are prevented. We pray these things in Jesus' name.

Sentiments, I am sure, we all share. There are a number of people I would like to mention and thank, because without them this memorial would not have come together so beautifully: Kim Tolotta and Julie Siwak from SafeWork SA for preparing and promoting the service; Sandy Boyce from the Pilgrim Uniting Church for the use of the church and the hall; Joe Szakacs and Helen Adams from SA Unions for providing morning tea, flowers, balloons and the PA system for the memorial; Andrea Madeley from the Voice of Industrial Death for all her preparation work with the booklet and personalised candles and displays for the families; and Geraldine Hawkes from the South Australian Council of Churches for arranging the reflections and selecting the prayers and hymns for the service.

As we are currently set to rewrite the WorkCover laws, it is imperative that we aim to support injured workers in their recovery and return to work. As the Hon. John Rau recently stated in a press release:

These are savings in the order of \$180 million per year for South Australian businesses. It is equally important for injured workers who have often been let down by the scheme in the past, and must be supported as best as possible to return to work. We have acknowledged that the scheme in its current form does not sufficiently support injured workers to return to work, leading to an increased unfunded liability and higher premiums for business.

This day is for remembering those who have lost their lives in the workplace or as a result of work-related diseases and to support those who have been injured at work. It is also important that in

these times of cutting costs and job cuts, which may lead to a reduction in safe work practices, I hope and pray that there is no increase in the numbers of those workers injured or tragically killed in the workplace.

Finally, I would also like to take a moment and vale two Adelaide musicians: Jim Keays and Doc Neeson, who passed away recently. Jim Keays of The Masters Apprentices grew up in Adelaide from the age of five. A musician and later a writer, he was inducted into the ARIA Hall of Fame. Doc Neeson lived in Adelaide from age 13 and as a musician for The Angels enjoyed years of local and international success. This is a great loss to the local music industry and a testament to their abilities, having reached such heights from humble beginnings. In the coming weeks we will hear more about organisations such as the Adelaide Music Collective and Support Act, which support and promote great Adelaide talent to follow in the steps of these two exceptional musicians. Our thoughts go out to their families and friends.

### STATE BUDGET

**The Hon. T.J. STEPHENS (15:41):** I rise to make a few comments on the impending budget tomorrow. A few weeks ago in this place, I touched on the need for the government to cut spending and red tape in order to encourage economic growth. There, of course, is another benefit to cutting spending: getting the budget back in the black and reducing the state's debt burden. Doing all of this will allow taxpayer dollars to once again be spent on services or infrastructure or, better still, to be returned to the taxpayer.

The problem with the budget being in the red, in addition to a significant level of debt, is that it breeds further debt. As I have mentioned previously in this place, the formula of cutting spending and taxes to encourage growth thereby increasing revenues is a proven one. The Labor way of borrow and spend and then crudely increasing taxes is outmoded and short sighted. It fails to take into account macroeconomics and implies that government is the chief driver of the economy.

It is time for the government to recognise that its previous method was wrong. Yes, we do now have football in the city and eventually, I hope, we will have a hospital, but what is the point if the state is bankrupted; if the South Australian economy is stifled to the point of stagnation? Mine is not a lonely voice, many in the business community share my concerns, as does Mr Daniel Wills of *The Advertiser*, an ever-reliable source of common sense within the fourth estate. In his article entitled, 'Budget black hole is an opportunity for the state,' Mr Wills calls on the government to rein in spending and to admit to the real reasons as to why it needs to happen.

The Treasurer and the government have gone to great lengths to establish the premise that the reason for the budgetary crisis in South Australia is the tough federal budget which has cost South Australia \$900 million, but Mr Wills explains that this is simply a smokescreen. The real reason is the previous budget handed down personally by the Premier with:

...South Australia spending \$1 billion more than it earned. As tax revenues flatlined, spending continued to grow.

I further quote:

In a single year, departmental bosses spent \$600 million more than was allocated in their budgets, enough to fund the Adelaide Oval or Darlington Interchange upgrades.

This confirms that the deficit cannot simply be blamed on infrastructure projects; there is a systemic issue here. Irresponsible spending has reached such a level that the government cannot even pull the budget out of deficit through the selling of assets. Mr Wills goes on:

The deficit was the largest and fastest growing of any state. Debt was headed towards \$14 billion despite jackpots from the sales of forest harvesting and the state lotteries. South Australia's budget was already in a structural mess well before the federal Treasurer Joe Hockey stood at the dispatch box a month ago.

The Liberal Party has been saying this for years, but continually we were hounded down by the government. The government uses the reasoning of kickstarting the economy through infrastructure builds, etc., but the economy has not been kickstarted. The job creation was temporary and now the budget is in such a parlous state that there is no other way out except for brutal cuts. If Labor does not make these hard decisions now it can only end with the bankruptcy of the state.

This Labor government has failed to prepare for tough times and has worked on assumption after assumption: firstly, that the Olympic Dam expansion would drive economic growth; secondly,

that massive and inefficient infrastructure builds would create jobs and kickstart private sector investment; and thirdly, that the rivers of gold from the commonwealth would go on forever.

The notion that the commonwealth is to blame is ridiculous. The government is reliant on a handout to balance the books and this is a problem in itself. As Mr Wills explains, Victoria is a state that similarly does not have the revenue streams of the mining states, yet because it has kept spending at a sustainable level, the budget is in surplus and the planned cuts by the commonwealth can be absorbed thereby insulating the Victorian economy.

Tough budgets are always going to have opposition, and Mr Wills references the 2010 budget delivered by the Hon. Kevin Foley who endorsed the cutting of at least 4,000 public servants. When the unions revolted, the Hon. Mr Foley was dumped and his plan was conveniently forgotten. The government cannot be this gutless now. The time has come for an austere budget. The government must finally take the blame for the current crisis and not buck-pass and spin its way out of trouble as Labor so often does.

### OIL RESERVES

**The Hon. D.G.E. HOOD (15:46):** I would like to draw members' attention to an article that I read this morning. I am a member of a financial subscription service that I receive on the internet from time to time and this one caught my eye and I thought members would be interested in it. I would like to quote directly from the article. Members can have a look at it for themselves if they wish to verify what I am saying. It is portphillippublishing.com.au. They produce a number of publications. It is a reputable organisation which has been around for a long time and employs high quality people. This article is entitled 'Peak oil just got pushed back again' and the article reads as follows:

'Peak oil is upon us.' It's a nice, if somewhat scary, idea. It's the idea that the world is about to run out of oil.

It's also complete junk. The fact is, the world currently has more oil in reserves than anyone could possibly have imagined.

We've explained before how things have shaped up in the oil market in recent years.

For years folks in the US warned about a looming oil crisis. They said it would be the trigger for an economic collapse as either the world ran out of oil or the Middle East effectively held the US to ransom by withholding oil supplies.

Then the oil price began to climb—\$40, then \$50, then \$60, then \$100, then \$140. You may even remember that during the commodities boom Goldman Sachs' chief commodities analyst forecast an oil price of \$200 a barrel.

And yet, what happened? To say that nothing has happened wouldn't be true. But has there been a global energy disaster? No. And why is that?

As we say, the world's proven oil reserves have never been bigger. Here's the proof...

Peak oil keeps getting further away.

Part of the reason for the record high reserves is precisely because the oil price is so high.

It encourages explorers to look for more of the stuff

And with oil at US\$100 per barrel, previously uneconomical oil zones become viable. This and the development of new technology have made it possible for oil companies to exploit the vast shale oil and gas resources.

That has been a boon for the US oil industry over the past 10 years. And soon enough it could provide a similar boon in the UK and China as both countries seek to exploit their shale resources.

By the way, we're not saying reserves are higher just for the sake of it. We've got the proof. Yesterday oil giant BP—

on the London Stock Exchange the symbols BP—

released its Statistical Review of World Energy report. The report gives a neat overview of proven—

and I stress the word 'proven'—

oil reserves by country for 1993, 2003, 2012 and 2013.

In 1993 it was a proven fact that we had at least 1,041 billion barrels of oil, that is known reserves. In 2003 that number had increased substantially to 1,334 billion known barrels of oil reserves. In 2012 it had increased substantially again to 1,687 billion known barrels of oil in reserves and in 2013 that number is slightly higher again.

To put that into perspective, the current proven reserves mean that at current supply and demand levels there is around 50 years of proven oil supply [currently in existence].

That assumes explorers don't find one more drop of oil.

What's that we hear? Is that more hollering about Peak Oil?

Before the Peak Oil fanatics get too loud, check out the number for 1993. In that year, world crude oil production was around 60 million barrels per day. At that rate of demand, the oil reserves would have run out in 47 years—in 2040.

Not only has crude oil supply and demand increased since then, eating into the reserves, but reserves have actually increased. That has further extended the lifetime of the world's oil reserves. But that's only half the story...

In 1993 the proven reserves from Canada's Alberta oil sands was only 32.3 billion barrels. Today the proven reserves are something like 167.8 billion barrels.

Then there's Venezuela's Orinoco Belt. In 1993 there weren't any proven reserves. Today the Orinoco Belt has 220.5 billion barrels of proven reserves. That would further extend Venezuela's position as a location of the world's largest oil reserves.

And the best thing is that neither the oil sands nor the Orinoco Belt reserves are in BP's list of total reserves—that I have just read to you.

Add those reserves to the other proven reserves and it means another 11 years of potential oil production. What's that about Peak Oil and the risk of running out?

It is nonsense they say.

All the talk seems to suggest that oil just has to run out at some time. And maybe it does. We guess there are few things with infinite supply.

But what if that 'some time' is not for another 200, 400 or even more years; what if 'some time' is substantially in the future? All of that is possible. I have run out of time but I make the point that there are plenty of proven oil reserves that exist right now and all this talk of peak oil is just talk.

#### **JOSEPH SERIDIS TRUST FUND**

**The Hon. J.S.L. DAWKINS (15:51):** I am always grateful for the selfless efforts of people in our community towards helping others in a range of ways. I rise to speak first about the Joseph Seridis Trust Fund. Beginning in 2004 in honour of Joseph Seridis, who sadly passed away in 2002, the trust supports young people in Gawler and the surrounding areas who are suffering from physical and multiple disabilities by providing them with equipment to enhance their day-to-day lives and independence. To date the Joseph Seridis Trust Fund has provided over \$75,000 worth of grants ranging from wheelchairs and ramps to computers and iPads, equipment that would not otherwise have been available.

As it celebrates its 10<sup>th</sup> year in operation, the Joseph Seridis Trust Fund has introduced a new initiative: the family holiday project. This project will make five separate grants of \$2,000 available this year with the money going towards holiday accommodation for those suffering from disabilities and their families. Understandably, many families affected by disabilities put aside the cost of a holiday to pay for their loved ones' care. I am sure we can appreciate, however, that time away to bond with each other is important in any family, and the trust aims to give these families just that.

The Joseph Seridis Trust Fund is invested through UnitingCare Wesley Adelaide. The current trustees of the trust fund are Jim Seridis, Graham Loveday (representing UnitingCare Wesley Adelaide), Jenny Widdop and, most recently Marisa Kazonis, who has been a key supporter of the trust for many years.

Support for the trust also comes from the local business community, the most vital being the Gawler Arms Hotel owned by the well-known Giannitto family. The hotel hosts both the Joseph Seridis Trust Fund dinner every year, as well as the annual quiz night. Last year's events were able to raise in excess of \$17,000 for the trust fund. Other supporters in the community include Symes Accountants, Discount Print and Stationery (Gawler), the CMV Foundation and the Gawler Apex Club, to name a few.

As well as the grants it provides, the Joseph Seridis Trust Fund also supports disabled young people in its community by providing transport in Gawler and nearby areas. The trustees generously

acquired a wheelchair-accessible van nicknamed 'Joseph's Ferrari', allowing the disabled in the community easy transport and an opportunity to explore their community without the expense of other wheelchair-accessible transport services.

I applaud the trust fund, the Seridis family and Jim Seridis in particular for a decade of tireless work, and for the vital funds and support that have been given to the disabled in their community. Although I never met Joseph himself, in the past eight years of supporting the trust I have come to gain a good sense of who he was. I strongly believe that the work that the Joseph Seridis Trust Fund does is a fitting tribute to him and any interest from those who believe they can give support to the trust is greatly welcome.

I think it is also appropriate for me today to speak about the work of the Salvation Army and its annual Red Shield Appeal. I have been the chairman of the Red Shield Appeal in Gawler and surrounding areas for 15 years now and I am delighted to say that, despite a gloomy outlook about the ability of people to give to charitable organisations at the moment, there has been an extraordinary response across South Australia, particularly within the Gawler area and its surrounding districts.

It certainly looks as if the appeal in Gawler is going to harvest between \$16,000 and \$17,000, which I think is a very worthy amount compared to last year's figure of \$14,692. I am pleased to work with all those involved with the Salvation Army in Gawler and particularly grateful for the efforts of Captain Darren Cox and his team. I think we all in this place know that the Salvation Army does work that others do not. They go in and get their hands dirty in a lot of places that other organisations are not involved in, and so I am very happy to applaud their work and, of course, as I said earlier, the work of the Joseph Seridis Trust Fund.

#### *Parliamentary Committees*

### **SELECT COMMITTEE ON SALE OF STATE GOVERNMENT OWNED LAND AT GILLMAN**

**The Hon. R.I. LUCAS (15:58):** I move:

That a message be sent to the House of Assembly requesting that the Premier (Hon. J.W. Weatherill) and the Treasurer (Hon. T. Koutsantonis), members of the House of Assembly, be permitted to attend and give evidence before the Legislative Council Select Committee on Sale of State Government Owned Land at Gillman.

This is a relatively brief procedural motion I move as the chair of the Select Committee on Sale of State Government Owned Land at Gillman. The committee resolved that it was critical in the interests of transparency and accountability that Premier Weatherill and Treasurer Koutsantonis, who have an intimate and detailed knowledge of what actually went on in relation to the sale of state government owned land at Gillman, be asked to come and present evidence to the select committee.

In speaking briefly to the motion, I note that it is not unprecedented for ministers to present evidence to Legislative Council select committees. In my time in the parliament, former ministers Lynn Arnold, Roy Abbott, and at least one other came and presented evidence to Legislative Council select committees. The former in relation to the Marineland inquiry and the latter in relation to the inquiry into the South Australian Timber Corporation.

It is not true for the Premier or the minister to indicate that it is not possible or unprecedented. It is certainly uncommon, I accept that, and ministers of various governments both Labor and Liberal over the years have preferred not to come and present evidence to upper house committees. Nevertheless, the committee felt so strongly about this particular issue that it resolved that these two ministers be asked to come and present evidence. In the interests of transparency, if we are to get to the facts of the situation, given the conflicting evidence we have received and are likely to receive, it would be extremely useful and also in the public interest for the Premier and the Treasurer to come and give evidence to this committee.

Debate adjourned on motion of Hon. D.G.E. Hood.

*Bills***ELECTORAL (LIMITATION ON DISPLAY OF ELECTORAL ADVERTISEMENTS) AMENDMENT BILL***Introduction and First Reading*

**The Hon. D.G.E. HOOD (16:01):** Obtained leave and introduced a bill for an act to amend the Electoral Act 1985. Read a first time.

*Second Reading*

**The Hon. D.G.E. HOOD (16:01):** I move:

That this bill be now read a second time.

This is a very simple bill and I think members may have seen a little bit of it in the media and have a sense of what is trying to be achieved here. Just prior to the last state election, I made a public commitment that I would move a bill in this place. My public words were to the effect that I would seek to have a situation where no corflutes were used by political parties, but since, in discussions I have had with various people represented in this and the other place, have found that that is not likely to succeed and pass this house or indeed the other house, so for that reason the bill before the chamber today seeks to limit the number of corflutes per lower house seat to 100.

How is that defined? It is 100 per party or Independent in any given seat. To give an example, in the case of Family First, we run lower house candidates in each seat and we also have Legislative Council candidates. Let us take the seat of Adelaide, for example: we would be able to have 100 Family First corflutes, either promoting our Legislative Council candidates or our House of Assembly candidate for that particular seat. It is as simple as that—nothing more complex than that. There are a variety of reasons why we should proceed down that path, and I will make a brief contribution outlining it in a little more detail.

This bill introduces provisions into the Electoral Act to limit the number of corflutes allocated in an electoral district to 100 per person, political party or Independent. Just prior to the March state election I publicly stated that I would introduce a bill to alter the way in which corflutes are used in electoral campaigning. This bill is the satisfaction of that electoral promise.

At the outset, I state that Family First has had extensive consultation on this particular issue with interested stakeholders, including obviously other political parties and Independents. We recognise that corflutes are largely an outdated method of political communication, which therefore should be limited. There is a simple amendment that will bring what we believe to be a fair and more visually attractive system of political advertising in this state.

There can be no doubt that the use of corflutes have proliferated in recent times. In years gone by it was not uncommon to see a corflute affixed to one in 10 poles, or maybe one in 20 poles on a major road. Now we have corflutes virtually on every pole on every major road (or even minor roads) and in every street, in the metropolitan area at least, during elections. There is no reason for such prolific advertising. The way in which corflute advertising is undertaken is nothing more than visual pollution, in my view, on some occasions. It is undeniable; there simply are more corflutes erected than are required.

In an environment where it is estimated that 80 per cent of Australians access the internet daily, it is incredible to think that we still advocate such prolific use of corflutes as a primary method of communication during electoral campaigns. As Leon Byner commented on his program—

**The ACTING PRESIDENT (Hon. J.S.L. Dawkins):** Order! The Hon. Mr Hood is having great difficulty talking over a conversation that is in the chamber. I give the call to the Hon. Mr Hood.

**The Hon. D.G.E. HOOD:** Thank you, Mr Acting President, for your protection. I was feeling a little vulnerable at the time. I appreciate your protection. In an environment where it is estimated that 80 per cent of Australians access the internet daily, it is incredible to think that we still advocate such prolific use of corflutes as a primary method of communication during elections. As Leon Byner commented on his program on 4 March 2014, 'Why do we still reward political parties with positions on Stobie poles when they should be in the modern world and put out more information on the candidate photo on their website?'



I have to say I tend to agree with that position. There is no reason why the majority of political advertising cannot be done by other means, particularly online, on television, on radio or whatever it may be. The sheer number of corflutes erected on virtually every Stobie pole becomes a visual distraction for drivers as well. This is something that Family First considers absolutely must be addressed, as incidents of road traffic accidents are already far too high.

To all intents and purposes, these corflutes provide the general public with little, if any, relevant information about the candidate who is actually standing. There is no information placed on the corflute about the candidate, usually, or their policies or the political track record of that individual or their party. All you are guaranteed to get is the name of the person and the party running.

As we saw recently with a number of corflutes, they sometimes do not even say what individuals expect them to say and can be somewhat misleading. Corflutes are used to try to increase recognition of a person or party and frankly, there are better ways to do this with less potential for harm or distraction to drivers. Corflutes represent nothing more than political advertising that can distract drivers and certainly can be visually annoying to residents and those passing through those areas (in the case of my photo, probably more than most).

In addition to the visual pollution corflutes can create, one cannot ignore the issue of environmental pollution. Corflutes are frequently forcibly removed or fall down from their fixture, and it is not uncommon to see corflutes on the side of the road, in the gutter or caught in the bushes or something like that. As you know, corflutes are in fact a corrugated plastic made of polypropylene resin, a substance which does not break down. We have a responsibility to look after our environment and not cause undue harm, where possible. The elimination of corflutes will go a small way towards that objective.

There can be no argument that corflutes are subject to dirty tricks as well by members or supporters of some political parties, and of course when these matters are drawn to each other's attention no-one seems to know what happened or how it could have possibly happened. For instance, it is not uncommon for parties to put up their corflutes before the midnight deadline of commencement, effectively preventing other parties that have abided by the deadline from fixing their corflute to any pole which already has a corflute affixed, in a bid to secure some political advantage.

In years gone by, Family First has had hundreds of corflutes stolen in the lead-up to state elections, in a bid to score political points for our opponents, presumably, or just by misguided members of the public. I am sure that there are other members who can attest to these sorts of things happening to their corflutes as well. It is not just an issue for our party, I am sure.

Accordingly, corflutes also increase the barriers to minor parties entering the political process. Naturally, when corflutes are removed, there is a cost involved. There is also a replacement cost that cannot easily be met by all parties. Whether or not this is a deliberate tactic by some, or simply avid supporters of opposing parties or people doing silly things, it is not clear.

By limiting the number of corflutes that any person or party can erect, parties with limited financial resources will have access to the same amount of political advertising as those with larger resources. I point out that the funding of corflutes is not a difficulty for Family First. It is something that we can easily do, but I think in the interests of fairness it is something we should consider.

Mr Chris Russell from the Local Government Association has publicly said that councils get a lot of complaints about corflutes. Whilst the LGA does not have a formal position on the banning of corflutes, it is something that certainly holds appeal to them, as they have said themselves, due to the number of times that the rules pertaining to corflutes are broken during the campaign.

Speaking to Leon Byner on 4 March 2014, Mr Chris Russell recalled an issue whereby a corflute was placed on a flagpole at a veterans' memorial garden. Naturally, the placement of this corflute caused outrage amongst the veteran community. The owner of the poster denied responsibility and accused an opponent of skulduggery. Who knows what really happened? We will never know. Admittedly, there could have been numerous ways in which this corflute found its way onto the flagpole, but that is not really the issue. The issue is that, as Mr Russell rightly points out, council officers' time is best spent promoting safety and helping the community, not taking arguments between political candidates about who moved what poster when and where.

Family First believes in limiting the number of corflutes or that even banning them, ideally—this is the first step perhaps towards that goal—should form part of a major debate about reform. I believe this bill presents a simple way in which we can begin to fashion a much fairer and relevant system for political communication for all involved. A limitation of corflutes will facilitate other technologies, address the issue of visual and ecological pollution, and help to minimise opportunities for skulduggery. It is time to clear away the gamesmanship around elections and spend our political energy where it is most needed.

I might make two other quick points, if I may. The first one is that the Speaker in the other place, the Hon. Michael Atkinson, as I think as everyone in this place would be well aware, does not use corflutes. Indeed, he refuses to use corflutes, and yet I understand his primary vote was approaching 70 per cent at the last election. He achieved an outstanding result, really, without corflutes.

At the other end of the spectrum, and I mean no disrespect to this group, but the Multicultural Party, which contested the last election in the Legislative Council, I understand had a number of corflutes across the state which was similar to the major parties, so very high numbers of corflutes right across the state. They received if not the lowest (I am just doing this from memory) the second lowest—one of the two—vote for any of the groups contesting the Legislative Council election. So, the simple fact as well is that corflutes do not work. They just simply do not work.

*Members interjecting:*

**The ACTING PRESIDENT (Hon. J.S.L. Dawkins):** The interjections on my right are out of order!

**The Hon. D.G.E. HOOD:** It may be a reminder, and so that is why we think this bill finds a good middle ground: 100 posters in each lower house seat is a lot still, plenty enough to remind people who is standing and what party they are in so they will not forget.

*The Hon. D.W. Ridgway interjecting:*

**The Hon. D.G.E. HOOD:** There is an interjection which is out of order, so I will not respond to that, but I understand that some of them have hundreds and hundreds in other areas isolated virtually on every pole. I think all of us would agree it is just not necessary. If there was some sort of limit in place for fairness for each group contesting the election, then I think everyone wins, and for that reason I commend the bill to the house.

Debate adjourned on motion of Hon. T.T. Ngo.

*Motions*

### **NATIONAL TAFE DAY**

**The Hon. T.A. FRANKS (16:12):** I move:

That this council—

1. Notes that—
  - (a) National TAFE day is held on 18 June this year;
  - (b) the proposed cuts to the TAFE budget in South Australia will have disastrous impacts on staff and students and the state's economic future, social well-being and cohesion;
  - (c) the changes to TAFE have a particularly adverse impact on people in regional and rural parts of the state, disadvantaged communities and people with varying abilities; and
  - (d) the Senate inquiry into TAFE unearthed concerns about the quality of education and training provided through the private vocational education and training market.
2. Calls on both the federal and South Australian governments to—
  - (a) protect, support and expand the capacity of the public TAFE system to allow it to continue its historic role in providing high quality technical and further education to Australians of all ages and backgrounds;
  - (b) properly recognise the important role TAFE plays in providing vocational and technical education in areas of high and low demand, in rural and remote areas and in support of improved access and participation for disadvantaged learners; and

- (c) work collaboratively to develop a national workforce strategy for the TAFE sector that addresses the level and quality of teaching qualifications in the sector, the unacceptably high rates of casual employment, and which specifically includes the allocation of adequate resources to enable TAFE teachers and institutions to develop and maintain close liaison with industry and local communities to assist them to meet their vocational and technical education needs.
3. Calls on the South Australian government to reverse the harsh budget cuts to TAFE and to abandon changes proposed to vocational education and training that undermine TAFE as a public provider.
4. Calls on the federal government to—
  - (a) end the current competitive tendering model of government vocational education and training;
  - (b) guarantee funding for the public TAFE system based on the actual costs of providing education, and one that supports a strong and increased base for capital works, maintenance, infrastructure, and equipment;
  - (c) ensure that the national entitlement to a guaranteed training place is only offered at TAFE; is not restricted to selected qualifications or industry areas; and can be accessed by students more than once;
  - (d) ensure that the Australian Skills Quality Authority (ASQA) has the resources it needs to effectively audit and regulate the performance of training providers, and to enforce rigorous standards for delivery of vocational education; and
  - (e) develop improved standards for registration of training organisations, and ensure that every VET provider seeking registration provides vocational education as its primary purpose.

The Greens rise today in the chamber to bring the attention of all of council to the dire straits in which the South Australian TAFE sector finds itself. Across the nation, the Greens have also pushed for a well-funded and resourced public TAFE sector, both at federal and state and territory levels. This motion that I am moving today has actually been put by Greens members of parliament in each parliament where we have a member. It is to highlight and stand in solidarity with our colleagues who today mark National TAFE Day. It also is to highlight the importance of a strong and vibrant public TAFE sector.

We take this opportunity to highlight major and pressing issues facing TAFE in South Australia. In particular, we highlight that since the passage of the TAFE bills in 2012, we have seen a degradation of what used to be a robust and publicly-owned TAFE system. This motion highlights that the proposed funding cuts to the TAFE budget in South Australia will have a disastrous impact on students and staff, and indeed on TAFE's ability to deliver quality education and vocational studies.

To illustrate just how the funding has dramatically decreased for TAFE in South Australia, I will refer to the figures obtained by my office from the Australian government's Productivity Commission. The most recent figures available are the 2012 figures, which clearly show that South Australia's TAFE funding is the poorest in the nation. According to these figures, the payment to non-TAFE providers of vocational education in South Australia rose from \$50.9 million in 2011 to \$81 million in 2012. These figures show the increase in the non-TAFE providers' share as a percentage of government recurrent funding, from 7.2 per cent in 2008 to 24.5 per cent in 2012. That is a 17.3 per cent rise in funding for contestability available to private RTOs.

I particularly want to draw this chamber's attention to increased payments to non-TAFE providers, from 24.5 per cent in 2012 compared to 13.6 per cent in 2011. That is a rapid 10.9 per cent increase in contestability funding within just 12 months. The 2011-12 increase in non-TAFE providers' funding is quite significant, and it confirms the decline of TAFE funding in South Australia.

Comparatively, Victoria has had a consistent 10 per cent increase in contestability funding. This trend is consistent because Victoria introduced aggressive TAFE reform laws in 2008. South Australia is now the second state in the country to aggressively increase its non-TAFE vocational education providers' funding. The 2014 report on government services indicates that payments to non-TAFE providers increased by 20.6 per cent nationally in 2012, but by 58.9 per cent in Victoria and 59.1 per cent in South Australia.

What this means is that the per annual hour of TAFE funding in South Australia is the sharpest and most dramatic decline in funding from 2011 to 2012. Here in South Australia we have dropped by 25 per cent, and by a massive 45 per cent between 2003 and 2012. This takes South Australia's per annual hour funding in 2012 of \$10.57 to well below the national average of \$12.62. What these figures indicate is an attack on TAFE funding, an attack on students' opportunities and the shameless corporatisation of the vocational education sector in South Australia.

I would like to read out a statement made by the then minister when we were debating the TAFE bill here in this chamber in 2012. The then minister representing the minister for higher education, minister Wortley, stated:

The state government is committed to recognising the importance of TAFE SA as the state's largest provider of publicly funded training within this context. TAFE SA will continue to play an important role in this new demand-driven VET system, by meeting industry training and community service needs and contributing to the social and economic development of regional communities.

It is interesting to see that the government pointed out how TAFE would contribute to the social and economic development of regional communities. I say interesting, because on one hand the government has praised TAFE for contributing to the social and economic development of those communities, yet we have seen the closure of a number of programs in TAFE campuses throughout regional communities in South Australia. This has impacted on the viability of those campuses to remain open into the future.

The closing down of TAFE campuses has a particularly adverse impact on people in regional and rural parts of our state. The following TAFE campuses and courses have closed since the contestability model was introduced:

- Croydon campus will close in July, as staff move to Regency. This was part of the four campuses closing for the Tonsley TAFE and upgrade of the Regency TAFE campus;
- Roseworthy TAFE campus was to close on 30 June 2014 but will now remain open until the end of this year;
- the Renaissance Centre ELS program was to relocate to the Adelaide campus, resulting in the end of the centre's use; however, this has been put on hold as a result of the finance associated with remodelling the Adelaide campus;
- I understand that there are very strong rumours that Urrbrae Agricultural High School may be moving from that area, and I urge the government to respond to that when it replies to this motion.

At present, many programs are being cut or relocated, resulting in a reduction in face-to-face teaching following a push to further increase online models of course delivery.

When debating the TAFE bill in 2012, the then minister spoke highly of supporting vocational training in regional and rural areas of our state, yet courses have been cancelled at the Port Lincoln campus. Port Lincoln TAFE management closed the Port Lincoln training guarantee for SACE automotive classes at the end of June, and I would like to read out what one of the staff from Port Lincoln said:

Resultant impact on local employers, due to disruption of apprentice administrative and training processes. Significant delays in start dates of apprentice training due to uncertainty of classes becoming available at Port Lincoln campus. Employers and Australian Apprenticeships Centres angry with service given by TAFE SA as a result.

Naracoorte campus has also had its hairdressing course cancelled. Parents and students expressed their anger on local ABC radio and, indeed, were most concerned about the lack of consultation provided.

One interview with Robyn Verrall, a Naracoorte TAFE student, about the hair and beauty students' situation at Naracoorte TAFE, those students having just been told their course was closing, saw Ms Verrall say that she was two years into that hair and beauty course and that she would not be able to finish it at Naracoorte. She said that it would be a six-hour trip to TAFE in Mount Gambier and that at least 10 students would be affected. She also told the radio that she had been told it was being closed because it was no longer considered financially viable. Ms Verrall said that local hairdressers and beauticians work as teachers for the course and that that will have a flow-on effect

for that local community, not just for the students but for the staff and for the community and the services available within the community itself.

There are rumours coming from the staff at Naracoorte campus that there will be 25 regional campuses closed in the near future, including the Naracoorte campus. An article from the print media in the Riverland states:

The TAFE SA Riverland branches have seen seven staff jobs cut, including four full-time and three part-time jobs at Berri and Renmark campuses. The staff were offered targeted voluntary separation packages. TAFE SA's business development and regions executive director Cathie Brown said, 'The changes which come just over 12 months after TAFE announced it would merge its regional and city offices in Adelaide would create no loss of service to students.'

The music program at Noarlunga, which provided courses for composition, music business principles and provided experience in performing at on-the-job venues, has also been hit. TAFE is about hands-on experience and delivering training and experience to meet industry needs.

The Noarlunga TAFE campus met those expectations and had, indeed, outstanding and emerging musicians and music business professionals. However, this campus has also now been closed. When TAFE campuses are closed down and scrapped so are opportunities for the students in those communities and also opportunities and development within and across those communities.

With the closure of music programs at Noarlunga, all the building and construction programs have been moved to Tonsley, and this has left vacant workshops at Noarlunga. Graphic design has been moved to Tea Tree Gully and the women's education program, as was responded to in this place by the current minister, appears to be in limbo after early reports that it was also for the chop. At Mount Gambier—

**The Hon. K.L. VINCENT:** Mr Acting President, I cannot hear the Hon. Ms Franks for the members on my left.

**The ACTING PRESIDENT (Hon. J.S.L. Dawkins):** The Hon. Ms Vincent has a good point. I have been keeping an eye on a couple of conversations in this chamber. I think the Hon. Ms Franks deserves the opportunity to speak without competing with other conversations. I call the Hon. Ms Franks.

**The Hon. T.A. FRANKS:** At the Mount Gambier TAFE the graphic design program has indeed been cut. At the Tea Tree Gully campus the enforcement of new budget cuts has resulted in the beauty courses not having been listed in the SATAC guide for semester 2. That means only fee-for-service courses will be on offer at Tea Tree Gully.

My office has been informed that continuing students and any new potential students studying under this funding arrangement will have to be transferred to the Adelaide campus. There will be staff cuts at the Tea Tree Gully campus as student numbers diminish, resulting in part-time instruction, contract staff and then probably packages offered to permanent staff. It is clear from this evidence that the TAFE sector has been under enormous pressure following policy decisions that this Labor government introduced to, what they term, open up government funding to competition from private providers.

Major and continuing cuts in government funding to the TAFE sector, coupled with the diversion of substantial public funding from TAFE to private for-profit RTOs under the contestability model, has resulted in a funding crisis for TAFE institutions in our state, with major losses of staff, resources and infrastructure.

This contestability model has diminished the TAFE sector's capacity to provide supported, affordable and quality vocational training and further education not just to students but, as I say, to communities and to industries across our state.

Given that more students attend TAFE than our universities and that TAFE is crucial to Australia's VET system, there are serious concerns here about the future of accessible pathways into either education, career transition or, indeed, ensuring we have quality skills within this state. That is why I move this motion today and that is why the Greens move this same motion across state parliaments today. We are calling on all state governments to guarantee the funding for a public TAFE system and we are calling on all state governments to end the current competitive tendering model of government vocational education and training.

I have listened with interest to the minister's lack of response to questions raised in this place on course closures, campus closures and potential closures and, indeed, cuts across the board. This government seems to have decided that it has no responsibility or accountability to this parliament on these matters, branding them operational.

*The Hon. S.G. Wade interjecting:*

**The Hon. T.A. FRANKS:** However, it is more than happy, as the Hon. Stephen Wade interjects and I certainly concur, to brag about its achievements in this area when it suits it. One particular area of great concern is that I would have thought the Labor Weatherill government would have held the arts within our TAFE system in higher regard. The Adelaide College of the Arts (ACArts) is one of the nation's pre-eminent centres for arts training. Under the 'Stronger as one' model, with profitability as the key driver, it would seem that there is little chance that the vision seen by the chair of the college's Arts Advisory Board, Ms Robyn Archer AO, for this centre to become an arts training centre of excellence.

Certainly, that is the concern that has been raised in the AEU South Australian branch's submission to the current TAFE inquiry being undertaken federally, and I have to say that I concur. Ms Archer notes that South Australia has long branded itself as the Festival State and that Adelaide has only recently been rebranded as the Creative City. She says of ACArts that it is 'an institution which screams potential for arts training'. She said in her 18 March 2013 Hawke Centre address:

But ACArts has been working under the nationally familiar cloud of [being told] "you cost too much" ... its future has continued to remain uncertain because of various shifts and changes in TAFE SA.

Just a week or so before the Creative City branding, the new TAFE Board, chaired by Mr Peter Vaughan, announced the new shape of ONE TAFE as it will be in the future.

That meeting that Ms Archer referred to, she goes on to say, was a good meeting but a meeting in which it was agreed that the idea that under this new system such a centre of excellence that we would like to see at the Adelaide College of Arts, which has been promised not just to TAFE but to South Australia for so many years and which was indeed some of the continuing motivation for the Arts Advisory Board and those involved in that vision, has been said to be, and I quote from that transcript, 'will not be possible within this restructure'.

It is a sad day for South Australia. It is a sad day for a state that continues to call itself the Festival State and indeed for a city that brands itself a Creative City. That is not just a visionary goal, that is not something that we would like to be just for the hell of it, it is something that we have to be if we are to find our place in a global market where we do not have labour that can be undersold across this globe. We do not have cheap labour that we can sell to the lowest bidder. We have to be creative, we have to find our niche in this global market. That is why these things are so vital to get right, and that is why this government cannot continue to wash its hands of its responsibility here in ensuring that TAFE is all it could and should be for South Australians.

I spoke today at the National TAFE Day event down at the Co-op Coffee Shop, which I have previously mentioned in this place. The Co-op Coffee Shop hosted a fabulous event that was vibrant in all the best senses of the word and in none of the government imposed red tape senses of the word. It was community, it was grass roots, it was energetic and it was optimistic. They have very little to be optimistic about under this current regime; however, they are going to continue to fight for what they know is right and that is the role that TAFE has in changing lives, in transforming lives and in giving people that first, second and third chance to ensure that people are able to get the skills that they need, not just for their own personal development but for what our community and our economy need, and to place ourselves in the best position possible.

I think that many South Australians would be concerned to know the direction that this government has had and the attitude that this government has had with a minister who refuses to answer operational questions on TAFE SA. I think most South Australians would expect accountability from their government in this area, and with that I look forward not only to a renewed interest in TAFE but a renewed approach to TAFE, and a moment for the government to perhaps take this motion as an opportunity to pause and reflect on their direction. With that, I commend the motion to the council.

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

*Bills***CONSTITUTION (GENERAL ELECTIONS) AMENDMENT BILL***Introduction and First Reading*

**The Hon. K.L. VINCENT (16:31):** Obtained leave and introduced a bill for an act to amend the Constitution Act 1934. Read a first time.

*Second Reading*

**The Hon. K.L. VINCENT (16:32):** I move:

That this bill be now read a second time.

As members will see this is a very simple and concise bill that I introduce today on behalf of Dignity for Disability. In introducing legislation into parliament this afternoon we seek to move state election polling day from March to October in an attempt to give the state a better go at democracy. Presently, polling day or election day as we are all aware is the third Saturday of March and this simply seeks to move that day to the fourth Saturday in October.

In introducing this bill I hope that South Australians can be more engaged in the democratic process of electing our state parliamentarians every four years by moving polling day out of mad March. At this year's state election a third of voters, that is more than 320,000 people, chose to vote on a day that was not polling day. I am aware that both the government and the opposition have said that they want election day to be a snapshot of how the electorate feels on that day and it is not that now. It is instead an indication of how the electorate feels across nearly three weeks of voting.

In March we have the Adelaide Cup, the Clipsal 500, the WOMADelaide Festival, the fringe festival, and so on. It is simply, to my mind, too much of a distraction. We need to place equal weight on the festival season and democracy. We need voters to be able to analyse what is happening in the political arena rather than attending events and festivities.

Dignity for Disability would like to see a sharper focus on policies and issues affecting this state. By moving the election day clear of major events, the AFL season, school holidays and public holidays, we can see a focus on the matters truly affecting South Australians. Other politicians might feel that those events provide a good distraction and a good publicity opportunity and allow them to escape the responsibility to be accountable to their electorates. However, we in the Dignity for Disability party certainly welcome this change. I believe that we were perhaps the only party to release policies but refrained from the visual pollution created by plastic corflute posters, and I again challenge other parties to follow Dignity for Disability's lead. We will certainly continue to be very vocal on that issue in coming times.

The community has a right and an obligation to be fully engaged in the voting process. Having an election period clear of major events will allow comprehensive discussion of ideas and allow voters to make up their minds after being completely informed of what their potential politicians are offering. I am, of course, aware that we have not one but two committees in this parliament currently looking into electoral matters. I am very privileged to be a member of one of those committees. I understand that this may well be an issue that is raised by hopefully both of those committees, now that we have two.

**The Hon. S.G. Wade:** The other bill hasn't been to us yet.

**The Hon. K.L. VINCENT:** Of course. Ignore me! I certainly hope that in the event that we have two, this will be an issue that is very seriously considered. I do not see that as an excuse not to move forward with this important issue which is, to my mind, important in allowing South Australians to fully participate in democracy. I look forward to further discussions on this matter and other relevant matters in the realm of electoral reform with both my fellow members of this chamber and the other place, as well as members of the community. I welcome feedback on what I consider to be a very worthwhile idea. With those brief words, I commend this bill to the chamber.

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

*Motions***ADELAIDE CITY SKATE PARK**

Adjourned debate on motion of Hon. T.A. Franks:

That this council:

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

(Continued from 21 May 2014.)

**The Hon. K.L. VINCENT (16:39):** I will speak very briefly today in strong support of the Hon. Ms Franks' motion on the Adelaide City Skate Park located just down the road from this very place. I do not mean to rub it in but as the youngest member of this parliament—

**The Hon. S.G. Wade:** The least experienced in life!

**The Hon. K.L. VINCENT:** How dare you? My life has been rich; it doesn't matter how many years you have lived as long as it has been a rich life.

*The Hon. S.G. Wade interjecting:*

**The Hon. K.L. VINCENT:** Indeed, misleading the house—implying that I have not had an interesting life, indeed! I wholeheartedly support the sentiments of the Hon. Ms Franks' motion and agree that an alternative in the CBD area must be found to accommodate our young people and, of course, the young at heart who wish to skate and recreate at a skate park.

Skating, I am informed, is a very vigorous outdoor pursuit that allows the healthy physical activity we want to see being done by not just our young people but all South Australians, so this is an important initiative in that regard as well. In an age where we worry about obesity and lack of activity amongst our so-called screen-addicted youth in particular, we should certainly be encouraging any activity that helps anyone to get out and about for at least 30 minutes a day of physical activity.

I am not technically much of a skater myself, and I am not sure where a wheelchair falls into that sort of category but I certainly hope that we can find a solution to this very important issue in this chamber. I commend the motion to the chamber.

**The Hon. J.M. GAZZOLA (16:41):** I rise on behalf of the government on this motion. While the state government recognises the important contribution of skate parks in providing positive youth development and youth activity opportunities, this motion is opposed because the key section of the motion calls for a premature commitment. The state government through Renewal SA, the Department of Planning, Transport and Infrastructure, and the Department of the Premier and Cabinet have been working constructively with skate park users and the Adelaide City Council to achieve both a short-term and long-term solution. I repeat that the state government and the Adelaide City Council are currently working together to achieve a solution. It is doing so across a number of forums including through the Capital City Committee.

This cooperation is by no means a result of the Hon. Tammy Franks' motion. It was occurring prior to the introduction of this motion and will continue beyond today. A political game will not solve this important issue. Only cooperation and consultation will do so. The state government is committed to this.

While it is true that Adelaide City Council's lease of the City Skate Park site will end in June 2014, the government has been working for some time to ensure safe public access to the



skate park can be maintained for as long as possible following 18 June (today). While it may well be the case that a period of closure will be necessary to allow the universities to undertake investigations to develop their new buildings, it is anticipated that there will be some time before the land needs to be completely inaccessible to the public.

Through the cooperation of the University of South Australia and the University of Adelaide, it is expected that safe access to the skate park will be able to be maintained through to at least February next year. I understand that planned construction of the two exciting new major medical research and teaching facilities for the University of Adelaide and University of South Australia will be underway then. These buildings will provide further momentum to our future state economy and add to the South Australian Health and Biomedical Precinct, containing the new Royal Adelaide Hospital and the South Australian Health and Medical Research Institute (SAHMRI).

Furthermore, in anticipation of the closure of the current skate park, the Adelaide City Council has initiated consultation with skate park users to determine preferences for the nature and location of any new skate park. I am advised that the council has received almost 300 feedback forms from patrons providing important feedback on the amenity, design and location of a future skate park. The government understands the Adelaide City Council is currently reviewing this feedback in order to plan for a new facility and will continue to seek input from the skate community as the project progresses. The government continues to work closely with the Adelaide City Council to ensure that the best possible outcome can be secured.

The suggestion that the government needs to commit funding now to the skate park is premature. The government continues to demonstrate its commitment to building a more vibrant Adelaide. When the plans for the new skate park have been finalised, the government will work with the Adelaide City Council to consider funding arrangements.

**The Hon. T.J. STEPHENS (16:44):** It is with some pleasure that I rise to indicate opposition support for the honourable member's motion. I will start by congratulating the Hon. Tammy Franks on her motion, and we acknowledge the importance of this particular activity for our young people, maybe even some of our not so young people, giving them something proactive to participate in, rather than perhaps getting up to some mischief or being on the streets and being a danger to themselves and others. I also congratulate the member for Adelaide, who has been quite vigorous both within our party room and also within the general community with her support for the proposed skate park. With those few words I commend the motion to the house.

**The Hon. T.A. FRANKS (16:45):** I rise to thank those members who have contributed. I thank the Hon. Kelly Vincent and the Hon. Terry Stephens for their support, on behalf of Dignity for Disability and the Liberal opposition. I note with concern the government's words that it is somehow premature to announce funding for a skate park, they themselves having announced the end of the lease. They terminated the lease exactly a year ago today. It has, yes, had a reprieve until February for a continuation of that lease, but it should be no surprise to this government that, if a new skate park is to be built, there needs to be some money on the table not just from the Adelaide City Council but from the skate government—state government, not the skate government, clearly.

If they wanted to be known as the 'skate government' and wanted to prove, as I said in my original speech that #jaygetsit, not only would the Premier have said, when the lease was terminated, that he would ensure that the skate park would be relocated, as he did, but he would have announced how much money the state government would put into the budget so that therefore proper planning could be undertaken and that we would not see a period when there was no skate park in the City of Adelaide.

The City Skate Park has a fine history, a proud community that is active and, as you can see from the gallery tonight, is most concerned to secure the future of this particular facility. Announcing funding is necessary if the government is then to move on to undertake work, to do the scoping, to finalise the plans for a new skate park and to do so in a timely manner and not, as the government has said, in a premature manner. I think that all of those references to 'premature' were in some way references to some other sort of phallic approach to politics, but I digress.

If the government were serious about its commitment to the skate park, it would have responded to the Adelaide City Council's pleas much earlier on. They would have already announced the funding for this skate park, and we would not have been looking at a potential time—and we still are looking at a potential time—where there is no city skate park. It shows that in this case Jay didn't

get it. In this particular instance the minister clearly does not get it. This government talks a lot about small bars and vibrant laneways; those small bars and those vibrant laneways are nothing without a skate park in terms of ensuring a truly vibrant city. There is more to a vibrant city than just small bars and activated laneways.

With the pleas and work the Adelaide City Council has done, there is actually fantastic groundwork for the government to now step up and announce not only funding but to work more collaboratively with the skaters and the Adelaide City Council to ensure there is no time delay between the old skate park and the new skate park, and that the new skate park, for which I hope the government will announce funding in tomorrow's budget, is something of which all South Australians can be proud, and should always have been something on which there was a collaborative approach.

It has been this government and this particular minister, minister Rau, who has held out, who has made stupid comments to the press like 'young people could use Victoria Square to skate in'. He also was quoted as saying that he did not have an opinion on a skate park, even though it has been brought to his attention not only by the City Council but also through media and journalist inquiries, and through the many people who have signed the petition to minister Rau, which has been cc'd to the Minister for Regional Development and also to minister Bettison.

With those few words, I commend the motion to the council. I hope that the government will see the error of its ways and that in tomorrow's state budget we will have an announcement of a portion of money to adequately fund a city skate park to be developed in cooperation not only with the Adelaide City Council but with this city's skaters.

Motion carried.

### BURNSIDE COUNCIL

Adjourned debate on motion of Hon. J.S.L. Dawkins:

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

(Continued from 21 May 2014.)

**The Hon. T.T. NGO (16:50):** The Hon. Gerry Kandelaars was the government member on the committee and he is currently on leave this week. On behalf of the Hon. Mr Kandelaars, I would like to put on record to the council his dissenting statement to the committee. I quote the honourable member:

As the Government Member on the Burnside Enquiry Select Committee I do not support all the recommendations made, and conclusions reached, in the Select Committee's Report.

In July 2011, the investigation into the previous Burnside Council was terminated by the then Minister for State/Local Government Relations. This occurred at the completion of the legal action in relation to this matter, with the judgment of the Full Court of the Supreme Court handed down in May 2011.

The Full Court maintained the suppression order placed on the draft Provisional Report prepared in 2010 by the Investigator. Following the Full Court judgment and, having considered appropriate advice, the then Minister for State/Local Government Relations took the decision that the investigation into the Burnside Council should not proceed.

However, the Minister also requested that the Crown Solicitor consider relevant material gathered by the Investigator so that, if any evidence of possible criminal activity existed, those matters could be referred to the Director of Public Prosecutions.

In November 2011, the Attorney General advised that the Crown Solicitor's Office, having examined the draft report and relevant material, noted that there was insufficient admissible evidence to support any reasonable prospect of a successful prosecution for any offence.

In the November 2010 Council elections, a new Council was elected. None of the previous Burnside councillors were elected to the new Council.

The Full Court has since delivered a further judgment in these proceedings, to the effect that three aspects of the terms of reference were found to be invalid and that the terms of reference were required to be read narrowly. However, importantly, the ruling held that the Minister had reason to believe that there was basis for investigation and that the council was not acting as a representative, informed and responsible decision-maker in the interests of the community.

It is clear that the establishment of the Select Committee was politically motivated and it is no surprise that the Committee would conclude that it was not appropriate for the then Minister of State/Local Government Relations, the Hon Russell Wortley MLC, to cease the unfinished investigation by Mr Ken MacPherson. Given the evidence before the Committee, the decision of the Minister was not unreasonable and was supported by the Local Government Association.

**The Hon. J.A. DARLEY (16:54):** I rise to support the motion of the Hon. John Dawkins. I would like to just take a few moments to mention some of the issues that influenced my decision:

- the statement by the Chief Justice that this is a matter of public interest;
- the complication caused by the fact that the MacPherson draft report was suppressed from publication by the court;
- the fact that the Burnside Council unanimously resolved that the report of the investigator should be completed and released;
- the fact that there was conflicting evidence provided by witnesses who attended the workshop convened by the LGA in July 2009 to advise councillors and staff as to how to deal with the proposed MacPherson investigation;
- the difficulty caused by the fact that the previous CEO was not available due to health reasons;
- the fact that the previous mayor could not recall the content of the meeting in July 2009;
- the fact that the current CEO, who was formerly a senior member of council staff, could not recall whether he attended the meeting in July 2009 and, when he later recalled attending the meeting, the fact that he could not recall details of that meeting;
- questions surrounding evidence provided by the police;
- the fact that the former police commissioner did not read the draft report, notwithstanding that matters were referred to him for investigation; and finally
- the fact that the then minister for state and local government relations on advice decided not to complete the investigation without even reading the draft report.

**The Hon. S.G. WADE (16:56):** I rise briefly to speak to the motion of the Hon. John Dawkins. With all due respect to the Hon. Mr Ngo, considering that he was speaking on behalf of a member not present, I would remind the council what the motion proposes. It is not actually a debate even to note the committee's report: it is to respond to the committee's recommendation that the report be referred to the Office of Public Integrity. If I could draw the council's attention to why the committee came to that conclusion. When this council was considering establishing this inquiry, there were two issues in particular that I highlighted in my contribution: one was the cost and one was the issues.

At that stage, we had been told by the government that there had been \$1.3 million spent on the MacPherson inquiry into the Burnside council, and we knew that that was only the cost to the government. That does not include the cost to the Burnside ratepayers through their contributions to the Burnside council. We knew that Burnside council had spent significant amounts of money supporting members, including through the provision of counselling services. In my contribution I suggested that it may well have been a total cost of about \$2 million to the state, yet that investment was to be left hanging by the decision of the then minister.

The issues were not insubstantial; they were so serious that the then minister, the Hon. Gail Gago, warranted a section 272 inquiry. Then, when the portfolio responsibilities had moved to the Hon. Russell Wortley on 6 July 2011, he made a ministerial statement to conclude the inquiry and subsequently indicated that he had done so without even reading the investigator's report. The process had been complicated by legal proceedings that had taken this matter to the Supreme Court, but I remind the council that the Supreme Court took the view that the public interest required both the completion of the inquiry and its speedy completion. Obviously, in making those observations, the court would have been mindful of the difficulties of achieving that outcome in light of its own judgement, because it did find that there were problems with the inquiry in terms of its compliance with its terms of reference.

The committee took the view that the government's decision or the minister's decision not to proceed with the inquiry was not well based in terms of both the cost that had already gone into it and the issues that had been left unresolved, and also in terms of natural justice. A number of people have been drawn into the process and many of them were very keen to have the issues resolved, let alone the taxpayers of this state and the ratepayers of Burnside.

So the committee deliberated, and its recommendations 1 to 5, on page 10 of the report, go through a series of options in terms of what should be done from where we are now. The committee took a lot of evidence, and decided that it would not be appropriate for the investigator to complete his inquiry, for the Ombudsman to proceed with the inquiry, or for a select committee of this place to be formed.

It did make specific recommendations in terms of the report being considered with a view to amendments to the Local Government Act; but the key recommendation of the committee, which the Hon. John Dawkins' motion reflects, is recommendation 5, 'That the Legislative Council considers referring this report to the Office of Public Integrity for its consideration.' I quote from page 19 of the report:

After consideration of all the terms of reference, the committee concluded that the most appropriate and productive action at this point in time would be for the Office of Public Integrity to consider the report and consider whether any further investigations should be carried out and any action which is possible taken under the Independent Commissioner Against Corruption Act, 2012. That body is independent and would not be constrained by the issues arising due to the initial problems with the terms of reference and possible legal challenges. Further discussion of the ICAC is found in terms of reference (a) v below.

I stress to the council that in making that recommendation, the committee is not assuming that there is a matter of corruption that could be prosecuted. Let us remember that the Independent Commissioner Against Corruption Act charges the Office of Public Integrity not merely with assessment of issues of corruption but also of issues of misconduct and maladministration. Not only can the Office of Public Integrity refer matters to the ICAC further investigation of corruption, it can refer matters to public authorities and other inquiry agencies related to misconduct and maladministration.

I believe that the flexibility of the office and the ICAC means that the committee's conclusion is well founded, that it is our best prospect of maximising the resolution of the issues that have been raised by this inquiry. It is not going to provide satisfaction to many people in the Burnside saga, and I appreciate that; however, I certainly believe that the committee is wise to come to the conclusion that it provides the best outcome amongst a series of inadequate outcomes.

This situation has been the creation of two ministers of this government, who we believe have not properly handled matters in relation to Burnside. We believe that supporting this motion and having this report, and the issues it raises, considered by the OPI is an appropriate next step, and I support the motion of the Hon. John Dawkins.

**The Hon. J.S.L. DAWKINS (17:03):** I appreciate those members of this chamber who have made a contribution to this motion, and a number of others who have expressed their support without wishing to speak this afternoon. I thank the Hon. Mr Ngo for bringing forward the dissenting statement that the Hon. Mr Kandelaars attached to the report, as is his right. I would also like to particularly thank the Hon. Mr Darley and the Hon. Mr Wade, because I think they have made some valuable points in summarising the key issues of a very complex matter.

As I said when moving this motion, I think it is one of the most complex matters that I have ever dealt with in this parliament. I particularly appreciate the succinct way that the Hon. Mr Darley went through a number of points that clearly cut through the issues that were key in our examination of this whole matter.

Without speaking for too long, I should give credit to our former colleague, the Hon. Ann Bressington, for her passion in seeking to have this matter examined by a committee of the Legislative Council and for her chairmanship of the committee for the great majority of its time. I also thank all the other members who worked very hard when we discovered that the Hon. Ms Bressington was no longer available to chair the committee. We worked very hard during a very busy time in the lead-up to the caretaker provisions coming into operation so that we could make sure we got that report delivered to the then president. I thank those members for their support for me as acting

chairperson of that committee, in delivering the report and also in bringing this motion to the council. With those words I commend the motion to the council.

Motion carried.

### STATE ELECTION

Adjourned debate on motion of Hon. S.G. Wade:

1. That a select committee of the Legislative Council be established to inquire into and report on the following matters—
  - (a) the extent to which the 2014 state election result reflected the popular will, the effectiveness of the 2011 redistribution to this end and the prospects of achieving this outcome by reforming the redistribution process;
  - (b) the effectiveness of measures to ensure that electors are not misled;
  - (c) access to and use of the electoral roll and other lists and databases for election purposes;
  - (d) provision of voting services, including voting by post, pre-poll voting, services to people with disabilities and residents of declared institutions;
  - (e) the integrity of the roll, including the identification of voters presenting and measures for subsequent verification;
  - (f) management of the 2014 state election by the Electoral Commission, including the powers and resources available to the commission;
  - (g) management of the 2014 state election count to facilitate timely, reliable and adequate information;
  - (h) opportunities to reform campaign funding and donations to reduce the risk of inappropriate influence;
  - (i) progress in implementing the recommendations of the Select Committee into Matters Related to the General Election of 20 March 2010; and
  - (j) any other relevant matters.
2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 7 May 2014.)

**The Hon. S.G. WADE (17:07):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### INNER METROPOLITAN AREA DEVELOPMENT

**The Hon. M.C. PARNELL (17:07):** I move:

That the regulations under the Development Act 1993 concerning Inner Metropolitan Area Development—Relevant Authority—Development Assessment Commission, made on 28 November 2013 and laid on the table of this Council on 6 May 2014, be disallowed.

Members may recall that in November last year, prior to the state election, the government introduced the Development (Inner Metropolitan Area Development) Variation Regulations 2013. These regulations transferred responsibility for the assessment of development applications for buildings that exceed four storeys in height in certain zones—for example, the urban corridor zone—from local council development assessment panels to the Development Assessment Commission.

The regulations affect the following councils: the Adelaide City Council, the City of Burnside, the Corporation of the City of Norwood, Payneham and St Peters, the City of Prospect, the Corporation of the City of Unley and the City of West Torrens. The regulations also create a new

body, the Inner Metropolitan Development Assessment Committee, and they also modify statutory referral and consultation arrangements.

In the lead-up to the state election, I committed the Greens to moving a disallowance motion when parliament resumed. I put this on the parliamentary agenda last month and have now moved the motion formally. I am now in the process of writing to all the affected councils to seek their views. Once I have heard back from them I will put their positions on the record before bringing this motion to a vote.

I should say that I am confident that the motion will ultimately pass because media reports show that most of the affected councils are unhappy about having these powers taken away without consultation and without any good reason being offered. The conversations I have had already with council officers indicate that most, if not all, councils feel this way.

I also expect that the opposition will get behind this motion because it was the position that they took to the election. I refer members to the media release issued by opposition leader Steven Marshall on Friday 14 February 2014 where, under the heading, 'Liberals will return planning powers to councils', he said:

A Marshall Liberal Government will return planning powers to inner metropolitan councils after they were ripped away by the Weatherill Labor Government at the end of 2013. The State Liberal proposal would see decision making powers returned to inner-metropolitan councils for buildings up to eight storeys...Under the State Liberal proposal, councils will have the ability to refer applications to the State Government's Development Assessment Commission if they do not have the capacity to process an application.

So, in order to give effect to that position, disallowing these regulations is the first step. I am also pleased that during the election campaign the Liberals picked up on one of the Greens' other ideas, and that was that councils should also be granted access to the state government's design review process without any additional charge being imposed on the council. That initiative is important because it levels the playing field between councils and the Development Assessment Commission by providing that both decision-making bodies have access to the same professional advice.

I intend to bring this motion to a vote once I have had formal feedback from affected councils and communities. In those circumstances, I now seek leave to conclude my remarks.

Leave granted; debate adjourned.

*Parliamentary Committees*

**NATURAL RESOURCES COMMITTEE**

The House of Assembly informed the Legislative Council that it had appointed Mr Treloar to the committee in place of Mr van Holst Pellekaan.

*Bills*

**TRAVEL AGENTS REPEAL BILL**

*Final Stages*

The House of Assembly agreed to the bill without any amendment.

At 17:12 the council adjourned until Thursday 19 June 2014 at 14:15.