

LEGISLATIVE COUNCIL

Tuesday, 24 February 2015

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 14:17 and read prayers.

The PRESIDENT: We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia and their connection to the land and community. We pay our respects to them and their cultures and to elders both past and present.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Reports—

City of Prospect—

Historic (Conservation) Zone Policy Areas Development Plan Amendment,
dated February 2015

Local Heritage Places Development Plan Amendment, dated
February 2015

Regulations under the following Acts—

Burial and Cremation Act 2013—Revocation of Regulation 8

Dangerous Substances Act 1979—Dangerous Goods Transport

Development Act 1993—Variation (Assessment)

Motor Accident Commission Charter

By the Minister for Aboriginal Affairs and Reconciliation (Hon. K.J. Maher)—

Report into the Review of Division 1B, Part 3 of the Maralinga Tjarutja Land Rights

Act 1984 dated 21 November 2014 and Addendum Report into the Review of the

Division 1B of Maralinga Tjarutja Land Rights Act 1984 dated

13 January 2015

Ministerial Statement

GREYHOUND RACING

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:20): I seek leave to make a ministerial statement on the topic of live baiting in greyhound racing.

Leave granted.

The Hon. I.K. HUNTER: On Monday 16 February 2015, the Australian Broadcasting Corporation aired an episode of *Four Corners* entitled 'Making a Killing' which exposed the practice of live baiting in the greyhound racing industry. The footage depicted greyhound trainers interstate using live bait to lure greyhounds around trial tracks. Whilst to date there has been no evidence of live baiting in South Australia, the government has made it very clear to the greyhound racing industry that live baiting will not be tolerated.

The RSPCA and Greyhound Racing SA both strongly condemn this practice and rightly consider that it has no place in the sport. The practice of live baiting is not only inhumane and in total contravention of the rules of racing but would also be illegal under section 13(3)(f) of the Animal Welfare Act 1985, punishable by penalties of up to \$50,000 or four years' imprisonment.

On Thursday 19 February the Minister for Sustainability, Environment and Conservation and the Minister for Racing met with representatives from Greyhound Racing SA, the RSPCA and the

relevant government agencies, including SA Police, to identify what, if any, additional measures are needed to make sure live baiting does not occur in South Australia. We have asked Greyhound Racing SA and the RSPCA to suggest policy or legislative changes that might be implemented to prevent live baiting in South Australia now and into the future.

These abhorrent acts have no place in a civilised society, and we are taking steps to make sure that the shocking incidents that came to light in that ABC documentary are not repeated here. If anyone is aware of live baiting in South Australia they are urged to contact the RSPCA on 1300 477 722 or Crime Stoppers on 1800 333 000.

SITE CONTAMINATION, CLOVELLY PARK AND MITCHELL PARK

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:22): I seek leave to make a ministerial statement on site contamination, Environment Protection Authority board review.

Leave granted.

The Hon. I.K. HUNTER: On 18 February 2015 I received a report prepared by a committee of the board of the Environment Protection Authority (EPA) appointed to review the management of legacy site contamination in South Australia. The committee was chaired by Ms Cheryl Batagol, the chair of the EPA in Victoria, and consulted broadly in reaching its findings. The committee presented its report to the EPA board on 10 February 2015, and the EPA board agreed to endorse the 11 recommendations. The review followed significant public attention about results from the testing for indoor TCE vapour levels in some homes in Clovelly Park.

The committee concluded that legacy site contamination in South Australia is generally well managed, but there are opportunities to improve, particularly in relation to interagency coordination, capability, community engagement and transparency. The report is publicly available on the EPA website at www.epa.sa.gov.au. The report contains 11 recommendations, which are grouped into five categories: working together; building capability; working with the community; transparency and accountability; and urban renewal—unlocking potential. Key recommendations include:

1. a whole-of-government mechanism for responding to significant and complex site contamination cases;
2. formalisation of the mutual roles and responsibilities of the EPA and SA Health in relation to cases that involve a public health risk and developing a protocol with local government, including a communications and engagement plan, for managing site contamination issues;
3. finalising reforms aimed at ensuring clear, consistent and risk-based consideration of site contamination at all levels within the state's planning system;
4. developing a proactive identification and assessment process for potentially contaminated sites;
5. developing a protocol on community engagement that takes into account the need to inform and work with affected residents early, regularly and effectively; and
6. a state government policy on management of contaminated public land and abandoned privately owned land, aimed at minimising risks and optimising opportunities for urban renewal.

These recommendations reflect the issues considered most important by the committee in order to strengthen the foundation for effective management of legacy site contamination issues.

One of the most significant reforms identified by the committee is the need to continue to improve on the delivery of information to the community. It is clear that communities want available information to be provided in a clear and timely manner, and involvement in decision making processes. I am pleased to support the intent of this recommendation from the review.

The EPA is already working to implement recommendations relevant to its processes through the establishment of an executive level steering group. Other recommendations relate to cross-government policy and will require coordination by the EPA with agencies including SA Health,

Renewal SA, Housing SA, the Department of Planning, Transport and Infrastructure and the Department of the Premier and Cabinet.

The chief executive of the EPA will establish a working group to coordinate the implementation of these recommendations. The challenge posed by legacy site contamination is complex and requires a holistic and cohesive response from government. It is a challenge being faced around the nation and indeed internationally. Improvements in scientific understanding and technologies to measure and mitigate such contamination is constantly improving and so too must our policies.

I welcome the review's recommendations and I thank Ms Batagol and the committee for their work which will contribute to the future management of legacy site contamination in South Australia and other jurisdictions. Whilst it is publicly available, I table the report of the EPA's Site Contamination Review Committee.

DEFENCE SHIPBUILDING

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:25): I table a copy of a ministerial statement relating to future submarines made earlier today in another place by my colleague the Minister for Defence Industries.

Question Time

MEMBERS' CONDUCT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:26): I seek leave to make a brief explanation before asking you, Mr President, a question about the correct process for lodging complaints about the conduct of members of the Legislative Council.

Leave granted.

The Hon. D.W. RIDGWAY: I think it was on 13 February that an article appeared in the daily electronic newspaper InDaily that reported an exchange between you, Mr President, and the Channel 7 reporter Mr Hendrik Gout where he claims offensive and threatening language was used. My question to you, sir, is: if a member of the public believes they have been subjected to inappropriate conduct by the President of the Legislative Council, to whom should they lodge a complaint about that conduct?

The PRESIDENT (14:27): I will take that on notice and bring back an answer as soon as possible.

APY LANDS, GOVERNANCE

The Hon. T.J. STEPHENS (14:27): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation questions about governance of the APY lands.

Leave granted.

The Hon. T.J. STEPHENS: I refer the minister to his previous answers and his comments this morning on the radio, as well as an article in yesterday's InDaily, which I am sure he is aware of. It is my understanding that the government has now restored some of the withheld funds to the APY at the same time that the interim general manager has resigned. The interim general manager, Lesley Johns, has confirmed that she has commissioned KPMG to fix the financial issues referred to in the report 'Accounting for Good'. The minister has also stated that a separate independent report will be commissioned by the government into the APY accounts.

The Accounting for Good report also says that good governance of the APY relies on a strong and competent financial controller and that, in the absence of one, the system fails. It is apparent that there has not been one in place since October. The previous financial controller, Mr Kevin Chan, actually made an effort to correct the chronic financial issues by investigating allegations of impropriety and mismanagement and lodged it with the Auditor-General, after which he went on leave, presumably stood down by the executive. The report itself says the APY administration had

not produced an overall budget in a number of years and had no idea of its current financial position. My questions therefore to the minister are:

1. Given that there is currently no general manager, no financial controller—which is required for the system to operate—and no financial accountability, why has funding been restored to the APY Executive? How much funding has been restored?
2. If the interim general manager has commissioned with taxpayer funds a report into the finances of the APY, why does the minister feel it necessary to do the same? How can the minister justify this as efficient?
3. With all this in mind, why is it the minister's preference to work with an APY Executive which has allegations of financial impropriety hanging over it, rather than appointing an administrator immediately to sort out this mess and delay APY elections until the conclusion of the Layton report?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:29): I thank the honourable member for his important question and again note his very genuine and very long-standing interest and concern in relation to these matters. Members would recall that I informed the chamber that a few weeks ago I met with representatives of the APY Executive. I, my office and my department have continued discussions with the APY Executive and their representatives, as well as other people with a genuine interest in this matter, including members opposite and other members of both houses of parliament.

As the honourable member alluded to, an agreement has been reached to release a single quarter of funding. The figure was asked for, and it is approximately \$443,000, subject to very stringent and very specific conditions. The agreement requires APY to meet higher standards of accountability and transparency. These additional accountability and transparency provisions include that the APY Executive Board commits to proactively disclosing monthly financial reports against the approved budget on their website, publication of minutes of the monthly APY Executive Board meetings published on their website, and the publication of annual reports to be published on their website.

An experienced and high-level independent auditor will be engaged for the purpose of obtaining evidence on financial transactions, including payroll, and assessment of APY's compliance with expenditure delegations and an assessment of financial controls in place. Any release of further funding will be subject to the findings of an independent audit which will assess APY Executive's delegations and financial controls. Such a forensic audit of all financial accounts has been agreed to by the APY. I will be able to provide the honourable member and the chamber with further details somewhere in the near future.

The honourable member asked about the powers to appoint an administrator and, as I have expressed before, while I am not opposed to using the new powers under the act to appoint an administrator, I would prefer to reach a consensus position with the APY. Whatever the future holds for the APY in terms of both who is elected in the future and the exact government structures, it must represent a break with the past and a move towards restoring confidence in the board.

As I said, I know there are a number of members in this chamber, particularly the Hon. Terry Stephens, who have a long-standing interest in this matter. Members should continue to feel free to ask me questions at any time they like, not just in question time, as many members have. I will, as matters progress, bring answers back to this chamber and also keep members, particularly members of the Aboriginal Lands Standing Committee, informed of progress.

APY LANDS, GOVERNANCE

The Hon. T.J. STEPHENS (14:32): Supplementary question: minister, do you agree that it is becoming increasingly obvious that there is not the capacity to administer, from a board perspective, the finances of the APY lands by the Executive?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:32): I thank the honourable member for the supplementary question. As we are putting in new and increased levels of compliance, we will be providing better support for APY to meet those.

SITE CONTAMINATION, CLOVELLY PARK AND MITCHELL PARK

The Hon. J.M.A. LENSINK (14:32): My questions are to the Minister for Sustainability, Environment and Conservation in relation to the review of Clovelly and Mitchell Park contamination. What additional resources have been allocated to identify and audit the estimated 4,000 contaminated sites across the state? Why wasn't the review conducted by an independent assessor rather than the EPA itself? Where is the public apology to the residents of Clovelly Park and Mitchell Park for the government's appalling mishandling of this crisis, and is this what the minister was referring to when he told estimates last year that we need a new engagement paradigm?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:33): I thank the honourable member for her most important questions and for giving me the opportunity again to advise the chamber about the government's proactive changes in relation to the EPA's handling of site contamination, arising of course from the Clovelly Park incident, for which I have already apologised on behalf of the government, for the way that we have traditionally handled passing on information to the public, and we now have an opportunity to talk about the way forward.

The government and the EPA have learned from this incident and have changed our procedures accordingly. As the honourable member knows, the inquiry was chaired by Ms Cheryl Batagol, the chair of the Victorian EPA. It included three EPA board members and three senior state government executives.

The review used the Clovelly Park site as a case study to capture learnings and ensure continuous improvement in the management of site contamination. It assessed the effectiveness of the system currently in place and, as I acknowledged, the failings of it, and has made recommendations for reform that include protocols and practices to reflect the community's changing expectation about the communication of site contamination matters.

The board review committee concluded that legacy site contamination in South Australia is generally well managed, but there are opportunities to improve, particularly in relation to interagency coordination and capability, as identified in my ministerial statement. The report identifies 11 recommendations under five categories. I covered that in the ministerial statement as well. The EPA is already working to implement recommendations relevant to its processes through the establishment of an executive level steering group.

Other recommendations relating to cross-government policy will require coordination by the EPA. The chief executive of the EPA will establish a working group to coordinate the implementation of these recommendations, as I said. The principal role of the EPA is to ensure that responsible parties meet their obligations under the act.

The Environment Protection Act 1993 adopts the polluter pays principle, which means that where possible the party which causes the contamination is responsible for the assessment, management, containment and clean-up of the site. The challenge posed by legacy site contamination is complex and requires a holistic response from the government. It is a challenge being faced right around the nation, as I said, and indeed across the world.

As improvements in techniques and the understanding of toxicology advance, and our ability to mitigate such site contamination constantly improves, so too must our policies change and evolve, taking into consideration those changes. As I said, I welcome the committee's review. I thank Ms Batagol and the committee for their work, which will contribute to the future management of legacy site contamination in South Australia and other jurisdictions in the country. I know the EPAs from interstate have been watching this situation very closely for how it might impact on their own functions in carrying out their act obligations. The world is changing around us, and the EPA and government must act according to the desires and wishes of the community in which we serve.

SITE CONTAMINATION, CLOVELLY PARK AND MITCHELL PARK

The Hon. J.M.A. LENSINK (14:36): In relation to priority number 7, the EPA appears to be stopping short of actually funding a program to update the register. Can the minister outline how much the EPA believes that would actually cost?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:37): Resourcing of legacy site contamination cases presents problems for the government. However, we have shown in the past, with the support of Treasury, that where industry has been unable to fund investigations and remediation activities, the government is committed to working together with the EPA to ensure the state has a robust environmental regime. We will use these challenges as a catalyst for change, as we have seen in this report.

In terms of the report's recommendation 7, again a program and a funding plan that will be needed to identify and develop risk profiles and prioritise assessment of sites expected to be subject to potentially contaminated activities—such as dry cleaners, gasworks or landfills—is in the planning stages, but as the honourable member knows, any such requests for increased resources outside of the existing resources of the agency will need to go through a budget process.

SITE CONTAMINATION, CLOVELLY PARK AND MITCHELL PARK

The Hon. J.M.A. LENSINK (14:38): Perhaps if I could just rephrase the question: can the minister (and you might want to take this on notice) provide the council with how much it will cost the EPA to implement recommendation number 7?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:38): I will not be able to make that advice available to the council until we do the work to scope that out. As I said, if that is something that we will be doing, we will be taking it through a budget process, not bringing it to this council.

HIGHER EDUCATION

The Hon. J.M. GAZZOLA (14:38): I seek leave to make a brief explanation before asking the Minister for Science and Information Economy a question about commercialising research undertaken in South Australia's universities.

Leave granted.

The Hon. J.M. GAZZOLA: South Australia's three main universities contain a wealth of scientific and intellectual talent, undertaking research across a very wide diversity of scientific and technological fields. Translating the knowledge and ideas acquired from that research into commercial products, jobs and income for South Australia is critical for our future. Will the minister inform the council on action the state government has taken to create social and economic benefits from the research undertaken by our tertiary institutions?

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) (14:39): I thank the honourable member for his most important question. It is quite correct to say that our three universities contain an impressive scope, and also depth, of research capacity. There are over 150 dedicated research centres and laboratories within our tertiary sector, and many of them are undertaking work that is of world-class standard.

Commercialising our state's research is clearly identified as one of our key priorities in terms of South Australia's 10 economic objectives. The potential benefits could flow from successful commercialisation of this research in terms of industries, jobs and income for South Australia, and these could be quite significant.

Take just one segment of our research effort—health and bioscience, for instance—in which there is an immense global market for technology and products such as diagnostics, implants, medical software and equipment, drugs, and assistive types of technologies. A very important initial step along the road to any commercialisation is the securing of patent protection for unsecured ideas, inventions and products. Provisional patent protection allows the early involvement of possible industry partners without the risk of losing valuable intellectual property.

Some years ago, BioSA, South Australia's bioscience business accelerator, identified patent protection as a critical barrier preventing more of our research from reaching markets. As a result,

they launched the Intellectual Property Management Initiative three years ago to help our three main universities to seek patent protection for their intellectual property. The \$1 million initiative, funded by the state government, allows universities to develop and manage IP protection and commercialisation strategies which can be very difficult from their existing budgets.

In the three years following the introduction of the IP Management Initiative, the number of provisional patent filings for the SA university research has risen from 57 to 109—an increase of more than 90 per cent. We are now starting to see the best of these patents progress to the next stage of the patenting process—international application. Once granted, a patent will protect the technology from competitors for up to 20 years.

I would like to give two examples from the many patents that were filed, and in this case that were filed through ITEK, UniSA's commercialisation office. The first example is a genetic diagnostic test for an epileptic condition in babies known as benign familial infantile epilepsy seizure. With patent rights secured, this technology has now been licensed to a leading company in the neurological disease diagnostic market. The second example is for newly discovered prostate cancer biomarkers which allow the earlier and more accurate diagnosis of prostate cancer.

With provisional patent protection in place, I am pleased to report that commercial negotiations with interested parties are now underway. This is more than a 90 per cent increase in just three years, as I said, and I believe it is a brilliant positive step towards the creation of new high tech enterprises and jobs in South Australia. It is also confirmation of our conviction, as expressed in our state priorities, that there is immense potential in the ideas and insights of our science and research sectors.

GREYHOUND RACING

The Hon. T.A. FRANKS (14:43): I seek leave to make a brief explanation before addressing a question on the topic of greyhound racing to the Minister for Sustainability, Environment and Conservation.

Leave granted.

The Hon. T.A. FRANKS: As the minister has made the council aware and, as the South Australian community is well aware, the 'Making a Killing' documentary on *Four Corners* just over a week ago has exposed horrific practices of live baiting in the greyhound industry. I note that was uncovered through the footage obtained by Animals Australia and Animal Liberation Queensland in the three eastern seaboard mainland states. Associated with that was the response by the Victorian Racing Integrity Commissioner who said that, in fact, only one complaint had been made to his office in the previous five years which had been unfounded and unable to be substantiated, so that documentary came as a shock to him.

There is also the range of concerns that are raised about the industry, which include the number of greyhound pups which will never race and are likely to be euthanased, the number of dogs which are killed on the racetracks each week, and the life of deprivation that some of these animals lead. I note that both you and the Minister for Racing have been working with Greyhound Racing South Australia and the RSPCA to address these issues. My questions are:

1. Will you consider a broad-ranging inquiry into the greyhound racing industry to ensure that the industry is able to maintain a social licence with the community of South Australia?

2. Should you undertake an inquiry, will it cover more than just the live baiting issue? Will it also cover the wastage rate of greyhounds, overbreeding and oversupply, the high rates of injuries on the track, actions taken to safeguard greyhounds' welfare on the track, review of the socialisation and environmental enrichment that is provided, industry transparency and accountability, and review of the adequacy of current legislation to protect these greyhounds, terminal blood collection, and export to other countries with lower animal welfare standards?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:45): I thank the honourable member for her most important question. As I said, on Monday 16 February 2015 the Australian Broadcasting Corporation aired an episode of *Four Corners* entitled 'Making a Killing',

which exposed the practice of live baiting in the greyhound racing industry. The footage depicted greyhound trainers interstate using live bait to lure greyhounds around tracks. Again, there has been no evidence of live baiting in South Australia but I think we would be foolish indeed to assume, just on the basis of that, that it could not happen here.

The government has made it very plain to the greyhound racing industry that live baiting will not be tolerated. As I said, both the RSPCA and the industry here in South Australia strongly condemn the practice. It is inhumane. I am also advised it is in total contravention of the rules of racing, and would be illegal under section 13(3)(f) of the Animal Welfare Act 1985.

As I also informed the chamber earlier, the Minister for Racing and I convened a meeting with representatives from Greyhound Racing SA, the RSPCA and other agency staff, including SAPOL, to identify additional measures that are needed to make sure live baiting does not occur in South Australia and to restore public trust in the industry in this state. We have asked Greyhound Racing SA and the RSPCA together to suggest policy or legislative changes that might be implemented to prevent live baiting in South Australia now and into the future. They have undertaken to come back to me within a fortnight with recommendations for such changes. As I said earlier, these abhorrent acts have no place in a civilised society, and we have taken steps to make sure that the shocking incidents that came to light will not be repeated.

I thank the honourable member for her most interesting suggestions about proposed ways forward. At this point in time I am not minded to initiate my own review; I will wait to see what the RSPCA and the greyhound racing industry bring to me. However, at this point I should indicate that the other issues the honourable member alluded to, such as wastage and other issues for the greyhound racing industry, were firmly put on the table and will be addressed between the RSPCA and Greyhound Racing SA as part of the process in which they engaged with me and the Minister for Racing in the other place last week. This will be an ongoing discussion between those two bodies about how they can improve behaviour in the industry.

PARA WIRRA RECREATION PARK

The Hon. J.S.L. DAWKINS (14:48): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question regarding the classification of the Para Wirra Recreation Park.

Leave granted.

The Hon. J.S.L. DAWKINS: At the outset I would like to place on the record that I am a long-term member of the Friends of Para Wirra group, although a relatively inactive one. Having said that, the very active members of the Friends of Para Wirra group have long been working towards the goal of having the classification of Para Wirra changed from a recreation park to a conservation park. Members of this group have worked hard to increase the biodiversity of the park, particularly for the enjoyment of local walkers, and have been concerned about recent suggestions of introducing activities such as mountain biking in the park, which could threaten vegetation and the general nature of the park.

It has recently come to my attention that, despite a recommendation that the park be reclassified as a conservation park and the Friends of Para Wirra being informed of such, the department, in its February round of declarations, maintained the status of Para Wirra as a recreation park. Two representatives from the Department of Environment, Water and Natural Resources were scheduled to attend the recent annual general meeting of the Friends of Para Wirra to discuss with the group the prospect of attracting more visitors to the park and the group's view on what is desirable for Para Wirra park. Unfortunately, this attendance at the AGM was cancelled by the department at a relatively late stage. My questions to the minister are:

1. Why did DEWNR maintain the classification of recreation park for Para Wirra, given the departmental recommendation to declare it a conservation park?
2. Will the minister reconsider the decision to reclassify Para Wirra park?
3. When will the Friends of Para Wirra group get the opportunity to discuss the issue with DEWNR officers?

4. Will the minister commit to consulting with the Friends of Para Wirra group before developing and implementing strategies to attract more visitors to the park?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:50): I thank the honourable member for his most important questions and for the ability it gives me now to talk about our achievements in terms of our protected areas system in the state. I will give him some specific answers to his questions in a moment. It is important to understand that we've enhanced the management and extent of the protected areas system in South Australia through the development and implementation of the state's protected areas strategy, *Conserving Nature, 2012-20*.

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

The Hon. I.K. HUNTER: Although the Hon. Michelle Lensink invites me to respond to her interjections, Mr President, of course I understand that would be out of order, just as her interjections are. I will refrain for the point of time but there may be some issues that she might actually learn from listening to me about this process.

The Hon. J.M.A. Lensink: I don't think so.

The PRESIDENT: No; the Hon. Ms Lensink, if you don't want a 10-minute answer I'd advise you to let the minister answer the question. Minister.

The Hon. I.K. HUNTER: Perhaps she should go out for a cup of coffee, Mr President, while I take up a few minutes of the chamber's time to talk about the brilliant achievements of the government. In 2013, we continued this great tradition by providing the iconic Nullarbor Plain with South Australia's highest level of conservation protection as a wilderness protection area. It has almost doubled the area of South Australia which receives this level of protection to 1.8 million hectares. When the Labor government came to power in 2002 it was just 70,000 hectares of South Australia that had wilderness protection status; we are now up to 1.8 million hectares.

We are extremely proud, as a government, to have given the highest level of protection to approximately two million hectares of land and the species that this land provides habitat to. Over the past 12 years, 67 new parks have been proclaimed and there have been 72 additions to parks. Over 2.2 million hectares have been added to the state's reserve system or reclassified to a higher conservation status under the National Parks and Wildlife Act and the Wilderness Protection Act.

As part of its 2014 election commitments, the state government has committed an additional \$300,000 over two years to improve South Australia's system of parks and reserves in order to protect more of the state's unique environment. The growth of our state's public reserves system has been complemented by an extensive and growing area of protected areas on private land, and this is another area in which we have led the country. South Australia now has the largest percentage of land area, in both public and private protected areas, of any Australian mainland jurisdiction, a total area around the size of the state of Victoria. This is an incredibly valuable environmental, economic and social resource for our state.

In 2012, the Labor government protected Arkaroola through the passage of the Arkaroola Protection Act, protecting the area's conservation values from mining. We have also given Arkaroola state heritage listing and are currently finalising a management plan for the Arkaroola protection area. Labor is also committed to establishing the Adelaide International Bird Sanctuary to protect internationally important habitat for migratory shorebirds.

The state Labor government has already invested \$2 million in the purchase of 2,300 hectares of salt flats to add to the bird sanctuary. The sanctuary is proposed to stretch for 60 kilometres from the Barker Inlet in the south to Parham in the north and provide a protected area for more than 200 species, including 50 shorebird species. The area is a key part of the East Asian-Australasian Flyway. It has the potential to be an exciting drawcard for bird watchers from interstate and overseas and it supports tourism and the environment in South Australia.

The government is committed to invest an additional \$1.7 million over four years for the establishment of ongoing maintenance of the sanctuary. Land that is added to the reserve system is generally crown land that is managed by the Department of Environment, Water and Natural

Resources. Before land is proclaimed as a park or added to an existing park, the department consults with local government, native title interests, neighbouring landholders and local community groups that have an interest in the land, and that also includes friends of parks groups.

Protection under the National Parks and Wildlife Act 1972 and continued work with the community will secure the long-term conservation values of these areas and allow better management of issues, including the ability to undertake prescribed burning. It provides a formal statutory opportunity for community input into the management plans and gives a stronger focus to working with the community on the use of land for local recreational pursuits and broader tourism opportunities. In many cases it also provides a formal means for the co-management of the land with Aboriginal people.

Mr President, I make those points because you can see from that short explanation that it is vitally important from the government's perspective that we involve the local community in their parks and in the construction of their parks. We are involving local community members in the construction of the bird sanctuary. I am not sure whether it has ever been done before in such a coordinated manner, but it is vitally important to have that community buy-in to the park, to have their support, to have their sense of ownership over it, and that is the way that we work in relation to all of our parks.

The government also made an election commitment about upgrading our parks in the near city area. Just yesterday I was down in the Onkaparinga recreational reserve talking to the Friends of Onkaparinga Park about the \$2 million investment from our election promise—

The Hon. J.S.L. Dawkins: You've been going for five minutes and I asked you about Para Wirra.

The Hon. I.K. HUNTER: Well, it's a very important question and I want to give a very detailed answer. The honourable member does fantastic work—

Members interjecting:

The PRESIDENT: Order! The minister has the floor.

The Hon. I.K. HUNTER: —with the Friends of Para Wirra. As I said, we will work with local community groups and friends of parks groups to get the best outcome for the spend that we are doing and upgrade our parks along the city area, and that will sometimes mean talking to disparate groups, not just friends groups but the whole community, the community that use the parks and the community that perhaps do not use the parks but probably would if we put in some of the facilities that they would find more attractive. We want to get people into the parks to foster that sense of ownership of their local parks and make them feel like they have a stake in their protection into the future.

We have been working with community groups. I have met with a range of people in the south of Adelaide in terms of how we will spend the money promised during the election campaign. I am upgrading the southern area of the parks. We have another \$5 million promised for the northern area of the parks, and we will be commencing a program of community engagement up there.

In terms of mountain biking in parks, we know there is irresponsible mountain biking taking place in some parks. The way to actually manage that is not by putting a ban on people using mountain bikes in parks, but actually upgrading facilities for mountain bike riders who will then use the appropriate pathways and, through peer pressure, encourage those who would be biking through the parks to avoid the very delicate and sensitive ecosystems where we do not want bikes going through the park and utilise the exciting park bikeways that we will be putting into the park for their benefit.

So, we are talking to those biking groups to codesign interesting and exciting mountain bike paths that they will want to use to actually attract them away from sensitive ecological niches. That is the right way forward: talking to community organisations, involving local community in park design and getting their input so that they want to protect the park into the future. In respect of the question about why the park has not been up-classified from a recreation park to a conservation park, I am not aware of the answer to that. I will ask my department for their response and bring that back for the honourable member.

PARA WIRRA RECREATION PARK

The Hon. J.S.L. DAWKINS (14:58): Supplementary. Yes, I would be very grateful for that, because it seems as though that decision has not been proceeded with. Will the minister confirm that the departmental recommendation to reclassify the park as a conservation park will be continued with?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:58): I am not going to prejudge what the department might tell me about why it was not proceeded with at a particular point in time. There may be a lot of very good reasons why it has not been proceeded with as soon as the honourable member would like. I will ask those questions first and then come back to the chamber.

PARA WIRRA RECREATION PARK

The Hon. J.S.L. DAWKINS (14:58): Further supplementary: the minister in his first answer referred to the transfer of crown land into the parks system. Will the minister concede that the department's handling of the transfer of the Humbug Scrub crown land into the Para Wirra park took many years and was a great delay to groups such as the Friends of Para Wirra?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:59): The honourable member seemed to blithely ignore large parts of my explanation in response to his question. The department and the government are vitally concerned to speak to a whole range of community organisations about what they want from their parks, not just friends groups. Friends groups are very important, but they are not the only user of parks, and there is another group of people in the community who should be using parks and who probably aren't as much as they should. We need to know what stops them from using those parks and how can we design the parks, or what sort of facilities can we put in place to encourage them to use the parks more.

So there is a whole range of reasons why we might move priorities around in terms of pushing up the classification of one park over another in a different part of the state. It will come down to balancing our resources, doing the research—scientific research if necessary—on threatened species, and actually putting forward priority parks, and we will get to the others as we can. I can just advise the chamber that I am having a roundtable meeting in the north of Adelaide on 5 March to consult with community organisations about how the government will improve parks in the north of Adelaide.

PARA WIRRA RECREATION PARK

The Hon. J.S.L. DAWKINS (15:00): Supplementary. Will that meeting in the north of Adelaide include a visit to the Para Wirra park?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:00): It is unlikely at this point in time—but it may well be in the park; I don't know. That will be organised by the department, and I will be talking to the broad community organisations that turn up at the round table and ask them what they want in their parks. Not tell them but ask them: what do they want in their parks, how can we best resource those parks, how can we encourage more people to use our great parks in this state and to value them into the future?

GOYDER INSTITUTE CLIMATE PROJECTIONS

The Hon. G.A. KANDELAARS (15:01): My question is to the Minister for Water and the River Murray. Will the minister inform the chamber about the recent climate projections released by the Goyder Institute and the impact these will have on the state's water planning?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:01): I thank the honourable member for his most important question. On Tuesday 17 February I had the pleasure of opening the Goyder Institute's Annual Water Conference at the University of Adelaide. I believe the

Hon. Michelle Lensink was in the audience as well. I forgot to acknowledge you on the morning and I acknowledge you now.

As most in this place will know, the Goyder Institute for Water Research was established in 2010 to tackle the complex issues of long-term water security for our state with high quality independent science. The institute is a partnership between the South Australian government, the CSIRO, Flinders University, University of Adelaide, and University of South Australia.

To coincide with this annual conference, the Goyder Institute released the results of its five-year SA Climate Ready research. SA Climate Ready is the culmination of research and analysis of multiple climate change models spanning a five-year period. The project, undertaken by a group of world leading scientists, led by Dr Simon Beecham, who heads the School of Natural and Built Environments at the University of South Australia, has delivered the most accurate data available about our future climate.

The results are quite sobering. It predicts, among other things, up to 50 per cent reduction in the annual flows into our largest reservoir within the next 100 years if we continue on our current systems and projections. This is what the science tells us and, according to the experts, the South Australia Climate Ready results are very reliable. But, unlike the federal government, we will not put our head in the sand and ignore the science that is presented to us.

Instead we are taking action and continuing to lead the nation on addressing climate change. This data will be invaluable in the development of our state's adaptation strategies. It will be used to assess the implications on water security at the scale of individual rainfall stations. It is precisely this regional focus that will enable us to plan for local needs and refine our regional adaptation plans.

It will also ensure that future infrastructure investment such as transport, roads and bridges will withstand projected estimates of rainfall and temperature, and that they are indeed being built in the right places. The data will help us assess anticipated changes in extreme heat and fire risk which will inform planning for South Australia's emergency, health and social services sectors.

But, importantly, these findings reinforce the government's water security plan that has resulted in a diversification of the city's water resources to also include stormwater and wastewater. And they confirm the government's foresight in investing in the desalination plant as part of this mix for South Australia's future water security. As Dr Simon Beecham was quoted as saying on 891 on 17 February:

...the desalination plant is a very important piece of infrastructure that helps ensure that Adelaide has a reliable supply even during extreme conditions and droughts in particular...it's a very, very good safety measure particularly for droughts.

And yet, the opposition's only contribution has been to quibble about whether we should have built a 50 or a 100 gigalitre desal plant. We should not be surprised, of course. Those opposite are quite willing to take second best for our state. They are very quick to claim credit for taking a very second-rate approach to providing infrastructure for our state. All they are concerned about is taking second best; that is not our way. They built the one-way expressway. They built half an expressway to the south. It was up to this Labor government—

Members interjecting:

The PRESIDENT: Order! The minister has the floor.

The Hon. I.K. HUNTER: —to finish the job and build the second half and give a good piece of infrastructure to the people of the south. As the member for MacKillop has so eloquently put it in the past, 'Drive in the Mazda', and accept a second-rate deal on the Murray-Darling Basin. That is their plan: second-rate deals for South Australia, second-rate infrastructure for South Australia.

We fought for a plan which will ensure the health of the basin long into future. Surely it is time to accept that a 100 gigalitre desalination plant gives us substantial water security at a time of considerable climate uncertainty. Thanks to our policy, South Australia is well placed to respond to future climate change challenges.

As a government we have and we will continue to base our decisions on sound scientific evidence, such as the Goyder Institute SA's Climate Ready research and on what is the best long-term interest for our state. As Dr Beecham added in his interview on 891:

...the climate science is very well understood in South Australia and in my view better understood here than anywhere else in Australia.

It is shame then that, in addition to a handful of irrational sceptics, we have an opposition that prefers to play political games instead of engaging in a serious debate about the future of our state. South Australia cannot afford the opposition's short-sighted, opportunistic mindset in this regard. We must act to mitigate and prepare for the effects of climate change on our way of life, on our environment and on the precious natural resources upon which our economy depends.

I take the opportunity to thank the Goyder Institute and its research partners—the CSIRO, our three great state universities (Adelaide, Flinders, and UniSA), SARDI and the Australia Water Quality Centre—for the Climate Ready SA research and the ongoing important work in this field, and I implore the opposition—I implore them—to get with the science, toss aside those federal science sceptics in Canberra and work with us on the future of our state.

MARRYATVILLE HIGH SCHOOL LIBRARY

The Hon. K.L. VINCENT (15:07): I seek leave to make a brief explanation before asking the minister representing the Minister for Education and Child Development questions regarding the Marryatville High School library and the Public Works Committee.

Leave granted.

The Hon. K.L. VINCENT: The 445th report of the Public Works Committee was tabled on 17 May 2012. It concerned the redevelopment of the Marryatville High School library and clearly states that the library was to be refurbished. The site plans presented to the committee showed a library, referred to as a research hub, in the same location as the then existing library. My questions to the minister are:

1. When did the plans for the Marryatville High School library change and who authorised the changes?
2. Were progress reports made to the Public Works Committee to inform on the project's progress and, if not, why not?
3. Were variations of significance fully explained to the committee and, if not, why not?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:08): I thank the honourable member for her most important question on the subject of the Marryatville High School library. I undertake to take that question to the Minister for Education and Child Development in another place and bring back a response on her behalf.

BUSINESS AND CONSUMER CONFIDENCE

The Hon. J.S. LEE (15:08): I seek leave to make a brief explanation before asking the Minister for Business Services and Consumers a question about business confidence.

Leave granted.

The Hon. J.S. LEE: The Chief Executive of Business SA, Mr Nigel McBride, wrote an opinion piece in Business Journal of *The Advertiser* last month stating that business and consumer confidence in South Australia has been quite low for a considerable time. In conjunction with Mr McBride's opinions, the ANZ/Property Council surveys for the March 2015 quarter confirmed that confidence levels in South Australia's property sector have dropped almost 8 per cent in the March 2015 quarter.

South Australia's reduction in confidence levels was the worst result of all states across the nation. The survey shows that, since last quarter's results, South Australia's forward work schedule, staffing levels, national and state growth, house, office and industry capital growth expectations have all taken a hit. My questions to the minister are:

1. Why has the government not taken on the responsibility of setting the right business conditions to improve the prospects of the property industry and the business sector in South Australia?
2. When will the government start addressing the business confidence issues?
3. Why did the government take 13 years in office to release a discussion paper on state tax review only recently?

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) (15:09): I thank the honourable member for her most important question. We know that South Australia is facing a number of very significant challenges that are on our horizon, and we know that we have had some pretty tough times in the past as well, given the global economic downturn at the time of the rapid rising of our dollar. That very much impacted on our export abilities, but we faced those challenges and, throughout that, we have had strong economic directions and objectives.

We continue to set our economic priorities, even facing the challenge of having one of the oldest populations on the mainland, which also has its burdens. Nevertheless, we have been able to face all those challenges and we have done exceedingly well. I note with interest that it is always the opposition who clutch onto any skerrick of doom and gloom they can. They love to wallow in it. They love to talk it up. They love to talk South Australia down. They love shaking community confidence. They love feeding these negative aspects.

We have a plan, as I said, to work through many of those challenges. It is interesting: we notice that the opposition does not mention a recent report from Deloitte Access Economics that says that recent shifts to the exchange rates and expectations of interest rate stability will offer the South Australian economy twin engines for growth. The state's exporters are benefiting from our lower Australian dollar, which has finally come down, while the lower interest rates support the state's construction and retail sectors.

I notice that the Hon. Jing Lee does not mention the NAB Quarterly Business Survey which found that business confidence rose two index points in South Australia—the only mainland state to record a rise. That was back in December. South Australia recorded the highest business confidence at that time at 0.6. I notice the Hon. Jing Lee and the opposition do not mention that report.

This government is committed to working with industry and business to lead a modernisation and diversification of our economy and to transform our economy from one that has been highly reliant on traditional manufacturing and automotive industries to a far more diversified and richer economy. As I said, it is underpinned by our 10 economic priorities.

The resilience of South Australia's economy, I am confident, will continue to improve as we continue to roll these out. We see many encouraging things on our horizon. There are many encouraging features about our achievements and our performance. I notice that the opposition never refer to these. For instance, South Australia now has record-breaking production in oil and gas, record production in minerals and the highest record in South Australia's history.

South Australia has recorded steady export growth, and figures released by the ABS show that the value of goods exported overseas by South Australia totalled \$11.9 billion in the 12 months to December last year. South Australian products continue to be in great demand, with exports exceeding \$11 billion per annum, which has been an increase. Private new capital—I notice the opposition don't talk about private new capital. Expenditure is 14 per cent higher in South Australia seasonally adjusted compared to the year previously. South Australia was one of only two states to record a rise in capital expenditure in that quarter. We notice the Liberal opposition never refers to that stunning performance.

In trend terms, ABS retail figures for South Australia released in January demonstrated that South Australia was the leading state in retail sales growth for the month of November. We see we have many opportunities to grow our food industries and our economy. We have a jobs plan to manage the transition, as I said, of our automotive manufacturing sector. We have invested

\$63 million in that. We have a jobs plan that outlines six key factors, and of course we have done a number of things to directly assist business.

The Hon. T.J. Stephens interjecting:

The PRESIDENT: The Hon. Mr Stephens, just let the minister finish her answer.

The Hon. G.E. GAGO: We have developed detailed plans to support a raft of measures to help grow business. We have supported business growth and investment through things like payroll tax concessions, reforming WorkCover at an estimated \$180 million savings for businesses, building a skilled workforce, and providing more help for business to win government business through initiatives such as our Tender Ready in collaboration with Business SA.

We have held a small business roundtable that has been established to provide greater collaboration and communication between state government and the small business community, and that roundtable in particular is assisting to fix unnecessary barriers for business, so we are in a dialogue with them. Of course, there is a new private sector development coordination role for the former chief executive of Premier and Cabinet to assist lodged projects valued over \$3 million and to help case manage, streamline and fast-track those programs. They are just a couple of initiatives and, as we know, the Premier recently announced the tax review.

The Hon. T.J. Stephens interjecting:

The PRESIDENT: Hon. Mr Stephens, you are actually in real form today. I think it is important that—I know at least another one cross-bencher would like to ask a question, so we are just wasting time. Let the minister—

The Hon. D.W. Ridgway: An eight minute answer is a bit rich, Mr President.

The PRESIDENT: Well, with that behaviour, it just inflames and they will go on and on. So, allow the minister to finish the answer in silence. The honourable minister.

The Hon. G.E. GAGO: I'm finished now, thank you, Mr President.

SKILLS FOR ALL

The Hon. R.L. BROKENSHIRE (15:18): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question relating to the Skills for All program.

Leave granted.

The Hon. R.L. BROKENSHIRE: As most would know, there is an increasing awareness around autism and autism spectrum disorders, and it is not uncommon these days for multiple children within a classroom to have a diagnosis of either Asperger's or autism. I received a letter recently from a parent who is concerned for the welfare of her 18-year-old son who has high-functioning Asperger's.

Her son's Asperger's means that he cannot undertake aptitude tests, has poor writing skills and does not engage in social behaviours such as smiling in job interviews. These Asperger's outworkings are further complicated because, despite completing a modified Year 12 program, sadly he is unable to gain employment. Accordingly, he is classified as a dependent for Centrelink purposes for another four years, and any application for an allowance is determined against his parents' earnings.

Having an interest in the automotive industry and knowing that this would be an area in which he could gain meaningful and enjoyable work, they researched the option of the Skills for All program. However, unfortunately I am advised that this gentleman is not eligible. So my questions to the minister are:

1. What allowances, if any, will the government make to ensure that people with Asperger's, or other disorders, are not excluded from education in fields where they would excel, simply because they do not fit an arbitrary list of eligibility criteria?

2. What, if any, targets or quotas have been set to ensure that people with disorders such as Asperger's are represented in higher education as well as in employment, and how is that measured through the department?

3. Will the government make a commitment to look at alternative paths for assessment in determining the eligibility of someone to enter education such as the Skills for All 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) (15:20): I thank the honourable member for his most important questions. He has raised a number of very important points about the access to training and higher education services, but for that matter it applies to a whole range of services for those people with disabilities. The example that he has given at the moment is one relating to autism. These are very challenging issues.

In terms of Skills for All, which was the initial focus of his question, it certainly has worked to increase the participation of people with disability in vocational education and training. The advice that I have been given is that in 2013 there were 8,600 course enrolments undertaken by students with disability through Skills for All, which was an increase of 58 per cent, or 3,200 extra or additional enrolments, when compared to 2012. That is just people with disabilities. I do not have a breakdown of the types of disabilities that they have, and I doubt that that information will be available, but I am certainly happy to have a look and provide a more detailed breakdown if I can.

In relation to learner support services, they provide case management support to students who particularly suffer from complex barriers, to assist them to complete their VET. In 2012-13, I think 318 students with disability, or 32 per cent of participants, were supported through this scheme. Also, over 1,300 people with disabilities were engaged in DSD employment programs, such as Abilities for All, Adult Community Education, and Skills for Jobs in Regions, with more than 300 people gaining a job. Again, that is not broken down into the types of disabilities that that might entail.

The Department of State Development continues to fund Disability Works Australia to administer the South Australian public sector disability employment register. Since this initiative commenced in 2001, I am advised, more than 1,926 job seekers with disability have received training and job search preparation whilst on the register and 1,011 participants have gained employment in the South Australian public sector.

I am also advised that there are currently 306 active participants on the register and the government will support DWA to review and ensure its sustainability into the future, and funding for up to 80 public sector job opportunities through the register for people with a disability over the year 2015-16 will be provided to DWA. The 2014-15 federal budget, I noted, introduced compulsory activities for DSP recipients under 35 years of age with an assessed work capacity of eight hours or more a week. The participation plan, I understand, will be developed for them, and this is likely to be expanded to older age groups in the future.

These sorts of activities obviously vary depending on a person's circumstances and focus on their employment. As I said, we are aware, however, that people with disabilities do tend to have considerably lower employment and participation rates, higher unemployment rates and lower levels of education attainment than people without disabilities. I think it is important that we continue with these programs to help assist those people with disabilities to have full access and participation in our training, education and workplaces.

FAR WEST MOJO

The Hon. T.T. NGO (15:24): My question is my first to the Minister for Aboriginal Affairs and Reconciliation. Can the minister tell the house about projects such as Far West Mojo and how they are assisting Aboriginal communities on the Far West Coast?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:25): I thank the honourable member for his question and his interest in all things Far West Coast and I note that he and other members of the Aboriginal lands standing committee will next week be visiting communities in that area.

The Hon. I.K. Hunter interjecting:

The Hon. K.J. MAHER: And I plead with the Hon. Terry Stephens to be gentle with me as I am answering this question, unlike his treatment of other ministers today.

The Hon. I.K. Hunter: Brutal!

The Hon. K.J. MAHER: Brutal! While in Ceduna and on communities on the Far West Coast last week, I had the opportunity to visit the Ceduna Youth Hub. The Ceduna Youth Hub has partnered with the Red Cross to deliver a digital journalism program called Far West Mojo. This program received the highest number of votes from the community during the recent Far West Coast community cabinet Fund My Idea program. As members may know, the Fund My Idea program supports projects up to the value of \$50,000. From the West Coast community cabinet there were 22 proposals generated by the community and over 1,100 votes were cast. This is per se a very good example of local involvement in decision making.

The Far West Mojo project received \$26,000 from the Fund My Idea program. The Far West Mojo project provides an avenue for members of Aboriginal communities to become involved in journalism and to tell their stories and the stories of their communities. This project offers skills that can lead to recognition and commissioned work by the mainstream media. Some of the content that has already been produced covers topics such as education in Oak Valley, razor fish farming in Denial Bay, and interviews with elders and health care workers in Yalata. All these videos are available online and I encourage members to have a look at the great work that has been produced by this project.

As was explained to me while I was there, this project is the world's oldest living culture utilising the newest technologies to tell their stories and to gain new skills. I would like to thank and pay tribute to Peter Jericho from the Ceduna Youth Hub and Nikki Edwards from the Australian Red Cross for showing me around this innovative facility.

My trip to the West Coast also allowed me to pay a visit to the Koonibba Aboriginal community. Koonibba is a small community about half an hour's drive north-west of Ceduna, and I thank Corey McLennan for taking the time to meet with me and to let me know what was happening in the community. I had last visited Koonibba over a decade ago, and it was immediately apparent the improvements that have taken place since my last visit. While there are many challenges still before the community, many strides have been taken forward. I also had the opportunity to visit the Maralinga Tjarutja (MT) offices in Ceduna where it was great to speak to the general manager about some of the challenges and opportunities facing MT.

The venture Maralinga Tjarutja have created around niche tourism through the Maralinga atomic testing grounds is an initiative that is starting to deliver benefits for the local community. I also met with a number of service providers at the transitional accommodation facility known as Tank Camp. The services are now assisted by the position of the Ceduna Services Reform Manager, and it is a role that is bringing key government agencies together to improve service coordination. Most of the people in Ceduna have very good things to say about how that is going.

A central focus of my time on the West Coast was to hear directly from Aboriginal representatives and leaders about what issues were important to them. I was pleased to meet with a number of leaders from numerous Aboriginal groups, including the Yalata community, the Munda and Wanna Mar community, the Far West Coast Association, the Dinahline community, Ceduna Aboriginal Association, the Yarilena community, the Munda Munda Watu Tjina community, the Scotdesco community, the Oak Valley Community Council, the Ceduna Aboriginal Corporation and the Aboriginal Lands Trust.

While I was able to get a real sense of some of the issues that the communities were facing, there are still big challenges, and I look forward to working together with many of these communities and other communities in remote and regional South Australia.

Address in Reply

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 11 February 2015.)

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:30): When we last sat I sought leave to conclude my remarks, and now I wish to conclude those remarks. As members will recall, it was the tenth of this month when the Governor spoke in this chamber on the opening of the parliament. I will cover just a couple of points; I did have a lengthy contribution when we last sat, so it will be only a small contribution today.

I am interested, in particular, in some of the comments the Governor made about tourism. He said that the government would 'increase its investment in events, to further expand the program of activities that has energised our city'. It is interesting to look at the government's track record, especially its tourism marketing efforts, and certainly for our regions. Clearly, they have not worked. We have seen the \$6 million Kangaroo Island campaign, then the \$6 million Barossa campaign, and of course the 'Adelaide. Breathe' astronaut campaign, which was money that was actually brought forward from this financial year to promote Adelaide during the election campaign.

The Hon. G.E. Gago interjecting:

The Hon. D.W. RIDGWAY: She says I am a cynic. We all know that the Tourism Commission board was conned by the minister and the money was dragged forward to run that. It is a memorable one. I have barely ever seen it run. I do not know whether it was the honourable minister in the astronaut suit or what, given she is so offended by my comments.

However, the facts stand for themselves. Since 2010—over five years ago—through this KI, Barossa and Adelaide campaign, a staggering 1,339 tourism businesses have disappeared, 12 of our tourism regions have recorded a decrease in the number of businesses, and we have lost one million visitor nights from regional South Australia in the last two years.

While small tourism businesses struggle to survive, the government makes a decision to give \$1 million to a multinational, Pernod Ricard, for their cellar door experience in the Barossa Valley when that company posted in excess of 1 billion euros in profit last year. To put that in context, we have about a \$1.2 billion deficit. This company, that we gave taxpayers' money to, actually had a profit the same size as our deficit. Just ponder this while you are sitting there, Mr Acting President: does it make sense to you that we have lost 1,339 small businesses yet we are handing out \$1 million to a company that makes in excess of \$1 billion profit every year?

As part of that plan Labor also projected that tourism would be an \$8 billion industry with an additional 10,000 jobs by 2020. Of course, it had a 100,000 target that it also announced in the 2010 election which we all know was, very sadly, a con and will not be achieved. This tourism plan acknowledged that if industry held its current market share across all markets, visitor expenditure would grow to just \$6.7 billion by 2020. So the actual plan recognises the fact that the government is not going to get to its target. It just does not make sense, some of the information that is coming out of the minister's office and the Tourism Commission.

Of course, we now know (it has been tabled in the other chamber) about the bill to abolish a whole range of boards and committees, which, of course, includes the South Australian Tourism Commission. The minister wants to get rid of that board, which is the advocacy board for what is, at the moment, a \$5.2 billion business. The Tourism Commission is not like a government agency with a whole bunch of public servants. The industry has some 18,000 small to medium tourism operators, so making decisions to cater for this industry is extremely complex; it cannot be left in the hands of just one minister or his chief executives—which is, of course, what the minister wants.

It is interesting to note that this change will effectively remove the chief executive's accountability. At the moment the chief executive, Mr Rodney Harrex (and I do commend him for the work he does), reports to the board. With this new regime proposed by the minister—and which, incidentally, the opposition will be opposing—is that the chief executive reports only to the minister. So, we will be the only state in the nation that will have that particular structure.

The minister said, when it was announced, 'Just because every other state is still doing it the old way, what's wrong with doing it our way?' Well, we know that tourism is not performing as well as it should. We know that under this minister's leadership and stewardship we have seen a significant number of projects and events that have failed, and we have not seen the targets met.

Tourism is about the tourists having an experience, but it is also about businesses providing experience and jobs for young South Australians, in fact for all South Australians. As I mentioned just a few moments ago, we have lost some 1,339 tourism-related small businesses in the last five years since 2010, and it is probably slightly less than five years because those statistics were probably finalised some time late last year. So, in the four years up to Christmas of last year, we lost some 1,300 small businesses.

It is an interesting concept: we are going to get rid of the board and the minister is going to be totally in control, he and the chief executive. I simply do not believe that to be an appropriate structure to have. As I said, no other state in the nation has it and I do not believe that our tourism industry should be the guinea pig, or the experiment, for a minister who does not like having to deal with the board. I think it would be very dangerous, from the industry's point of view.

In the Governor's speech, he said the government will increase investment in events to further expand a program of activities that will energise the city. I should just remind members of some where the minister was involved and, of course, before he was the minister. Lance Armstrong: we still do not know how much money was spent on Lance Armstrong. We all know that it came to light that Mr Armstrong had perhaps enhanced his activities and his performance with some performance-enhancing substances. Just recently, he has had to pay a fine of some \$16 million, I think, whether it is a fine or to repay some of his sponsors a whole lot of money (I am not sure of the exact details of it).

We saw that the Tourism Commission lost a bit over \$1 million in foreign exchange deals. Word Adelaide: that would have to be one of the dumbest decisions I have ever seen, to have a program based around the spoken word. The Fringe had already tried it a couple of times before and it failed, but nobody in tourism actually spoke to the Fringe and they burnt \$400,000 on that. The Kangaroo Island surfing competition and music festival, I think in the end cost around \$700,000 of taxpayers' money. I think that was back when minister Rau was the tourism minister. We had the Rolling Stones, and we are still not sure but we think in the order of \$1 million was spent on the Rolling Stones.

The Hon. T.A. Franks: It was \$450,000. They announced it at the time.

The Hon. D.W. RIDGWAY: \$450,000.

The Hon. K.J. Maher: Did you go see them?

The Hon. D.W. RIDGWAY: I did not see them.

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: I stand corrected. The Hon. Tammy Franks says \$450,000. If it is \$450,000, what I am saying is that there is a lot of money being spent on events that are of questionable value and the Rolling Stones, why would we spend money? Normal acts come to this great city and people pay to go, you do not have to spend half a million dollars of taxpayers' money. It is a subsidy to an overseas multimillion dollar rock and roll band and the Greens think it is a good thing to spend money on.

AirAsia X: an undisclosed amount was spent on collaborative marketing. Nobody knows what was spent on the collaborative marketing. It is all secret. Just recently it was announced that Liverpool is coming. It is fine to showcase the Adelaide Oval, but how much are we spending bringing these people to Adelaide?

The Hon. K.J. Maher: \$450,000.

The Hon. D.W. RIDGWAY: For Liverpool?

The Hon. K.J. Maher: No, for the Rolling Stones.

The Hon. D.W. RIDGWAY: I have moved on from the Rolling Stones. I am talking about Liverpool. I was on the radio with minister Bignell saying, 'We're not opposed to bringing people to Adelaide and events to Adelaide, but tell us what they cost.'

The Hon. K.J. Maher: Are you going to go see Liverpool?

The Hon. D.W. RIDGWAY: No, I am not going to go see Liverpool. It is not about whether I am going to see them or not. The minister is in a taxpayer-funded corporate box, I suspect; that is why he is looking so happy. However, I compare that to the Victorian government when Tiger Woods came to Melbourne. They were very up front: 'It's \$3 million; we think it's a good investment.' The point I am trying to make is that with all the secrecy around government deals people get suspicious. People get suspicious all the time: Word Adelaide, the KI surfing competition and Lance Armstrong.

I am interested in an event that was identified to me as being a potential event for the city, and I even spoke to the minister before the bid had to be lodged. It is the World Water Ski Championships. Everybody laughs when we say that that can be held in the Torrens. I am not a waterskier, but the waterskiing fraternity—

The Hon. T.J. Stephens: You would be very good, David.

The Hon. D.W. RIDGWAY: Now my own mob are turning on me. I am being distracted. The World Water Ski Championships proponents approached me and I mentioned it to Mark Beretta, who is a Channel 7 sports reporter. I often see him on *Sunrise* on Channel 7. He said to me, 'It is a fantastic event. It would be a coup for Adelaide to have it. It hasn't been in Australia since 1965.' In fact, he told me that he had emailed or written to Hitaf Rasheed, the head of Events SA, to say that this is a great event. He said that it was so good that—he could not say unequivocally—Channel 7 would come to town and broadcast it.

This is an event that has not been in Australia for 50 years. It was held on the Gold Coast when SeaWorld was first built and it has not been in Australia since. The world waterski federation and its chairman have come and looked at Adelaide saying that it is the best venue when it comes to the quality of the water and the fact that we have a body of water right in the middle of the CBD. There are reeds on the banks so you would not get any wash back, and all of the contestants can stay in a hotel (we have several around Parliament House) and walk to the event each day.

The most recent one was held in Chile, I think. The contestants had a two-hour bus drive from the hotel to the event, and it is a weeklong event. The Casino is interested in being part of any sponsorship or promotion around the event. I spoke to minister Bignell in the lead-up to the election and said, 'Whoever wins the election, this is a good event and it should come to Adelaide: the world championships in 2017.' The silence is deafening. Tourism said they are helping, they are working, but nothing is happening. This is an event that is held every two years all around the world. We could showcase our great city. I am hopeful that increased investment in events to further expand the program of activities that has energised our city will include a serious attempt to put on the World Water Ski Championships in the Torrens.

I note that people often question the water quality. It is the intention to have it in September or October (I think it is September), at the end of winter. Even in dry years, when we do not have big rains, we still get a reasonable flushing and water temperatures are reasonably cool. I am also reminded that those world-class waterskiers very rarely fall off and get tangled up in the water, so it is usually quite safe. However, they have done water quality testing and they are happy with it.

The Adelaide City Council has signed off on the concept of having the championships in the water, and my understanding is that they have also spoken to the local Kurna people and they are very happy with it. It appears that a lot of boxes have been ticked, so I hope minister Bignell and Events SA actually get on with making sure that we can secure this event.

Finally, in relation to the member for Waite (the Minister for Investment and Trade) I am just reminded that this government asked for the confidence of South Australians but has sought stability through an alliance with a member whose self interest is so profound that he did not even negotiate a good deal for his electorate when he switched sides. The Hon. Martin Hamilton-Smith would have the residents of Waite believe that he is better able to represent them from within a Labor cabinet, supposedly operating as a Liberal Independent. Although his reasoning is an insult to the intelligence of his voters, it is evidenced by his failure to deliver anything tangible for his electorate. We just have to look.

There were cuts to the Australian Centre for Plant Functional Genomics at the University of Adelaide's Waite Campus. That is in his electorate of Waite; it is named after Mr Peter Waite, the same person that his electorate is named after. It was a cabinet submission he took to cabinet when he was a minister in the Kerin government, yet he has been silent on the cuts to that particular function, the Australian Centre for Plant Functional Genomics.

It is interesting that food and wine, but particularly food, is still a really important part, I think, of the government's economic priorities although that has diminished somewhat in recent times and we do not hear them speaking quite so often about it, but clearly it is an important part. I was just recently there and they have done a whole range of really good exciting work around salinity, salt tolerant crops and drought tolerant crops and yet the local member and now cabinet minister is happy to see their funding cut.

It is interesting also that he did attend a public meeting with the transport minister, the Hon. Stephen Mullighan, in relation to the Springbank Road, Daws Road, Goodwood Road intersection. He said he would make it a priority and he could only deliver from within government, yet I suspect that nothing will be delivered. Of course, I think the final straw that will break the camel's back in Waite has been the announced closure of the Repat Hospital.

In 2012 he stated in a media release himself that its closure would be death by 1,000 cuts. As members would know I live in the electorate of Waite, and I am the only state Liberal member of parliament who does so, and it is amazing the public reaction, initially to his decision to resign from the Liberal Party and then to do a—well it is hardly a deal—be happy to join the Labor cabinet. If you look at all sorts of other Independents around the nation, they all try and do deals for their electorates and, whether you like Independents or not, whether you like it if they swap sides or not, at the end of the day they try and leverage something out of the arrangement for their electorate.

I am sure the Hon. Martin Hamilton-Smith will try and make some sort of play on the Repat—that he has saved the Remembrance Gardens or the chapel or the pool or there will be some play on words with him but, at the end of the day, he has not stood up for his people in his electorate. It would have been very easy. The government does not need his vote at the present time. His deal within cabinet was that he can oppose cabinet decisions, and we have seen other ministers with similar arrangements do that before, yet the silence has been deafening. He has made some sort of, 'Oh well, it really has not been my preference', but he could have easily come out and opposed that cabinet decision but he has not and I think the people of Waite are very disappointed with his silence on the matter.

I just wanted to touch on the last bit in relation to trade and economic development and I note that there is a trade mission going to China somewhere late in May—I think, 25 to 29 May. I note that the Premier's trade mission to China will be with some 200 representatives from seven key industries, including coverage in Shandong. I am also advised that Martin Hamilton-Smith, as the minister, is taking a trade mission of 200, so I will stand to be corrected but I assume that it is the same trade mission late in May.

It is interesting to note that, as I know, Martin Hamilton-Smith as a former member of our shadow cabinet was a big fan of what you call the 'super mission', 200, 300, 400 people on a trade mission. I have been to China a couple of times and I have spoken to the government officials, whether they are state government ones, from a range of states not just South Australia, or whether they are Austrade people, and I know what they will be doing over there. They will be saying, 'Here we go again. We get the Premier rolling into town, we get a couple of ministers rolling into town, a couple of hundred business people and ministerial advisers.'

There will be probably be a couple of media people invited along on the trip, because they want the media there to beam back to South Australia how good it is, but do you know what they do? There are people up there now making sure that there is a handful of signing memorandum of understanding opportunities, a bit like the MOU that minister Gago signed for Fujian some years ago, which I think has evaporated. They have gone silent on it.

In fact, recently with PIRSA in Budget and Finance, I gave them a question on notice because they could not answer it at the time. But there will be a range of events so that it is all stage managed and all the journalists will be there and they will beam it back, and then when they leave, the local

government officials up there, who our taxpayers pay for, will say, 'Thank God they've gone. Now we can get back with our real work and try to grow the exports to those states, from our state to places like China.'

So, I will be very interested to see how that plays out, but I expect that we will see a lot of fanfare, a big stack of people going up there—the Premier and maybe a couple of ministers, ministerial advisers, media. It will be very interesting to see the sort of reports we get back here when in actual fact what you really need to do is have a much more one-on-one approach to how you deal with these people. It is about relationships and about making sure you can have those long-term relationships, and in my view it is not about the great big super missions where the Premier and a couple of ministers will swan around and sign MOUs and then jump on the plane and shoot through and leave the mess to the local government officials on the ground.

I thank the Governor for his speech a fortnight ago today and commend him on the great work he has done in his short term as Governor. Through the Chinese New Year/Lunar New Year at the moment I am seeing him on almost a daily or twice daily basis. He is doing a great job, undertaking the fabulous work within the community that he does, and I commend him for that. I look forward to seeing him at many other functions. I commend the motion to the house.

The Hon. J.M.A. LENSINK (15:51): I rise to make some remarks in relation to the Address in Reply, and I start by thanking our new Governor, Mr Hieu Van Le and his lovely wife Lan for the work they do. We are all very proud of this wonderful couple, who were born overseas and have such a great story to tell, and we commend them for their work and they are welcome here any time. That said, as I often say in relation to these speeches, having commended the Governor and wife who are in residence at the time, I turn to the comments within the Governor's speech, most of which I find somewhat lamentable. There are a range of issues I would like to raise.

Some of the opening remarks from the speech related to the bushfires that we saw earlier this year, and I think we are all very pleased with the spirit of South Australians in banding together to offer assistance to local residents and the community spirit that was demonstrated. There were a whole range of areas (I will not talk about them all), but being a Hills resident myself (nowhere near the fire) I noted the number of posts on social media from people offering to transport horses. I received a number of calls from people who were concerned for my safety, which I appreciated, although I was never in any danger, being south of the freeway.

I thank the CFS in particular for the wonderful work they do, bearing in mind the volunteer hours that go into their training. We have a shop in our town in Bridgewater that is constantly processing material that people have donated, and it is put out several days a week for people to purchase. There are a whole range of areas in which the CFS volunteer hours are so incredible, and they are at their best in a crisis. They handled the fires magnificently, and we are all grateful to them. I also commend the CFS chief, Mr Greg Nettleton, who really came to the fore and did a great job.

In light of that, it has been disappointing that we have seen the proposed reforms (that word should always be used in inverted commas) to CFS, which we all feel, particularly on this side of the chamber, a number of our members being members of the CFS, will downgrade the influence of the volunteer sector in favour of the MFS. We are glad that there has been an announcement today that the reform process will be slowed, but we are all still very suspicious that it is the ultimate agenda of the government to downgrade the CFS in this state at a time when we are all so aware of the job they have done.

The speech talks about protecting the environment and then turns to the nuclear industry, and I would say that the Liberal Party welcomes debate on this issue. I think things have changed a lot since people in my generation were at high school and feared a nuclear oblivion through the third world war, when the Iron Curtain was still up, and so on. Indeed, it is Liberal policy that we have a discussion on this issue, so that we can put all the facts and figures on the table and recognise that there have been changes to that particular technology over time.

Of course, the issue of this being handled by a royal commission is quite extraordinary and I think has more to do with the internal dynamics of the Labor left needing to be dragged kicking and screaming into some recognition that there might be some future for an expanded nuclear industry in South Australia. The royal commission is quite an extraordinary level to take it to.

We have inquiries in parliament all the time. We have an inquiry into unconventional gas taking place at the moment, so the issue of nuclear having to be elevated to that level, I think, really does speak to the internal problems that the Labor Party has with managing this issue in a sensible manner. And so, in effect, some of the opponents of it may well be muzzled. That is something that may take place and pretty clearly that is some of the pressure that will be brought to bear.

We also had reference to Green Industries SA, which is to be the new incarnation of Zero Waste SA, an organisation that—I will give credit where credit is due—was started by this government. I think the minister at the time might have been John Hill. It has worked collaboratively with government and industry to reduce waste significantly in South Australia. In referring to Zero Waste, I would like to commend the work of its CEO, Mr Vaughan Levitzke, who was also recognised in the Australia Day honours.

Zero Waste is a globally-recognised brand and there is a lot of concern within the sector that that will be lost in this new incarnation that the government is proposing. There is not a great deal of detail at this stage about how that will operate, so that is one issue that deserves further examination when we consider future amendments to that piece of legislation. I think we need to look at this very closely to make sure that we are not throwing out something that has played a very effective role in this state.

The speech had a fair bit of hyperbole in places, including the reference to a carbon-neutral Adelaide green zone. Indeed, it is not going to be the first carbon-neutral city. In 2008, Sydney claimed that mantle and, in 2012, the City of Yarra also claimed that mantle. We are going to have this green zone, and one wonders what that means. Labor is very good at empty symbolism. I suspect it will be another version of that. We had the carbon-neutral cabinet. Former premier Rann wrote to us all to declare that we were going to have a carbon-neutral cabinet. I think this will be one of those. Labor is also very good at running out with initiatives to get a headline and then dropping them when they hope that nobody is looking, so that is one that we will look at with interest.

I note the proposal that, within a decade—which is beyond the term of the current government—electric and hybrid vehicles will be the preferred form of transport within the Adelaide central business district. This again is empty Labor symbolism. Talk to people who do business within the Adelaide CBD about the difficulty that anyone in a vehicle has getting around the city these days thanks to all the things that the Labor Party—and the former Adelaide City Council as well, I might add—has done to restrict things.

There are some people who think that Adelaide can be turned into a walkable city, and we get comparisons with European cities. London has a congestion tax. I wonder whether that has been mooted. But what is forgotten in these sorts of debates is that countries like Australia have big distances, and Adelaide does not have a really comprehensive public transport system, so to try to make those comparisons with a city where somebody can get on an underground railway and get anywhere they want to within 20 minutes is just not realistic. We also had the driverless vehicles, which were claimed to revolutionise transportation in South Australia. I am not quite sure how the government is going to be responsible for that, but there we have it: more empty symbolism. One statement that I agree with is:

Many South Australians lack confidence in the planning process given its significant vested interests.

To that I say, 'Yes, we agree.' We hear from them on a regular basis. Honourable members of this chamber who are members of the Environment, Resources and Development Committee hear from people regularly who have no confidence that there are not secret deals done between government and certain interests. We have examples like Gillman and Newport Quays, in which the government really gets caught out badly. It is almost as if, in making that statement, they are distancing themselves from it, whereas I think they need to take full responsibility and stop having a go at learned people like the judge who made comments about the Gillman inquiry as if they do not know what they are talking about when they clearly do.

We also had references to prime agricultural land, which I would respond to by saying that this is often better protected by zoning and master planning processes. For instance, the Northern Adelaide Plains we believe needs to have a proper masterplan associated with that whole district so that we can look at the agriculture opportunities and expanding use of wastewater and

groundwater resources without some areas being hived off for housing which may well be better utilised for agricultural opportunities.

Things that I put a tick next to included issues such as enabling individuals to better participate in our democracy, regardless of their gender and sexual orientation, and that gender should not be a barrier to full participation in our community. I also commend the comments in relation to the White Ribbon accreditation and note that workplaces, particularly government workplaces, really should lead by example, because they have the capacity to do so and to assist people in their workplace who may be—I have been told I am not allowed to use the word 'victims' of domestic violence—champions of domestic violence.

We also had references to health and the new Royal Adelaide Hospital. The new Royal Adelaide Hospital really was a thought bubble of I think it was the 2007 budget, and what we are seeing now is that the thought bubble and its expenses are causing the government to be forced to make expenditure cuts, which it is now doing to a number of the non-spine hospitals—that is, Modbury, Noarlunga and the Repat Hospital as well as the Hampstead Rehabilitation Centre. One wonders why the government was not upfront with these issues prior to the 2014 election. Indeed, I think the member for Elder had written to her future electorate and claimed that the Liberal Party was going to cut services at Flinders, and now we see that that is exactly what her government is doing.

We hear the health minister on the radio defending things. I have heard the Premier say things along the lines of that Transforming Health is all about quality. Well, it is just patently not. It is patently about cutting expenditure to certain hospitals and shifting services to the new Royal Adelaide Hospital and to Lyell McEwin. Clearly, there are a lot of people in government who have never actually worked in hospitals and really do not understand how they operate at all, and do not appreciate that, for instance, when you are providing rehabilitation or mental health services, you often need open space. You certainly need a lot of space for rehabilitation and equipment and providing those services, and relocating them from their current places of operation is going to downgrade the quality enormously.

We also had quite a section on ageing. South Australia has an older population than most of the rest of Australia. I think the government probably should take some of the blame for that, because a lot of our young people leave the state for opportunities for work interstate. It is a huge number of young people. It is actually the working age population which leaves South Australia the most, because this government, in particular, after 12 years, really is strangling the business opportunities. We hear weekly of businesses which are shedding significant numbers of staff, and the opportunities just do not exist.

On the other side of the coin, if we look at the opportunities, there are some, and some of those are referenced in the speech, but I note that they did not actually include anything about workplace policy for older people, volunteering opportunities and the like. There are all locational services which deal with people's immediate living environments rather than some of the social or emotional needs of older people.

We had a very poor choice of words. If there was any moment which made people gasp—which is what the Premier had been promising us—it was when the Governor said: 'My government believes that South Australia can be known as the place where you age, but you do not grow old.' It is just laughable for them to say this sort of thing. I think it was a bit of a brain snap on the part of the person who wrote it. To enter into one's mature years in a healthy manner I think requires people to ease into their retirement, and therefore I think there should be more examination of scaling down from full-time work to part-time work, with greater human interaction and roles which will keep the brain sharp as we age. With those words, I commend the motion to the house.

The Hon. M.C. PARNELL (16:07): I will begin by congratulating our new Governor on his new role and in particular his first time opening a session of the South Australian parliament. Whilst I am firmly in the republican rather than the monarchist camp, in my view Mr Hieu Van Le is an excellent choice as our head of state and I wish him well in his tenure as Governor. He was an excellent deputy governor, and I am sure he will acquit himself well in the role.

There were many things in the Governor's speech. However, I will focus on just a handful of them and I will mention a few others in passing. Before I start, having heard a few governors'

speeches now, I liken them in some ways to a bad movie which you are determined to enjoy because you have paid good money at the cinema or at the video shop and therefore what you do is you suspend your disbelief.

You try to bring a generous spirit to the project and you desperately try to believe that all the good things that are said will eventually come to pass. Time will tell whether that level of cynicism is justified. Certainly, I will say at the outset that there are some wonderful things in this speech and if they were to come to pass then South Australia would be the better for them, but not everything falls into that category.

I want to start my remarks by talking about the nuclear royal commission. I have only ever once been invited to be a guest speaker to the uranium society. I am not on their Christmas card list anymore and I do not expect to be invited back to any more conferences, but I do recall that, as luck would have it, the conference in Adelaide was just days after the Fukushima nuclear reactor meltdown, the tsunami and then the nuclear disaster. I can still remember this room full of city uranium executives effectively walking around the room saying, 'Chin up, chaps. It's not all that bad. This will blow over. It's just a minor setback.' But really, the doom and gloom was in the air. So, we have seen an industry on its knees since Fukushima. We have seen contracts cancelled and we have seen an industry in decline which is why this royal commission is quite remarkable in many ways.

I will explore shortly what I think the real agenda might be, but the starting point—and other members have raised this—is why on earth a royal commission? When you look at the Royal Commissions Act 1917, you will see that it has a range of quite extensive powers, including coercive powers, and they are very useful, especially when you are dealing with reluctant witnesses and people who need the encouragement of legal process to get them to come in and give evidence, but you have to wonder whether it is the appropriate vehicle for this inquiry. I do not believe it is, and I have not heard any explanation other than the Premier's desire to give this inquiry a level of gravitas. If we can give it a fancy name, like calling it a royal commission, people will take it more seriously.

Whether people take the royal commission seriously will depend on a range of factors. It will depend on the terms of reference, it will depend on the quality of the staff and the range of other commissioners and investigators who are appointed to assist the commission, and then it will depend on an assessment of whether they have adequately and comprehensively weighed up the evidence. If they trip at any of those points, then the royal commission will be discredited.

In terms of the real agenda here, what is it? Is it nuclear power? Well, no, it is not. Nuclear power has been looked at in the past. It is too expensive, too dangerous, too slow, and no-one in South Australia really wants it. I had the pleasure to attend a public meeting in Port Adelaide last week and I mentioned to those in attendance that Professor Ian Plimer had suggested that Port Adelaide was a bit of a wasteland and maybe that might be the spot to have a nuclear reactor, and I have to say that the response was underwhelming. No-one was in agreement with the professor's thoughts on that.

Is the agenda really about enrichment or reprocessing? Well, no, it is not, because the world is already oversupplied and it just does not add up economically. I think that leaves us with the nuclear waste dump as the agenda, and the question there would be, 'Who wants it?' Certainly the nuclear industry would like it because here we are six or more decades into the nuclear industry and they still have no safe way of disposing of the waste. Certainly South Australians do not want it. We had a former premier who legislated against it and who kept winning elections, including on the back of things like protecting South Australia from the nuclear waste dump.

I will say that I agree with the member for Giles, Mr Eddie Hughes, who participated last night in an interview along with me on Annette Marnier's program on ABC 639. He was referring to the newspaper report yesterday with a consortium of so-called nuclear experts who want to expand the industry in South Australia and they said, 'Maralinga. That would be a good spot for a nuclear waste dump.'

What the member for Giles said, and I wholeheartedly agree, is that you probably could not get much more insensitive than that if you tried, given the history that the traditional owners of that area have had to put up with from the nuclear testing from the 1950s, the botched attempts at clean-

up, and the dislocation away from their traditional lands. Why on earth would someone be suggesting that area, especially when they had done no consultation at all with the owners?

I am nervous about the real agenda here. I think it is the nuclear waste dump and I think that that may or may not come out in the evidence that is presented. As I said before, the royal commission is only going to be as good as the inputs but also only as good as the questions that it asks, and those questions are in the terms of reference. It is a longstanding thought amongst many in the conservation movement in particular that if nuclear is the answer, then you are asking the wrong questions.

I think that, with this royal commission at present, with the draft terms of reference that were released at 3 o'clock yesterday afternoon, they are asking the wrong questions. Certainly my submission suggested 40 things that they needed to look at. What has come back is really just the same dot points that we already knew: that is, they will look at more mining, they will look at reprocessing, they will look at nuclear power, and they will look at the waste dump. They really have not moved on beyond that.

However, what was remarkable was that 309 people managed to get in with a formal submission to the royal commission with only a one week comment period. That is pretty amazing; 309 people. Of course, one of the main features of the nuclear industry is its secrecy, so it is quite remarkable that the government has chosen to keep the 309 submissions secret; you cannot see them on the website.

If the government were serious about this royal commission the first thing it would have done is published the 309 submissions, because when you do that you can find out whose submissions are being taken seriously and who is being ignored. If you do not get to see the submissions, you might know what is in your own—and a dozen or so have been sent to me—but it is very difficult to determine who is pulling the strings with an exercise like this. So that is my call to the government: publish the 309 submissions and, in three weeks' time, when further submissions close on the draft terms of reference, publish those as well.

The next aspect of the Governor's speech I would like to refer to is the announcement in relation to Green Industries SA. The government says this will be an agency whose task it will be to further encourage and support sustainable industries. That is a welcome development; I do not think it lets the government off the hook in terms of the downgrading of the role of Zero Waste SA, but if this is a reincarnation then maybe we can salvage something from it. Certainly the Greens policy, for many years, has been along the lines of what the government says it wants to do with Green Industries SA: that is, you identify the particular problems that we face in South Australia, you develop solutions to those problems, and then you export those solutions to the world.

What I am talking about are things we all know. We know that we are the driest state in the driest continent and we have water problems; we know that we have the peakiest electricity grid in Australia and that is a problem we need to deal with; we have an ageing population and we need to deal with that; and we have a declining manufacturing base with the automotive industry going (and I will have more to say about that shortly). Again, if we apply ourselves and develop solutions for these issues, then there are international markets we can engage in. So Green Industries SA gets a tick for now but, again, we reserve the right to be disappointed.

The next issue I want to look at is this idea of the carbon-neutral Adelaide green zone, and that Adelaide will become the world's first carbon-neutral city. That sounds fine because no-one really quite knows what that means and they do not really know how it is going to be measured, but I think people are mistrustful of claims like that, and I think there is some form with the government in this area. Some years ago I think the cabinet was going to be the first carbon-neutral cabinet, but when you drill down I do not think it meant much more than that they planted a few trees for each plane flight they took. There was not much in it.

The Hon. D.W. Ridgway interjecting:

The Hon. M.C. PARNELL: The Hon. David Ridgway rudely interjects with the little wind turbines on the State Administration Centre which, as he knows and as other members may know, never generated one skerrick of electricity. They never ran a single bar radiator or cooling fan. That

is not to say that trials like that are not worth pursuing, but the government is certainly very quiet about the failure of that project.

One aspect of this carbon-neutral Adelaide green zone that I think is quite exciting, and does have potential, was the statement in the Governor's speech that within a decade electric and hybrid vehicles will be the preferred form of transport within Adelaide's central business district. That is a very noble aim, and I look forward to it coming true, but there are some serious problems to overcome, not least of which is the very low base from which we are starting.

I did a bit of an analysis for a constituent who had asked me about the electric car industry in South Australia. I think we worked out that there were seven electric taxis out of the thousands that operate in this state and the number of electric cars, if you exclude little golf buggy-type things, fork-lifts and things like that, actual electric cars on the roads, I think you are counting them in the dozens, rather than in the thousands.

I think electric cars are the future and that is why it is exciting that the government chose to put that reference into the Governor's speech. I was pleased that this week the deputy leader of the Greens federally, Mr Adam Bandt MP, came to Adelaide to launch the Greens' new plan for refocusing automotive assistance away from those car manufacturers who are departing and to redirect that money towards new electric car manufacturers. So, we welcome the government's call that electric and hybrid cars will be the preferred form of transport, but we do query what the government is doing about it.

As we all know, the automotive industry is in crisis. Neither of the old parties, at a federal or state level, has really taken action to make sure that that industry had a sustainable future. We have all the big car makers set to leave within the next three years and, as a consequence, component manufacturers are going to the wall as well. The Greens' plan is to establish a green car transformation scheme and to redirect most of the existing automotive transformation scheme funding towards that new objective, and that is going to be good news for South Australia because, as we know, there are tens of thousands of jobs, not just directly making cars but directly making components and also indirectly related to the component industry.

Victoria and South Australia are the two states with the most to lose and we are the ones who should be working the hardest to try to transition our manufacturing base to one that has a future, and that includes electric cars. Some members might know that, because it is something I have mentioned in the past, until very recently it was not possible for members of parliament to lease anything other than a six-cylinder car. Thank goodness the government has modified its policy. Certainly, when I was elected in 2006, you only had two choices: a Mitsubishi or a Holden six-cylinder car. It was thought (perhaps) beneath the dignity of a member of parliament to drive an electric car, a hybrid car or even a four-cylinder car. So, the government has been dragged, kicking and screaming, into the new world of automotive transport.

There are references in the Governor's speech to cycling infrastructure being improved. That is something we welcome, but I make two points. First of all, we still do not have a cycling strategy for South Australia. The last one expired in 2010 and it has not been replaced. If you do not have a strategy then you do not have a plan to ensure that your money is spent in the most efficient and best way possible. You end up with a range of ad hoc projects, many of which do not meet the needs that they should.

The second thing you need is to allocate some resources. As members would know, the current budget for cycling is a fraction of 1 per cent of the transport department's budget—forget the whole state budget, a fraction of 1 per cent. If the budget for cycling was to be increased to 1 per cent of the transport department budget then that would represent a more than doubling of funds put into cycling. So, again, we appreciate that the government says it is committed to cycling infrastructure, but it needs to have a plan and it needs to put in the money.

Speaking of planning, we have had the expert panel provide its report and, as with all such reports, there is some good, there is some bad and there is some ugly. The government is committed to responding midyear to that report and we are told that we will have legislation before parliament by the end of the year. One aspect of reform that the Greens are looking forward to is the charter of citizen participation. We do not know what it is going to contain, but it has a nice title.

I have to say, the signs are not good, if we look at the way things are currently going in the planning system. I will just give one example. I recently attended a City of Unley meeting that Mr David Pisoni had called in response to a number of community concerns about high-rise housing on Unley Road. As I have said before, the Greens believe that we need to increase the density in certain parts of Adelaide—and I think most South Australians have come to that conclusion as well—as an alternative to urban sprawl. But what is disappointing about the way things are going in places like Unley Road is that, whilst the community generally accepts that change is inevitable, when they negotiate in good faith with their local council or with their government and they do reach agreement and settle on a consensus or a compromise, they would like to think that it is genuine.

That is why I think the people of Unley are rightly disappointed: that, having negotiated a zone that would contain a maximum five-storey development, the very first cab off the rank, the first developer to come along wanting to develop in the new zone says, 'I'll have seven, thank you.' I think the residents are quite right to be dismayed, because they are thinking, 'Well, doesn't five mean five? Why did we spend all these years negotiating about increasing the density of our suburb if the first time someone comes along they put in an application for seven?'

I know the government does not understand this concept because the Governor's speech also refers to the fact that the urban growth boundary, that we have had for many years now, does need to have a firmer legislated base because currently nobody trusts it, nobody believes that it will stick. The way I describe it is that the urban growth boundary has been drawn with an HB pencil when most people expect it should be drawn with a texta colour because, whenever the developers come along and demand that farmland be rezoned, the government has jumped to those requests.

So, I am looking forward to the planning legislation that we will see in parliament later this year. As the only member of state parliament with planning qualifications, I am in my element with this, and I look forward to the government genuinely negotiating for reform and not trying to simply push through the agenda of its backers in the property industry.

There are references in the Governor's speech to South Australia's role as a food and wine producer and the need to protect prime agricultural land. I have to say that they are objectives that the Greens wholeheartedly support but, again, the way things are currently going, it is very difficult to believe what the government says. I will take the example of the evidence that was presented last week down in the South-East to the parliamentary hearing into fracking. Whilst that committee has not reported, certainly the comments of the witnesses were reported widely in the newspapers, so it is appropriate to refer to them here.

What we saw down in Millicent was a bit of a Who's Who of the wine industry, some of the key people, the representative bodies and executives from some of the biggest wine companies in Australia, or indeed the world, like Treasury Wine Estates, giving evidence to a parliamentary committee saying they are incredibly nervous about what an expanded gas industry might mean for their industry, and not just the potential physical impacts in terms of groundwater pollution and things like that, but in terms of perception, because this is an industry that is dependent on image and perception.

As one witness put it: if he is taking Chinese buyers up to the Coonawarra and going past gas wells then that really is not a look that they are seeking to achieve in terms of convincing people that South Australia is a clean and green place to grow food and wine. So, the government really has to ask itself: is it serious about that objective when it is currently promoting unconventional gas and other invasive mining in some of our best agricultural land?

The Governor's speech also refers to taxation reform. I must admit that in my time in politics that has been one of the most difficult areas, because any time somebody mentions that taxes might be reformed, their political opponents come out with a mantra: you want new taxes. As a result, no one is prepared to put forward new taxes and all we do is tweak the old taxes.

Now I hope that this process in South Australia is a genuine process and that all parties come to it with an open mind, because certainly the South Australian taxation base is narrow. Ever since, I think it was the High Court in 1942, upholding the commonwealth's right to levy income tax, South Australia has been limited to taxes on property and on transactions, taxes on gambling and taxes on employment, which I must say I have always found curious, that we all say that we want

more work and more employment and we tax it, and we all say we want less pollution but we do not tax that. So this tax review, if it is a genuine review, should look at taxing the things less that we want more of, and more that we want less of. So I am looking forward to that process as well.

There has been a bit of commentary around the current inquiry or the current consultation in relation to time zones, and I have to say that, whilst it might have been a water cooler conversation for a little while, it seems to have gone off the boil lately, but certainly the Greens wanted to honour the process and we have consulted our members. I cannot give you an answer today; the jury is out.

The Hon. T.J. Stephens: What did the 11 members say?

The Hon. M.C. PARNELL: I am not responding to that interjection. The Greens have consulted with our members. We have had dozens of responses and I have to say they are a varied mix, from the status quo to going west to going east. At the end of the day it is not the most important issue facing South Australia, and people have said it is a distraction from the real issues, but nevertheless there is probably no harm in looking at it again.

The Governor's speech refers to the quality of our democracy and whether certain sectors of the community have greater access than they should as a result of their wealth and their political donations, and I have to say that this is something that the Greens have been on about for years and years, and, whilst the parliament in 2013 did make some meagre effort to reform this system, I do not think the parliament got it right. The legislation that we now have—that the Electoral Commission is desperately trying to work out how to administer, not altogether successfully as I understand it—but the legislation that passed was basically about limiting how much parties could spend on elections rather than trying to limit how much money they raised from corporations, unions or the public.

My view was then and is now that if you are serious about cleaning up democracy, if you are serious about breaking the connection between political donation and political influence, you have to go to the source of the funding and you have to limit the amount of money that can be given, because, with limiting spending, really all that does is it invites creative accounting and it invites political parties to gather nest eggs of assets so that they can fund elections from the proceeds of capital rather than from donations. But I really do not think that limiting spending on elections to effectively the sort of amounts people already spend is going to clean up our democracy, and the Greens' concern was and still is that we do not want the best democracy money can buy.

The Governor in his speech referred to remuneration of members of parliament, and this is always a vexed issue. The position that the Greens take is that pay for members of parliament should not be disproportionate to the work that they do and to other comparable sectors, in particular public sector work, as well. My personal view, and this is not a fixed party position yet, is that we would do well to basically get rid of some of the allowances currently provided to members of parliament and roll them into salary and, in particular, I am looking at the committees where the current system is that everyone is entitled to a paid committee, whether you are interested in the subject matter or not because it is really regarded as part of base pay.

I would be getting rid of payment for committees. I would keep the committees, because they do important work, but I would get rid of the payment; you could roll it into salary, and then you would end up with people on committees who genuinely want to be there and have a particular interest in that area of work. Whilst it was not in the Governor's speech (and I will be ruled out of order if I talk about it too much), I would also be getting rid of the chauffeur-driven cars for chairs of committees.

Electoral reform is back on the agenda. It was disappointing that we did not fix the system at the end of the last parliament, but we get to have another go. The different options that have been put forward include the way votes are counted for the upper house. The government always likes to bring in reform of the tenure of upper house members and the size of the chamber. The Greens' position has not changed from when former Premier Mike ran introduced it: we are supportive of reduced terms in the upper house, we are not supportive of the reduced size of the chamber. We have not yet been given good reason to change that view.

There is a lot in the Governor's speech to give us hope. There is lots in there to have us despair as well. With a bad movie you have to suspend your disbelief in order to get maximum satisfaction out of it. The Greens are trying not to be too cynical. We would love the government to

wholeheartedly try to implement the things that have been set out in the speech. We will work with the government where we can, and where the government falls short we will seek to bring it to account.

The Hon. T.J. STEPHENS (16:36): I rise to make a few comments on the Governor's speech. I congratulate His Excellency the Governor on the opening of parliament and also on his appointment to the oldest and highest public office in the state. His rise from refugee to viceroy serves as an inspiration to us all.

I want to put on the record a few quotes from the Governor's speech, which we all know are not the words of His Excellency but that of his elected government, so goes our constitutional system. I will start close to the beginning, and I quote:

The Weatherill Labor government understands the angst and uncertainty felt by those who have recently lost their jobs at Arrium. They need both our support and new opportunities to contribute.

The government pretends to care and show solidarity, but when a genuine opportunity to assist the people of Whyalla and the north of the state, by allowing for the proposed Gillman oil and gas hub to go ahead in Whyalla, which could have alleviated the devastation for locals out there, the government did not even look at the alternative, despite reservations of Gillman board members.

This was detailed by David Washington in his *InDaily* article of 11 February. Encouragingly, there is potential for my beloved home town, with a plan for a future nuclear industry to revolve around Whyalla, as proposed by SA Nuclear Energy Systems, and detailed by Tory Shepherd in yesterday's *Advertiser*, which brings me to the next part of the Governor's speech, and I quote:

The government will establish a royal commission into the nuclear industry to investigate what role South Australia can and should play in the nuclear fuel cycle.

I welcome this announcement as a supporter of nuclear power and its potential as an efficient and clean source of energy, and as a source of employment and economic activity in a troubled economy such as ours. However, the royal commission should only be seen as a positive move if it leads to a positive outcome. If there is no development of a nuclear industry in South Australia, then this action by this government can only be seen as a distraction—another example of Labor talking big and not delivering.

There is no coincidence in the announcement of the Premier's about-face on nuclear power occurring shortly after the health minister announcing the gouging of the state's health system, which included the heartless and ill thought out closure of the Repat and Noarlunga Hospitals. Yesterday's *Advertiser* shows that the industry is ready to work with the government, and there are proposals ready to go. There need not be delay here, and our economy needs new industry such as this in order to modernise, diversify and, ultimately, once again become competitive with the rest of Australia. I return to the Governor's speech, and I quote:

Green industries SA, an agency whose task it will be to further encourage and support sustainable industries, will be established this year to help attract investment and export our expertise around the world.

How ridiculous. If South Australia's renewable energy industries are profitable, they will receive private investment, and if our skills are considered to be world-class they will be sought after. There is absolutely no need for a government agency to act as a conduit between business and the rest of the world. This is nothing short of corporate welfare, something that Labor harps about apparently only when it is politically convenient for them to do so. The Governor's speech states:

[The] government has already invested significantly in the transformation of Adelaide. It has also taken on established interests to open up the city. This has enabled small venues to grow and a thriving live music scene to emerge.

What has the government done other than make it easier and cheaper to obtain a small venue liquor licence? This should have been the minimum standard anyhow. All liquor licensees, whether they be an established family of a long line of publicans or the owner of a small bar, should be commended for their investment of time and capital as small business owners. For the government to take credit for the hard work and industry of South Australia's finest is disingenuous political opportunism.

While opening up this new licensing category, the government has simultaneously refused to relent on penalty rates, and in fact criticised business owners for refusing to open up on Sundays

when it is not profitable to do so, has limited trading hours on Friday and Saturday nights, and finally is looking to ban smoking in outdoor beer gardens in the next 18 months, after significant investment from licensees to comply with the previous legislative changes. Who will reimburse these people for their investment which the health minister is now making redundant? The Governor also said:

Within a decade, electric and hybrid vehicles will be the preferred form of transport within Adelaide's central business district.

What does this mean? Given that the number of hybrid and electric cars currently on South Australian roads is less than half of 1 per cent of total registered cars in South Australia, is the government predicting a dramatic surge in popularity of these vehicles? Are they expecting the price of these vehicles to come down vis-a-vis fossil fuel cars? Or is the government being sneaky with words here in saying that these vehicles will be preferred by the government regardless of the citizen-consumer's tastes and affordability?

Will the government be enforcing its preference for these vehicles in the CBD with a variant of a congestion tax, where every conventionally fuelled vehicle will be taxed upon entry into the CBD? Surely the most obvious answer to ridding the CBD of cars is to improve public transport, and when I say improve, a good start would be making the limited services currently available more efficient and reliable. Perhaps more Adelaideans would be happy to use public transport if the government could guarantee that every individual would be at work on time and home in a timely manner without unnecessary delay, discomfort and dissatisfaction. The Governor's speech further states:

Our Motor Vehicles Act was written when the FB model Holden was being released to the market in 1959, and our Road Traffic Act two years later. [The] government will reform both pieces of legislation, and also legislate for driverless vehicles which will revolutionise transportation in South Australia.

Quite obviously, the current motor vehicles and road traffic acts are not the same pieces of legislation that were assented to in 1959 and 1961 respectively. The Premier, who is a lawyer, and the Minister for Transport, or perhaps their speechwriters, have forgotten the convention of the nomenclature of legislation. Just because an act of parliament bears the year in which it was assented to in its title, it does not mean it has not been amended over time to remain up to date.

In fact, the original Motor Vehicles Act of 1959 which replaced and amended parts of the original road traffic act of 1934 has been amended no less than 133 times by separate amendment acts including eight in 2013 alone, the most recent of them all. Similarly the Road Traffic Act of 1961, which replaced the road traffic act of 1934 and the road traffic board act of 1960 has been amended 128 times by separate amendment acts including the four most recent in 2013.

What all this demonstrates is that this reform, which no doubt the government is building up to be one of the greatest of the Hon. Mr Weatherill's premiership, is actually a sham. These acts need no reform as they are up to date as of last year. Using the reference to the FB Holden, the Premier's spin doctors would have South Australians believe that this act is an anachronism that is not worth the parchment it is written on. If the government believes there to be a deficiency in the current legislation, then introduce an amendment and the parliament will consider it.

This brings me to the actual issue of driverless cars, which is another example of the government dreaming up a solution where there is yet to be a problem. When driverless cars become a reality, the current act should be amended to reflect the change on our roads. However, until that actually happens, why are we wasting time and resources on this?

Once again, this is nothing short of a distraction from the chronic problems this government is facing and the decisions it is making that are harmful to South Australian families. The Governor talks about his personal connection to Asia while also talking about the government's strategy to foster trade in the region. He also adds:

I look forward to assisting in the development of the state's relationship with this dynamic region.

If these are the Governor's own words, that is fine. He is free to comment, but if he is reading what has been written for him by the Premier and the government, then this is a serious breach of protocol and constitutional convention. Involving the Governor personally and directly with a government policy blurs the line between the partisan elected government and the apolitical Queen's representative.

We know that the Premier has called the appointment of His Excellency one of his greatest achievements. This in itself disrespects our constitutional system. His Excellency is appointed by Her Majesty The Queen, not by the Premier, and he has a constitutional responsibility to respect that arrangement and not arrogantly parade around as if he owns the place. I quote:

My government understands that it needs to insist upon cultural change within our Public Service if it is to attract the volume of investment needed to create new jobs.

The government needs to be serious about this, and if it is, then wholesale reforms are needed not just in a purge of executive-level management, which to date has been the only change to the Public Service since the Hon. Mr Weatherill took over as Premier. This is hardly cultural change. There needs to be a refocusing of the Public Service on serving the public rather than the minister and the government's ends.

An officiousness in the enforcement and compliance of burdensome regulation and legislation harms productivity in this state. There should be a tangible benefit to the enforcement of government regulation and legislation, whereas often, to businesspeople every day and South Australians, many of the decisions of government departments and their public servants are baffling in their adherence to strict wording over practicality. Whether this is a flaw of legislation, regulation or those enforcing it, it should be investigated by the government and acted upon if the desire is for true cultural change.

The government's comments on the taxation system were contradictory at best and disingenuous at worst. The Premier has said repeatedly that he is all about big government and the words that he has provided to the Governor confirm this. I quote:

Taxation is the means by which we provide services that create opportunity and confront inequality.

There is no reference to necessary services and any limitation on state power. The state should only provide when people cannot provide for themselves, for it is those with the means (the taxpayer) who are providing those services to those who do not. Humorously, the Premier's words continue:

South Australia...needs a taxation system that both attracts investment to create new opportunities and encourages business owners to employ more South Australians.

The success of our tax system should therefore be measured by the jobs and growth created in our economy and the quality of services we provide to the community.

...The government is open to radical reform to our taxation system.

This is good to hear, because I have been proposing this for a long time, as many of us have on this side of the chamber, and indeed as we do as a party. We do not consider this radical, but I think this government may: the proposal is to simply cut tax rates. 'How will we pay for everything?' the Treasurer will cry out. Cut capital expenditure. It is simply embarrassing to suggest that reform is needed in the tax system to attract business investment when all business wants is lower taxes.

The solution is obvious, but there must be a commitment from government to cut expenditure or it simply will not work, ever. We know that Labor will never cut expenditure and therefore they cannot lower or remove taxes, so when the Premier and Treasurer talk about tax reform, what they mean is higher taxes. They will run around pretending to consult, but what this is really about is how they can guarantee maximum return with as little political harm as possible—how noble.

What great public servants these people are, and the Premier would like more money for himself, calling for a reform of politicians' pay, which actually means an increase. This should only be considered if the state can afford it. When the government talks about judging the tax system on jobs and growth created in our economy, its successes can only be classified as an abject failure. The government knows the current system is broken and knows what business wants, but that runs contrary to what the Premier and Labor want to do, so in the meantime they will talk about reform, pretend to consult, pay lip service to various stakeholders, and then go about doing whatever it wants. It is the same old story. To quote the Governor:

South Australia's exceptional half-hour time difference to the convention of whole-hour time zones has been consistently raised as an impediment to South Australian companies with significant interstate and overseas interests.

Once again, this can only be a distraction. Why does the change need to occur now? The only change that makes any logical sense is to repeal the Standard Time Act of 1899 and go back to the

full hour, which is accurate as per South Australia's true meridian. Moving to the eastern time zone is ridiculous. Australia, particularly South Australia, is a vast geographical entity and moving the time zone another half an hour to the east creates all sorts of havoc with daylight hours for residents in the west of the state. Moving central time half an hour backwards is fair for everyone and solves the government's supposed dilemma with regard to the half hour discrepancy. The Governor's speech states:

Corporate campaign contributions cannot be permitted to inappropriately influence our public policy.

I agree, and neither should those of other organisations such as trade unions. Donations from any non-natural person should be treated similarly to how the government intends to treat so-called corporate donations. Do not simply target businesses, but all organisations which are neither political parties nor individuals. I return to the speech:

It will propose to reform the system of voting to eliminate the anti-democratic practice of preference harvesting.

This is a positive move, and perhaps the government will consider the idea of a threshold, 4.55 per cent or 5 per cent of the vote, which roughly equates to the value of one Legislative Council seat, or even 9.09 per cent or 9 per cent, as that equates to the value of one of the 11 seats vacant during any given election cycle. The threshold would work by eliminating only the parties or groupings which receive at least that much of the total primary Legislative Council vote to be eligible to return a member to this place. All the minor and micro parties which receive less than this threshold will have their preferences distributed. The Governor's speech states:

The government will also introduce deadlock reform, which will involve new options to resolve disputes between houses.

This should concern all honourable members in this place, including those on the government benches, as it goes to the heart of the independence and power of this place. Under our constitutional arrangements, this place is on a legislative equal footing with the other place, save for a few specific areas. This should not be watered down at all, and I would suggest that any attempt to curtail the powers of this place would be met with fierce opposition from honourable members of the crossbench, whose parties' voices are only heard in this place. If the current deadlock procedures do not work, it is because of the intransigence of the government and an unwillingness to negotiate from its ministers.

The convention of the deadlock process is that those who represent this place at a deadlock conference represent the will of the chamber as determined by resolution of the same. If that means that government members of this place must be at odds with their colleagues from the other place, then so be it. Proposing reform or changing the system will not and should not change the power or the will of the place to make its own decisions and similarly to disagree with the majority on the floor of the other place. This is how it has been since 1857, and it is a cornerstone of our representative democracy.

Whilst on the subject of representative democracy, His Excellency made some remarks about involving everyday South Australians in parliamentary debates and the like. I cannot help but think our system is based on representative democracy, not direct democracy, and therefore any move to involve people not duly elected to contribute to debate can potentially be harmful to the system, or at least make it less efficient.

Consultation with the community should be encouraged, but let us be honest, even with the advent of social media, which bridges the gap between the political class and the average citizen, all we see on Twitter, for instance, is ministers, members, staffers, party hacks and journalists engaging in unhelpful, puerile bickering. I cannot see how this improves the quality of political debate in this state.

Any process which opens up the current parliamentary standards and standing orders to allow strangers to contribute will surely only see many of the same people dominate the process, those who are already in the system and aware of how it works. Any attempt to connect with those outside the political sphere should be made to those who are disillusioned with politics and the system, not to those seeking to gain influence and use it for their own ends. I further quote:

The government will renew the Department for Education and Child Development and its services.

Given that the Liberal opposition has been calling for child protection to be removed from this department, of course we would welcome 'renewal', as this government has euphemistically termed it. Child protection should be completely separate from the education of every South Australian child. I am glad that the government has listened to the opposition, parents and other stakeholders on this issue. The speech then talks about the relocation of central office staff out to local areas to work more closely with schools and staff. Naturally, the Liberals welcome decentralisation. In fact, given the failings of this department of late, surely this proves that increasing centralisation is not a positive, but often leads to aloofness and maladministration.

In the Governor's comments referring to his comments on Confucian thought and his Vietnamese upbringing, the government has once again personally associated the Governor with the partisan political musings of this Labor government. This is completely inappropriate and an affront to our constitutional arrangements, as I said earlier. Finally, from the speech:

Delays continue to reduce the effectiveness of our justice system. Disputes must be addressed in a more efficient manner.

I am no legal eagle but how can the government be calling for more efficiency in the administration of justice while subsequently cutting funding to the Courts Administration Authority which is now being forced to consider the closure of the Port Adelaide and Holden Hill court precincts? All this will do is put even more pressure on the courts' precincts still standing. This is hardly efficiency.

Whilst there is more I could say, I will conclude my contribution here. Once again, I thank His Excellency for his attendance here and I commend the motion to the council. I look forward to the session and wish all honourable members the best, in particular the new member for Davenport, the very talented and most affable Mr Sam Duluk.

The Hon. J.S.L. DAWKINS (16:55): I am pleased to contribute to this debate, the address in reply to the speech of the Governor in opening the parliament. I acknowledge the fact that His Excellency Hieu Van Le opened the parliament for the first time since he took on that important role in the democracy of our state. I congratulate once again His Excellency on taking up that position, after, as was mentioned by the Hon. Mr Parnell, having served very well in the position of Lieutenant-Governor for some time.

I have known the Governor for many years. I first came into contact with him when he was giving back to the community. When he first came to this country a number of people in Gawler and surrounding areas gave him and his family great support and, in subsequent years, he often went back to that community to provide the Gawler branch of the then Indo-Chinese Refugee Association great support in assisting the more recent arrivals from South-East Asia. I know the regard that he is held in is very high by what is now known as the Gawler branch of the Australian Refugee Association and the broader association across South Australia.

I also note the number and range of events where I have bumped into the Governor and his wife, Mrs Lan Le, since he has taken on that position. I think it is a great credit to them both that they have involved themselves in such a wide variety of events in this state.

Firstly, I acknowledge that in the Governor's speech he mentioned the passing of a number of former members of this parliament. Of course, one was the Hon. Dr Such who passed away while still in the service of the parliament. We have had condolence motions in this place for the Hon. Don Banfield, the Hon. Cecil Creedon, the Hon. Dr Such, Mrs Heather Southcott AM and only in the last sitting the Hon. Arthur Mornington Whyte AM, former president of this chamber. I have spoken to most of those condolence motions, but I certainly add now my acknowledgement of the service to this state by all of those people.

Before making some comment on a number of the matters raised in His Excellency's speech, I want to relay a conversation I had with a constituent recently who I think is very well informed, well educated, and someone who is a student generally of our democracy. They asked me the question, 'Can you confirm when the last opening of parliament was held? Was it held just after the election of last year?' I said that it was, and that person then said, 'When was it?' I replied that it was in May last year, and this person then said, 'Well, can you justify why we need another opening of parliament nine months later?'

As much as, I think, most members of parliament here can stick up for our democratic Westminster system and the right of the government of the day to do that, it is very hard to find a reason to justify why a newly re-elected government felt it had to prorogue the parliament barely six months after it had actually established the parliament. That is something this current government needs to explain to people; why we prorogued the parliament, and why many items of business have now had to be reintroduced. That is something for the government to explain. As someone who has been here for as long as I have, I found it very difficult to give that person something that they could feel justified the government's decision.

In relation to aspects of the Governor's speech, the first one I would like to refer to is his reference to the fact that 'Our Motor Vehicles Act was written when the FB model Holden was being released to the market in 1959, and our Road Traffic Act two years later.' The role of ferries in the South Australian community—obviously, in the river and lakes communities—is as important and relevant today as it was in 1959. Unfortunately, I think there has been a number of events and actions in recent times that have probably put a lot of doubt in the minds of the community, particularly in a number of localities along the River Murray and in lakes communities, as to whether this current government sees the role of ferries in our road traffic system as important as it should be.

I recently attended a meeting of the Murray Mallee Local Government Association at Taillem Bend. There was a presentation made there by the Department of Planning, Transport and Infrastructure (which I will refer to a little more shortly) which was largely to give some explanation for a meeting that had been held earlier at Cadell regarding the fact that significant load limit restrictions were being placed on two of the timber-based ferries that remain in the system. I understand that another one will quite possibly have similar restrictions placed upon it in the near future.

The presentation was made to the Murray Mallee Local Government Association and, as a result, the following motion was moved by the Mid Murray council. That motion was:

That Rebecca Timmings, Manager Traffic Solutions, DPTI, and Joseph Rositano, Mechanical Services Manager, DPTI be thanked for their informative presentation to the MMLGA and

- 1) That the Murray and Mallee Local Government Association write to the Premier, Treasurer and State Minister for Transport highlighting the importance of the ferry services to the Murray River and Lakes communities and requested funding be allocated in the 2015/16 budget for the replacement of the remaining three timber hulled ferries.
- 2) That a copy of that letter be sent to the State Opposition Leader, State Shadow Treasurer, State Shadow Minister for Transport and State Members for Chaffey, Stuart, Schubert, Hammond, Local Government Association of SA, John Dawkins MLC and other relevant State and Federal Members, and
- 3) That concern over ferry services be referred to the Chief Executive Officer of the Murray and Mallee Local Government Association to re-activate the Ferry Working Party with the Department of Planning, Transport and Infrastructure.

Of course, the background to the ferry working party goes back to 2012 (I think it was June 2012), when the state government, the Department of Planning, Transport and Infrastructure, held a public meeting in Cadell to give that community 16 days' notice that it was going to close the Cadell ferry. I think most members in this place would understand the great concern that caused the people of Cadell but also, of course, so many other communities.

As a result of that, the decision was reversed by the Premier, the Hon. Jay Weatherill, and a ferry working party was established, a joint state/local government working party, to meet and prepare an options paper on the sustainability of Murray River ferries. The working party consisted of representatives from the Department of Planning, Transport and Infrastructure and the Renmark, Paringa, Coorong and Mid Murray councils.

The fact that this working party has been suggested to be reactivated shows that the communities who rely so heavily on the ferries as part of the road network are very concerned. Certainly, the motion would indicate that, currently, the state of the timber hulled ferries is of such concern that there is a great threat that one of those ferries could go out of action and there is no

spare ferry ready to go. So, I think that is why the motion indicates that it is really important that the government does find the money to make sure that we do have the timber hulled ferry replacements, the steel hulled ferries, in the system as soon as is absolutely possible.

I will change tack a little bit in getting to the reference in the Governor's speech on health. It will not surprise anybody that I would like to start in relation to mental health and suicide prevention. I would firstly like to read a letter that I wrote to the Hon. Jack Snelling on 2 February. It reads as follows:

Dear Minister, I refer to your response to questions on Friday, 18th July 2014 during Estimates Committee A (pages 148 and 149 of the Committee *Hansard*) regarding the appointment of another 1.0 FTE position to assist with the rollout of the State Suicide Prevention Strategy. During the Committee you stated in a response to a question from the Member for Morphett;

Dr McFETRIDGE: On the same budget reference, [Budget Paper 6, page 72, suicide prevention] is there funding in the forward estimates for a salary for the dedicated officer rolling out these programs or the government's suicide prevention strategy, more particularly?

The Hon. J.J. SNELLING: I am advised, yes.

Dr McFETRIDGE: In the suicide prevention programs. In the community grants area, I understand there is only [one] staff member who is organising the rollout of these programs. Is there any intent to increase that?

The Hon. J.J. SNELLING: That one FTE is actually an additional position on top of what we have currently got.

I will continue with my letter:

As it has been some six months since the Estimates Committee process, I am writing to seek clarification of when this position will be filled.

Thank you in anticipation of your swift response.

That letter was written on 2 February and, at this stage, I have had no response. I think it is important that that position be provided. I have given great encouragement to the government to continue to show its support, the support that it has demonstrated through the development of its Suicide Prevention Strategy and the support for the growing number of community groups that I think have evolved in South Australia around suicide prevention and broader mental health issues.

I see all the time a great number of people who respond to suicide and self harm and to mental health issues generally across communities, whether they be in small country communities or in quite densely settled urban areas where people can be even more lonely than in a country community. I think there is a great searching for assistance. The government has shown already with the limited amount of resources that have been available to the Suicide Prevention Strategy that great steps can be taken, and certainly those steps have been taken by many suicide prevention networks.

I note that a large number of other areas want to go in that direction, and I think that can only be assisted by the investment in that other position which, as I have said, was promised during the estimates last year. So, I urge the government to do that. In his speech, the Governor specifically mentioned domestic violence. I think it is a reference that echoes community concern, and I was very pleased that that reference was made in Hieu Van Le's speech. He said:

My government will strengthen responses to violence against women.

New initiatives include a court assistance service and an early warning system to provide an escalation point if there have been flaws in the response of a government agency to a report of violence.

My government, as the largest employer in the state, will lead by example by ensuring all departments obtain White Ribbon Workplace accreditation.

I commend those efforts and acknowledge the White Ribbon movement and the number of ambassadors that are in this council. As I have said in this place before, anybody who is now nominated to be a White Ribbon Ambassador has to go through an induction. They have to actually be approved. The Hon. Mr Gazzola and I did not have to go through that.

He would have passed it with flying colours and I may not have, but the reality is that there is a great scrutiny of those who put their hands up to be White Ribbon ambassadors and there is

also a lot of training that goes with it in relation to how those ambassadors can best advance the cause, most particularly amongst young men in the community, to stamp out what is a blight on our society. So I give great credit to the Governor for mentioning that in his speech to open the parliament.

Further to matters relating to health, I must mention my concern about the government's plans to end the existence of the emergency department at the Modbury Hospital. I think it is interesting to note that in early 2013, the government spent \$17.4 million on increasing the emergency treatment and assessment spaces at Modbury from 23 to 40 after already completing the first stage of the project which included installing more modern facilities like a security room and a discharge transit lounge.

In fact, in February 2013, the health minister, the Hon. Jack Snelling, put out a press release on 22 February, and that included quotes from the member for Florey in another place and the member for Newland in another place who, of course, have their electorates served very well by Modbury Hospital. The member for Florey said, and I quote:

'It will provide state-of-the art facilities for staff and the almost 40,000 patients who attend the Emergency Department each year at Modbury Hospital,' Ms Bedford said.

Member for Newland Tom Kenyon welcomed work starting on the final stage of the re-development.

'This will be a bigger and better emergency department that the people of the north-eastern suburbs deserve,' Mr Kenyon said.

It is just remarkable that in that short space of time the government has abandoned the emergency department at Modbury. I note a document that is on the website of the Modbury Hospital Foundation—and the foundation actually does great work to promote that hospital—but the document called 'Fast Facts Modbury Hospital' indicated a number of facts about the history of the hospital and the way in which it serves the north-eastern suburbs of Adelaide and, of course, well up into the Adelaide Hills region.

One of those items on that fast facts bulletin is called 'The changing face of Modbury Hospital'. I think that is very appropriate because obviously members of the Labor Party for years have criticised the previous Liberal government's decision to allow Modbury to be run by private operators. There will always be opinions in that part of Adelaide as to the level of success of that move or otherwise. There were a number of Labor members in the area who were elected on a great promise to bring Modbury back into the control of the actual government health system and, of course, that was achieved a number of years ago.

Can I say, and I have said this quite openly to the members concerned, particularly the member for Florey, that ever since that has happened, the direction of that hospital has changed so many times, and the member for Florey, I think, has to apologise for so many of the things that have happened at the Modbury Hospital that she said would never happen when it returned to administration by the government.

It is just extraordinary that, having said those things about the upgrade of the emergency department at Modbury only two years ago, in February 2013, those people are out there trying to defend the decision of the government to close emergency at Modbury and send people, largely, to the Lyell McEwin Hospital, which is already overworked all the time, that I am aware of. Most people in this place would understand the stress that the Lyell McEwin Hospital is already under.

In conclusion, in relation to the references in the Governor's speech to economic development, I wanted to put something on the record about the work done by Defence SA, which probably has not had as much publicity as references to submarines. The Department of Defence is currently looking to replace a number of land combat system vehicles in its fleet. As part of this project, Defence SA has worked to provide two precinct concept plans, one at Techport on the Le Fevre Peninsula and the second at Edinburgh, which of course is a very crucial part of the defence department's Australian assets but also is very important to South Australia's economy. Those two plans will encourage industry to construct and maintain these vehicles here in South Australia.

A request for tender by the Department of Defence was due this month. However, it has not yet been released, but the state government is hoping the project will be put out to tender soon.

Initially, the Department of Defence is looking to acquire approximately 250 vehicles in a first batch purchase, with a view to purchasing up to 700 vehicles in the future.

Defence SA is working with the Department of Defence to have local manufacturing content as a key requirement of the tender. It is also working with key bidders to try to ensure they base their manufacturing here in Adelaide. Defence SA is also working to ensure the federal government includes as part of the tender a 15-year performance-based through-life support program for the vehicles. I certainly would encourage the strong consideration of those vehicles to be built here in South Australia.

Again, I thank His Excellency for the manner in which he addressed the parliament on the opening of our new session and also for the dignified, respectful way that he encompasses his work across all the community of South Australia, and I very much look forward, as one of my colleagues said earlier, to his ongoing service as Governor of South Australia and his work with not only the whole parliament but also, very importantly, the Legislative Council.

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

Bills

FAIR WORK (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 February 2015.)

The Hon. R.I. LUCAS (17:24): I rise to support the second reading of the Fair Work (Miscellaneous) Amendment Bill. The bill seeks to accomplish two prime objectives, the first being to abolish the Office of the Employee Ombudsman, and the second being to make some changes to the requirements for the constitution of the Full Commission of the Industrial Relations Commission.

The functions of the Employee Ombudsman were originally designed under the former industrial relations system, when we in South Australia had responsibility at that stage for both the public and private sector. As you are aware, Mr President, over a period of time, the states—South Australia included—transferred jurisdictional responsibility for industrial relations for the private sector to the commonwealth, and the state has essentially been left with the public sector and the local government sector.

Under the old circumstances, the Employee Ombudsman was there to protect the interests of those workers in the private sector who were not members of unions, and if they required assistance in terms of industrial relations help, that office was there to provide assistance to those workers. Clearly, those workers who are members of unions were able to be represented by their union representatives. Mr President, you would be very familiar with that system.

Under the new arrangements, the workload for the Employee Ombudsman's office in South Australia has steadily declined. There have obviously been other issues. I am not going to take time this afternoon in relation to the particular difficulties the Employee Ombudsman as an individual is currently going through in relation to other activities that he may or may not have undertaken whilst formerly an office holder within the trade union movement. If need be, we can address those on another occasion.

Nevertheless, that has added to the complexity of what the government has sought to do in relation to the Office of the Employee Ombudsman. It is fair to say that the minister and the government make no reference to that difficulty in their second reading contribution. It is couched in other reasons for the proposed change in arrangements. For a variety of reasons, the Liberal Party is prepared to support the first objective of this legislation—that is, the abolition of the Office of the Employee Ombudsman.

The minister was asked a series of questions in relation to what the termination provisions were for the Employee Ombudsman, and he has made it quite clear that there will be no termination payout. The position will disappear and, other than accrued recreation leave and long service leave—the minister is on the public record; he has given an undertaking to the house—there will be no

payout of contract because he says there is no contract. There will be no redundancy payouts, and we take the minister at his word.

If the minister in charge of the bill in this house has any different information to place on the record, we would ask her to do so. If the minister has none, then we will assume that her position, on behalf of the government, is that she supports the statements minister Rau has made in the House of Assembly in relation to those particular issues.

In our consultation, those stakeholders who did respond—and I have to say it was not overwhelming; it does not appear to be a huge issue for most of the employer organisations in South Australia—supported the government's objective in the abolition of the position. The second proposal was a bit more controversial. We received a range of views from employer organisations, some who supported the government's position, some who expressed concern and one who was violently opposed to the government's proposition.

In summary, the government's argument for the change is that, at the time of the introduction of the bill, which was late last year, the Industrial Relations Commission comprised five persons: the president, two deputy presidents and two commissioners. However, in December of last year, Commissioner David Steel (who came from an employer organisation background) was retiring, which meant that the commission as of the end of 2014 would be left with a president, two deputy presidents and one commissioner, and that one commissioner came from an employee organisation background.

The government claimed in the second reading that, due to the declining workload, the government did not propose to replace Commissioner Steel with another commissioner. The Fair Work Act requires that, if there is an appeal to the full bench of the Industrial Relations Commission against a decision of the sole remaining commissioner, then the full bench must comprise at least one commissioner. However, of course, if Commissioner Steel was not replaced with another commissioner, then that would just be physically and practically impossible. So, this bill is intended to provide a solution to that particular problem.

One of the concerns that has been raised with the opposition was that the government might replace Commissioner Steel with another commissioner, and that commissioner might not come from an employer background. There is a legislative requirement I think—it is not just a convention—that there is a balance in terms of the commissioners in essence broadly representing employer organisations and employee organisations. The government indicated that they were not going to replace the commissioner.

Then there was concern amongst a number of employer organisations that the government was going to appoint an additional deputy president—that is, get around the issue of balancing interests amongst the commissioners by appointing another deputy president. Various names were being speculated, all of which essentially either represented employee organisations' interests or were persons very closely associated with the Labor Party or persons very closely associated with Premier Weatherill.

These issues were pursued with the Minister for Industrial Relations in the House of Assembly, and the minister is on the public record. I quote this because I seek from the minister in charge of this house, before the bill is finally proceeded with, that the position of minister Rau is the position the minister in charge of the bill in this house places on the record for members of the Legislative Council in relation to the government's intentions. Minister Rau was asked by the member for Bragg:

Regarding the intention of the government to replace or add, at this point you say there will be no other appointments made to the Industrial Relations Commission?

The minister is on the record as saying:

Absolutely; that is my position on this. First of all, there are two things that I intend to do. The first is to remove the requirement for there to be a commissioner, which means that we can have a full bench with deputy presidents. Secondly, if we are running short of deputy presidents, if I can find somebody else who is already an existing judicial officer, or suchlike, who is already appointed and is already getting a salary who does not also have a deputy president's hat to wear, and that person is competent and able to do so, I will give serious consideration to making them a deputy president as well—one or two of them, however many, if necessary. But I do not see that as an end to

this. What I am attempting to do is deal with the end of a system which was designed for a completely different time and place. I cannot go on appointing commissioners to sit there and deal with unfair dismissals and industrial disputes in the private sector that they do not hear. That would be silly.

Later on, he says, 'There is absolutely no call for the appointment of a commissioner', etc. So, the minister on behalf of the government in the House of Assembly late last year on 2 December made it clear that he and the government would not be appointing another commissioner and they would not be appointing another deputy president. I seek from the minister, based on the advice that she will receive: is that still an undertaking and a commitment on the record in this house from the minister?

The second issue is an interesting one, because if that is the case, if a particular deputy president goes on leave or is sick, then there are particular problems in terms of constituting an appeal commission. That is why minister Rau talks about potentially finding somebody else who is already being paid in some other jurisdiction (probably the federal jurisdiction), who might be able to also take up this role.

So, my second question is: given this commitment was given on 2 December, I am assuming the minister should be in a position to indicate—now he has had nearly three extra months, 2½ extra months to contemplate this—what are his proposals. It does not mean a change to this legislation, but clearly, as the shadow minister in the area and I think other members who are interested in the jurisdiction will be wanting to know what the government and the minister are thinking in relation to what is a genuine problem if there are to be no further commissioners and deputy presidents appointed. What is the minister's current thinking? How far advanced is he? Can he have, through the minister in this house, put on the public record where he has got to, 2½ months down the track from the answers he gave to the member for Bragg in the House of Assembly?

As I said, a number of employer organisations supported the change, this particular second change. Some expressed some concerns, and one was strongly opposed. I know that the fact that the minister has placed on the public record a commitment that he was not appointing an additional commissioner or deputy president from either an employee organisation background or from a Labor-friendly background (he has not actually said the Labor-friendly bit, but that is the way it has been interpreted) and that there will be no further appointments has moderated some of the criticism from some of those employer organisations which were concerned at what they might have seen as a vehicle for further stacking of the Industrial Relations Commission.

That is why I am asking for the minister to, firstly, place on the record that that is still the minister and the government's commitment in relation to further appointments and also seek some advice in relation to the minister's intentions to cover what will be, potentially, inevitable issues that might arise in terms of constituting an appeal against a particular decision of a commissioner or deputy president on the Industrial Relations Commission. With that, we indicate our support for the second reading, and we look forward to the minister repeating the commitments that minister Rau gave in the House of Assembly.

The Hon. G.A. KANDELAARS (17:38): I rise to support this bill. This bill amends two sections of the Fair Work Act 1994. The bill removes the Employee Ombudsman and also makes changes to the composition of the Full Commission of the Industrial Relations Commission in relation to who it may consist of. The Office of the Employee Ombudsman consists of the Employee Ombudsman and staff to assist the Employee Ombudsman in the performance of functions under the Fair Work Act 1994. Its functions were designed to operate in the context of the former industrial relations system, whereby the state had responsibility for state/private sector and the Employee Ombudsman was considered necessary to protect the rights of non-union-represented workers in that sector.

The Employee Ombudsman's latest report noted that more inquiries were received from the private sector than the public sector, for which the Ombudsman has no statutory function. Since the commencement of the commonwealth Fair Work Act in January 2010, the function of the Employee Ombudsman has been limited to the state public sector and local government employees resulting in a substantially reduced workload for the Employee Ombudsman. All private sector employees are now covered by the commonwealth Fair Work Act. The services once provided by the Employee

Ombudsman for private sector employees are now provided by the commonwealth Fair Work Ombudsman.

The residual function of the Employee Ombudsman for the state public sector and local government sector are already performed by SafeWork SA, a business unit of the Attorney-General's Department, and representative unions such as the PSA and ASU, thus removing the need for a dedicated Employee Ombudsman and office. There are also free or low cost services available to both public and private sector employees. This includes the Legal Services Commission, the Office of the Training Advocate and the Young Workers Legal Service, to name a few.

Consequently, this bill reduces the state government's financial burden of providing services that are already provided by the commonwealth, existing state agencies and other organisations. The bill will also amend the Fair Work Act 1994 to remove the requirement of section 39(3) for the Full Commission of the Industrial Relations Commission to include one or more commissioners. Instead, the Full Commission is to be constituted of one or more presidential members and such number of commissioners, if any, as directed by the President of the Industrial Relations Commission.

The Industrial Relations Commission of South Australia, constituted by the South Australian parliament under the Fair Work Act 1994, has a major role to play in establishing enforceable conditions of employment and in providing for the prevention and resolution of disputes between employers and employees of the state public sector, almost all state government business enterprises and local government in South Australia.

The Full Commission of the Industrial Relations Commission has original jurisdiction in minimum standards applications such as remuneration and the adoption of the Fair Work Australia principles. It also has original jurisdiction in unreasonable conduct applications as well as appeals and references from single members and applications by the minister for review. Currently section 39(3) of the Fair Work Act requires the Full Commission to consist of one or more presidential members and one or more commissioners.

In December 2014 commissioner Steel reached the statutory retirement age and ceased his membership of the commission. Since commissioner Steel's retirement, the commission consists of two presidential members who are also judges of the Industrial Court, one deputy presidential member and one commissioner. Commissioner Steel's retirement and the subsequent reduction in the membership of the commission has given rise to the potential difficulties in constituting full benches of the commission as currently required under section 39 of the act.

With only one commissioner, it would be impossible to constitute a full bench against a decision of the remaining commissioner under the current legislation. Further, an appeal against a decision of the deputy president or a judicial presidential member, by necessity, has to be heard by a full bench which includes the remaining commissioner, including in circumstances where he may have been involved in the matter under appeal by way of conciliation proceedings. While there is no prohibition under the act with respect to that course, it has been the practice of the commission to avoid placing a member who has previously had an involvement with a particular issue on an appeal bench in such circumstances.

My understanding is that the bill will therefore allow for the commissioner to avoid placing members who have had previous involvement with an issue on the full bench for a matter. This amendment provides greater flexibility for the president in constituting a full bench. It does not prevent commissioners sitting on the Full Commission, as the president may still direct a commissioner to sit on the Full Commission. I support this bill and the amendments it makes to the Fair Work Act.

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (17:45): I understand there are no further second reading contributions. As honourable members have noted, this Fair Work (Miscellaneous) Amendment Bill amends the Fair Work Act as well as making consequential amendments to abolish the statutory Office of the Employee Ombudsman and to make changes to the requirement for constitution of the Full Commission of the Industrial Relations Commission.

I thank all honourable members for their second reading contributions and support of this bill. The Hon. Rob Lucas has asked two questions, and I am happy to provide the answer to those during clause 1 of the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. G.E. GAGO: The Hon. Rob Lucas has asked that we again confirm, in this house, that there will be no other appointments to the Industrial Commission, and the advice I have received is that I can confirm that to be the case. The second question was in relation to how appeals might be dealt with if there were a sickness. I am informed that the view is that there are currently resources within the commission to accommodate this sort of occurrence. There are four currently within the court: a president, two deputy presidents and a commissioner.

I am advised that section 35(2) provides for the appointment of an acting commissioner if required. The president and three deputy presidents from the Industrial Court are eligible, as are two deputy presidents recently appointed to the South Australian Employment Tribunal. All are already drawing salaries and I am advised would attract no additional payment, and therefore could accommodate that situation.

The Hon. R.I. LUCAS: The minister has just said, I think, that the Minister for Industrial Relations could, for an appeal, appoint the new Employment Tribunal commissioners, one of whom is, I think, a former law partner of the Premier's. His name escapes me—

The Hon. B.V. Finnigan interjecting:

The Hon. R.I. LUCAS: No, I think Calligeros and Dolphin have just been appointed as the members of the Employment Tribunal. Is the minister saying that minister Rau could appoint one of those two new Employment Tribunal members as a commissioner, on a temporary basis, to handle appeals?

The Hon. G.E. GAGO: I am advised that they could be appointed as deputy presidents of the commission, and there are also powers to temporarily appoint an acting commissioner.

The Hon. R.I. LUCAS: As I understand the position, this is really in the context where there is a sickness or an absence. For example, I understand some of them might have accrued long service leave or whatever else it might happen to be. However, as I said, the major concern of the employer organisations was with the retirement of Commissioner Steel. The arrangement previously was that there was a commissioner from an employer background and there was a commissioner from an employee background. The commissioner from the employer background had retired so, if there was to be another appointment, in the interests of the practice, procedure and convention in South Australia, someone from an employer background was to be appointed.

Now the minister is saying, 'I am not going to appoint any more.' That meant that there could be no commissioner appointed from an employer background. However, in circumstances where an acting commissioner or deputy president has to be appointed and the government and the minister was to appoint someone from the Industrial Court, as I understand it, who comes from an employee background—I think the Hon. Mr Finnigan referred to Mr Lieschke or whoever it might happen to be—then there would be significant concern from employer organisations, in essence, that they had been duded by the minister and the government through this as a particular device.

The minister obviously can resolve that by indicating, in the limited circumstances where this might occur, in the interests of fairness and following the practice and procedure, that there be a balance in terms of the constitution of the appeal body—that they would not all be people from an employee organisation background but that there would be at least some representation from an employer organisation background. If this legislation goes through, that is obviously completely at the behest of the Minister for Industrial Relations, minister Rau.

We are not intent on holding this bill up past this week, or indeed even beyond today, but I ask the minister whether she is in a position at the moment, or whether she is prepared to adjourn and seek some advice from minister Rau as to his intentions in relation to this. It is a straightforward matter in terms of what his intentions would be.

He obviously cannot give names or whatever but, in the circumstances we are talking about, particularly as the minister is indicating that the new members of the Employment Tribunal are potentially eligible to be appointed by the minister, if minister Rau through minister Gago is prepared to give any indication of his bona fides in relation to this, it certainly might mollify some of the employer organisations' concerns originally about the legislation and now, given this advice from the minister, about what might potentially be being contemplated by the minister and the government. Certainly, if that was the case, I think it would be useful if an assurance or an indication from the minister could be given.

The Hon. G.E. GAGO: I have been advised that the sections to which the question refers are sections 30 and 34, which outline the process for the appointment of a president and deputy president and/or commissioners. That stipulates that the minister is required to consult, and it stipulates a range of stakeholders.

The Hon. R.I. LUCAS: Sorry, before the appointment of an acting commissioner?

The Hon. G.E. GAGO: Before the appointment of an acting commissioner. Section 34 provides that the minister must consult confidentially about the proposed appointment and that the panel consist of the usual suspects: a nominee of the United Trades and Labour Council, the South Australian employers chamber, the House of Assembly (appointed by a resolution of the house), a nominee of the Legislative Council and the Commissioner for Public Sector Employment. That is a requirement within the act.

The Hon. R.I. LUCAS: I will return to that in a moment, but I have just found the minister's press release. The two deputy president appointments to the Employment Tribunal are Mr Calligeros, who is a partner at Minter Ellison, and Mr Steven Dolphin, a Principal at Lieschke & Weatherill Lawyers who has practised in employment and labour law, industrial relations law and workers compensation law across many courts, including the Federal Court and the Fair Work Commission.

One of the concerns we raised during the debate last year regarding the Employment Tribunal—unsuccessfully as it was in the end—in relation to the SACAT as opposed to the Employment Tribunal was this government's record in relation to appointing fellow travellers. Clearly, anyone with an association with Premier Weatherill seemed to do pretty well. The Hon. Mr Finnigan pointed out that Stephen Lieschke, who is an Industrial Magistrate in the Industrial Relations Court of South Australia, was obviously a partner of Lieschke & Weatherill. Steven Dolphin has just been appointed and he is a principal at Lieschke & Weatherill. One need only look at some of the other names: Judge Leonie Farrell, of course, has very strong connections with the right faction of the Labor Party, as the Hon. Mr Ngo and the Hon. Mr Finnigan would be aware.

Some of the other names in the Industrial Relations Court and the commission have very strong connections to the Labor Party, as I indicated before. It was one of our concerns about the government's intentions with this Employment Tribunal. One of the first two appointments, of course, is a principal at Mr Weatherill's old legal firm.

So, what the minister has just indicated is that, potentially, Steven Dolphin could be appointed to this appeal commission. I just want to clarify: could Industrial Magistrate Stephen Lieschke, under the indication that the minister gave, also be one of the persons appointed as an acting commissioner to hear one of these appeals?

The Hon. G.E. GAGO: In terms of the latter question, I am advised that no, he is not eligible. Going back to your first question, or your concerns that you were expressing, I just remind honourable members that commissioner Dolphin is only one of six eligible who are currently appointed to higher offices than the commissioner. There are a number of both employer and employee-based, if you like, people within those six, so there is still ample opportunity to be able to select a balance of representatives. The process is really locked down, or is bound, by the provisions in the act that

require some pretty highbrow consultation and consideration as to who might be a suitable acting commissioner.

The Hon. R.I. LUCAS: Can I just clarify then? The printout I got from the Industrial Relations Court, Industrial Relations Commission and Workers Compensation Tribunal lists Stephen Lieschke as an industrial magistrate for the Industrial Relations Court but also listed him as a deputy president of the Workers Compensation Tribunal. Does he hold or is he about to hold a position with the Employment Tribunal?

The Hon. G.E. GAGO: This is Lieschke you are asking about?

The Hon. R.I. LUCAS: Yes, Lieschke.

The Hon. G.E. GAGO: I am advised no.

The Hon. R.I. LUCAS: So, he is no longer a deputy president of the Workers Compensation Tribunal?

The Hon. G.E. GAGO: I am advised that he remains a deputy president of the Workers Compensation Tribunal; however, he has not been appointed to the SAET.

The Hon. R.I. LUCAS: As deputy president of the Workers Compensation Tribunal, would he or would he not be eligible to be appointed as a commissioner to hear one of these appeals?

The Hon. G.E. GAGO: I am advised yes.

The Hon. R.I. LUCAS: Yes, he would be eligible?

The Hon. G.E. GAGO: I am just advised that the adviser has corrected the answer.

The Hon. R.I. LUCAS: So, what is the corrected answer?

The Hon. G.E. GAGO: Can you just ask the question again?

The Hon. R.I. LUCAS: Yes, sorry. I originally asked the question—and I am not experienced in this jurisdiction—whether Stephen Lieschke, as an industrial magistrate in the Industrial Relations Court, would be eligible to be appointed as a commissioner to hear an appeal, and the answer to that was no. Then, I asked a question: isn't Stephen Lieschke a deputy president of the Workers Compensation Tribunal and, wearing that hat, could he be appointed as an acting commissioner? So, I am seeking to establish the answer to that question. Can Stephen Lieschke, wearing any hat, be appointed as an acting commissioner?

The Hon. G.E. GAGO: The adviser has corrected that answer, and I am sorry to have misled you. The answer is yes to both questions.

The Hon. R.I. LUCAS: To both questions?

The Hon. G.E. GAGO: To both questions, yes, he is eligible. I apologise for an incorrect answer.

The Hon. R.I. LUCAS: I accept that the minister is only passing on the information from the adviser. I think that, as I said, does raise the issue which I want to leave with the minister and, if she cannot get a response from minister Rau on the issue immediately—and I expect that—whether we should be prepared to adjourn until tomorrow. The minister has said that, under section 34:

(1) The Commissioners are the persons appointed by the Governor as Commissioners.

(2) Before a person is appointed (or reappointed) as a Commissioner, the Minister must consult confidentially—

with this panel that she talked about.

I am taking it that the minister's advice from her adviser is that that clearly applies to a commissioner being appointed. But what we are talking about here is a temporary appointment of a commissioner and I take it that the minister's legal advice is that these provisions of the act apply to temporary appointments for acting commissioners for an appeal purpose, in addition to clearly what they were intended to be which was when you are really appointing a commissioner in the jurisdiction.

The Hon. G.E. GAGO: I am advised that it would apply to the positions of commissioner or acting commissioner. They would both be captured under section 34.

The Hon. R.I. LUCAS: Mr Chairman, I am wondering whether and, as I said, there is no intent from me to seek to unduly prolong the committee stages or this bill, but there are strong views which the minister's adviser would be aware of from some employer organisations. The government and the minister's advisers might not be particularly fussed with that, but they would at least be aware of that, and one of those concerns is this view that because commissioner Steel is not being replaced by someone from an employer organisation's background that in some way the jurisdiction and appeal might be stacked.

Clearly, what I am asking is whether the minister is prepared to report progress and seek a statement from the minister. He may not be prepared to give it and that is fair enough. We will have to make a judgement then on the basis of whatever the minister's considered statement might be. But what comfort can you give to those who are concerned, for example, if there was an appeal, that, because commissioner Steel has not been replaced by someone from an employer background, that the minister in the appointment of an acting commissioner would not, in essence, stack the appeal bench (if that is the right word for it) by appointing, for example, someone from an employee organisation background in all circumstances.

Now, if there is already on the appeal bench someone representing an employer organisation interest then I think the employer organisations would be comforted by that, but if the whole of the appeal bench was to be constituted by people from employee organisation backgrounds, and minister Rau was then to appoint deputy president Lieschke, or deputy president Dolphin, or both of them in certain circumstances, then there would be concerns from employer organisations that minister Rau, through a device, has managed to negate some pretty strongly-held views that they have about the appropriateness of this.

They have not gone into the public arena on this particular issue because of the assurances that the minister gave the lower house about not appointing other commissioners and deputy presidents. They have maintained their criticisms and concerns directly to myself, as the shadow minister. But I think we should at least give the minister an opportunity, on reflection overnight, to come back and see what he is prepared to put on the public record, and then we can have a quick consultation with the employer organisations to see what, if anything, they would like to put on the public record in terms of either their concern or their willingness to accept the undertaking from the minister. So I would ask the minister whether she would be prepared to take that on notice and report progress and we can reconvene tomorrow.

The Hon. G.E. GAGO: I am happy to take that question on notice and move that progress be reported.

Progress reported; committee to sit again.

At 18:09 the council adjourned until Wednesday 25 February 2015 at 14:15.