

LEGISLATIVE COUNCIL

Thursday, 19 March 2015

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 14:18 and read prayers.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

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

Maralinga Lands Unnamed Conservation Park Board—Report, 2013-14

Ministerial Statement

COMMISSIONER OF POLICE

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) (14:19): I table a copy of a ministerial statement relating to the Commissioner of Police made earlier in another place by the Hon. Jay Weatherill.

NUCLEAR FUEL CYCLE ROYAL COMMISSION

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) (14:19): I table a copy of a ministerial statement relating to the royal commission into the nuclear fuel cycle made earlier in another place by the Hon. Jay Weatherill.

Question Time

VOCATIONAL EDUCATION AND TRAINING

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question about vocational training in agricultural sectors.

Leave granted.

The Hon. D.W. RIDGWAY: Yesterday I asked the minister a series of questions about an exponential increase in the cost of the TAFE SA Certificate IV in Veterinary Nursing, none of which she was able to answer. The Hon. Robert Brokenshire, recognising the direct linkage between employment and agriculture and the cost of training, asked the minister how she expected people to get trained. On that note, I can now put on the record that I have received advice that 28 students have recently dropped the course, some of whom were in their third year of training, purely due to the fee increases. I can confirm that veterinary practices have been contacted and some are recommending that their staff, who are undergoing the course, take up external studies with Open Colleges Victoria; some practices who have contacted TAFE directly assert they have been told that the fee increase is a response to the cut in Skills for All funding. My questions are:

1. Notwithstanding her explanation yesterday that TAFE fees are an operational matter, has the minister received any advice that the course fees would be increased as a direct response to cuts in Skills for All funding?
2. Has the minister received any advice about the impact the course fee changes have had on the number of veterinary nursing student numbers?
3. Has the minister been advised that the students are leaving TAFE to study at the same or equivalent courses through interstate RTOs?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:21): I thank the honourable member for his questions. I have already answered these questions in full yesterday. I made it quite clear that issues to do with the fee structure for TAFE and, for that matter, other RTOs, are a matter for those businesses. I referred the honourable member to making his inquiries directly. Operational matters are a matter for the TAFE SA board. It is an independent statutory authority and operational matters should be directed there.

I have already put on the record quite openly and categorically information about changes to the funding structures in relation to vet training. I have already indicated that considerable additional money was made available under Skills for All in relation to the funding of 100,000 additional training places and that we have achieved that target. Those funds are spent and we are now resuming pre-Skills for All funding levels. One would absolutely assume that RTOs are adjusting their fee structures accordingly, just as they adjusted them when all of that additional money was made available at the outset. As I said, in terms of any other details, I refer the honourable member to TAFE SA.

TUNKALILLA BEACH

The Hon. J.M.A. LENSINK (14:23): I seek leave to make a brief explanation before asking a question of the Minister for Sustainability, Environment and Conservation about Tunkalilla Beach.

Leave granted.

The Hon. J.M.A. LENSINK: In December 2013 it was reported that the Department for Environment, Water and Natural Resources was engaged in secret negotiations with Mr Kerry Stokes over the sale of property at Tunkalilla Beach on the Fleurieu Peninsula, which was also not subject to a public tender. The minister stated that DEWNR were pursuing the 'private sale of land in order to significantly enhance the Heysen Trail' for walkers to access coastal views.

The surrounding landowners at the time indicated concerns with the sale which would prevent coastal access and potentially cause significant environmental damage. In estimates last year the minister stated that there had been a 'delay in the sale of land at Tunkalilla Beach and will be carried over into 2014-15'. Can the minister provide an update on the sale of this property and an explanation as to the delay?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:24): I thank the honourable member for her most important question. As we mostly understand, the Heysen Trail is one of our great state icons. It extends from the Fleurieu Peninsula to the Flinders Ranges and passes through some of the state's most scenic landscapes, and I expect that almost all members in here have probably walked on at least part of the Heysen Trail in their careers, if not all of it. I do not know that I can claim that I have hiked all of it, but I would like to hear from honourable members who have done and—

The Hon. J.M.A. Lensink: I'd like to see that, minister.

The Hon. I.K. HUNTER: Perhaps we can go together, Hon. Ms Lensink, traipsing off into the Heysen Trail, into the Never Never. One of the most spectacular parts of the Fleurieu is within a large coastal property called Balquhider Station, and an agreement to develop a route for the Heysen Trail through this property has not yet been finalised. The Heysen Trail therefore goes around this property and moves inland away from the coast. The ideal outcome would be to have the Heysen Trail continue along the spectacular clifftop landscapes down that part of the Fleurieu.

An amount of \$1.1 million has been allocated in the 2014-15 budget to improve the Heysen Trail on the Fleurieu Peninsula, putting in some more infrastructure, for example, but to enable public access through the Balquhider Station we will need to manage a realignment of the Heysen Trail, and that is what we are investigating with the private landowners. Discussions are underway between the department and the owners of Balquhider Station, and they are continuing. Public access, I am advised, to nearby Tunkalilla Beach will be maintained, and that is an important aspect of negotiations as well. When I have a further update I will have great joy and delight in bringing it to the house.

TUNKALILLA BEACH

The Hon. J.M.A. LENSINK (14:26): Does the minister have an approximate time frame when this might be finalised?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:26): My major concern is to get a good outcome for the state and for South Australian walkers, so rather than rush it and try to get an outcome as soon as possible, I want to maximise the return for the state and our citizens. I will continue those negotiations through the department to get the ideal outcome that people who enjoy the Heysen Trail will be hoping for.

KANGAROO ISLAND WILDERNESS TRAIL

The Hon. S.G. WADE (14:26): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question about the Kangaroo Island Wilderness Trail.

Leave granted.

The Hon. S.G. WADE: In last year's state budget the government allocated funding towards the cost of completing a 63 kilometre wilderness trail on the south-west coast of Kangaroo Island. Last week on 13 March the minister announced that the new trail would be constructed by a Tasmanian company, Dirt Art. The minister indicated that the construction of the new trail was underway, and that the entire project was due for completion in June 2016. My questions to the minister are:

1. What is the value of the contract awarded to Dirt Art?
2. Was the contract put out to public tender?
3. Given that the government claimed that the establishment of the Kangaroo Island Futures Authority demonstrates its commitment to increasing the island's economic development and increasing employment, is the awarding of this contract to an interstate firm consistent with the government's stated objectives?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:27): I thank the Hon. Stephen Wade for his very pertinent questions. Kangaroo Island is recognised as a landscape of national significance and is an established ecotourism destination. It is estimated that Kangaroo Island parks are responsible for over 20 per cent of the economic activity associated with nature-based tourism in South Australia.

The Kangaroo Island Wilderness Trail project will provide a new internationally competitive multi-day walking experience along the south-west coast of Kangaroo Island, which we hope will increase the tourism attractiveness, particularly for those involved in ecotourism, of the island and therefore the state, contributing to our commitment to continue to grow South Australia as a destination of choice for international and domestic travellers.

The trail also has the potential to bring economic benefits to the state and opportunities for the private sector to invest in accommodation or new tourism products on Kangaroo Island. A recent report estimates that post construction total visitor expenditure relating to the trail will be about \$4.4 million by 2020, and the operation of the trail, therefore, with that increased new expenditure from visitors would support in the order of 46 ongoing jobs on KI.

It is expected that the trail will be completed by June 2016, as the honourable member said. The total cost of the project is, I am told, about \$5 million and consists of three major components: the walking trail construction, campsite infrastructure design and supervision, and campsite infrastructure and construction.

The Tasmanian company, Dirt Art Pty Ltd, has been engaged to construct the walking trail, and Dirt Art were by far, I am advised, the overwhelmingly preferred tenderer. There was a select tender undertaken for walking trail construction. I am advised that eight contractors tendered for the works, with six submitting bids by the tender closing date.

The tenders were carefully assessed on a range of factors to ensure the trail would be designed for sustainability and sensitivity to the environment, and be of a world-class standard. Dirt Art, I am advised, is highly regarded in the industry for trail design and construction. They have significant specialised engineering experience in this field, particularly in the construction of mountain-biking trails, I am told. I am also advised their tender represented excellent value for money and was able to exceed the pre-tender estimates for the timeline required. On this basis, they were the candidate most suited to deliver the project.

Dirt Art is committed to engaging local South Australians for employment to complete the project and will include the opportunity for ongoing employment with the company after the project is completed. I am advised that four South Australians have already been recruited, with the potential for a further six or so to be employed as the project progresses. They will work with the South Australian company Shannon Architects, who have been engaged to design and project manage the four campsites to be constructed along the trail route. Only South Australian construction companies, I am advised, will be considered for the campsite construction as part of the selective tender process.

The Hon. R.L. Brokenshire: Is this a ministerial statement? Let's get on with some real questions.

The PRESIDENT: Order!

The Hon. I.K. HUNTER: There are some members of the chamber who are actually interested in Kangaroo Island and building up the state's ecotourism prospects. We want this trail to be not just a trail for Australia and a national trail of significance, we want it to be a world-class trail. That is why we had such high expectations for the tender process. That is why we went with the company that offered the best tender on many of the criteria that were set.

In relation to the Hon. Mr Wade's last question, I understand, of course, our desire for South Australian companies to win these sorts of contracts, but let's be very careful about how we project this view, because we want South Australian companies to be successful in tendering for projects all across Australia, not just in South Australia—all across the nation. So, if we are to have that expectation, it would be very negative of us to actually say, 'We are not going to accept the best tenders for projects from companies from interstate as well.' If we expect our companies to compete on the national stage, we must then be open to accept best tender options from companies from interstate to work in South Australia, employ South Australians and give us a world-class outcome. That is what I want for this walking trail and that is my expectation.

KANGAROO ISLAND WILDERNESS TRAIL

The Hon. S.G. WADE (14:32): I thank the minister for the answer, and it was unusually pertinent to the question. Could I clarify: the minister kindly indicated a couple of the criteria against which the contract bids were assessed, and I wonder whether local employment and economic development were one of the criteria?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:32): I thank the honourable member for that incredible praise, which is unusual in this place, in terms of my response. Tenders, I am advised, were evaluated on a range of criteria, including:

- compliance with tender requirements, weighted at 10 per cent;
- value for money, weighted at 15 per cent;
- demonstrated experience and ability to deliver trails in accordance with International Mountain Bicycling Association trail construction guidelines, weighted at 20 per cent;
- demonstrated experience working in environmentally sensitive areas, weighted at 15 per cent;
- project management and methodologies, weighted at 20 per cent;
- demonstrated ability to meet timeframes, weighted at 10 per cent; and

- industry participation policy, weighted at 10 per cent.

The Hon. S.G. Wade: Two relevant answers in a day.

The Hon. I.K. HUNTER: Mr President, I will try to refrain from being relevant for the opposition for the rest of the day.

ENTREPRENEURIAL EDUCATION INITIATIVES

The Hon. T.T. NGO (14:33): I seek leave to make a brief explanation before asking the Minister for Science and Information Economy a question about education for potential young entrepreneurs in South Australia.

Leave granted.

The Hon. T.T. NGO: We rightly champion Australia's great innovators and businesspeople who have created many of our successful enterprises, sometimes virtually from scratch. While it is difficult to teach innovation per se, the rapid rate of technological change means that new products and ideas can emerge very quickly and start-up businesses must be suitably ready to scale up and adapt to changing circumstances. My question is: can the minister tell the house about education initiatives that could help our next generation of entrepreneurs?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:34): I thank the honourable member for his most important question. Mr Ian Chubb, Australia's Chief Scientist, in his September 2014 position paper called 'Science, technology, engineering and mathematics: Australia's future', recommended that governments promote an entrepreneurial culture by integrating innovation and entrepreneurship into mainstream school curricula.

Traditionally, the Australian school curriculum has not been all that strong in teaching entrepreneurship, but that could be about to change thanks to the state government-funded initiative entitled Venture Dorm for Teachers. The three-day workshop will be conducted in the April school holidays. It will explore how teachers can help students better grasp the concept of entrepreneurship.

Some 30 trainee primary and secondary school teachers will discuss how to generate start-ups and test their feasibility with potential customers, partners and competitors. Venture Dorm for Teachers will be delivered by the New Venture Institute of Flinders University and the Australian Science and Maths School in conjunction with the Department for Education and Child Development. The initiative builds upon a suite of other entrepreneurship initiatives targeted at university students and existing workers and businesses such as the MEGA program, the SA Youth Entrepreneurship Scheme and the Venture Catalyst program.

The recent South Start Entrepreneurship Conference on 4 and 5 February at the Adelaide Convention Centre, also funded in part by the state government, demonstrated that there is already a really healthy cohort of aspiring young entrepreneurs here in South Australia. Many of them certainly seized the opportunity to pitch their ideas to the 600-strong audience, which included a number of potential interstate and overseas investors. There is strong interest among Adelaide's growing entrepreneurial ecosystem, centred around such places as Majoran and other co-working spaces, in learning how to create viable business models that are scalable and repeatable in the rollercoaster world of new enterprise creation.

The Venture Dorm for Teachers initiative will ultimately help create the next generation of entrepreneurs who are no doubt already tinkering with possible phone apps and dreaming up products for the emerging 'Internet of things'. There has also been a very encouraging and high degree of interest from teachers in participating in those courses, with all places being filled very rapidly. There will be a follow-up workshop in June which will include training in integrating entrepreneurship teaching into curriculum.

The program has been designed to specifically help teachers so that they can apply the concepts into the classroom, whether it's in maths, science, IT or art. The unique experiences provided by Flinders University's New Venture Institute help develop critical thinking and problem-

solving skills and, it's anticipated, will provide a solid foundation in developing the entrepreneurial spark.

The government is very focused on ensuring that there is a strong pathway between STEM education in schools, tertiary education and also the world of work and business. However, not all STEM jobs will be in large companies, governments or institutions. The self-starters, as demonstrated by the enthusiastic young presence at the South Start conference, will play a key role in the next generation of problem-solvers and innovators. While the Venture Dorm for Teachers initiative is still a pilot study at this stage, if we can foster an entrepreneurship mindset in our young people, we can provide them with some very powerful and useful skills for them to use into the future.

Ministerial Statement

RIVERBANK PRECINCT

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:38): While I am on my feet, I table a ministerial statement by the Deputy Premier John Rau on the Festival Plaza development.

Question Time

MUNICIPAL AND ESSENTIAL SERVICES PROGRAM

The Hon. T.A. FRANKS (14:39): I seek leave to make a brief explanation before addressing a question on the topic of the National Close the Gap Day and the future funding of municipal and essential services to Aboriginal communities and homelands to the Minister for Aboriginal Affairs and Reconciliation.

Leave granted.

The Hon. T.A. FRANKS: As the minister and, indeed, this council are no doubt aware, since 1973, the federal government has been responsible for funding municipal and essential services in remote Aboriginal communities and homelands. In September last year the federal government struck deals with four states (Victoria, Queensland, Tasmania and Western Australia), which meant that responsibility for funding these services was transferred to those states. In WA, Premier Barnett has indicated that 150 remote communities will now be closed or potentially closed.

South Australia did not enter into such a deal with the federal government and at this stage, it is my understanding, still does not have such a deal, yet the federal funding cuts are supposed to start from 1 July 2015, in just over three months' time. People's health and wellbeing will be affected in the absence of rubbish being collected and infection being more likely to spread and, in the absence of a safe supply of water, dehydration and an increase in waterborne disease is likely. In the absence of properly maintained aerodromes, the planes for the flying doctor or emergency evacuations will not be able to land or take off. This is just a taste of what the impact of the loss of this funding will do. My questions to the minister are:

1. Can he update this council, and indeed communities that will be affected in South Australia, as to the progress of any negotiations between himself as the minister and his federal counterpart?
2. Does he agree that closing communities will widen the gap?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:41): I thank the honourable member for her question and her longstanding and obvious interest and passion in this area. In terms of municipal and emergency services funding, I have appreciated over the last couple of weeks having discussions with my federal counterpart, Senator Scullion, the federal Aboriginal affairs minister, on these issues. I have appreciated his openness and willingness to discuss and negotiate around MUNS funding.

The Municipal and Essential Services (MUNS) program was funded to the tune of about \$9.6 million in 2013-14. As the honourable member pointed out in her question, for the last half a century the commonwealth government has provided this sort of funding, I understand, direct to

communities. I agree with most of what the honourable member said in her question: that if the commonwealth ceases to fund these services these services will be potentially under threat. It is not a desirable outcome to have all communities that receive MUNS funding closed down. The withdrawal of MUNS funding will have far-reaching and quite dire consequences in Aboriginal communities across the state.

It is estimated that there are more than 4,000 Aboriginal residents in approximately 60 locations, from the Coorong to places west of Ceduna, right up to the Northern Territory border, who in some way or another rely in some part on this municipal services funding. I acknowledge and understand the unease this is causing in Aboriginal communities. I have visited a number of remote and regional communities that may be affected through the removal of MUNS funding from the west of Ceduna down to the Coorong over the last few weeks.

I understand that some MUNS funding goes to basic services that the rest of South Australia can reasonably expect, including roads, rubbish collection, dust and dog management. Again, I understand the unease and anxiety this is causing and I have undertaken to the communities I have visited, from community councils and CEOs who have contacted me and who I have talked to personally about this, that if there is anything further, as soon as it happens in negotiations with the commonwealth, I will let them know as soon as possible.

The honourable member touched on closing the gap. It is, of course, National Close the Gap Day today, which is a good time to reflect upon some of the wide gaps that still remain between Indigenous and non-Indigenous Australians. I attended an event today and I am pleased to note that, in many communities across South Australia, Aboriginal health centres in particular are holding events to highlight some of the gaps that still remain between Indigenous and non-Indigenous Australians.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to acknowledge the presence today of our friends from the Pan-Laconian Society of South Australia and the Islamic Society of South Australia, who are being hosted by the member for Elder. I welcome you here today.

Question Time

COUNCIL RATE CONCESSIONS

The Hon. J.S.L. DAWKINS (14:44): I seek leave to make a brief explanation before asking the Leader of the Government in this chamber questions regarding government advertising and pension concessions.

Leave granted.

The Hon. J.S.L. DAWKINS: At the beginning of this month, the Weatherill Labor government launched a \$1.1 million political campaign using taxpayers' money to advertise a blatant mistruth that the federal Coalition government was responsible for the plan of the Treasurer, the Hon. Tom Koutsantonis, to cut pension concessions, especially for council rates. However, contrary to this campaign and the Treasurer's bold statements on this issue, your counterpart in the other place, the member for Croydon, in response to a recent constituent letter, wrote:

I think the way the concession is legally structured, it is probably impossible for the State Government not to pick up the tab...I predict you'll keep the rebate.

Besides the fact that a presiding officer has actually contradicted a member of the executive, namely, the Treasurer, on such an important piece of the government's agenda, the fact remains that the Speaker—who, indeed, served as the state's chief legal officer for eight years—has conceded that the state government's cash grab from those who can least afford it is 'probably impossible'. Given the Hon. Mr Atkinson's comments:

1. Will the minister concede that the use of \$1.1 million of taxpayers' money on partisan ads was a misuse of government funds, given that the Speaker of the other place has all but conceded that the cuts to the pensioner concessions for council rates will not happen?

2. Will the minister confirm that the \$1.1 million of taxpayers' money spent on the advertising campaign would have paid for council rate rebates for 5,790 South Australian pensioners?

3. Given the Speaker's view expressed in his correspondence, will the government cease this political advertising campaign?

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) (14:46): I thank the member for his question. I can't believe that the Hon. John Dawkins can come into this chamber and not hang his head in shame in relation to the Liberal Abbott government's despicable actions of reducing—

Members interjecting:

The Hon. G.E. GAGO: —of taking away really important concessions, particularly to older—

Members interjecting:

The PRESIDENT: Order! The minister has the floor.

The Hon. G.E. GAGO: Absolutely despicable. I cannot believe that he doesn't come in—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Maher, your leader is on her feet giving an answer to a very important question. I would have thought, as a minister, you would have respect for that. Minister.

The Hon. G.E. GAGO: Thank you, Mr President. As I said, I cannot believe that the Hon. John Dawkins and his other Liberal colleagues can come into this place and not hang their head in shame. It is absolutely despicable; it is despicable what the Liberal Abbott government has done—

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

The PRESIDENT: Order!

The Hon. G.E. GAGO: —to older South Australians and other disadvantaged South Australians—absolutely despicable that they would take money from some of our most disadvantaged South Australians and syphon it off to those who can afford it the most. It is an absolutely despicable and shameful thing that the federal government has done in terms of removing those funds from our budget, and it has left this state government with no other course of action available than to call this and to show this for exactly what it is, and that is a despicable and shameful federal government take of money from some of our most disadvantaged South Australians. Absolutely despicable behaviour!

COUNCIL RATE CONCESSIONS

The Hon. J.S.L. DAWKINS (14:48): Supplementary: does the Leader of the Government agree with the member for Croydon?

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) (14:49): I agree with this government's actions to fight the Liberal federal government as hard as we can and for as long as we can to make sure we have these funds restored, given back to those South Australians who need them the most. I cannot believe that a Liberal federal government would take such despicable steps to take funds from those South Australians who are already some of our most disadvantaged. It is a despicable thing and it is only a Labor government that is prepared to stand up. It is only a Labor government.

What have the Liberal members opposite done? What have they done to stand up for our most disadvantaged? Nothing; complete silence is what we hear from the Liberals opposite. We hear nothing, complete silence. They refuse to stand up for South Australians, they refuse to stand up to

their federal Liberal mates, and they just stand idly by and watch them rip the heart out of our valuable concession funds, funds for some of our most disadvantaged South Australians.

POLITICAL ADVERTISING

The Hon. R.L. BROKENSHERE (14:50): I have a supplementary question based on the minister's answer. Can the minister explain why, whilst these cuts have occurred across Australia, South Australia is the only state that is not picking up the cuts? Can the minister confirm that, whilst they are going to rip \$190 a year in rebates off property owners who are pensioners, it is only effectively a 10 per cent cut from the federal government? Why is South Australia playing this game?

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) (14:50): What a disgrace, what a shameful disgrace you are, Hon. Robert Brokenshere.

Members interjecting:

The PRESIDENT: Order! The minister is trying to answer a question.

The Hon. G.E. GAGO: What a disgrace you are to stand up in this place and condone such despicable actions of the federal Liberal government. Shame on you; shame on you!

The Hon. T.A. FRANKS: Point of order, Mr President. The minister is not directing her comments through you. Indeed, she is calling you a disgrace, as she is phrasing it at the moment.

The PRESIDENT: Minister.

The Hon. G.E. GAGO: Shame on you; shame on you, Hon. Tammy Franks. Shame on you for not standing up for South Australians. Where is your voice for some of our most disadvantaged? Shame on you!

Parliamentary Procedure

VISITORS

The PRESIDENT: Before we go on, I would like to welcome the Islamic Society of South Australia to the parliament. It is good to see you here.

Question Time

WASTE MANAGEMENT

The Hon. J.M. GAZZOLA (14:51): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister inform the chamber about the recent South Australian Waste Summit and how this will contribute to strengthening the growing waste sector?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:52): I thank the member for his most important question; he is always on the ball, this man. On Tuesday 3 March I had the great pleasure of officially opening the 2015 South Australian Waste Summit, where over 50 people and representatives from the waste industry came together to discuss how we can further strengthen the sector to generate great environmental and economic benefits for our state. At the outset, I would like to thank the staff of the EPA and Zero Waste SA for their hard work in organising the summit, and all the participants for taking time out of their busy schedules to participate.

There is no doubt, of course, that South Australia's leadership in waste management and recycling continues and is recognised around the country. Our recycling rates are amongst the world's best, but we think they need to improve even further as we work to make Adelaide the world's first carbon-neutral city through the establishment of an Adelaide green zone. Waste management and recycling will be central to achieving this ambition, alongside low emission transport and renewable energy generation.

We are well on the way to achieving real reform in this sector, and this was the perfect backdrop for the discussions during the waste summit. The summit was also timely because it coincided with the release of South Australia's Draft Waste Strategy for 2015-20 for public

consultation. It became clear that there was a real consensus that we need to move the waste industry to the next level of achievement.

South Australia has effective waste management infrastructure and a culture of environmental responsibility that is second to none. However, we must continue to focus on waste reduction because, whilst we have become better at recycling, at disposing of less and reusing the waste we have, we do continue to generate far too much of it. We also have to continue to identify innovative solutions and new responses to waste management, and to more efficiently manage our scarce resources.

There is enormous economic potential arising from new technologies and the trend towards re-manufacturing, and realising economic potential from innovation in technology is the overriding ambition of this third waste strategy. The billion-dollar waste and resources sector is already driving the growth of companies developing new technologies for manufacturing products recovered from waste materials. Our aim is to help South Australian businesses become even more resource efficient, resilient and competitive, because this will help secure South Australia's economic advantage and maintain and grow our prosperity, while at the same time protecting the environment.

South Australia is perfectly placed to capitalise on overseas business opportunities by supplying our expertise, our knowledge and our technologies. More than ever before, the success and implementation of our waste strategy will require a shared responsibility across governments, businesses, industry and the community. I have no doubt that by working together South Australia will maintain its leadership in this area and its reputation as a state willing to put policies in place that will improve our health, our environment and our economy.

This was a resounding message expressed during the waste summit. I encourage anyone with an interest in this very important sector to get involved. If people care to look at the waste summit's outcomes, they could look up Zero Waste's website. I look forward to further participation with this industry as we grow it to even greater heights, promoting our experience, our technology and jobs in this important sector.

AUSLAN TRAINING

The Hon. K.L. VINCENT (14:55): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question regarding the training and employment of Auslan sign language interpreters and captioners.

Leave granted.

The Hon. K.L. VINCENT: As I mentioned a couple of days ago in this place, following the Adelaide Hills bushfire events, Dignity for Disability has been doing some work to discuss how emergency services and emergency broadcasts could be made more accessible to people with disabilities and the deaf community. In particular, we have been looking at the need for live, open captioning during television broadcasts, the need for accredited, specially trained Australian sign language (Auslan) interpreters to provide live interpretation during broadcasts, and also the need for emergency preparedness resources to include Auslan interpretation.

It is worth noting that, with the ageing of the South Australian population and the increasing culturally diverse population that we have, the need for both closed and open captioning in our television broadcasts is only going to increase, and there are a variety of communities that would benefit from the use of both Auslan interpretation and captioning in broadcasting. My questions to the minister are:

1. What broad policy initiatives does the minister have in place for the ongoing training of caption providers and Auslan interpreters? If there is no broad policy initiative in this area, why not?
2. What training is currently in place in South Australia to develop and accredit Auslan interpreters and caption providers in the workforce?
3. How many current professional accredited Auslan interpreters do we have in South Australia and how many of those gained their accreditation here?

4. How many current accredited captioners do we have in South Australia who also completed their training here?

5. Does the minister have any plans to list training for Auslan interpreters and caption providers in her priority list for the Skills for All program in the future?

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) (14:57): I thank the honourable member for her most important questions. Indeed, the availability of captioners, signers and interpreters is a valuable part of our ability to be able to communicate with all members of our society. Most of the questions that the honourable member has asked pertain to federal policy matters in terms of broadcasting policy and the like, so they are outside of the purview of my responsibilities. Nevertheless, they are areas that I think are important.

As state members it is important that we continue to lobby and ensure that our federal colleagues are made aware of the importance of continuing to develop good policy in these areas, and I am certainly willing to do that. In relation to the courses available for interpreters, course contents are put together by course curriculum development involving wide sectors of the community. I would be surprised if issues around broad communication options had not been considered, but I will certainly make sure that they are brought to the attention of those policymakers.

AUSLAN TRAINING

The Hon. K.L. VINCENT (14:59): Supplementary: is the minister able to answer the question that is not related to the Skills for All program; that is, how many Auslan interpreters and captioners do we have here in Australia, currently professionally accredited?

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) (14:59): I believe that they are accredited federally, but I am happy to take that on notice and bring back a response.

UNEMPLOYMENT FIGURES

The Hon. J.S. LEE (14:59): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question about unemployment.

Leave granted.

The Hon. J.S. LEE: On 9 March, *The Advertiser* reported about the government's 2010 election promise which was to create 100,000 jobs in six years, yet the government has merely achieved just a fraction of the target with 12 months to go. Marking the fifth anniversary of the pledge, *The Advertiser's* analysis shows that South Australia has achieved the worst jobs growth result of any state of the period, adding just 2,700 positions. In fact, there are 6,400 fewer jobs now than when Labor first made the promise five years ago. Economists, businesses and the social services sector have renewed calls for urgent government action amid fears that the state's employment situation will worsen before it improves. My questions to the minister are:

1. Can the minister explain how South Australia got into this position, especially when other states and territories over the same period are able to achieve job growth collectively of 730,000, including Tasmania, which added 2,300 jobs, but not South Australia?

2. Can the minister explain why the government has not achieved their 2010 election promise?

3. With economists and businesses strongly advising the government to take urgent action, why has the government ignored their advice?

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) (15:01): I thank the honourable member for her most important question and, indeed, the issue of our employment figures is a major priority for this government. Although our last lot of employment figures showed some elements of positivity, for

instance our unemployment figures dropped slightly this month compared to the month before, and also our full-time employment figures have had some growth, albeit very slow.

As I have said in this place before, we face considerable challenges, particularly around some of the global and national trends that are having a significant impact here, and we face challenges around our Holden motors enterprise and also our submarine contract—all of those things where we have particularly asked for federal government assistance that has let us down.

But, nevertheless, we soldier on and there are some positive trends on the horizon seeing that we have record-breaking production in oil and gas, so there is some potential there for us. Our record production in minerals—I was asked—was \$7.5 billion in 2013-14 which was the highest on record in South Australia's history. We have also seen some record-setting export growth which is very encouraging.

We continue to see high levels of demand for our exports. We have also seen some positive new capital expenditure, which is 14 per cent higher in South Australia, seasonally adjusted, compared to the previous year, and South Australia was in fact one of only two states to record a rise in capital expenditure in that quarter. The ABS retail figures for South Australia, released in January, demonstrated that South Australia was in fact a leading state in retail sales. We have also seen some opportunities grow in our food and wine industries and we continue to work very hard on that front.

We have invested in Our Jobs Plan. We have invested \$60 million in Our Jobs Plan to help stimulate the economy and encourage investment and growth in business and help to build a skilled workforce. We have invested \$53 million over three years in skills training; \$44 million in an initiative for the resources and energy sector; \$10 million in the regional Jobs Accelerator Fund; and \$10 billion towards productive infrastructure like roads and rail to help boost our economy and push to grow jobs. We also have a jobs plan which has a number of actions associated with the future of our state's manufacturing sector and diversifying.

The Hon. R.L. Brokenshire interjecting:

The Hon. G.E. GAGO: The Hon. Robert Brokenshire does not care about employment; he is bored with employment. What a disgrace he is in this place, Mr President. In relation to that jobs plan we have planned to accelerate the transformation of our manufacturing sector into advanced manufacturing through support for things like clusters and funding for collaborative, innovative hubs; accelerating significant infrastructure projects to create jobs during that transition and helping to lift productivity; the creation of a new jobs accelerator fund, which is around \$20 million, to help drive growth in our key industry sectors; retraining displaced automotive workers to help ensure new jobs; and helping to transition our automotive supply businesses into new markets. We are working very hard on all of those fronts to try to ensure that we reduce the impact of Holden's leaving this state.

In relation to business, again, we worked very hard to support businesses and assist them. We have developed plans to help support growth in businesses such as an investment through payroll tax concessions and reforming WorkCover, which is estimated to achieve \$180 million in savings to businesses. We see our liability has dropped significantly, so it looks like those measures are, indeed, working and working very well. We look forward to those measures continuing to show benefits.

We are providing more help for businesses to win government work through initiatives such as Tender Ready in collaboration with Business SA; a small business round table to provide greater collaboration and communication between the state government and the small business community; a new private sector development for the role of the Chief Executive of Premier and Cabinet, whose position is to assist and lodge projects valued at over \$3 million to case manage and clear bureaucratic hurdles; and also the establishment of a new simpler regulation unit to work with industries to help remove and improve regulations.

As you can see, there are a range of initiatives that have been put in place. We put employment as a high government priority and will continue to work with businesses and industries to help their businesses thrive, to improve innovation, to improve productivity, and to grow jobs.

UNEMPLOYMENT FIGURES

The Hon. R.L. BROKENSHIRE (15:08): I have a supplementary question based on the minister's answer and the Deputy Premier's ministerial statement: is the \$180 million of capital money made available from the government to the Festival Theatre Plaza as a redevelopment actually in the forward estimates?

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): Here we have another great example of the South Australian government investing in infrastructure to help grow jobs, to help grow businesses, and to lift the vibrancy of our city centre. So, we know how important these infrastructure projects are to our construction industry—thousands and thousands of jobs. We see a government that is prepared to put its money where its mouth is, to help grow infrastructure, grow jobs and improve the vibrancy of beautiful Adelaide.

CEDUNA ABORIGINAL SUPPORT SERVICES

The Hon. G.A. KANDELAARS (15:10): My question is to the Minister for Aboriginal Affairs and Reconciliation. Will the minister inform the council about the ongoing work being done to improve the quality and coordination of Aboriginal support services in Ceduna?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:10): I thank the honourable member for his question and interest in these matters. I also thank the honourable member behind me, the Hon. Robert Brokenshire, for the constant advice he gives me during most question times. In relation to the honourable member's question about improving the quality and coordination of Aboriginal support services in Ceduna, it is a fitting day to discuss this: as the Hon. Tammy Franks pointed out, it is Close the Gap Day.

Members would likely be aware that a high proportion of Aboriginal people access state government and other support services within the Ceduna region. It is imperative that everyone involved in these services works together to help break the cycle of poverty and support a strong and vibrant community on the West Coast. Creating and strengthening partnerships between community, government and Aboriginal organisations will assist to ensure that we are closing the gap. I do not think anybody doubts the genuine hard work, determination and effort put in by individual agencies and their staff.

However, it is clear that, while the effort is being put in, we are not seeing results quickly enough in the Ceduna area. There have been longstanding issues regarding the safety and wellbeing of groups of transient Aboriginal people, a large number from Yalata and Oak Valley, who congregate in a number of places in and around Ceduna, including near the highway. A number of complicated and interrelated health and social issues have arisen. As a result of these problems my predecessor as minister for Aboriginal affairs looked into and installed a new model of service delivery for Ceduna.

The Hon. J.S.L. Dawkins: He looked into lots of things.

The Hon. K.J. MAHER: He did very well. I commend particularly Ms Jacky Costanzo for the work she has undertaken to make a real difference in her role as manager of Ceduna Service Reform. I understand that some members of the Aboriginal Lands Standing Committee had the opportunity to see first hand some of the good work that has been done.

The position of Manager, Ceduna Service Reform, was created to ensure that all the support services in Ceduna were working in a coordinated way. The position allows agencies delivering services to better communicate between each other, and it also allows problems in service collaboration to be sorted out swiftly, with the option of taking concerns directly to the chief executive of departments. While there is still a very long way to go to close the gap in Ceduna, this program, which has only been operating for a short period of time, has delivered some impressive early results. Some of the results include:

- fewer Aboriginal people arriving at hospital emergency via SAPOL mobile assistance patrol or ambulance;

- a reduced level of Aboriginal self-discharge from hospital and the sobering up unit;
- reduced arrests for alcohol-related offences;
- a reduction in SAPOL Public Intoxication Act arrests; and
- a reduced number of people turned away from the transitional accommodation centre due to intoxication.

It is pleasing that multiple government departments, which have all recognised the need for a more coordinated model of service delivery, are all contributing to ensure this good work continues. I am hopeful that this new model of service provisioning for Ceduna will continue to improve the levels of support provided to at-risk individuals around the Ceduna area.

SOUTH-EAST DRAINAGE SYSTEM

The Hon. R.L. BROKENSHERE (15:13): I seek leave to make a brief explanation before asking the Minister for Water and a host of other portfolio responsibilities a question—

The Hon. I.K. HUNTER: Say it Brokey—read out the portfolios.

The Hon. R.L. BROKENSHERE: It just goes forever—a question about the South-East drainage scheme.

Leave granted.

The Hon. R.L. BROKENSHERE: Further to my question to the minister a couple of days ago, we now have a report in the *Stock Journal* today which says, 'Panel says no to levy'. This was a panel chosen by the minister and the government to so-called independently assess—

The Hon. I.K. Hunter: No it wasn't.

The Hon. R.L. BROKENSHERE: It wasn't chosen? Oh, I see. So the government didn't—

The PRESIDENT: The Hon. Mr Brokenshere, just wait one second. Minister, you will have plenty of time to answer his question. Don't answer it while he is actually asking the question. The Hon. Mr Brokenshere.

The Hon. R.L. BROKENSHERE: Thank you, sir. This was a 26-member panel that I understand the government supported and endorsed (I will put it that way) and, if that is not the case, then I seek explanation from the minister on that. What we have is a situation where there is a gridlock that needs to be fixed that has gone on for too long through successive ministers of this government. My questions to the minister are:

1. Does the minister agree that the government—that is, the South Australian Labor government—has used 52 gigalitres of water to offset its obligation under the Murray-Darling Basin Agreement from water that actually flows into the Coorong from the South-East drainage scheme? Does the minister agree that that is true?

2. If that is true, does the minister agree that that is actually, according to Waterfind (Mr Rooney's business that the Premier, the regional minister the Hon. Mr Brock and young Mr Rooney were happy to be involved with in the opening of their Adelaide office in the last few days), \$6.5 to 7 million value and savings to the government? Does the minister agree that that is true?

3. If the minister does agree, therefore, that those two questions are true, then why is the minister trying to hit the farmers and property owners in the South-East for several million dollars—up to \$4 or 5 million—when this is for the public good and the government is getting a direct benefit through the water coming from that drainage scheme into the Coorong and offsetting its requirements regarding the Murray-Darling Basin Agreement?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:16): I thank the honourable member for his question, and I will leave aside all of the hypocrisy in his statements, which I have covered well and truly this week. This is a man, as I said before, who can hold two contradictory positions at the same time, depending on which constituency he is talking to. But as I said earlier in this place, I will give my response first to the community panel on the 28th of this month

before I share those words of wisdom with this house. I think that is appropriate. That is what I promised them I would do and that is my commitment.

SOUTH-EAST DRAINAGE SYSTEM

The Hon. R.L. BROKENSHERE (15:17): Supplementary: given the minister's answer, why is the minister holding the meeting with the panel on Saturday 28 May between, I believe, 2:30pm and 3:30pm or 4 o'clock, which I understand the minister will allow the public to attend, when that is the most difficult time for country people to actually attend because they are at the end of their cricket and tennis finals and they are starting their football and netball trials?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:17): Where do you start with a man like that? He comes in this place and asserts in his opening statements that I selected the 26 panel members—completely wrong, completely false, totally made up. These people were selected randomly and independently by a separate organisation, but he doesn't know that, because he doesn't care.

He hasn't done any of the research or background work; he hasn't got a clue. In relation to the timing of the meetings, again, he is asserting in here that I chose the timing—wrong, completely wrong. It was independently set by the organisation and the panel themselves, but the truth means nothing to the Hon. Mr Brokenshere. He makes up his own facts, peddles them around through the media and asserts that they are right when in fact he is usually completely wrong.

PUBLIC SECTOR EMPLOYMENT

The Hon. R.I. LUCAS (15:18): I seek leave to make an explanation prior to directing a question to the leader of the government on the subject of public sector redundancy.

Leave granted.

The Hon. R.I. LUCAS: Last year, the government announced its new policy that as of July of last year they would be able to sack public servants after a period of 12 months, when the public sector generally would be used to try to find a job for anyone whose position had been declared surplus to the department or agency's requirements. My question to the minister is: is it the government's policy that the 12-month period before a public servant can be forced to leave their job commenced at the time when the public servant's job was originally declared redundant and the public servant was originally declared surplus to the department's requirements?

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) (15:19): I am pleased to take that question on notice and to bring back a response. I am not familiar with that level of detail but, as I said, I am happy to take it on notice and bring back a response.

WATER AND SEWERAGE CHARGES

The Hon. J.A. DARLEY (15:19): I seek leave to make a brief explanation before asking the minister questions about water and sewerage rates.

Leave granted.

The Hon. J.A. DARLEY: It is well over two months since SA Water were alerted to the issue of an enormous increase in water and sewerage rates for a retirement village at Para Vista. As previously outlined, residents in this village were hit with rates for the 2014-15 financial year which were 677 per cent higher than the previous year. I understand from previous answers that the minister is very concerned about this issue and has asked SA Water to investigate a solution to the issue. My questions are:

1. Can the minister advise what, if anything, SA Water have done for the specific village in Para Vista?
2. Can the minister advise the progress of SA Water's investigations, when he expects a response to this problem and if it is likely to be before the end of this financial year?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:21): I thank the Hon. Mr Darley for his most important question and for his continuing interest in this community and the response to the changes to rating on properties, particularly in retirement homes such as the one that he raised with us previously. I have talked about this before in this place in response to questions from the Hon. Mr Darley.

I advised the chamber of the Valuer-General's policy. The Valuer-General, of course, as an independent statutory authority, cannot be directed. The Valuer-General's policy for assessing retirement units has changed over a number of years and has, unfortunately, resulted in changes to how SA Water and other organisations charge independent residents within those villages, including councils in terms of council rates. That's not an area in which I have any control, of course, but I do have some ability to discuss with SA Water how they apply changes arising from the Valuer-General's policy.

As I have said in this place before, I don't accept that SA Water would unilaterally just apply the changes to those retirement villages and their separately titled units without considering first the consequences to those residents and how that might impact some of those people who are quite vulnerable. So, as I have said before, I have asked the Department of the Premier and Cabinet to consult with the Valuer-General's office and SA Water and other agencies to discuss a way forward on this matter.

I am aware that a number of meetings have been held at a high level across many agencies. I have asked them in their deliberations to put the interests of the residents at the forefront and the bureaucratic determinations that flow from the Valuer-General's determinations as secondary items and, when I get a satisfactory response, I will bring it back to this chamber for the honourable member. But again, I say that I am not so much interested in a quick and hasty response but in getting the right one.

Bills

PUBLIC FINANCE AND AUDIT (TREASURER'S INSTRUCTIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 March 2015.)

The Hon. T.T. NGO (15:23): I rise to support this bill. This bill addresses the protocols in the administration and reporting on public finances, which rest with the Treasurer. The Public Finance and Audit Act 1987 is the main statute which provides the mechanisms to fulfil this responsibility. It provides the framework for the financial management of public finances, including the ability for the Treasurer to issue instructions.

My understanding is that the definition of a 'public authority' as provided for in the act is wide enough to apply to most forms of entities that the government may choose to act through. However, the application of some aspects of the act has been questioned where the public authority is also subject to other governing legislation; for example, the Public Corporations Act 1993.

This came to particular attention following WorkCover becoming a public authority. At this time a discussion took place around the application of the Treasurer's Instructions to WorkCover and resulted in the Solicitor-General providing legal advice to the then Minister for Industrial Relations that indicated the instructions did apply.

WorkCover received conflicting advice from a private law firm and the Solicitor-General advised that 'it would be prudent to pursue legislative amendments putting the position beyond doubt' that the act applies to all public authorities. The Solicitor-General also indicated some uncertainty as to whether certain Treasurer's Instructions could be characterised as 'procedures to be followed in the course of financial administration' and suggested that the matter be clarified. Given the role of Treasurer's Instructions in providing a framework for financial management, accountability, integrity and transparency, it is important that any doubt over its scope is removed. This is exactly what this bill addresses.

Some may argue that the requirement to comply with Treasurer's Instructions restrains their management prerogative. It is important, however, for the overall supervision of the government's finances that the Treasurer has the ability to issue instructions to all agencies. Importantly, this does not prevent a public authority from seeking a variation or exemption from Treasurer's Instructions in appropriate circumstances. I commend this bill to the house.

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

WATER INDUSTRY (THIRD PARTY ACCESS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 February 2015.)

The Hon. G.A. KANDELAARS (15:28): I rise to indicate my support for this bill. This bill is an important step in the water industry reform that this government has progressed since the release of the state's water security plan, *Water for Good*, in 2009. This government has been committed to the reform of the water industry to encourage the development of a more mature market with greater competition. It was with that in mind that the government brought to this place the Water Industry Bill, which sought to create a level playing field for water businesses and was passed in 2012.

This bill now before us is the next stage in the government's reform. It seeks to amend the Water Industry Act to establish a regime allowing third party access to water infrastructure. The access regime will initially adopt a light-handed approach to suit the stage of development of the water industry. Under a light-handed approach, the parties to an access request are required to negotiate in good faith, but the regulator does not directly interfere in access negotiations. This approach provides for binding arbitration if negotiations break down.

There are mechanisms built into the regime so that, over time, as the water industry develops and demand for access grows, the regime can be reviewed and adjusted. A regulator will be appointed for the access regime and will have a monitoring role making recommendations to the Minister for Water and the River Murray for review or changes to the regime based on access behaviour and outcomes.

The proposed access regime would be fully applied to SA Water's bulk water transport services and partially applied to SA Water's distribution network, bulk sewerage and local sewerage networks, the Virginia pipeline services and the Willunga pipeline services. While access seekers and infrastructure operators are not limited from negotiating commercial arrangements outside the provisions of the access regime, the regime will provide for clarity and transparency to access seekers from the beginning of the negotiation process.

The infrastructure operators would be required to provide basic information such as terms and conditions, application procedures, and contract details to any persons within 30 days. The infrastructure operator would then be required to report to ESCOSA on these requests for information about access to its services. Importantly, where agreement cannot be reached on the access regime, it confers the rights and obligations regarding access.

The bill provides for a process for conciliation of disputes by the regulator and an arbitration framework if conciliation does not succeed. The bill does not seek to alter existing frameworks for public health, safety and environment. The arbitrator cannot make an award that would be inconsistent with the relevant legislation. This requirement applies equally to ESCOSA in resolving disputes.

It is notable that the access regime will be reviewed by ESCOSA by 30 June 2019 and every five years thereafter. The access regime is an important first step in third-party access, but there is scope to grow the regime in future, should it be appropriate. This work on third-party access and the implementation of access arrangements is another key step towards an efficient and dynamic water industry for South Australia. I commend this bill to the chamber.

Debate adjourned on motion of Hon. J.M.A. Lensink.

LOCAL GOVERNMENT (BUILDING UPGRADE AGREEMENTS) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 11 February 2015.)

The Hon. G.A. KANDELAARS (15:33): At the opening of the second session of the 53rd parliament, the South Australian Governor, His Excellency Hieu Van Le AO, outlined this government's vision for a prosperous and thriving South Australia. This vision is about seizing economic opportunities whilst preserving our quality of life and protecting the environment. The Governor set out an exciting carbon neutral Adelaide green zone initiative with the ambition that Adelaide will become the world's first carbon neutral city. This bill will go some way to achieving that ambition.

The Local Government (Building Upgrade Agreements) Bill 2015 is designed to deliver environmental benefits whilst unlocking economic opportunities. This is a great initiative based on voluntary principles. Firstly, by introducing a mechanism in our state, the state government will help owners of existing commercial buildings to access finance to fund environmental upgrades of their properties. Secondly, the mechanism will also help tackle the split incentive between landlords and tenants in leased buildings where the building owner incurs the cost of upgrades but the tenant receives benefits through reduced utility bills and improved accommodation.

As a result of these features the mechanism has great potential to unlock retrofitting opportunities and renew ageing commercial building stock; improve the quality, amenity and environmental performance of existing buildings; and, very importantly, stimulate economic activity.

The building upgrade finance mechanism is designed to create a win-win opportunity for the parties involved and the broader community. From a building owner's perspective, the mechanism helps to access private capital on more attractive terms compared to traditional forms of finance; for example, over a longer term at a fixed rate. The mechanism also allows building owners to share the costs of upgrades and the resulting benefits with tenants. This could improve the business case of the upgrade.

Benefits to tenants can include improved indoor comfort, staff productivity, contributions towards corporate social responsibility goals and, in certain circumstances, reductions in operating costs. Benefits to participating councils can include investment attraction and improvement of buildings and urban quality in their municipal areas, reduced emissions, and associated economic benefits. Benefits to the broader community include improved building quality, environmental amenity and reduced carbon footprint of buildings, and employment opportunities as well as opportunities for manufacturers and suppliers of clean technologies.

The establishment of the mechanism aligns with priorities set by the state government last year. In particular, building upgrade finance can contribute to unlocking the full potential of South Australia's resources, energy and renewable assets, making Adelaide the heart of our vibrant state, and can help South Australian small businesses access capital and global markets. In conclusion, this voluntary mechanism is supported by both industry and local government, and truly delivers a win-win situation. I commend the bill to the council.

Debate adjourned on motion of Hon. J.S. Lee.

REAL PROPERTY (PRIORITY NOTICES AND OTHER MEASURES) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 18 March 2015.)

The Hon. T.T. NGO (15:38): Today I rise to support the Real Property (Priority Notices and Other Measures) Amendment Bill 2015. The Electronic Conveyancing National Law (South Australia) Act 2013 was assented to by the Governor on 5 December 2013. This act allows for the implementation of electronic conveyancing in South Australia. Electronic conveyancing is critical in

maximising the efficiency of the real property transaction process, and provides for a single national legal framework to address inefficiencies between different jurisdictions.

This bill introduces two measures that lay the foundation for the introduction of electronic conveyancing. It strengthens the enforcement of verification of identity (VOI) requirements and introduces priority notices. Verification of identity requirements require parties to conveyancing instruments to verify their identity. These requirements are important to reduce the potential for fraud and other dishonest conduct when parties engage in property transactions.

Verification of identity requirements have been in place since April 2014. This amendment will strengthen their enforceability by giving them a sound statutory basis. It will provide the Registrar-General with the powers necessary to administer verification of identity requirements. This includes the power to inspect documents that relate to verification of identity. It also creates new offences in relation to verification of identity. These offences are: making a false statement, producing a false document and failing to retain a relevant document for the prescribed period.

A priority notice is a new instrument that reserves priority to a party that has a pending property transaction. It can be lodged by any person who intends to lodge a transfer, a mortgage, a caveat or any other instrument, and is effective for 60 days. Priority notices can be lodged for both paper and electronic instruments to ensure consistency between paper and electronic transactions.

Like the verification of identity measures, priority notices reduce the potential for fraudulent transactions and notify parties searching the title that another party intends to interact with the title. I have an article here from the ABC News website posted on Monday 13 September 2010, titled 'Fraud squad probes Perth housing scam', and I just want to read out a few things:

The Major Fraud Squad has been called in to investigate a scam after a Perth man's home was sold without his knowledge.

Roger Mildenhall was living overseas when he found out last week that his property in Karrinyup which, was worth almost \$500,000, had been sold in June. He returned to Perth to find a second property he owned was also about to be sold. The scammers had organised the sale via email and telephone, even producing duplicates of the deeds to his house.

Detective Senior Sergeant Don Heise from the Major Fraud Squad says police are investigating whether the scammer is known to Mr Mildenhall.

The article quotes the detective:

"We have a number of previous complaints where family members have taken property off another family member, but if this is a true scam then it is the first of its kind," he said.

The article goes on:

Mr Mildenhall says he was flabbergasted when he heard the news. He says his neighbour told him about the sale last week and he returned to Perth just in time to stop the sale of the second property.

"They said that the house that was my rental property, had already been sold and that the locks had been changed in my own home and that was about to be sold as well," he said.

Mr Mildenhall has hired a lawyer in an attempt to get his property back and police are also investigating the scam. Consumer Protection Commissioner, Anne Driscoll, says it is not yet known how the scammers succeeded.

'This is a very rare event; I'm not aware of another occasion where this has happened and it's therefore absolutely critical that settlement agents and real estate agents verify carefully that the person they're organising a sale for is actually the owner of the property,' she said.

'The details of the scam need to be fully investigated for us to understand exactly what happened and how this dupe actually was so effective.'

Real Estate Institute West Australian (REIWA) spokeswoman Anne Arnold said...that agents need to be vigilant.

I must stress, these sorts of scams do not happen in our state, owing to our rigorous system that we have set up over the years. This bill also updates other provisions of the Real Property Act that concern crown leases.

It ensures that crown leases and instruments dealing with crown leases can be registered in the register book, like other property transactions. It also provides for decisions made by the

Registrar-General to be reviewable by SACAT instead of by the Supreme Court which currently has the jurisdiction. I commend this bill to the house.

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

At 15:47 the council adjourned until Tuesday 24 March 2015 at 14:15.