

## LEGISLATIVE COUNCIL

Wednesday, 4 July 2018

The **PRESIDENT (Hon. A.L. McLachlan)** took the chair at 14:15 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 the elders both past and present.

*Parliamentary Procedure*

### STANDING ORDERS

**The PRESIDENT (14:16):** Can I ask that the Labor members remove their badges as they are in breach of standing orders, otherwise you will not get the call.

**The Hon. R.P. WORTLEY (14:16):** Point of order: members on this side of the chamber are wearing this in support of our friends up there, the working people in the disability sector, and we should show them some sort of respect.

**The PRESIDENT:** I appreciate that. You will have ample opportunity to debate during the course of the chamber. The ruling on the standing orders has been consistently upheld by a series of Presidents who happen to be members of the Labor Party.

### PAPERS

The following papers were laid on the table:

By the President—

Ombudsman SA—Audit Survey Report—Assessment of State Agencies' Complaints Management Systems

By the Minister for Human Services (Hon. J.M.A. Lensink)—

South Australian Housing Trust—Triennial Review—2013—14 to 2016—17

*Parliamentary Committees*

### LEGISLATIVE REVIEW COMMITTEE

**The Hon. I. PNEVMATIKOS (14:17):** I bring up the fourth report of the committee.  
Report received.

*Ministerial Statement*

### HOUSING TRUST TRIENNIAL REVIEW

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:17):** On the topic of the Triennial Review of the South Australian Housing Trust, we all know that appropriate and affordable housing is a fundamental need and the cornerstone for good quality of life and wellbeing. It is pivotal in enabling people to reach their fullest potential and for communities to grow and thrive. In South Australia, our job to provide essential and affordable housing has been made more difficult as a direct result of 16 years of Labor's mismanagement.

Put simply, our housing system is broken, a fragmented shell of what it once was. The Labor government's irresponsible stewardship has left us with deteriorating assets, diminishing resources and an ever-growing maintenance bill. The Rann and Weatherill governments significantly reduced the quality and quantity of housing supply to those most in need.

Today, I table the Triennial Review of the South Australian Housing Trust, an independent report as required under the South Australian Housing Trust Act. Its findings highlight the operational

shortcomings of a broken system and the incompetence of previous Labor governments. According to the report, the South Australian Housing Trust's governance structure has created disjointed and illogical decision-making.

This lack of an accountable and transparent governance structure has seen significant funding be drawn out of the social housing system without public scrutiny. As a result, we have seen the sale of \$900 million of houses in the last 10 years; an unquantified maintenance backlog, estimated at \$700 million; a declining cash balance, which has drastically reduced from \$397 million at the end of 2015-16 to \$205 million at the end of 2016-17; and a social housing portfolio where houses are not well matched to tenant requirements.

In total, \$265 million was stripped by the Labor government from the social housing system over the past four financial years, making it difficult for the board to control the financial performance of the South Australian Housing Trust. The Labor government simply did not respect the real cost of maintaining the system and ensuring its viability into the future.

At the same time as money was being taken out of our public housing system, rental stress has dramatically increased for low income renters in South Australia from 22 per cent to 39 per cent over the period 2007-08 to 2015-16 and the priority one housing register of people seeking housing assistance has doubled.

While clearly highlighting the many shortcomings of the current housing system, the triennial review looks towards the future and includes key themes for building a modern housing system, one that is sustainable, transparent, effective and integrated. The report emphasises that a new system must consider the needs of customers first as well as housing pathways to achieve housing aspirations. It recommends a system that provides a range of housing responses that both prevent and respond to housing crisis.

It also recognises the importance of a diverse and robust housing industry where multiple providers are encouraged and supported and where the supply of appropriate stable and secure housing meet actual need. It emphasises that funding must be outcome based and that investment must occur at the right time and in the right location. Overall, the report highlights the need for transparency in the services provided and for system level planning that is responsive to commonwealth and state funding and policy reform.

The Marshall Liberal government has recognised that reform is needed which is why I recently announced the parameters of a new housing authority. We recognised that we must hit the reset button and provide a new governance framework to improve decision-making and ensure a holistic response to South Australia's housing crisis. The government acknowledges that ongoing partnerships with non-government housing and support providers is essential if we are to respond appropriately and strategically.

The housing authority and interim board, which came into effect on 1 July, is a significant step towards addressing Labor's negligence. The new authority will be charged with working with industry, providers and, most importantly, customers and communities to develop and drive reforms across the South Australian housing system. It will have a new focus, new structure and a new model aimed at fixing a broken system.

A key deliverable of the authority will be a new housing and homelessness strategy developed in partnership with community housing providers, specialist homelessness services, industry stakeholders, customers and citizens. Work is also underway to map housing need and supply and to audit the condition of properties to inform the development of the new strategy and to better direct our investment to ensure that customers are getting the services they need when they need it and for the time they need.

I recognise that housing is a long-term investment and that it will take a concerted and collaborative effort to address Labor's many years of neglect. The Marshall Liberal government is up to the challenge. I look forward to working with our many key partners and stakeholders to build a housing future that responds to the needs and aspirations of all South Australians.

Before I table the report I would also like to comment on a headline in the newspaper which stated, 'Officials milked cash cow homes'. It is a bit unfortunate because I think it does not actually

finger the real culprits in these particular decisions as the state Labor cabinet. The word 'officials' tends to suggest that it was employees of the various housing agencies, who were always operating under direction and these were not their decisions. I now table the South Australian Housing Trust Triennial Review 2013-14 to 2016-17.

*Parliamentary Procedure*

**ANSWERS TABLED**

**The PRESIDENT:** I direct that the written answers to questions be distributed and printed in *Hansard*.

*Question Time*

**DISABILITY HOUSING**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:24):** I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding disability housing.

Leave granted.

**The Hon. K.J. MAHER:** There are about 1,400 highly skilled workers providing supported community accommodation services for some of the highest needs people living with a disability in our state. I pay tribute to those dedicated workers and the services they provide, many of whom are with us today in the gallery in this chamber. In early 2017, the then state Labor government announced the establishment of a public corporation to employ public sector workers and run supported community accommodation services, recognising the changes required through the implementation of the NDIS. The Liberal Party, the then Liberal opposition, in their pre-election 100-day plan stated there would be—and I will quote exactly:

A timetable provided for all State disability services to be transferred to the NGO sector, including group homes.

And that's the end of the quote from the 100-day plan. That's all that was said. There was no further information or detail on the public record from the Liberal Party about what they intended to do within this sector at all before the election. My questions to the minister are:

1. What consultation did the minister undertake with stakeholders, particularly workers, disability service providers and those people who rely on disability services, prior to making the decision to privatise these services?
2. Did the minister or any other members of the government, or anyone on their behalf, consult with Business SA about any form of this policy before the decision was taken?
3. What exactly is the timetable for all state disability services to be transferred out of the public sector, including group homes, as per the 100-day commitment?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:26):** I thank the honourable member for his question. I, too, would like to pay tribute to the 1,400 people who are employed in the very important role of providing supported community accommodation services to people with disabilities throughout South Australia and recognise the very specialised role that they play.

The origin of the policy—I took responsibility for disabilities as the shadow minister for human services in January last year as part of the reshuffle and undertook a range of soundings on all of the areas within my portfolio responsibilities, attended forums, even crashed a government forum at one stage, which was to specifically address this issue, in March last year. The message that I received loudly and clearly from people across the sector, whether they were families of people with disabilities, advocates or people working within the system themselves, was that the timetable was not transparent for them.

So that is the origin of that particular commitment. I am slightly bemused that I am being asked why we are actually fulfilling an election commitment which was quite clearly made, as the honourable member is aware, and was articulated. It was a very broad consultation that took place for over a year with a range of stakeholders.

The second question was whether I consulted with Business SA. I met with Business SA, but I think that was probably in my role as shadow minister for environment and water, so that was prior to taking this particular portfolio area, so I have not spoken to them about this particular issue. There have been members of theirs who have raised issues, which was about an industrial matter, which I think was either a payroll tax or some issue, which was resolved last year, but I did not speak to Business SA in relation to this particular issue.

There was a timetable that was established through the work of the former government. As members would be aware, the transition from Domiciliary Care to the RDNS has been completed as of this financial year. So that one has taken place. There is a range of areas—the child and youth services I have spoken about in this place, which is to transfer to a mutual. That's due to take place on 1 September this year.

The assist adult therapy services, completion is expected by late 2018. We are currently working on the tender process for equipment services. In relation to the matter at hand, which is community services, it is fair to say that the government is seeking to gradually withdraw from providing services in this space, which is consistent with the NDIS, but there is going to be a very broad consultation process involved in this.

I appreciate that it's a very, very complex issue. There is a huge range of stakeholders. Of course, the most important matter is the people with disabilities themselves. We have the workers who we are very keen to see retained within the system. NDIS is expanding the workforce in this area and so we are working through those processes. There has been a round of discussion between my department and the workers and there will be many, many more discussions before we can resolve any of these issues.

#### DISABILITY HOUSING

**The Hon. K.J. MAHER (Leader of the Opposition) (14:31):** Supplementary arising from the answer: will the minister show the workers here the respect they deserve and outline exactly which stakeholders were consulted with in formulating the policy to privatise these services?

**The Hon. R.P. Wortley:** You might get some tips from the assistant minister.

**The PRESIDENT:** Order!

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:31):** I have outlined the range of stakeholders. In order for me to go into every detail I would need to go through my diary for the last 14 or 15 months and bring that back to the honourable member, if that's what he is really seeking, but I can assure the house that I have discussed this with a range of stakeholders. It's a pretty transparent process for a document such as the 100-day commitments—to publish that, for it to be widely publicised. For the stakeholders who are the leaders, if you like, in this space to not be aware, I would be very surprised. I am not sure that we can be more transparent than actually naming the group homes as one of the areas that we were making a commitment to.

#### DISABILITY HOUSING

**The Hon. K.J. MAHER (Leader of the Opposition) (14:32):** Supplementary arising from the original answer: can the minister even name three actual stakeholders she consulted with before deciding on the privatisation course?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:32):** I am reluctant to name individuals or organisations because I know the way the Labor Party operates—they are bullies. They will then go and persecute those people. Should they ever, heaven forbid, be back in government, those names will be on someone's blacklist and they will be persecuted. As we know from their term in office—

*Members interjecting:*

**The Hon. J.M.A. LENSINK:** I am not even sure what the exercise of having all of our staff identified—the people who are the public servants within our ministerial offices being identified by the opposition, except that they too will end up on some Labor Party nasty blacklist somewhere. I am very reluctant to name organisations or individuals who I personally discussed these matters

with, except to say that there was a range of stakeholders who represented all of those groups in some way or other.

#### DISABILITY HOUSING

**The Hon. K.J. MAHER (Leader of the Opposition) (14:33):** Further supplementary arising from the original answer: is the minister aware of anyone from the government or on behalf of the government consulting with Business SA before this decision was made on this topic?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:33):** No, I am not aware of that.

#### DISABILITY HOUSING

**The Hon. K.J. MAHER (Leader of the Opposition) (14:33):** Final supplementary arising from the original answer: has the minister or the minister's office received any advice that the lack of consultation in formulating this plan with the union representing the workers could be a breach of the enterprise agreement?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:34):** I have received correspondence from both the unions involved, the Public Service Association and United Voice, that indicates that they believe that may be the case. Those matters will be determined through the proper process. I am not an industrial expert. I would never confess to be an expert in a whole range of areas, and not in those areas.

That is certainly something that the unions have expressed. I have met with both unions. I think those have been constructive meetings. We are very much at the beginning of a process where we are going to consult with all of the stakeholders, including the unions and including the workers. As we have done with the domestic violence policy, we are keen to ensure that we shape these things going forward for the maximum benefit of all those involved.

There are three guiding principles which are going to help to shape this going forward. I urge anybody who is interested in this to take these on board. The first principle is the continuity and quality of client services and supporting client choice. The second is the retention of skilled and experienced employees in the disability sector. The third is growth of the local South Australian non-government sector. Those are three areas that we think are very important as we shape this process.

I will be the first person to acknowledge that it is a very complex process. It is going to take some time. We are very much at the start of a journey, and I urge all stakeholders to be involved to help us to shape this forward so that we can get the best outcome.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:35):** I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding disability services.

Leave granted.

**The Hon. K.J. MAHER:** As I said before, the 1,400 public sector disability workers employed in group homes, who provide care to some of our most vulnerable people, were due to have their employment transferred to a new public corporation set up to cater for changes under the NDIS. What this would have meant is that these workers would continue to retain the same pay and the same conditions and, importantly, to have jobs they could count on rather than be forced into insecure work.

Pursuant to part 4 of appendix 1 of the South Australian Public Sector Wages Parity Enterprise Agreement: Weekly Paid 2017, any employee who is made redundant has a right to remain in the public sector, maintaining the same pay and conditions. My questions to the minister are:

1. What do you say to these workers, many of whom are here today, about your plan that they should consider working for possibly less pay and worse conditions and with less job security in the private sector, as opposed to working in the public corporation that was set up under the Labor government to ensure continuity of conditions, pay and job security?

2. Given that these 1,400 workers have the right to maintain their public sector employment, should they not wish to be transferred to the private sector, can you give examples of some of the positions within the public sector that some of these workers who don't wish to be forced into the private sector might go into?

3. What guarantees are there that these dedicated workers won't be any worse off under your privatisation plan?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:37):** I reject many aspects of the premise of the Leader of the Opposition's question—firstly that it's privatisation. If it is privatisation, then the former government was very much involved in the privatisation of all the other disability services—

**The Hon. K.J. Maher:** Setting up a public corporation.

**The Hon. J.M.A. LENSINK:** The public corporation was designed to reduce costs, so I'm not quite sure what the honourable member is getting at.

*Members interjecting:*

**The Hon. J.M.A. LENSINK:** Indeed, the public corporation. The purpose of the public corporation was a range of workplace reform, which was to reduce costs, so the honourable Leader of the Opposition may well reflect on what that meant for workers. So I reject this assertion that the public corporation was some Nirvana that was going to serve all ills. In fact, I understand that at least one of the unions was very, very uncomfortable with the concept of a public corporation when it was first established.

The public corporation had not been activated in the sense that the employees had transferred across in any way. They still are employees of the Department of Human Services, so it's a bit of a red herring to raise as a significant issue. As I have just said, I am no expert, but my understanding of industrial matters is that the pay and conditions of the employees is governed by an enterprise agreement, so those areas are taken care of.

For those people who were concerned about whether they were to transition to a non-government provider, there is a range of positions that I understand probably offer more favourable conditions, in that the non-government sector is able to salary sacrifice. There are people who work in equivalent positions in the non-government sector who have permanent jobs, and there are many who work full-time, and I understand that there is a range of employees within the government community accommodation sector who would probably like opportunities to work a greater number of hours. So there are opportunities in this space for employees. In fact, the NDIS has opened up a huge range of opportunities for employees. They are in very high demand, and they have nothing to fear from this process.

## DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:40):** I have a supplementary arising from the answer. With the greatest of respect, minister, this is your area of responsibility and you should understand the ramifications of what you are doing. What modelling has the government done in terms of what the cost could be to government if public sector employees don't wish to take up the offer of insecure work in the private sector?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:41):** We are hopeful and optimistic that the workforce will wish to continue working in this space. That is the ultimate game. This is a very highly valued workforce and they have a range of skills. It takes a special kind of person to work in this area. A lot of them are very attached to their residents, and the residents are very attached to them. We believe that this process will be shaped by those stakeholders and by others as we go forward.

We are very much at the early phase of this process. It is very important that all the stakeholders who are involved are part of the process of how this takes place as the government withdraws from provision of these services, and we are very keen under the NDIS. I receive reports from some families who are now NDIS recipients who sometimes aren't able to get a service because

there are just not enough services to go around, so it is an expanding market. We want the market to expand and we want people to remain in this.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:42):** Supplementary arising from the answer: minister, can you guarantee that workers in this area won't be worse off under your privatisation?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:42):** Again, I think the honourable member makes a number of incorrect premises, which I will choose to ignore. I am not quite sure what the definition of 'worse off' is. If the Leader of the Opposition is talking about pay and conditions, then I can't see that that is the case. If people choose to work in some other space and they are therefore unhappy, then that's their decision. I am not quite sure how I have any control over that.

There is, I think, a bit of a misunderstanding in relation to the non-government sector. I have seen some remarks in the press recently that the non-government sector doesn't offer the same sorts of arrangements. That is not my understanding. I understand that their conditions are just as good as anywhere else. There are a number of specialist providers that have emerged both within disabilities and within the ageing sector over the years.

The government services emerged because, in the days when people weren't able to get a service from a non-government provider, the government was there to provide that service. That landscape has changed. It has changed because of a range of aged-care reforms. It is also changing because of the NDIS. We are in a very different landscape today than we would have been 20 or 30 years ago. There are a lot of non-government providers who provide services to people with quite complex needs and they do a really good job. I think they would probably be quite offended if anyone suggested that their service was inferior to a state government service.

**The Hon. T.A. Franks:** Supplementary.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:44):** Supplementary question arising from the answer.

**The PRESIDENT:** I will give you the call next, the Hon. Ms Franks.

**The Hon. K.J. MAHER:** The minister may want to reflect on how flippantly she answers these questions, given there are people—

**The PRESIDENT:** The honourable Leader of the Opposition, we don't need—

*Members interjecting:*

**The PRESIDENT:** Order! We don't need commentary. Just ask the supplementary.

**The Hon. K.J. MAHER:** Can the minister outline some of the other areas that these workers could work in that provide just as good, if not better, pay and conditions as she had stated, and does she think having secure work is a condition or an area worth protecting?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44):** My answer to the second question is yes. In terms of the better roles, there may be roles that are available within management that utilise the existing knowledge and understanding of how disability services are provided in that specialised environment. People shift around from different roles; for instance, in the Office of the Public Advocate it may well be useful for people to work in that space who have this sort of experience. There are a whole range of areas where that sort of understanding could be utilised.

Even within the NDIA itself, or with some of the local area co-ordinators, I am sure there are opportunities available there for people who have that direct experience of working with people with disabilities. In fact, I think the NDIA and the local area co-ordinators probably would have operated more effectively if they had had the benefit of people with that sort of experience, with a deep

understanding of disability, having been employed there. This is to be an expanded marketplace. There are a huge number of opportunities for people in this sector, and that is a good thing.

#### DISABILITY SERVICES

**The Hon. T.A. FRANKS (14:46):** Supplementary: can the minister state that any pay rates, entitlements and conditions currently afforded the workers in this sector will be guaranteed in any tender documents that the government puts out to the private market so that these workers' conditions are guaranteed?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:46):** I think the suggestion of a tender document might not eventuate, but we shall have to see how this process shapes itself going forward. I certainly think that the non-government providers would be—and I may well be putting words in their mouth—so keen to adopt the workforce that they would be in a position to guarantee those sorts of conditions. Those are the sorts of negotiations that we need to have going forward. We need to have everybody involved in those negotiations. We need to have the unions to be having those discussions with prospective other providers as well, because we want to make this as robust and respectful a process as we can, because it is very important to go with those three guiding principles that I referred to earlier to ensure that there is stability as much as is possible.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:47):** Final supplementary: the minister has been asked a number of times—what guarantees can she make for these workers?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:48):** A guarantee of what?

**The Hon. K.J. MAHER:** What guarantees can you make about their pay condition and their security of work, minister?

**The Hon. J.M.A. LENSINK:** These things are governed by the enterprise agreement, and my understanding is that their positions are secure.

*The Hon. K.J. Maher interjecting:*

**The Hon. J.M.A. LENSINK:** Well, I'm not saying I'm an expert, but I'm not the person who does the day-to-day negotiations—

**The PRESIDENT:** Minister, through me.

**The Hon. J.M.A. LENSINK:** I am sorry, Mr President—but I know that this is a very valued workforce, and the enterprise agreement has been a very robust document that provides a large number of guarantees to the existing workforce, and we will respect all of those matters as we go forward.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:48):** I seek leave to make a brief explanation before asking the Minister for Human Services a question on disability services.

Leave granted.

**The Hon. K.J. MAHER:** The first time many people living with a disability or their carers heard about the significant privatisation policy change was as recently as a week ago. The opposition has been provided with a secret telephone script that is apparently being used to call family about the imminent privatisation. The opposition has also heard from many in the sector who are gravely concerned about what this privatisation plan means for the level of service currently being provided. Furthermore, there is a concern about the impact it will have on the ability to find workers in an area already facing a shortage of skilled workers. My questions to the minister are:

1. Has the minister or her office sighted the telephone script used to contact families about this privatisation?
2. What evidence does the minister have that this approach will result in better outcomes for people living with disabilities in South Australia?



3. How will the minister measure outcomes for clients and how would she define whether her privatisation has been a success?

4. Can the minister guarantee that no person living with a disability will be worse off under her privatisation?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:50):** I thank the honourable member for his questions but, again, I reject the characterisation on a range of levels. A number of things he has raised are not worth even responding to because they are just so factually incorrect.

However, I refer to the so-called 'secret telephone script'. I'm not quite sure what the Leader of the Opposition would have us do, whether he would have us try to contact families and leave a message for them to be informed or whether to not leave a message at all. I am not quite sure what he is suggesting. As soon as the cabinet decision was made last week there was a robust attempt to communicate with all the workforce, with all the families, by telephone, by email, by letter, by meetings—a whole range of ways in which the government has been trying to communicate with people. If people do not answer their phone then the message is left. I have not actually seen the script myself but I trust my department to conduct these things respectfully.

I do not quite know what the Leader of the Opposition would have us do, whether he would prefer that we do not actually communicate with people or not. The guiding principle for this, the NDIS to which I referred last week—and I think it is regrettable that members opposite do not understand the basic premise of the NDIS—is choice and control for participants. If that is the guiding principle in this process that is a good thing. We also have a range of other stakeholders, as I referred to. We have a highly skilled workforce, and other providers in South Australia as well, who are doing a really good job of providing services to people with disabilities.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:52):** Supplementary: the minister said there was a decision made by cabinet last week. What was that decision? I am not asking for the deliberations, just what was the decision of cabinet.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:52):** I would be delighted to provide the Leader of the Opposition with a copy of the media release, which referred to 100 days and our commitment, which he has referred to. It was that we will be withdrawing from the provision of supported community accommodation.

#### DISABILITY SERVICES

**The Hon. T.A. FRANKS (14:53):** Supplementary: why then were workers informed of this decision on 12 June if it needed to wait for cabinet last week? Isn't last week well after 12 June?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:53):** They were two separate decisions. The decision from the previous cabinet was in relation to the public corporation, the more recent decision was in relation to withdrawing from provision of this service and also the decision about equipment services.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:53):** A supplementary question arising from the answer: if the 100-day plan stated in one line that you are going to look to withdraw from these services, why weren't the two cabinet decisions to withdraw from the public corporation and the further decision to withdraw completely from the services communicated earlier to the people who are going to be affected?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:54):** I can repeat things I have said here numerous times. I can repeat the election commitment, which was to provide a timetable—and I think the honourable member has that because he has seen it. There was a decision to withdraw from the public corporation made on 12 June, so that was notified to staff.

**The Hon. K.J. Maher:** Which staff?

**The Hon. J.M.A. LENSINK:** To staff of DHS, all staff of DHS.

**The Hon. K.J. Maher:** Not carers?

**The PRESIDENT:** Through me, minister.

**The Hon. J.M.A. LENSINK:** They are staff of DHS. In many ways the public corporation is a bit of a red herring because it had a board appointed and a CEO but apart from that it had not had the staff transferred to it as yet. The other decision was in relation to withdrawing from supported accommodation and the timetable for equipment services, which was in line with the 100 days commitment which was made, I think, in the cabinet meeting of 25 June.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:55):** Supplementary arising from the original answer: how is the minister going to measure success and measure outcomes for clients as a result of her privatisation?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:55):** I, again, reject the word 'privatisation'. But that aside, the outcome will be that we meet these three principles that I have discussed. That would be the gold standard of the outcomes which would be continuity in quality client services and supporting client choice, retention of skilled and experienced employees in the disability sector and growth of the local South Australian non-government sector. Those are three things. If we can do those in concert, I will be very happy but I appreciate that this is a long journey and we are at the beginning, and we are going to be consulting very thoroughly as we go forward.

#### DISABILITY SERVICES

**The Hon. K.J. MAHER (Leader of the Opposition) (14:56):** A final supplementary on this question: the three principles enunciated by the minister, can she explain how they couldn't have been met by a public corporation that then would have kept all of the same services and conditions that were provided under the public sector?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:56):** I think the Leader of the Opposition is assuming one thing which is that all of the current residents in group homes would elect to stay with the government. So if we are going to actually ask people in group homes where they would like their services provided—

**The Hon. K.J. Maher:** But they wouldn't have had any choice, would they?

**The PRESIDENT:** Leader of the Opposition, you've had your go. Minister, answer the question through me.

**The Hon. J.M.A. LENSINK:** Mr President, I apologise for allowing myself to be distracted by the interjections of the Leader of the Opposition. I would have to double-check this, but I don't think that people in group homes have actually been asked that question.

**The Hon. K.J. Maher:** But you don't want them to have the choice.

**The PRESIDENT:** Minister, through me.

**The Hon. J.M.A. LENSINK:** I'm sorry, Mr President. I think the Leader of the Opposition—we should probably offer him a briefing on the NDIS. The NDIS is about choice and control. I will say it slowly: it's about choice and control for residents. Under the NDIS, the terminology is 'participants' and that is one of the key driving principles.

#### DISABILITY SERVICES

**The Hon. T.A. FRANKS (14:57):** Supplementary: why were residents and carers not told at the same time as public servants of the ending of the public corporation?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:58):** I thank the honourable member for her supplementary question. My understanding is that it is the customary practice with the process of the way these things occur that the workforce is told first, and that would be so that families wouldn't come to them and say, 'We've heard about this. What does it mean?' without them knowing, so hopefully the people who are in that workforce are able to also advise the residents, or participants as they are known under the NDIS. I have been advised that that is the standard practice.

But I would say that I think, for the large number of stakeholders who are involved in this process, my department has utilised every means possible to communicate as quickly as possible with all of those stakeholders.

### DISABILITY SERVICES

**The Hon. T.A. FRANKS (14:59):** Why then were they not told until after the cabinet meeting of last week, which was totally irrelevant to this particular decision and the information in regard to the public corporation? Why was the information about the public corporation not given to residents and their carers in a more timely way?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:59):** The public corporation is a bit of a red herring because nobody had transitioned to it as yet, so I think the department took the view that that was not an important decision.

### PUSH ADVENTURES

**The Hon. D.G.E. HOOD (14:59):** My question is for the Minister for Trade, Tourism and Investment. Can the minister update the chamber on the wonderful work which Push Adventures is undertaking in the inclusive tourism space?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:59):** I thank the honourable member for his question and his interest in tourism but, in particular, this particular area. Yesterday, I met with Push Adventures, who are experts in the accessible, inclusive tourism space. Some would think that this is a niche market but it is not just focused on people with a physical disability; it is people with parents, with prams and the elderly with walking aids. It is important also that it is not just about travel for people who have access needs, but it is also for the family and friends of those people travelling alongside.

I am reminded of the beach access mat that the member for Bright at the time introduced down on the beach to allow people with a disability to get down to the water's edge. I think it has been a particularly wonderful revelation to allow some people for the first time in many years—in fact, for a couple with whom I met it has been 20 years since their family has been able to go the beach and enjoy it together.

Push Adventures is a South Australian business founded in 2014 by husband and wife team, Scott and Clair Crowley, and they have done such a great deal in a very short time. They have introduced an inaugural Excellence in Accessible Tourism Award into the state award program, and it is the first time for any Australian state or territory. They have worked with over 50 operators to improve their accessibility, including projects supported by the Adelaide Hills and Fleurieu RDA.

Recently, on returning from one of the 'meet the minister' events on Kangaroo Island, I went to Deep Creek National Park, the intersection of the Heysen Trail, where we had a look at the very first stage of a part of the trail there—well, not the first part of the trail, but a part of it on the trail, not the trail itself—where we looked at the opportunities for providing some disability and accessibility improvements to that trail, which really a lot of us take for granted. We have tremendous natural assets in South Australia that we market to the world from a tourism point of view and, sadly, unfortunately, sometimes they are not accessible to the whole community. It certainly enlightened me to the opportunities that we can provide to everybody in our community.

The Crowley's have also worked with the Australian Tourism Data Warehouse, which members would understand is a national platform for digital tourism information on Australia, and they want the Australian Tourism Data Warehouse to mandate accessibility checkboxes for thousands of listings on the ATDW website. In line with this, they have launched The Good Scout Travel Co. for accessible travel planning, a platform where people who have access needs and travel companions, and want to come on an Australian holiday or a South Australian holiday, can actually go onto that website and it reduces a massive amount of time to be able to check whether the facilities or the place that they are going to has the sort of accessibility that they need for their family, and it also takes the stress out of the planning of those particular holidays.

Listings on ATDW, which factor high on the accessibility scale, can be pulled onto The Good Scout as a portal to deliver options for many tourists with additional access needs. These are people

who don't have the options in their travel bookings, so I think it is very important that we look to do this nationally. One of the challenges for our tourism sector is understanding accessibility needs so that their listings can accurately reflect the accessibility. Push's big picture is to work towards a national accreditation program, and our understanding is that it will be the first in the world if we can have that in this nation. They are doing many great things such as implementing an adaptive equipment hire scheme so that people can participate and explore all corners of our great state.

My commitment to Push Adventures is that I will be working to get inclusive tourism onto the next agenda of the national Tourism Ministers' Meetings, and we hope we can progress it at that level. Push is doing great things for communities, for individuals who want to travel with greater freedom and confidence, and for businesses and the economy. In fact, it is an all-round good news story and I applaud Push Adventures for the work they are doing.

### MEDICAL CANNABIS

**The Hon. T.A. FRANKS (15:04):** I seek leave to make a brief explanation before addressing a question to the Minister for Health and Wellbeing on the topic of access to medicinal cannabis.

Leave granted.

**The Hon. T.A. FRANKS:** As I would hope the minister would be aware, yesterday a study published in the *British Medical Journal Open* and undertaken in Australia in 2017 of 640 GPs, which was done by the University of Sydney's Lambert Initiative for cannabinoid therapeutics at the Brain and Mind Centre, found that the majority of GPs in our country report a lack of knowledge around medicinal cannabis, and a large majority support its use in such areas as palliative care, cancer pain, spasticity in multiple sclerosis, chemotherapy-induced nausea and vomiting and intractable epilepsy, but are frustrated by both the red tape, particularly under the TGA workings, and also the lack of education available to them. My questions to the Minister for Health and Wellbeing are:

1. What education will be provided to South Australian GPs in the coming year?
2. What analysis has been done of this need?
3. Can the minister provide an update to this council of how many South Australians have been able to access medicinal cannabis legally?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:05):** In relation to the second question, I might seek clarification. I have been given some information on a confidential basis but I can't see why it is not public so, with the leave the house, I might check that and come back with the information later in question time.

In relation to the member's first question, I don't recall the date of publication or when the survey was actually taken, but I can assure the house and the member that a lot has been done in the last year or so.

**The Hon. T.A. Franks:** It was done in the last year and released yesterday.

**The Hon. S.G. WADE:** Yes. To the extent that some of the activities that I will refer to may well have been since the study. Cannabis for therapeutic use is regulated as medicine in Australia and can be prescribed by doctors in line with the commonwealth framework which came into effect in November 2016. Following board consultation, as the member knows, a South Australian patient access pathway was announced in April 2017 to provide clarity for patients, medical practitioners and industry stakeholders. South Australian patients are legally accessing medicinal cannabis under the pathway.

I think the member would agree that the evidence base to support doctors in making clinical decisions about prescribing medicinal cannabis is developing. As a result, I acknowledge that doctors have relatively little readily available information on what particular medicinal cannabis product they should prescribe for their patient's condition and in what dose. Both the commonwealth and the state are trying to address that, if you like, medical education need. The commonwealth government's Therapeutic Goods Administration has published a series of guidance documents to assist health professionals and patients, especially medical practitioners who choose to prescribe medical cannabis in Australia under the current access regime.

SA Health has worked with key stakeholders, including medical practitioners, to increase awareness about patient access to and use of medicinal cannabis. This includes provision of education and information sessions for health professionals and health professional organisations. SA Health has established a dedicated medicinal cannabis website, which receives on average over 1,000 visits per month. The website provides information and resources for patients, doctors and pharmacists and includes summaries and frequently asked questions about state and commonwealth legislation and requirements in simple language. The provision of a contact line for patients and clinicians is also available to support and answer specific questions.

In relation to specific medical education opportunities given, I will take on notice the question about what we have planned for the following year, but what I can report on is an initiative that was undertaken last year. On 18 July 2017, SA Health co-hosted a medicinal cannabis clinical update with the commonwealth Department of Health. The update covered recent regulatory developments, patient access issues and the development of clinical efficacy reviews. There were more than 60 attendees at the clinical session, many of whom would have been medical practitioners. The Marshall Liberal government is committed to working with patients and their health professionals to support patient access to the care they need.

#### DISABILITY ADVOCATE

**The Hon. I. PNEVMATIKOS (15:09):** I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding the disability advocate.

Leave granted.

**The Hon. I. PNEVMATIKOS:** The rollout of the NDIS throughout South Australia is experiencing significant delays. The finalised rollout has now been postponed by at least six months. As more South Australians make the transition to the NDIS, significant gaps in service delivery have begun to emerge. Given that 32,000 South Australians are expected to access the NDIS when it is fully rolled out, can the minister update the council as to the progress of the Marshall government's pre-election commitment to a disability advocate?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:10):** I thank the honourable member for her question. If I can just backtrack, prior to the election the concept of support for a disability advocate was actually a proposal of the then Labor Party in government. The article that the announcement in which it was published stated that the funding had been allocated, and that was certainly our position, and the community advocates, if you like, were of that impression as well. On that basis, I thought, 'Yippee,' because I think it is a good idea. We then said, 'Me too', if you like, and said that we think this is an important area, and that was the basis on which we matched that particular commitment.

When we came to office, one of the first meetings that I had was with senior people in my department who are responsible for NDIS transition matters. I said to them, 'So is this the amount of funding and has it been costed?' and all those sorts of questions that you ask as an incoming minister. I was advised, to my sheer horror, that the funding had not in fact been allocated at all and that no costings had been sought from the department on what this particular proposal would cost. As I have said before, this is something which is going to be part of budget discussions, so whether it is funded is a matter for the upcoming budget.

I would say, however, in relation to NDIS, that I am slightly bemused when I still receive letters from federal members of parliament asking me to intervene in NDIS matters. It shows that the level of understanding of what the NDIS is is the same level of understanding as the Leader of the Opposition in this place, in that we are transitioning to a federal scheme from the state schemes. There is a huge range of complex processes for families and providers, going from block funding to providers to individualised funding for people, and of course there have been the delays, as the honourable member referred to in her question.

On that note, I think it is important that the 69 members of this state house, but particularly our federal colleagues, are all advocates in this role. We are basically handing the baton from the state scheme to the federal system. I often urge people to raise these matters with our federal

colleagues as well to ensure that they understand where the scheme is operating well and also not operating well, because they are the ones who need to take these representations up in Canberra.

We have policy in my office of 'no wrong door', so even though I am not directly responsible for the NDIS, we certainly are able to contact the National Disability Insurance Agency on people's behalf. There is a dedicated service there which is available to federal members and senators. It is also available to my office, and I think they have extended that to the shadow minister as well. We do take up individual advocacy on their behalf as well. I would urge all members to take an interest in this space and advocate on behalf of people who may be having difficulty with the NDIS.

#### **DISABILITY ADVOCATE**

**The Hon. I. PNEVMATIKOS (15:14):** Supplementary question arising out of the original answer: what steps has the minister or the minister's office actually taken through the Department of Human Services to facilitate the creation of such a position?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14):** I thank the honourable member for her supplementary question. The first important matter on this issue is funding. That's the first step. If we are able to secure funding then we will take it from there. I note that in the recent debate on the Disability Inclusion Bill, the Labor Party took the view that the role should sit within the Equal Opportunity Commission. That is certainly not the advice of my department. It would probably be more likely to fit and be more consistent with the role of the Public Advocate. As I said, the first matter is to secure funding. Without that we are not able to go much further.

#### **MENTAL HEALTH**

**The Hon. J.S.L. DAWKINS (15:15):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding mental health.

Leave granted.

**The Hon. J.S.L. DAWKINS:** As part of my long interest in suicide prevention, I understand the importance of community-based initiatives. I am also well aware of community sport's role in advancing awareness of these issues. This has become particularly evident to me in my strong association with country football, netball and softball over many years. Will the minister update the council on community-based initiatives to support mental health?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:16):** Through you, Mr President, I thank the honourable member for his question and I acknowledge his achievements in sport far exceed any that I ever achieved.

The Marshall Liberal government is committed to providing support for teenagers and young adults living with mental health issues. As the honourable member highlights, sport can be a wonderful gateway to young people in supporting them in their mental health. We have a number of policy commitments in relation to youth mental health generally. The area of paediatric eating disorders is a cause which has been taken up by this council over the years, as has been the specialist borderline personality disorders. Our government has a commitment to both of those services—an expansion of youth-focused services.

The honourable member's question related particularly to sport and in that context I take the opportunity to highlight to the council the recent South Australian National Football League Teen Wellbeing football match, which was held last month at the Maughan Thiem Hyundai Oval. The South Australian Mental Health Commission partnered with the Woodville-West Torrens Football Club and UnitingCare Wesley Bowden to have the round 10 match between the Eagles and Adelaide dedicated to raising awareness of teen mental health issues and reducing the stigma and discrimination associated with mental ill health.

Before the match began, a chairman's lunch with the theme 'It's okay not to feel okay—let's talk' brought together more than 150 people to hear guest speaker Joe Williams, a former rugby league footballer and professional boxer. Those present report that Joe gave a powerful speech about the importance of good mental health and the difference it makes when we all look out for each other and offer support to people we know.

As Joe stressed, suicide prevention starts with conversations around the table, in our communities and in groups such as sports clubs. Sometimes, people who are struggling might find it difficult to reach out or might not reach out at all. Following Joe's presentation, a panel of South Australian mental health experts shared their advice on teenage mental health and wellbeing.

The SANFL already has a reach of 41,000 young people, not counting their families, coaches and support personnel. The Teen Wellbeing football match reached many more South Australians as the match was televised by channel 7. Through its partnership with the Woodville-West Torrens Football Club and UnitingCare Wesley Bowden, the SA Mental Health Commission has demonstrated the state's commitment to bring a greater focus on the promotion of good mental health and the prevention and early intervention of mental ill health in our community.

Through initiatives such as the SANFL Teen Wellbeing football match and the Adelaide Crows' Breakthrough Mental Health Awareness round, which I had the pleasure of attending earlier in the year, we can all work together to breakdown the stigma and discrimination associated with mental illness and grow our state's mental wealth.

### SHOP TRADING HOURS

**The Hon. F. PANGALLO (15:19):** I have a question for the Treasurer about his shopping hours proposal. In relation to the section concerning staffing on Sundays, does the Treasurer believe—

**The Hon. S.G. Wade:** It's on the *Notice Paper*.

**The PRESIDENT:** Excuse me, Mr Pangallo, I just need to talk to the Clerk. I understand that this issue—the bill—is on the *Notice Paper* and therefore this question is anticipating debate. I will have to rule the question out of order. Do you have another question?

**The Hon. F. PANGALLO:** Yes, I do.

**The PRESIDENT:** I am of a generous mind, Mr Pangallo, so let's hear it.

### FERAL PIGS

**The Hon. F. PANGALLO (15:20):** I seek leave to make a brief explanation before asking a question of the Minister for Human Services, representing the Minister for Environment and Water, the Hon. David Speirs—or the Minister for Trade, Tourism and Investment, the Hon. David Ridgway, may be able to answer this—

**The PRESIDENT:** Well, just choose one for now, Mr Pangallo. We will go with the Minister for Human Services at this point in time.

**The Hon. F. PANGALLO:** —on the feral animal problem on Kangaroo Island.

Leave granted.

**The Hon. F. PANGALLO:** On a recent visit to Kangaroo Island I had the pleasure of meeting with the island's soon-to-be-departed commissioner, Wendy Campana, and Mayor Peter Clements. During my discussions with the commissioner, she raised concerns about the feral pig population on the island, which is causing considerable damage to pastoral land and has caused \$1.6 million of economic loss in recent times. This is on top of the already well-documented environmental damage being caused by the island's feral cat population and plans to build a fence. My questions are:

1. Can the minister provide details to the house on what the government is doing to curb the feral pig population on Kangaroo Island?
2. Can the minister also provide information on what systems will be implemented to reduce the number of feral cats on the island and whether this includes using lethal chemicals?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:22):** I thank the honourable member for his important question. I will certainly take the issue of feral pigs on notice. I think I heard somewhere, or I read somewhere, quite recently that Kangaroo Island was celebrating the fact that they had just recently managed to eradicate the feral goat population from Kangaroo Island, which I think is a fantastic initiative.

Under the stewardship of the former federal Minister for the Environment, Greg Hunt, I know that the endangered species commissioner—I think that was a position that was created under his administration—has taken a very strong interest in the feral cat population of Kangaroo Island. I know that the local community also has taken a number of steps, and the councils in particular have adopted policies as best they can to control the population through cat curfews and limiting the number of cats per household.

In relation to the matter of feral pigs, I am happy to take that on notice and refer that to the Minister for Environment in another place and get back to the member with an answer.

#### **MEDICAL CANNABIS**

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:23):** I seek leave to add further to an answer that I gave to the Hon. Tammy Franks earlier today.

Leave granted.

**The Hon. S.G. WADE:** Further to my undertaking to get information back to the council if I could by the end of question time, I advise the honourable member that as at the end of June 2018 there have been 74 approvals granted by the therapeutic goods authority for use of unregistered medicinal cannabis products in South Australia. Nationally there have been 755 approvals, which on that basis indicates that around 10 per cent of approvals nationally have been to South Australians, which is above our proportion of the national population.

#### **STATE GOVERNMENT CONCESSIONS**

**The Hon. E.S. BOURKE (15:23):** My question is to the Minister for Human Services. Can the minister update the council as to the purpose and scope of the current review of the concessions in SA, including who is conducting the review and when will the review's findings be finalised and released?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:24):** I thank the honourable member for her question. In relation to the concession review, the scope, as I understand it, is limited to some of the mechanics of the computer systems and so forth that operate. As a number of honourable members would understand, a range of concessions are provided to South Australians. They involve a cost-of-living concession, emergency services levy concession, energy concessions, a medical heating and cooling concession, residential parks, sewerage and water.

There is a range of different conditions in terms of how those concessions are applied to people, according to whether they are home owner-occupiers or tenants and so forth. From that point of view, it is quite a cumbersome area to administer. My understanding is that the existing review is considering how we can manage those concessions in a more efficient manner from the point of view of our internal processes. In relation to any of the details that I have not given an answer to, such as which organisation is conducting that, I will take those on notice and provide responses for the honourable member.

#### **CRUISE SHIP STRATEGY**

**The Hon. J.S. LEE (15:26):** My question is directed to the Minister for Trade, Tourism and Investment about tourism. Can the minister update the chamber about South Australia's cruise ship strategy?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:26):** Mr President, I can see you are even excited about hearing about South Australia's tourism.

*Members interjecting:*

**The Hon. D.W. RIDGWAY:** I will see if I can work the quiz answer into it. I do thank the honourable member for her ongoing interest in tourism and particularly the cruise ship sector. Just by way of background, the 2017-18 cruise ship season commenced on 14 October last year, so less than 12 months ago, and it concluded on 30 March 2018. We had 65 cruise ships visit South Australian ports last year—I think it was a record number—including 37 ship visits to Adelaide (including three overnight visits), 19 ship visits to Kangaroo Island (Penneshaw) and nine ships to Port Lincoln, welcoming some 150,860 passengers and crew.



The 2018 season in South Australia welcomed the largest, newest ship to visit Australia, the *Ovation of the Seas*, for the second consecutive season. Other highlights included 15 maiden visits statewide and, of course, the return of the *Queen Mary 2* to Kangaroo Island for the second consecutive year. The *Queen Mary 2* visit coincided with the hosting of the Queen's Baton Relay and the first Kangaroo Island Fringe event.

This year's cruise season, the 2018-19 one, will commence on 6 October 2018, with this time 86 cruise ship visits scheduled for South Australian ports, consisting of 43 visits to Adelaide (including four overnight visits), 30 visits to Kangaroo Island and 13 visits to Port Lincoln. This is comprised of 21 different cruise ships scheduled, with a total capacity of 181,775 passengers and crew. As members can see, that is a 30,000 increase in the number of passengers and crew.

The 2017 cruise industry economic contribution report states that the cruise industry in South Australia contributed \$98.5 million to the state's economy in the 2016-17 season, with 49 cruise ships welcoming 99,503 passengers and crew to South Australian ports and anchorages. Additionally, there is a benefit in showcasing South Australia and our regional destinations and experiences to thousands of passengers who may return to the state in future travel.

You can see that 2016-17 brought a \$98.5 million benefit with 99,000 passengers. This year, we are expecting 181,000 passengers, so you can see, doing the simple arithmetic and maths, that there will be a benefit approaching \$200 million to the economy.

In closing, I was fortunate enough to go to the Teakle auto classic at Easter time. That's in Port Lincoln. It is a great event and what the operators there are hoping to do is to get one or two cruise ships in at Easter the next time that event runs because, as members would be aware, events like that fill Port Lincoln; there is no accommodation left. Bringing in a couple of cruise ships delivers another 3,000 or 4,000 floating hotel rooms, which gets people into those regional communities. I think we are in for a very vibrant and prosperous future for cruising in South Australia.

#### *Matters of Interest*

### **SOUTHERN CROSS CARE**

**The Hon. D.G.E. HOOD (15:30):** I rise today to speak on the Southern Cross Care organisation, which is celebrating its 50<sup>th</sup> anniversary this year of providing services pertaining to home support, retirement living, residential care and, very importantly, respite care. In fact, I had the privilege of representing our Premier and the Minister for Health and Wellbeing at the grand opening of the organisation's new look Mount Carmel Residential Care facility just last Thursday.

The recent works included new residential care beds, a new cafe, new outdoor spaces, new gardens and improved health and wellness facilities. I was certainly impressed, not only by the revamped centre but, more importantly, by the passion and dedication of the Southern Cross Care staff in delivering quality services in aged care for South Australians.

Of course, given our state's ageing population, attention to this sector is becoming increasingly vital, and we are fortunate to have people with the vision and expertise to ensure these services can be delivered effectively and with distinction in the case of Southern Cross Care services.

I would like to take this opportunity to thank sincerely the Southern Cross Care team for their kind hospitality on the day of my visit, and particularly that of David Moran, the chief executive officer, and Brendan Bowler, who is chair of the board. Southern Cross Care has an extensive and proud history of providing retirement and aged-care services throughout South Australia as well as the Northern Territory.

Members may not be aware that the organisation was founded by the Knights of the Southern Cross, an order of Catholic laymen committed to promoting what they consider the Christian way of life throughout Australia and in their actions of care. Its first project was the construction of a modest group of one-bedroom units at Croydon Park, which was funded on a dollar-for-dollar basis by the commonwealth government.

Throughout the 1970s Southern Cross Care then proceeded to expand, with the development of 30 sites throughout the Adelaide metropolitan area and Mount Gambier. In order to

meet the emerging demand for high-quality aged care, its first care centre was built in 1976 at North Plympton, followed by the construction of a 146-bed nursing home situated next to this facility.

For over four decades Southern Cross carers continued to diversify its services and it now operates in some 53 sites. Its newest site, Carmelite, is a multimillion dollar integrated aged-care hub, located in Myrtle Bank, which I understand is very close to completion. It has also just commenced building a \$70 million plus retirement estate in Mount Barker that will offer 22 single-level independent retirement villas, with five different designs. Southern Cross Care currently employs over 2,300 people and provides services to more than 5,000 older Australians.

Southern Cross Care's excellence in the aged-care sector is evidenced by the many awards it has received in recognition of its vast achievements over the past decade. They are too numerous to mention on this occasion, but I note that some of its more recent awards include: the 2017 Aged and Communication Services (South Australia and Northern Territory) Award for Excellence in Aged Living Design; the 2016 HESTA Outstanding Organisation Award; the 2016 Australian Aged Care Quality Agency Better Practice Award; the 2016 National Master Builders Association Construction Industry Award for National Lifestyle Housing for Seniors Living; and, the 2016 Urban Development Institute for SA Award for Excellence in Seniors Living, just to name a few of the recent awards.

The Marshall Liberal government acknowledges that, whilst primary responsibility for residential aged care lies with the commonwealth government, it also recognises that our health and aged-care services need to work together to support Australians in the latter stages of their life to maintain their independence and participation in the local community and connection with family and friends.

Our state government is, therefore, intent on working closely with our federal minister for ageing to ensure South Australians receive appropriate support and care as required. Without the valuable contributions of organisations such as Southern Cross Care this would not be possible, and I commend its resolve to provide comprehensive and exemplary services in response to the evolving needs within our state.

I might just add in closing that I was particularly impressed with the rates of participation that they are able to achieve at the particular site that I was at last week, and that is that, of the elderly residents of the facility, they have a participation rate of some 85 per cent in their gymnasium, which I thought was extraordinary, given that the average age is in the 80s.

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

**The Hon. D.G.E. HOOD:** The minister interjects. I will ignore the interjection, but if I were to respond I would say something to the effect that I made the observation, when I was there last week, that they were putting me to shame. I am a 48-year-old man, but they seem to be much more committed—

**An honourable member:** A young man.

**The Hon. D.G.E. HOOD:** A young man, thank you. They seem to be committed to the exercise lifestyle, which is exemplary. It enables people, particularly aged people, to enjoy their life and it is to the benefit of their health, of course. I commend them on their activities.

### SHOP TRADING HOURS

**The Hon. E.S. BOURKE (15:35):** It is funny what can happen when you cook up a barbie in regional South Australia. It is an icebreaker, a conversation starter; after all, who could resist a local snag cooked by locals?

Last week I had the pleasure of many barbecue conversations, conversations that were sparked by remarks made during question time on 21 June when the Treasurer responded to the Hon. Terry Stephens' question regarding the deregulation of trading hours in regional South Australia, remarks such as Foodland and IGA stores trade successfully with Coles and Woolworths, that there 'doesn't appear to have been the widespread concerns of businesses being wiped out', that 'traders are prepared to trade, the workers are prepared to work', that there are no complaints from workers and families about being forced to work.

It might surprise those opposite that the remark that there 'doesn't appear' to be widespread concern, and the remark that independents can successfully trade with Coles and Woolworths, did not ring true over the barbie in Murray Bridge and Waikerie, and it did not ring true in Barmera and Berri. Local growers and suppliers can see the writing on the wall: statewide deregulation of trading hours will hit not only independent retailers but also the suppliers, wholesalers and farmers who rely on the friendly independents stocking local SA products, not only in regional SA but across all of South Australia.

There are currently 89 IGAs in South Australia. If 50 of these stores were forced out of the marketplace regional growers and suppliers—our state's primary producers—would be some of the many people and one of the many sectors impacted. The government might boast that deregulation has been a big hit in regional South Australia and that everyone can trade happily side by side, but either they have not asked regional businesses for their feedback or, if they have, they have asked only the big end of town.

They have not asked the former owner of Beauchamps, a family shoe store business that had been an iconic shopfront located on the main street of Murray Bridge for 60 years. That was until Woolworths moved in, shifting the focus of the shopping district away from the main street. They have not asked Aussie Apricots, a third generation, family-run orchard. I met with the owners last week and they shared with me their concerns about the effect this statewide deregulation could have on them. These humble producers employ over 20 staff locally to harvest and process their products, and most of us would have seen their delicious chocolate-dipped apricots and many other products on the shelves of SA independent supermarkets. Aussie Apricots are proud locals who are also proud to support their local mates and sell only to South Australian supermarkets.

They have not asked Aquasun Produce in Murray Bridge, which grows tomatoes, about how they will be impacted by deregulation. They have not asked second generation almond farmers from Waikerie. They have not asked Plaza Quality Meats, the local Berri butcher located opposite Coles, about what will happen when the big end of town is deregulated. I did ask that local butcher and do you know what they told me? There is no time for anything but work. The government has not asked independent supermarket owners in Berri, Port Pirie and Kadina—and neither have I. Why? Because they don't exist anymore. But do not worry, Woolies and Coles are happily trading.

The thousands of signatures collected from regional South Australia to keep this point of difference has been overwhelming. From Liberal branch secretaries to regional shop owners, farmers and customers, they have all lined up to unequivocally tell us that the big guy and the little guy are not happy neighbours. We need a balance that backs SA farms, jobs and shops. We all remember that hashtag #regionsmatter. It is certainly catchy. I give credit where credit is due, but is this catchy hashtag just that to the Liberal Party or are they actually listening to regional South Australian businesses?

#### CITY OF MARION

**The Hon. J.A. DARLEY (15:40):** I rise today to speak about Marion council and more particularly their involvement in a development at 73 The Cove Road, Marino. I was recently contacted by a constituent who is concerned about the behaviour and reckless spending of this council. Since 2011, Marion council has spent approximately \$450,000 defending a residential planning decision made to approve an application for a two-storey three-bedroom house.

The council's actions throughout this matter have caused great financial stress not only to the homeowners, the Fleetwoods, but also the surrounding neighbours who opposed the Fleetwoods' applications. It has also left ratepayers frustrated with how their money is being spent. Marion council first approved the Fleetwoods' development application for their two-storey house in 2012. However, the council failed to consult residents during this process, so neighbours appealed to the Environment, Resources and Development (ERD) Court. At this stage, the Fleetwoods had already begun construction on their home.

In March 2013, the ERD Court determined that they had jurisdiction to quash development approval. However, during this time, the Fleetwoods continued building, claiming they were locked into a strict building contract, as reported in the *CoastCity Weekly Messenger*. Following the court's

decision, Marion council decided to spend further ratepayer money on this case by appealing to the Supreme Court. This attempted appeal was subsequently dismissed by that court.

Later that year, the Fleetwoods sought further approval for essentially the same dwelling house and associated works, as had been approved earlier by council. The application received development plan consent and neighbours again initiated proceedings seeking a declaration that this was invalid. In September 2014, the ERD Court made orders to remove all council approval on this matter as the council incorrectly assigned the status of category 1 to the development applications instead of category 3. As members would be aware, the incorrect assignment of category 1 to a proposed development, when it should have been processed as category 3, has the effect of depriving neighbours of the right to make submissions and their right of appeal.

Following the court's decision, the Fleetwoods submitted another application, which was awarded category 3 status. However, following the award of this status, the council then changed its development plan to permit the application to be categorised as category 2, resulting in the removal of a right of appeal. Local residents have submitted an FOI to obtain information to support this change in their development plan but were unsuccessful in obtaining relevant information.

In January 2017, the ERD Court held that the proposed design was too large for the site and should never have warranted approval by the council as it was a significant departure from a number of provisions of the development plan. Despite the issues raised by the court, the council commissioned independent planner Helen Dyer to assess an amended application by the Fleetwoods. I understand four submissions were made to this application: three in strong opposition to the application and one from Mr Fleetwood in support. Notwithstanding this, Ms Dyer stated that there was general support for the application. This has led some local residents to question the validity of this report.

Despite past errors made by the council, in April this year they administered a closed session to review another application by Mr Fleetwood and approved it. Residents were not permitted to view the application and were not given an opportunity to have their say. Local residents had to take this matter to court yet again to force the council to release information about the application.

It is concerning that the City of Marion council has spent almost half a million dollars on this matter. Much of this may have been avoided had the original application in 2011 been assessed correctly or had the council accepted the ERD Court's decision along the way. The fact that the council's latest consideration of this matter was held in camera when there has been so much public interest in the matter is also concerning. Time will tell what the final outcome will be.

### **SUICIDE PREVENTION**

**The Hon. J.S.L. DAWKINS (15:44):** I rise to speak about the excellent suicide prevention Network of Networks event held at the Whyalla Golf Club on 28 June. As the Premier's Advocate for Suicide Prevention, I was pleased to make the opening remarks and speak at the conclusion as well. It was great to see representatives of networks based at Cleve, Kimba, Port Lincoln, Port Augusta, Lower Eyre Peninsula and Whyalla, in addition to many other related organisations.

The theme of the day was largely about rural men, but there were some other inspiring aspects throughout the day. The welcome came from Lynne O'Sullivan, well known for her work in the leadership of the Suicide Prevention Unit in the Office of the Chief Psychiatrist over a number of years. The event was hosted by Janice Eygenraam and Lee Martinez of the Whyalla Suicide Prevention Network. The keynote speaker was Sarah Powell, formerly a Darke Peake resident who now lives at Wharminda. She has formed a body called Champions Academy, which specialises in revitalising rural communities through sporting leadership.

It was an inspiring presentation, particularly about the strength of communities in relation to their sporting organisations. She relayed the history of country football on Eastern Eyre Peninsula, and relating to netball as well. Where in earlier days there were 31 football clubs in that region in a number of different leagues, there are now only four football clubs remaining in the Eastern Eyre Football League. The basis of the presentation was about how this program had been rolled out through the Ports Football Club, which encompasses Port Neill and Arno Bay and associated areas. Through those clubs, the leadership development demonstrated throughout that region is excellent,

and I am pleased to hear that that program is being rolled out across Eyre Peninsula, and will be throughout other parts of the state in the near future.

The emphasis on rural men commenced with some particular voices of lived experience with suicide. One that I was particularly interested in was a presentation from Jeremy Edwards about a group called INATT, which means 'I'm not afraid to talk'. This group is in its early stages. It is one of those great organisations in suicide prevention and mental health that runs off the smell of an oily rag and is totally supported by volunteers, and it is one I wish to do more work with in the near future. We also heard a presentation about the strength of the Whyalla Men's Shed and other similar men's sheds across Eyre Peninsula.

Some light relief—for what to some is a sombre subject but, of course, it is a subject that the attendees are passionate about, but the light relief came in the form of some excellent stand-up comedy by people from the Whyalla region who suffer from mental health issues, and they have a group that gets together to perform stand-up comedy, largely based around their mental health issues.

Finally, I would like to commend the Whyalla Suicide Prevention Network for hosting the event and also for the distribution of the excellent booklet that they put out which is really helpful for people who are dealing with people at risk of suicide or self-harm.

### MEMBERS' BEHAVIOUR

**The Hon. M.C. PARNELL (15:50):** I rise today to make some comments about appropriate behaviour of members of parliament in their dealings with each other and with the community. Over the last few days members will have become aware of an incident last week in the federal parliament involving my colleague Senator Sarah Hanson-Young and the Liberal Democratic senator from New South Wales, Senator David Leyonhjelm.

I do not need to go through all the words that were used by Senator Leyonhjelm and admitted by him because they are familiar to members, and I also do not need to go through the details of his pattern of behaviour, including repeating his sexist and offensive comments in subsequent media interviews. Aside from a few online trolls, Senator Leyonhjelm's words and actions have been universally condemned by members on all sides of politics, including those who do not often defend the Greens.

The reason for that is because this is not a party political issue, nor is it a partisan issue, it is about us as members of parliament collectively reflecting on standards of behaviour and also about our society more generally. That is why the issue has attracted so much interest in the media and around the water cooler.

In an opinion piece in today's *Advertiser* Senator Sarah Hanson-Young explains why it is that she is calling out this sexist and misogynist behaviour. I just want to refer to part of her opinion piece that states:

The truth is some men use sexual comments to undermine a woman's confidence and credibility, and it happens more often than people like to admit.

Senator Leyonhjelm has crossed the line. His comments and behaviour towards me are offensive and unfit for a person who wishes to sit in our national Parliament. He has brought the Parliament into disrepute. And that is why I have taken him on, called him out and called in the lawyers.

I am standing up, because not everyone working behind the bar, or working on the factory floor, or working as a flight attendant gets the same opportunity to hit back and draw a line.

It's because I have that opportunity that I also have the responsibility to say something.

Enough is enough.

Senator Leyonhjelm's attack on me is an attack on all women. It is an attack on the type of decency the majority of men and women in this country wish to see represented in our Parliament and our community. It is 2018, it's time we rid ourselves of the idea that if a man loses an argument then he gets to call a woman promiscuous or ask how many boyfriends she's had.

We are kidding ourselves if we think the problem of sexism in political life will go away when Senator Leyonhjelm finally does.

It won't go away until we call it out and rule it out, once and for all. That's what I'm trying to do.

Senator Hanson-Young also says in the article:

No man, whether in politics or elsewhere, has a right to treat women like this, just because they are struggling to win a debate. This is not a matter of free speech; this is a matter of decency and respect. No man—no person—has a right to harass women in this way. Not in our streets, not in our workplaces and not in our homes.

Back in November I made a matter of interest speech in relation to White Ribbon Day. I suggested at that time that the South Australian parliament should follow the lead of the Victorian parliament and seek accreditation as a White Ribbon accredited workplace. We already have a large number of White Ribbon Ambassadors amongst the men in the South Australian parliament but I think that we should take it to the next level and deal with the issue of women's safety and respect for women as an institution as well as a workplace.

In coming weeks I will be getting in touch with fellow White Ribbon Ambassadors and other members of state parliament to see if we cannot get the ball rolling because I think the incident in the federal parliament last week that has come to a head in the media and, as I say, around the water cooler, is a wake-up call that we should not rest on whatever laurels we have, or we think we have in this place. We need to make sure that institutionally we address respect for women and White Ribbon workplace accreditation seems to me a very good place to start.

### **CYBERSECURITY, VIETNAM**

**The Hon. T.T. NGO (15:54):** Recently, there have been widespread protests never seen before by hundreds of thousands of Vietnamese in Vietnam and abroad against the Vietnamese communist government's proposals for three special economic zone areas and against the cybersecurity laws it recently passed. Today, I will speak about the new cybersecurity law that would give sweeping new powers to the communist authorities, allowing them to force technology companies to hand over potentially vast amounts of data, including personal information, and to censor users' posts on social media outlets.

These new laws give authorities choices to determine when expression must be censored as illegal. With the lack of meaningful protections for privacy in Vietnam, these provisions in cybersecurity law make it easier for the government to identify and prosecute people for their peaceful online activities. The Asia Director of Human Rights Watch, Mr Brad Adams, recently stated, and I quote:

This bill, which squarely targets free expression and access to information, will provide yet one more weapon for the government against dissenting voices. It is no coincidence that it was drafted by the country's Ministry of Public Security, notorious for human rights violations.

Some of the draconian measures in these laws are: internet companies such as Facebook being required to store data locally, verify user information and disclose user data to authorities without the need for a court order and banning the use of internet to 'prepare, post and spread information' that opposes the Vietnamese communist government or even offends the nation and the communist red flag.

The Vietnamese National Assembly, which is a puppet legislature for the communist regime, voted on these measures, amongst many other extreme laws, on 12 June this year, and they passed close to unanimously, with Amnesty International reacting with a statement, and I quote:

With the sweeping powers it grants the government to monitor online activity, this vote means there is now no safe place left in Viet Nam for people to speak freely.

Amnesty International has also written an open letter to the heads of Apple, Facebook, Google, Microsoft and Samsung outlining its concerns and urging the companies to exert pressure on Vietnam's government. Part of the letter says, and I quote:

This law can only work if tech companies cooperate with government demands to hand over private data. These companies must not be party to human rights abuses, and we urge them to use the considerable power they have at their disposal to challenge Viet Nam's government on this regressive legislation.

The communist regime has established a paid army whose job it is to promote official propaganda. Perhaps more worryingly is that the regime has set up a military task force of 10,000 officers who are ready to combat online opinions every hour, every minute and every second of the day. These

new measures, now adopted by the communist regime, are being implemented in the background of broader crackdowns on human rights activism in Vietnam. Several of these activists have been sentenced to more than 10 years in prison by Vietnamese courts.

On behalf of the Vietnamese community in Australia and worldwide, I call on Apple, Facebook, Google, Microsoft and Samsung to exert their power against the communist government by refusing to comply with these new laws which only seek to cover up human rights abuses and government corruption in Vietnam.

### REFUGEE WEEK

**The Hon. J.S. LEE (15:59):** Today, it is a great privilege to speak about how South Australians have embraced SA Refugee Week, which took place between 17 to 23 June this year. It provides us with the opportunity to reflect and appreciate the strength and enterprise of those who have come to Australia as refugees, showing immense courage and resilience and creating new opportunities for themselves, their families and their communities.

Throughout the postwar period, Australia grew in size and diversity by welcoming many millions of migrants who have brought with them their own histories, often embedded in wars, genocide and oppression. Yet, their spirit of optimism, along with their hard work and contributions, have turned Australia into a proud and prosperous multicultural country today.

I would like to pay a special tribute to the Australian Migrant Resource Centre, which has been the convener of SA Refugee Week since 2001. Sincere thanks and congratulations to the wonderful team: Eugenia Tsoulis OAM, the CEO of AMRC; chair Judge Rauf Soulio; deputy chair Elizabeth Ho; and also the SA Refugee Week committee for their vision, hard work and commitment to bring together over 100 organisations as well as thousands of individuals to present multiple events that coincide with World Refugee Day.

I attended many events during Refugee Week and would like to highlight a few of them here today. It was a great honour to represent the Premier of South Australia, the Hon. Steven Marshall, as well as the Minister for Education, the Hon. John Gardner, to launch the 2018 SA Refugee Week and youth poster exhibition. On behalf of the government, I express my gratitude to AMRC, the Hawke centre and University of South Australia for working in partnership with students across 20 primary schools, 15 secondary schools and three tertiary institutions to present the most outstanding youth posters exhibition.

It was a great privilege to witness the compassion and respect by young participants and students. I was most impressed not only with their artistic talents but also their thoughtfulness and courage at a young age to stand up for the greater good and for the good of others. Congratulations to poster winners, finalists and students in their efforts to recognise Refugee Week.

A special thanks to Adelaide city council and Lady Mayoress Genevieve Haese for hosting the World Refugee Day event together with AMRC. I had the honour to represent the Premier to convey his best wishes to organisers and participants. It was wonderful to have the Governor of South Australia His Excellency launch World Refugee Day in Adelaide on 20 June 2018. There was nothing more powerful and moving than listening to someone like His Excellency, who shared his own personal experience as a refugee. He is truly an honourable human being, a remarkable leader who continues to inspire us all to do more for others.

Another event that I would like to highlight was the event hosted by the energetic Mayor Gillian Aldridge. I thank the mayor and her team for their warmest welcome at the City of Salisbury Refugee Week event. It was entitled 'Our Stories', celebrating the valuable contribution of refugees to Salisbury.

Refugee Week has certainly kept the Governor very busy. His Excellency was again the guest speaker at the City of Salisbury. Congratulations to the City of Salisbury on their commitment to welcoming refugees and building the region into a culturally diverse city since it officially became a refugee welcome zone in 2016.

I would also like to thank Michelle Dieu, manager of the northern area Migrant Resource Centre, for working together with the northern Multicultural Women's Network to organise a colourful

multicultural open day. It was great to meet so many and share their stories. Thank you to Michelle and her team, together with the many volunteers who are providing new arrivals with friendship, support and skills transfer.

Hearing so many moving stories during Refugee Week reminds us all how lucky we are to be living in a beautiful and democratic country like Australia. We are much richer as a nation and as a state that our country has been a welcoming place for refugees, where people are not defined by their past but by the way they show immense courage and resilience. Special thanks to everyone involved in Refugee Week and for making valuable contributions every day in the work that you do for South Australia.

### *Motions*

#### **GREAT AUSTRALIAN BIGHT**

**The Hon. M.C. PARNELL (16:04):** I move:

That this council—

1. Notes that proposals to drill for oil and gas in the Great Australian Bight pose enormous risks to the marine environment, the fishing industry and tourism in South Australia; and
2. Calls on the state government to work with the federal government to seek listing under the World Heritage Convention of the waters, seabed and coastline of the Great Australian Bight as a matter of urgency.

The Great Australian Bight is a rich biological wonderland where 85 per cent of the marine species are found nowhere else on earth. It is a critical habitat for a range of threatened and endangered species, including 29 whale species, sharks, sea lions, tuna, turtles, fish and migratory birds. It is also one of only two southern feeding grounds in the world for the blue whale.

The Head of Bight, which I have visited and I expect many other members have as well, is the most significant southern right whale nursery in the world, where mothers spend months caring for and nurturing their young in the safe, secluded waters. The environment and underwater landscape is so diverse that scientists are yet to fully understand the richness of this complex ecosystem. Just last year, scientists discovered 275 species, and a further 887 species already known to science were found in the Bight for the first time. This is according to the report of the \$20 million four-year Great Australian Bight Research Program, which involves South Australian government partners and the CSIRO as well as the University of Adelaide and Flinders University.

The Bight is also important for commercial fishing and generates 25 per cent of Australia's seafood by value and supports the nation's largest commercial fishery by volume, the South Australian sardine fishery. Indigenous communities have strong cultural connections to the region, and many coastal towns rely on the pristine marine environment that underpins aquaculture, fisheries, recreational fishing and ecotourism industries.

The Great Australian Bight, however, is also being targeted by oil and gas interests, with the region likely to come under increasing pressure in coming years, which is why it is important to provide the region with the highest possible level of environmental protection. The most important question for governments, for legislators and for the community is whether oil or gas mining in the Great Australian Bight is compatible with protection of these proven environmental values. I think the answer is clearly no.

Members may be aware of some oceanographic modelling that was undertaken three years ago which showed what would happen in the case of a modest oil leak in the Great Australian Bight. The results were frightening. The study, led by leading oceanographer and coastal scientist Laurent Lebreton and reviewed by the marine consulting firm eCoast Limited, modelled the potential impacts of an oil spill in the Great Australian Bight caused by the blowout of an oil drilling rig that led to the uncontrolled release of crude oil at the seabed into the water column—in other words, a situation similar to BP's 2010 Gulf of Mexico disaster, which released nearly a billion litres of oil into the marine environment, which had a multibillion dollar hit to the local economy and a devastating impact on wildlife.



Closer to home, we could look at the Montara oil spill off the coast of Western Australia, which spewed millions of litres of oil into the Timor Sea over 74 days in 2009 and affected 6,000 square kilometres of ocean and countless millions of marine creatures. The oceanographic modelling commissioned by the Wilderness Society considered two seasons—summer and winter—and four oil spill scenarios. Regardless of the oil spill release scenario, the numerical models predicted that in the short term, in the event of a blowout in the Great Australian Bight, crude oil lost in the marine environment is likely to impact the shores of Western Australia should the event occur in summer, whereas it would most likely reach Eyre Peninsula and Spencer Gulf in South Australia if the incident should happen during winter.

In the long term, though, the numerical model predicts that remaining droplets of oil at the sea surface would progressively leave the Great Australian Bight and transit towards the Tasman Sea, through Bass Strait and around Tasmania. Under winter conditions, for a blowout scenario representing a spill of 5,000 barrels of oil per day for 87 days, a time similar to the Montara blowout and around half the time of the Gulf of Mexico disaster, the model predicts that within four months an area of approximately 265,000 square kilometres—from the proposed exploration well to the entrance of Spencer Gulf, reaching Eyre Peninsula and Kangaroo Island—would have an 80 per cent chance of having a surface oil thickness above levels likely to trigger the closure of fisheries.

This represents an enormous risk to our state. My view, and the position of the Greens, is that risking this unique marine environment is irresponsible. It is short-sighted and it is a disaster for the climate. That is why we were pleased that both BP and Chevron have pulled out of the Bight and why we are continuing to put pressure on Norwegian company Statoil to do likewise.

World Heritage listing of the Great Australian Bight will be a powerful and unifying symbol of the importance of this region and a reminder of the obligation that we have, not just to South Australians but to the citizens of the world, to ensure that our special places are properly protected. Currently, there is only one World Heritage site in South Australia, and that is the Australian Fossil Mammal Sites, which is a joint listing between Riversleigh in Queensland and Naracoorte in South Australia. That was added to the list in 1994, and it is one of the world's 10 greatest fossil sites. If the Great Australian Bight was also listed on the World Heritage register, it would be a point of great pride to have a second World Heritage site in our state.

The question arises: is the Great Australian Bight important enough? Would it qualify for World Heritage listing? People might think, 'It's not the pyramids of Egypt. It's not the Taj Mahal. It's not the Grand Canyon. Would it qualify?' The answer is that clearly it would. When you look at the 10 criteria for World Heritage listing, there are at least two that the Great Australian Bight clearly satisfies. They are criterion number (ix):

to be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;

And criterion number (x):

to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.

As I said before, the scientific studies that were undertaken just last year using funds provided by the South Australian government and resources provided by our universities, as well as CSIRO, showed that this is a remarkable biological region. It would clearly qualify as World Heritage. But World Heritage does not happen by mistake, by accident or by itself. It requires both nation states and subnational governments to get on board and to promote the listing at UNESCO in Paris as part of the United Nations.

The role of the state government here, I think, is quite clear. If the South Australian government agrees with the Greens that the risk to the commercial fishing industry, the tourism industry and to our environment itself is too great, then it cannot just wash its hands and pretend that this is a matter for the feds, that the oil drilling in question is not in state waters, it is in federal waters. I do not think it is sufficient for the state government to wash their hands. There are things that the state government can do.

Getting behind World Heritage listing is one measure that it could take. Another measure that it could take is to use the planning system to send a clear message to these oil companies that, whilst they might be able to get permission from the feds for offshore activities, they are not going to get permission for the necessary onshore activities, which are all governed by state law, in particular by our planning and development laws. There are lots of things that the state government can do. If the state government is serious about protecting the environment, protecting the economy and protecting the tourism industry, then they should get behind the push for World Heritage listing for the Great Australian Bight.

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

### **SENIORS, FREE PUBLIC TRANSPORT**

**The Hon. M.C. PARNELL (16:14):** I move:

That this council calls on the state government to extend free public transport to seniors to include all weekday services as well as weekends and public holidays.

The importance of independence and mobility for seniors cannot be underestimated. There have been many studies over many years that have shown that, as people get older, the more they can stay connected to their communities, the more they can stay engaged and the more they can stay active the better their lives will be at an individual level, and the better society will be because we have all this experience and enthusiasm still engaged in community activities.

The program that has been in existence for many years to enable seniors to travel for free on public transport at certain times is one that we should wholeheartedly support. An evaluation was undertaken two years ago by the University of Adelaide, which looked at seniors who were using free public transport, what sort of things they were using it for and what impact it had on their lives. The report confirmed what most of us know intuitively.

It was written up in the newspaper back in January 2016, under the heading, 'Free public transport critical for seniors' wellbeing'. I will just read a couple of sentences from that news report:

Adelaide senior citizens are making an average of 150,000 rides on public transport every week, with the provision of free public transport to seniors during off-peak times playing a major role in their independence and wellbeing.

That's according to new research from the University of Adelaide, which has studied the impact of free public transport on older people.

The comprehensive study used a combination of data: travel information obtained from thousands of Seniors Cards used on public transport; a survey of more than 1,300 people conducted by the Office for the Ageing; and, travel diaries filled out by more than 60 older people.

'The results of our study are a resounding vote of support for the provision of free public transport to Seniors Card holders, and helps us to better understand what role this transport plays in their lives,' says study leader Dr Helen Feist, Acting Director of the Australian Population and Migration Research Centre at the University of Adelaide.

The article goes on:

'Most activities of daily living—such as shopping and paying the bills—are conducted in the local neighbourhood and involve other forms of transport. However, public transport is often used for other life-enriching activities, such as volunteering, or civic and social engagements, going to the movies, visiting friends or travelling to the city for a day out,' Dr Feist says.

The article concludes:

Dr Feist says improved mobility provides older people with a sense of independence and control. 'It gives them autonomy as well as feelings of active citizenship and belonging. These issues are critical to people's wellbeing in later life. As Australia's population ages, the ability to engage independently with the community through adequate and reliable transport is becoming more imperative,' she says.

I think that possibly tells us what we all intuitively knew, but there is nothing like a good academic study to remind us of what should be obvious.

So the question then arises: if free public transport is having such positive benefits for older South Australians during the periods when it is free, then if we were to extend that period and enable and encourage more seniors to use public transport more often, then those benefits would, it seems clear, be magnified.

At present, seniors can travel for free at all times except for what we would think of as peak periods, that is, the morning weekday peak and the afternoon weekday peak. People might think that is fair enough, that we need to free up seats on buses, trains and trams for people who are paying a fare and are going to work or to school, but I am not sure that stands up to much scrutiny because the sorts of things that older people are doing, whilst some will be personal and social, which are good things in themselves, include, for many other older people, volunteering, and the hours that they are called upon to volunteer do not neatly fit into the interpeak period, and they are not necessarily on weekends or at times when it is free to travel.

If you go down Rundle Mall, for example, you will see a number of older people who volunteer as guides and if you go to the courthouse, down in the Sir Samuel Way Building, there are a number of older people who volunteer as guides because people turn up to court and often get lost; it is a very foreign environment for most people. Older people are out there doing these things and they do them during peak periods as well as during off-peak periods.

I think it makes sense to bite the bullet and spend the relatively small amount of money it would take to say to seniors, 'You can travel for free whenever.' I will come back to the cost in a moment, because I am not suggesting that it is free but that it is good value. They are two different things.

In the lead-up to the election a number of interest groups put out their manifestoes or their election requests, and the one from National Seniors included, under the heading of transport, the request to extend free travel to South Australian Seniors Card holders to 24 hours a day, seven days a week. The rationale for the National Seniors policy was that flexible access to public transport greatly enhances social inclusion and the ability of older people to live independently. Free public transport is currently restricted to off-peak times—Monday to Friday 9am to 3pm and 7pm to midnight, weekends and public holidays. Extending free travel times would improve the effectiveness of public transport as an alternative to driving and help older people remain mobile. This measure is likely to attract more patronage from seniors and increase opportunities for seniors to fully participate in their local community.

That brings me to the question that I know occupies the Treasurer's mind, and I am sure the mind of many other people as well: what would this cost? I am glad people ask that question because, as I think I have said before, the Greens were one of the very few groups—if not the only group—to use the Parliamentary Budget Advisory Service in the last election. I put to the PBAS that this was a policy we wanted costed and they came back with a detailed costing. I will not go through all the numbers but, in a nutshell, the grand total of revenue forgone—in other words, seniors travelling for free at a time when they would currently have to pay a concession fare—is about \$1½ million a year; \$1½ million is all it would cost to provide free public transport at all times to all Seniors Card holders. I am not going to say that \$1½ million is nothing but, in the overall scheme of things, it is peanuts.

**The Hon. J.E. Hanson:** Per year?

**The Hon. M.C. PARNELL:** Per year, yes; \$1½ million per year is all it would cost to let people travel for free. I could make all sorts of glib comparisons—maybe it is the equivalent of the drinks bill at the Premier's Christmas party; I have not been to the Premier's Christmas party so I do not know how good his drinks are—but honestly \$1½ million, in the scheme of the public sector and public spending, is not a lot of money and I am sure it could be found. If we were going to do any sort of cost-benefit analysis I think the evidence so far shows that an investment like that would pay for itself in spades. We would have more people out there engaging in their communities and using public transport.

You could say that if the provision of free public transport during peak periods became very popular that more services might need to be put on. Well, I say bring that on. My three decades of work in the public transport space show that it is the lack of frequency of services that is one of the main disincentives for people using public transport, so if seniors started to flood our peak hour trams, trains and buses and the government had to put on more services, what a great thing that would be for the whole of society.

This is a motion that should be supported. It calls on the government to have a good look at it and to fund it and I am pleased, on behalf of the Greens, that we have made life easy for the

government in getting it costed. As I said, it is consistent with the calls made by seniors groups in the lead-up to the election.

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

### GENETICALLY MODIFIED CROPS

**The Hon. J.A. DARLEY (16:24):** I move:

1. That a select committee of the Legislative Council be established to inquire into and report on the moratorium on the cultivation of genetically modified (GM) crops in South Australia, with specific reference to—
  - (a) the benefits and costs of South Australia being GM-free for the state, its industries and people;
  - (b) the effect of the moratorium on marketing South Australian products both nationally and internationally including:
    - (i) costs and benefits to South Australian industries and markets of remaining GM-free;
    - (ii) costs and benefits to South Australian industries and markets from lifting the moratorium on cultivating GM crops in South Australia;
    - (iii) current or potential reputational impacts, both positive and negative, on other South Australian food and wine producers, that may result from retaining or lifting the moratorium;
    - (iv) consideration of global trends and consumer demands for GM crops/foods versus non-GM crops/foods;
  - (c) the difference between GM and non-GM crops in relation to yield, chemical use and other agricultural and environmental factors;
  - (d) any long term environmental effects of growing GM crops including soil health;
  - (e) the potential for contamination of non-GM or organic crops by GM crops, including:
    - (i) consideration of matters relating to the segregation of GM and non-GM crops in the paddock, in storage and during transportation;
    - (ii) the potential impacts of crop contamination on non-GM and organic farmers;
    - (iii) consideration of GM contamination cases interstate and internationally; and
  - (f) any other matters that the committee considers relevant.
2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

I move this motion today to fulfil a commitment that I made last year before the parliament prorogued for the election. At the time, the Hon. Mark Parnell had introduced a bill to extend the moratorium South Australia has in place against genetically modified crops and to put the moratorium into legislation. Prior to this, the moratorium was only in place through regulation and there was some concern that this could be removed at the whim of the government.

The Hon. Mark Parnell's amendment bill effectively meant that the moratorium could not be lifted unless it was the will of the parliament. During the debate on this bill, a number of issues concerned me and I undertook to introduce a motion to establish a select committee to have a look at the issue closer so that we can make an educated decision when this matter arises in the future.

I understand the moratorium which stands is only there for marketing purposes. That is to say that if it is deemed that South Australia has an advantage by being able to market ourselves as being GM-free, then the moratorium should stay. I spoke to some local South Australian businesses

at the time which indicated that they had no doubt that they had an incredible marketing advantage by being able to say to the world that not only is their product GM-free but it is from a state which is entirely GM-free.

However, a number of other issues arose during the debate of the Hon. Mark Parnell's bill. These included grain storage and contamination issues, claims of health effects of consuming genetically modified crops, international trends towards GM crops, advantages or disadvantages to crop yield, cost of growing GM crops versus non-GM crops, difference in grain prices for GM and non-GM products, and whether our farmers were missing out on agricultural technology by not being able to grow GM crops.

Whilst many people seem to have an opinion on some or all of the above, few people were able to provide evidence to support their argument. I conducted what research I could; however, this is a very involved issue and I do not imagine that I was the only one who faced these problems. As such, I indicated that I would be moving to establish a select committee to investigate this issue further, and that is what I am doing today.

By doing this, if it became apparent that the moratorium is serving no purpose, we can make an amendment to the act and remove the moratorium. Everyone in this place wants to do what is best for the community but it is important that we have the correct information on which to base our decisions. I want to thank the Hon. Mark Parnell for bringing this issue to the forefront of our minds, and also to his chief of staff, Cate Mussared, who has greatly assisted not only in the bill but with this motion, too.

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

### **GRANGE SURF LIFE SAVING CLUB**

**The Hon. E.S. BOURKE (16:28):** I move:

That this council—

1. Congratulates the Grange Surf Life Saving Club on winning the recent 2018 Junior State Championships in March;
2. Congratulates the club on winning nine of the past 10 junior lifesaving state championships; and
3. Acknowledges all the hard work of board members, volunteers and parents to enable the junior squad the opportunity to achieve this outstanding success.

It gives me great pleasure to move this motion for a number of reasons, and one of the most important reasons is because of people like Rob Thompson. Over 50 years ago, Rob joined the Grange Surf Life Saving Club. When it comes to commitment and success, Rob is an all-rounder. Rob, while humble about his achievements, has won his fair share of club medals, but there is no holding back his modesty when it comes to the ongoing success of the Grange Surf Life Saving Club.

During the past 12 years as president, Rob has seen the club grow from strength to strength to one of the biggest surf lifesaving clubs in this state, with over 700 members. Rob is one of the many volunteers who contributes more than just their time and energy, he also offers his generous spirit and knowledge to the club. Rob, like so many of our state's hardworking volunteers, is the kind of person who is first to put his hand up and is the champion of what is important to the club.

Under Labor, clubrooms received a much-needed upgrade, along with facility upgrades that were desperately required so volunteers and club members could reach their potential. The former Labor government delivered a \$2.2 million grant for the upgrades, and the \$3.7 million redevelopment was strongly supported with financial backing from the club itself, along with a significant contribution from the City of Charles Sturt. The new and improved Grange Surf Life Saving Club now enjoys modern first-aid facilities, a new patrol room, equipment storage, licensed bar, kitchen and dining, barbecue area, training facilities and equipment, a fully equipped gym and a balcony overlooking the beautiful Grange beach.

While this important upgrade was pivotal to the success of the members of the Grange club and the local community, the bricks and mortar of this redevelopment is not the only element that makes this club the success that it is. This new building is held together by its core foundation, and

that foundation is the club's members: young students, businessmen and women, and their families. These people are truly community champions.

These community champions have instilled a positive ingrained culture in the club, a culture that has enabled the club to win the 2018 junior and senior surf lifesaving state championships recently in March, and it would be remiss of me not to mention nine out of the past 10 junior surf lifesaving championships, which is an amazing achievement. This incredible feat would not have been possible without the dedicated club volunteers who not only keep our beaches safe but also give back so much to the community, and I congratulate them and thank them all.

Surf lifesaving clubs have seen a dramatic change over many years. They now have the tools they need at their fingertips to support club members. I, myself, have seen firsthand the dedication of the Grange Surf Life Saving Club members. What feels like a lifetime ago, after having twins, I made a brief attempt at returning to the running track and joined my local running club at Grange, a club that is linked to the Grange Surf Life Saving Club. I could not help but be motivated by the young runners I had the pleasure of meeting through the club, the same young runners who made me feel particularly old and very slow.

These young runners were incredibly motivated and dedicated to the Grange club, committing countless hours to patrolling Grange beach. I share Rob Thompson's excitement about the future of the Grange Surf Life Saving Club and the future of the many young community leaders I had the pleasure of training with. The Grange Surf Life Saving Club's under 19s and under 17s are particularly excelling, leaving the club in step for a strong future not only at the competition level but also in ensuring our beachgoers are in the safest hands possible.

Right now, during the winter months, while our beaches are quiet, club members are training to prepare themselves for the busy summer, training to keep the community safe. I strongly commend the dedicated volunteers for this amazing achievement and wish everyone participating in the Lifesaving World Championships, which will be held in Adelaide later this year, all the very best.

Debate adjourned on motion of Hon. J.E. Hanson.

#### FRUIT FLY

**The Hon. F. PANGALLO (16:34):** I move:

That this council—

1. Notes that South Australia remains Australia's only mainland state that is fruit fly free;
2. Acknowledges that an outbreak of fruit fly in South Australia would have a significant impact on the ability of horticultural producers in South Australia, including in the Adelaide Hills, to gain access to international markets; and
3. Calls on the state government to work with the federal government to increase biosecurity measures in South Australia to protect our thriving horticultural industry.

South Australia is renowned the world over for its magnificent produce. Our crayfish and tuna are exported to all corners of the globe, not to mention our award winning wines. Our jams and quinces—think Beerenberg and Maggie Beer—enjoy similar international appeal, and Kangaroo Island honey is from the world's only source of pure Ligurian bees. Our delectable locally produced food is enjoyed across the globe, with more and more local producers seeking access to export markets to help grow their business and subsequently grow the state's economy.

South Australia's horticultural export value is \$243 million each year. For that success to continue to grow and prosper we must do all in our power to protect the sanctity of our homegrown produce; however, that is proving to be a challenge each year. Our wonderful horticultural industry is always under threat. Decades ago, we had inspectors on our borders to check and dispose of fruit coming in. Governments later took the high risk to make it a voluntary practice.

Some in this place may be aware of the east-west protocol, an international acceptance that Western Australia and South Australia are free of Qfly, and that South Australia, Victoria and New South Wales are free of Medfly. That means that South Australia is the only mainland state that is fruit fly free. The east-west protocol allows the federal Department of Agriculture and Water Resources to negotiate market access by seeking acceptance of the east-west protocol to allow

commodities to treat for either Medfly or Qfly rather than both. I am advised that in many instances it is simply not commercially viable to treat both Medfly and Qfly.

Australian horticultural exports are valued at \$1.2 billion annually. Crucially, all of this hinges on South Australia remaining fruit fly free. Cherries are an example of an industry that would suffer should the east-west protocol fail. Mainland access to China, Thailand, USA and Indonesia using cold treatment or fumigation are linked to specific treatment for Qfly. The advice I have received is that the Medfly treatments are unviable commercially. The recent access to China would collapse if the east-west protocol fails. The South Australian cherry industry has worked tirelessly for over 20 years to gain access to China, and we must do everything in our power to ensure that our local businesses can continue to export to our largest trading partner.

It is crucial that the SA government works with the federal government to ensure that we have the best possible quarantine and biosecurity measures in place in South Australia to protect the ongoing viability of our horticultural sector. In the Adelaide Hills in particular, several orchards and farms are at risk. The many roads through the hills make quarantine checkpoints impractical and the orchards' proximity to Adelaide means that the entire area is at risk should fruit fly find its way into South Australia in someone's luggage.

Tasmania is the only other state in Australia that is fruit fly free and its horticultural exports are valued at between \$50 million and \$60 million annually. Being an island, it is much easier to enforce strict quarantine measures than here in South Australia. When there was an outbreak of fruit fly in Tasmania last year the federal government stepped in and delivered \$20 million in the federal budget to assist with fruit fly control—this for a state with a small output and where the outbreak of fruit fly does not threaten the viability of the rest of the nation's exports.

Today, I call upon the South Australian government to make it a priority to invest in biosecurity and quarantine measures that will protect South Australia from fruit fly and to work with the federal government to help secure Australia's horticultural industry for decades to come.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

### **NATIONAL REDRESS SCHEME**

**The Hon. F. PANGALLO (16:39):** I move:

That this council—

1. Welcomes the establishment of a national redress scheme and the announcement of a national apology;
2. Appreciates that survivors have been waiting a long time for a national redress scheme and that the implementation of such a scheme is urgent and overdue;
3. Acknowledges the concerns that the scheme does not fulfil all the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse regarding the Redress Scheme;
4. Notes that critical issues, such as the adequacy of the maximum payments and the counselling available to survivors under the scheme, remain of concern to survivors and their representatives;
5. Recognises that relevant prior payments should not be indexed under the scheme; and
6. Encourages the state government to work with the federal government and other states to strengthen the scheme.

A significant milestone was achieved for thousands of worthy Australians on 19 June, when federal parliament passed the National Redress Scheme bill. Two days later, it was enshrined in law. This means that, since last Sunday, survivors of institutional sexual abuse across Australia have been able to make applications for redress. Sadly, this may take up to a year for a determination—a long time to wait in anyone's language.

However, the situation is even worse in South Australia because the survivors who make applications here, those who suffered sexual abuse within South Australian public institutions, will have to wait until this parliament passes its referral legislation, which is yet to be introduced. This is despite Attorney-General, the Hon. Vickie Chapman, announcing on 28 May, over five weeks ago, that the South Australian government would sign up to the National Redress Scheme. I welcomed that decision at the time, as it ended years of uncertainty for survivors of abuse who remain

traumatised by what happened to them in institutionalised care. However, the government has since gone silent on the proposed legislation, which will be similar in terms to legislation already passed in New South Wales and Victoria. I do not understand the delay.

New South Wales introduced its referral legislation on 1 May, which then passed the New South Wales parliament two weeks later on 16 May. Victoria introduced legislation on 8 May, which passed the Victorian parliament on 6 June. I understand the South Australian bill is currently being drafted, yet it would essentially mirror the New South Wales and Victorian referral legislation. These bills were identical except for stylistic variations.

We have seen, with the recent passage of the Sentencing (Release on Licence) Amendment Bill 2018, the legislation to keep notorious South Australian paedophile Colin Humphrys behind bars, how quickly legislation can be generated and passed when the need arises. I would argue that the required South Australian referral legislation for the National Redress Scheme bill is needed as a matter of urgency. Time is running out for some applicants. Prue Gregory, the principal solicitor for the legal service knowmore, which supported survivors during the royal commission and will continue to do so throughout the life of the Redress Scheme, has publicly stated that there are abuse survivors who are seriously ill and not expected to live beyond August this year.

In response to questions from my office about the referral bill's introduction, the Attorney-General's office has advised that the proposed legislation is expected to be introduced 'hopefully' by the end of July, just before the winter recess. This is simply not good enough. Survivors do not need hope, they need urgent action. The impact of the unreasonable and unnecessary delay is that South Australian abuse survivors will be forced to wait unnecessarily. Surely, they have had to wait long enough already. While survivors can make applications now, they will not be assessed until the South Australian referral legislation passes, which is at least two months away. This will only serve to prolong the suffering of abuse survivors who have already suffered enough and, without doubt, will impact on their wellbeing.

This issue is about priorities. We should have been dealing with the referral legislation long before the winter recess looms. All other bills introduced so far in this place do not come close to the urgency of this proposed bill. I urge the government to move more quickly and let the parliament deal with the bill before it rises for the winter break. As noted at the outset of this speech, the legislation which creates the framework of the National Redress Scheme is now law. I want to especially acknowledge the work of individuals and organisations that have pushed to make the scheme a reality. Survivor advocate groups like Care Leavers Australasia Network, otherwise known as CLAN, have fought for decades for redress.

While the legislation that passed in the federal parliament is most welcome, it is imperfect, and it is important to put on record the outstanding issues with the legislation and why it could not be strengthened. The bill presented to the federal parliament could not be amended because any changes to the national bill would have meant that it would not have aligned with the schedule included in the aforementioned state referral acts, which in turn would have rendered the referral ineffective and meant the national bill could not operate in the states which had already passed their referral bills. Consequently, the Senate did not move amendments to the bill and it passed without amendment. It rendered the Senate to effectively rubberstamping the legislation.

The ceiling for payments under the scheme is \$150,000 with no minimum payment. This is significantly less than the \$200,000 maximum payment and the \$10,000 minimum that was recommended by the royal commission. The \$150,000 cap is supported in the states and territories and the Senate inquiry report into the bill stated that it is important to recognise that most recipients of redress will not be eligible for the maximum amount and that we should focus on the average payment most survivors will receive and not the maximum amount. Lowering the cap without a credible explanation threatens the entire credibility of the scheme.

The Senate inquiry into the first iteration of proposed legislation for the scheme heard the decision to set the lower maximum cap was made by federal ministers before the Department of Social Services was asked to begin designing the scheme. That beggars belief. The effectiveness of the scheme depends on adequate redress to acknowledge the significance of the abuse from the perspective of the survivors.



We know that accepting an offer of redress means signing away any rights that a survivor may have to pursue their claim for redress through litigation, which was why the amount of redress offered under the scheme is important. Inadequate redress may cause more survivors to pursue civil litigation, further risking trauma to survivors by having to relive their trauma before the courts and risks undermining the purpose of the scheme. Inadequate redress is likely to place survivors in the difficult position of, after receiving legal advice that their claim is worth more, still accepting an offer of redress for fear of reliving their trauma through the courts.

SA-Best has other concerns with the scheme. The way previous payments of redress via other schemes are indexed is very important to survivors. The indexation of previous payments, part of which often went to pay legal fees to pursue redress in the first place, may mean that some survivors' redress payments are reduced to nothing. CLAN has campaigned for indexation to be taken out of the redress scheme because past payments were usually small and consumed by legal fees. SA-Best strongly believes that previous payments should not be indexed.

We would all agree that counselling is of maximum importance for survivors, many of whom kept their abuse hidden for decades because of fear and shame. Many survivors only shared their personal accounts of abuse for the first time before the royal commission, which recommended that recipients of redress be able to access counselling for the rest of their lives. The royal commission listened to thousands of hours of private and public testimonies as survivors mapped the horror of sexual abuse. The commissioners understood the searing trauma caused by the abuse. That trauma is lifelong. I have spoken to many courageous survivors, you do not ever get over it.

Not all survivors will want or need counselling, but for those who do, they must receive adequate counselling. While not specified in the bill, the intergovernmental agreement sets out three tiers of counselling and psychological component agreed to by participating jurisdictions: \$1,250, \$2,500 or \$5,000, based on the severity of the sexual abuse. That money goes either directly to the survivor to access private counselling or to the participating states or territories where the survivor lives, which will then have responsibility for delivering the counselling in line with national service standards outlined in the intergovernmental agreement. This provides for a minimum of 20 hours of counselling and psychological care over the course of the survivor's lifetime. Trauma is experienced by people differently; abuse has lifelong consequences. It strikes me that a \$5,000 ceiling for the most heinous sexual abuse will almost certainly be inadequate to cover necessary counselling services over a prolonged period.

Adequate counselling is critical for the survivors of sexual abuse who were robbed of their childhoods, their innocence and the opportunity to live their best lives. The scheme also limits funder of last resort provisions to apply only where the government has equal responsibility for the abuse that occurred in a now-defunct institution which has long since closed its doors. This includes places such as Colebrook Home, an horrific South Australian mission which was run by the United Aborigines Mission from 1924 until 1981, when it closed.

Colebrook was recognised in the Mullighan inquiry as an institution where the sexual abuse of Indigenous children occurred. Over 54 years, about 350 children passed through Colebrook. Colebrook Home existed at three separate locations through its lifetime: near Oodnadatta, Quorn and finally Eden Hills. The United Aborigines Mission no longer exists, and it is unclear whether there was any state government involvement.

Governments should be the funder of last resort for all institutions, even if they had no direct involvement with the survivor claiming redress or the defunct institution. Failure to do so creates a class of survivor who misses out on redress merely because the abuse occurred in an independent institution which is now relegated to history. Survivors caught up by this provision should not miss out. I have written to the Attorney-General to determine how many defunct institutions in South Australia where there was no government involvement will be exempt from the scheme due to this provision.

The scheme also treats survivors with a criminal history differently to others. The royal commission's 2015 report on redress and civil litigation had as its primary recommendation that any process for redress must:

...provide equal access and equal treatment for survivors...if it is to be regarded by survivors as being capable of delivering justice.

Take the example of those with a criminal conviction and sentenced to imprisonment of five years or more. Before they can apply to the scheme they must first satisfy the relevant Attorney-General that provision of redress would not bring the scheme into disrepute or adversely affect public confidence in or support of the scheme.

I have a number of issues with this policy position. Firstly, it ignores the profound impact that childhood sexual abuse can have on a person's life and the well-documented connection between abuse and criminal behaviour. Secondly, it will disproportionately affect Aboriginal and Torres Strait Islander people, who are already over-represented in the criminal justice system. Thirdly, whether or not a survivor has a serious criminal conviction in no way changes the fact that they suffered sexual abuse as a child in an institution. Finally, it is difficult to imagine how an application for redress by such an individual could bring the scheme into disrepute in circumstances in which their information would surely remain private.

Some 10.4 per cent of survivors interviewed by the royal commission were in prison. Knowmore legal services estimated that during the royal commission 19 per cent of the nearly 9,000 clients it assisted were in prison or other places of detention.

Further, the National Redress Scheme only allows child survivors who turn 18 before the scheme's sunset date to make an application to the scheme. The consequence of this provision is that children who are currently not yet eight years old will be excluded from the scheme. This provision is not in line with the view of the royal commission, and providing a blanket exclusion of children that fall within the provision is contrary to the requirement to ensure the best interests of a child, especially in relation to vulnerable children.

That will mean that some of the victims of Shannon McCooles, one of the worst predators imaginable, will be unable to apply for redress. This scum of the earth paedophile was sentenced in 2015 to 35 years in gaol, with a 28-year non-parole period, for his devious, brutal sexual abuse of seven young children, including an 18-month-old infant, a child on the autism spectrum and a child with a disability, while he was a Families SA social worker. It was the longest sentence handed down to a paedophile in this state. The crimes he committed against defenceless and vulnerable children sicken me to the stomach.

McCooles was sentenced only three years ago. His crimes occurred in this decade, not in the dark recesses of the previous century, when abuse perpetrated by the likes of McCooles was systematically hushed up. McCooles's heinous crimes sparked our own royal commission into the state's child protection system. The final report makes for harrowing reading. I will not be in this place when McCooles is due for parole, but the Sentencing (Release on Licence) Amendment Bill 2018, which became law on 25 June, should ensure that he is never ever released, along with the likes of Bevan Spencer von Einem.

Over the course of the royal commission into institutional responses to child sexual abuse, the commission held some 57 public hearings over 444 days, receiving evidence from 1,300 witnesses. Commissioners held over 8,000 private sessions to listen to the harrowing personal accounts of sexual abuse of survivors. There were some 2,500 referrals to authorities, and the final report ran for over 100,000 pages.

The royal commission estimated that over 60,000 survivors will be eligible to apply for redress. The enormity and scale of the abuse is crushing. The commission found that there were more than 4,000 institutions where sexual abuse took place. What makes me retch are the horrific accounts of children being sexually abused in the confessional box and on church altars, places that are most sacred and meant to be places of sanctuary, yet were desecrated by those who were meant to live their lives in the image of Christ. In reality, they were the devil incarnate.

It beggars belief that these institutions nurtured a culture that fostered, systematically hid and accepted the sexual abuse of children. The evidence presented to the royal commission was deeply disturbing, exposing the worst crimes against innocent children by people who were held up as pillars in our society, from priests to Scout leaders, social workers to foster carers. The faith we held in the institutions that allowed the abuse to occur has been irrevocably shaken; it is in tatters.

In making these criticisms, I do not wish to take away from those who have laboured long and hard for the establishment of this scheme. It is not a perfect model, but it is an effective compromise. It will undoubtedly go some way to acknowledging the wrongdoings of our institutions and to compensating those individuals whose lives have been forever shaped by the unforgivable actions of those who were entrusted with their care.

We look forward to the Prime Minister's national apology on 22 October to the survivors of institutionalised sexual abuse, to acknowledge the sins committed against them as innocent children, to acknowledge their pain and suffering and to acknowledge their strength in coming forward to share their stories to contribute to everlasting change. However, the Prime Minister alone should not bear the weight of that apology. Every institution involved in the long-lasting harm caused to children, the cover-up and subsequent unravelling must address their significant failings, to ensure it never ever happens again. Repentance is one thing; change is another.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

### **PUBLIC SECTOR EMPLOYEES**

Adjourned debate on motion of Hon. K.J. Maher:

1. That a select committee of the Legislative Council be established to inquire into and report on—
  - (a) issues relating to the employment, termination, redeployment or placement of public sector employees following the 2018 state election;
  - (b) the adequacy of existing structures and policies to ensure the independence of the Public Service is maintained;
  - (c) any influence or direction from ministers or members of parliament in relation to the employment, termination, redeployment or placement of public sector employees following the 2018 state election; and
  - (d) any related matter.
2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 20 June 2018.)

**The Hon. R.I. LUCAS (Treasurer) (17:00):** I rise to speak to this motion. The subject matter of it has been traversed at some length during question time in this house and in question time in the House of Assembly; as I am advised, during hearings of the Budget and Finance Committee; and, in the public arena as well, so I do not intend to speak at length in outlining very strongly the government's opposition to this particular motion.

The essential contention in relation to this issue has not been made out by the Leader of the Opposition, or indeed any member of the Labor Party, in relation to any unlawful activity by either the Premier or any member of the government. They have produced no evidence to that effect and therefore the motion, in our view, should fail simply on those grounds alone. To establish a select committee solid evidence should be produced to demonstrate the need for it, solid evidence produced to indicate that someone has done something unlawful or improper in relation to appointment procedures within the public sector.

As was outlined by the then opposition and now the government, the new government was comprehensively elected on a partial mandate of trying to clean up the politicisation of the public sector by the former Labor government. The hypocrisy that reeks from this particular motion, coming from former ministers and representatives of a party that were recently in government, who treated sections of the Public Service and their departments as political playthings, is self-evident not only

to the new government but also, I might say, to many respected members of the public sector and the Public Service who are aware of what went on prior to the election.

As I outlined during a question time debate some weeks ago, the former Labor Party treated the State Administration Centre, or the Department of the Premier and Cabinet, as the Victoria Square sub-branch of the Labor Party. That is how grotesque they were in relation to politicisation of senior level appointments within the public sector in Premier and Cabinet.

As I indicated on that particular occasion, there is one set of positions that premiers in particular, Labor and Liberal, do have the power to directly appoint if they so choose, and that is the position of chief executive officer of government departments and agencies. Whilst I had no great love for Messrs Don Russell and Michael Deegan, who were known Labor Party fellow travellers from interstate, it was within the prerogative of the former premier to appoint people of that particular calibre and background to the position of chief executive officer of the Department of the Premier and Cabinet and the Department of Planning, Transport and Infrastructure.

Prior to that, Kym Winter-Dewhirst, another former staffer, was appointed as CEO of the Department of the Premier and Cabinet. Whilst they were not decisions that I would have taken, or we would have taken, they were, nevertheless, within the accepted conventions of the appointments of public servants within the public sector, and that is that the Premier does have the power if he so chooses. He can go through a merit-based selection process if he chooses; he can direct appoint if he chooses. They are decisions for him to take and for the new Premier to take in relation to chief executive officers.

The grotesque politicisation of the public sector under the former government was evident not at that level but at the levels beneath that. In the Department of the Premier and Cabinet I would instance people like—and they would take no criticism of this—Mr Rik Morris, Mr Paul Flanagan and a range of other appointees who are former ministerial staffers and Labor Party supporters who were appointed, in some cases by direct appointment and in other cases through merit-based selection, to senior executive positions within that department.

That is what appalled so many long-serving public servants who had been loyal public servants to both former Liberal and Labor governments—and given there has not been a Liberal government for 16 years, that shows how long some of them had been in the public sector. I met with a number of them who were, in some cases, sacked on a Monday morning without ever having met the new Labor-appointed chief executive officer. Someone had drawn up a hit list within the department and the new chief executive officer came in and knee-capped them on the Monday morning. They never met the chief executive officer; in some cases there was a delegated senior officer who met with the senior public servant, handed them an orange envelope with their termination provisions, and said, 'This is the way we do it in the private sector and this is the way you're going to be treated here.'

In the end, governments have the capacity, with fixed-term contracts for executives, to terminate if they are prepared to pay the cost of the termination payments, and Labor and Liberal governments have used that on occasion over the years. What we saw was the grotesque abuse of that in recent years; it was not an isolated example but the go-to position in the way the public sector was structured in those departments. As I said, the people appointed were either Labor Party candidates, Labor Party members, Labor Party supporters or former ministerial staffers. That was the nature of the appointments.

That is the background that the Leader of the Opposition in this place, as a minister, and other ministers brought to the table in seeking to criticise the new Premier who, on the public record, the evidence has been seeking assurances in relation to impartiality within the Cabinet Office of the Department of the Premier and Cabinet.

There have been claims made in relation to the position of the new member for Black, the former member for Bright, an officer who had won merit-based selection prior to putting up his hand for preselection for the Liberal Party prior to the last election. He was not someone who had been appointed to a position by a Liberal government as a Liberal Party mate, but someone who had won the position on a merit-based selection. To the credit of the former government a judgement was made and he was kept on in that position.

For some reason that I still do not understand—and I guess this is one of the potential attractions of this select committee should it get up, although we will certainly be opposing it because it serves no productive purpose—four or five ministerial staffers during the election period, as I understand it, somehow got parachuted from the Premier's office and Labor ministers' offices into the Cabinet Office. This was either during the election campaign period or just prior to the election campaign period.

Suddenly they got moved out of political offices—that is, ministerial offices—and were given positions in the Cabinet Office. This was in the middle of the election campaign or just prior to the election campaign. How that occurred and what the appointment process was for that would make for interesting reading at some stage, but that is obviously not what the Leader of the Opposition was after in relation to the motion that is currently before us.

Put simply, this motion should be rejected by the Legislative Council. As I said, I think there needs to be a higher threshold of trying to justify wrongdoing or a higher probability of potential wrongdoing by the Premier, in this case, or somebody in relation to a particular alleged practice. As I said, coming from the low bar that I have outlined as to how the former government behaved, which is no excuse if a new government was to behave in exactly the same way, and I accept that, but having come from that low bar to then be confronted with an accusation where the Premier says he is elected on a platform of much greater concentration of merit-based appointment—in essence, the go-to position in terms of appointments for executives.

An avowed position, which I have spoken on as the minister responsible for public sector matters, is for a greater independent role for the Commissioner for Public Sector Employment, and there will be changes announced in relation to that in the not-too-distant future. That is the platform the new government was elected on, supported by a large number of public servants who helped craft and draft the policies that we took to the election who said, 'Help us fight the politicisation of the upper levels of the Public Service under the former government. If you think it is wrong, then put out a policy that says that it is wrong and that you are going to seek to correct.'

Then to have this fanciful notion that, having been elected overwhelmingly on a platform which included this reform agenda, to think suddenly that the Premier who passionately believes in what he has said in relation to this particular space that he would engage in the sorts of practices that the Leader of the Opposition and other members of the Labor Party have sought to make claims about is indeed fanciful. It is not worthy of any contemplation. It is certainly not worthy of support and it is certainly not worthy of wasting the time of a select committee of the Legislative Council.

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

### SHOP TRADING HOURS

Adjourned debate on motion of Hon. C.M. Scriven:

That this council—

1. Expresses its support for the decision by Millicent residents to oppose the deregulation of shop trading hours;
2. Acknowledges the Millicent community's overwhelming support for local businesses and local jobs; and
3. Calls on the government to support the Millicent community's efforts to support local businesses and local jobs and oppose the deregulation of shop trading hours.

(Continued from 20 June 2018.)

**The Hon. E.S. BOURKE (17:13):** I rise to speak to this motion. I will keep this brief because the community of Millicent has responded very clearly and loudly to this issue. Community is a word we do not hear as much as we should. Time has become a luxury, just like the word 'community'. However, it is well-known that when you have a strong community amazing things can be achieved. A strong community should never be ignored, especially one that can take on the big end of town and not only take them on but also win.

When Woolworths put to the fine community of Millicent in 2006 to test the public opinion on extended shop trading hours, 66 per cent of respondents voted against the proposal. In the world of

politics, we would call that a crushing defeat. It is no surprise that Millicent made no change to their shop trading hours, but something quite extraordinary followed: in 2017, at the request of Woolworths, the Millicent council had another vote on the issue of shop trading hours, which was conducted by the Australian Electoral Commission, and 80 per cent of the eligible Millicent electors voted against no change in the trading hours—80 per cent.

The member for MacKillop is well aware of the situation he finds himself in. In an article published in *The Advertiser* on 5 April this year, the member is quoted as saying that deregulation would make it 'very hard' on Millicent's two independent supermarkets. However, he went on to say that the fight was 'not worth chopping my neck off and hanging myself out to dry'.

The member for MacKillop seems like a friendly, understanding kind of guy but when your party has shackled you to a position that 80 per cent of a community is against—and perhaps even the member himself—a community that can take on the big end of town and win, I guess all I can say to the member is good luck. Unlike those opposite, Labor has taken the time to ask the small businesses and employees in Millicent why they back the current regulated trading hours, the most regulated trading hours of any city or township in this state.

A petition opposing the deregulation of trading hours which recently did the rounds in Millicent, collected over 1,000 signatures. This was not in a month; this was in a week and a half. Whether it is local independent supermarkets, florists or clothing shops, local business owners and their customers alike are sending a resounding message that locals must back locals, and that is what they are doing.

Consultation is an amazing thing. I am guessing that there is not a line-up outside the Treasurer's or the Premier's door pleading for the state government to deregulate trading hours statewide. The Premier's and Treasurer's closed-door approach on this issue appears to have a few of their colleagues questioning their insistence on pushing a policy that hurts small businesses, wholesalers and workers. It is hurting those who the Liberal Party once called their friends in small business—friends like Franz Knoll.

There is a little word, a word I will continue to bang on about in this chamber, a word I think is lacking and we are all the poorer for it: community. What is good for the community is good for business, and when you close your door and do not listen to a strong community, all I can say is watch out.

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

### AUSTRALIAN BROADCASTING CORPORATION

Adjourned debate on motion of Hon. F. Pangallo:

That this council—

1. Recognises the significance of the Australian Broadcasting Corporation (the ABC) to South Australians and especially to regional South Australians;
2. Acknowledges the importance of the ABC remaining a public broadcaster; and
3. Rejects any attempt by the federal government to sell the ABC.

(Continued from 20 June 2018.)

**The Hon. J.E. HANSON (17:18):** I rise today to thank the Hon. Mr Frank Pangallo for his commitment and dedication to media and communications within our state. The Hon. Mr Pangallo's motion to recognise the significance of the Australian Broadcasting Corporation to South Australians may seem like an obvious thing to say in today's day and age but, sadly, I have to reflect that it is not obvious to everyone.

In a move that is completely out of step with what the average Australian family wants, the Liberal Party has recently publicly confirmed its long-held private view that its membership and its elected members want to privatise the national broadcaster. We know that it has privately held this view for at least a decade after the proverbial B1, if you like, Tony Abbott, had to come out in 2013 and famously, of course, rule out any cuts to the ABC or SBS, a promise that was quickly forgotten

as soon as he got into office, and has been trodden on many times since with over \$254 million dollars in cuts since 2014 alone.

But that is not all: the new B2, if you like, of the Liberal Party, Prime Minister Malcolm Turnbull, recently had to trot out the same line, proving that despite saying the opposite he really is thinking what B1 is thinking when it comes to the ABC.

Prime Minister Malcolm Turnbull recently cut another \$84 million in funding in May, claiming that these budget cuts are all about efficiency, but then he has been pouring money into Fox Sports, which got a \$30 million grant, News Corp, which got a tax cut, and then they are looking to build yet another Captain Cook monument in Sydney, I believe, to the tune of almost \$50 million at the same time.

What the Liberal Party, at best, does not realise or, at worst and far more likely, very much does realise, is that cuts to our national broadcaster have a real and damaging consequence which is evident not only to the quality of the programming, especially in the amount and the quality of homegrown Australian content on our ABC, but also in the physical presence of the ABC in our community in terms of jobs.

There have been over 400 people or about 10 per cent of the ABC's workforce lost in the most recent Liberal cuts to the ABC. Even locally we have seen the Adelaide studios take a cut to their operations as jobs and opportunities are sent to the Eastern States by a Liberal Party that says one thing in its election slogans and then clearly does another when it comes to the national broadcaster.

I fully support the Hon. Mr Pangallo's desire to stand up to the ABC's critics and defend the national broadcaster no matter where he or I may sit politically in relation to one another. The ABC should enjoy unwavering support right across the spectrum of politics. However, it seems that to be a supporter of the ABC in today's Liberal Party clearly seems to have consequences, as it did for Trish Worth, a former federal MP for the seat of Adelaide and a member of the federal executive of the Liberal Party who voted against the motion to privatise the ABC, because she said:

I enjoy many of the ABC's programs. Having lived more than a third of my life in regional communities, I know how important the ABC is.

Sadly, for those who do love the ABC and might still think about voting Liberal or running for office in the Liberal Party, Ms Worth is no longer a member of the federal executive. She, perhaps ominously, lost a narrow vote to a person who did vote to privatise the ABC.

Similarly, we await the outcome in Mayo where no doubt the proposed sale of the ABC by the federal Liberal Party will have sounded like something out of a plot of a show I loved very much *Round the Twist*. The Liberal candidate there, a subject of previous speeches by myself in this place, had to backtrack on her previous advocacy of the sale of the ABC in her employment at the IPA, an organisation ardently advocating the sale of the ABC. Her backtracking sounded nothing like the clear and unequivocal comments of Ms Worth in support of the ABC, and like the Hon. Mr Pangallo I do not think many voters will be buying her backtracking.

Recent polling in Mayo suggests that a candidate who vocally supports the ABC may well win, which would see another regional seat stronghold lost by a Liberal Party that, unlike its former member in Ms Worth, do not seem to understand what regional voters want anymore. There is a reason that the popular view within the Liberal Party to sell the ABC is so unpopular with voters and families. The fact is that it is easy to make ideological comments that the ABC competes with the commercial channels but it is hard to actually justify those comments when you look at the facts.

The ABC appropriately takes into account the interests of the commercial and community sectors in all of its activities. The ABC focuses on providing distinctive content and actively takes account of services provided by the commercial and community sectors. The ABC's activities do not crowd out commercial and community content suppliers. To the extent that there is any competitive overlap between the ABC and commercial and community sectors, the ABC enhances competition and innovation resulting in better outcomes for audiences.

The ABC, driven by its charter and not by the need to make a profit or chase advertising dollars, has given us great memories growing up as children with *Bananas in Pyjamas*, *Play School*,

*The Wiggles*, *Rugrats*, and *The Ferrets*, and they are still continuing with Australian made TV shows for our children and grandchildren.

Years ago when I was growing up I remember the ABC was the only broadcaster really interested in many sports that I now see regularly on commercial networks. Nowadays that role of the public broadcaster has been surrendered as the commercial broadcasters are able to outbid them in the war for commercial dollars. The ABC's role in promoting what was once unpopular or undiscovered having now been served, it has vacated that field as it moves towards other programming or the currently less popular sports that should be broadcast but perhaps do not attract the same dollars and cents.

While not an ABC example per se but one of a public broadcaster, the World Cup of football gives us yet another recent example, with SBS sublicensing the exclusive rights of 39 of Russia 2018's 64 matches to Optus because SBS could no longer afford the rights to the whole tournament. Ultimately, however, Optus failed to deliver. With technical issues plaguing their paid service, SBS said they stood ready to help Optus further. Optus subsequently agreed for all the remaining matches to be broadcast on SBS. This allowed me, of course, this morning to taunt my English friends as I, along with many millions of other Australians, I am sure, watched England go to penalties and finally actually win for once, Lucas.

Like SBS, the ABC in particular has proved very innovative and flexible to an audience's needs like those of younger generations through programs such as *Countdown* and the radio station Double J and then triple j. Like its predecessors I named above, one clear thing that sets triple j apart from any other radio station is their lack of advertising. If it was to become privatised, young listeners would lose out on the high integrity content and instead be forced to listen, in my opinion, to yet another banal commercial station.

This of course would have a flow-on effect in which triple j gigs would no longer represent the radio station's sound. Instead of supporting local musicians and emerging Australian talent, the events and the station will be about making the most money advertising businesses and would feature only, of course, popular music. Triple j is an excellent example of the platform changing as the audience needed it changed. As commercial and radio stations dedicated to younger listening audiences faded or became stations dedicated to playing music for broader audiences, so does the ABC platform change to suit the needs of a younger audience that is literally forever new.

While in the short term commercial television, radio and even online services might lose eyeballs, if you like, or ears to the ABC, the fact that the ABC does not accept paid advertising means that it is impossible for commercial media outlets to lose revenue to the national broadcaster. The fact is that the challenges faced by commercial media in Australia are unrelated to the behaviour of the ABC and are more closely related to the rise of Google and Facebook. Indeed, this is accurately identified by the Senate Select Committee on the Future of Public Interest Journalism, based on the submissions by Schwartz Media and the Media, Entertainment and Arts Alliance. I quote:

In Australia, internet advertising revenues are scheduled to grow from \$3.93 billion in 2013 to \$7.25 billion in 2018, but that revenue is not going direct to news organisations that produce journalistic and other content. In increasing amounts, it is going to intermediaries. Morgan Stanley in Australia say that Facebook and Google are taking all of the ad market growth and then some. They estimated last year that Google and Facebook will collectively extract \$4 billion to \$5 billion worth of ad revenue, representing 35 to 40 per cent of total ad revenue.

Living in the modern era, the opportunities are now endless, and the ABC has come a long way with its modern platforms and ongoing commitments to quality programming rather than endless refits of those reality shows or popular talent quests that I do not seem to get around to watching. We all love the ABC and, indeed, many of us love SBS, too, for the same reason in that they have never been just broadcasters and they have always operated differently to commercial broadcasters. The distinction is made very clear by academic Julianne Schultz from Griffiths University, who said:

Commercial broadcasters engage with an audience of consumers, seeking to maximise their numbers and the profits that can be derived by successfully entertaining and informing them.

Public broadcasters are required to provide a universal service to fulfil their responsibility to citizens.

With regard to Australia's public broadcasters, this universal service includes regional and remote broadcasting, National Indigenous Television (NITV), foreign language and multicultural content,



emergency broadcasting and many other areas of content that are regarded as minority, perhaps, or not in the commercial interest. Indeed, the ABC's special duty to report public emergencies is an example of this fundamental difference between it and commercial television. The ABC fulfils this duty through local stations, ABC News, ABC News 24 and ABC Emergency, reaching people via social media, radio, television, mobile and online.

I cannot tell you the number of times during summer I can recall my reliable service of grandstand test cricket which, thank goodness, is being continued, being interrupted by the emergency service warnings of a bushfire. Similarly, the coverage during the statewide blackout was an exemplary service and provided much needed calm during that state emergency. There is no equivalent obligation or expectation on commercial broadcasters, nor do those broadcasters have the history, relationships, infrastructure, multimedia and public respect that would make high-quality, widescale emergency broadcasting possible in the manner provided by the ABC.

Similarly, anyone who has ever watched *The 7.30 Report* over the years would have seen the political leaders of every stripe grapple with the highly qualified journalists and presenters the ABC employs. Their level of integrity and credibility has never been matched, or sought to be matched, by commercial broadcasters. While it may be politically inconvenient for some from time to time in our role in this place or in other places and jurisdictions, the high number of royal commissions and other inquiries prompted by *Four Corners'* reports is manifest proof of the high-quality public service the ABC provides to us all.

If it is not clear by now to everyone, like the Hon. Mr Pangallo and everyone in the Labor Party, I love my ABC and we are not alone. According to the 2016-17 ABC corporate tracker, 81 per cent of Australians remain of the view that the ABC television provides good quality programming and 71 per cent feel it does a good job in terms of the number of shows it provides that they personally like to watch. With regard to ABC radio, 72 per cent of Australians believed the quality of programming on ABC radio was good, compared, for instance, to 65 per cent who, for some reason, believed the same to be of commercial radio.

The similarities between the ABC on the one hand and commercial broadcasters on the other are purely superficial ones. Public broadcasters provide a universal service to all Australians, while commercial providers cultivate audiences and entertain them in order to sell time to advertisers. Although some may complain about the ABC and its impact on the market, the public broadcaster is not responsible for commercial broadcasting revenue woes. Commercial providers operate in a comparatively low regulation and unmonitored environment, free to compete for viewing audiences, with dollars the ABC will never have access to because that is not in its charter.

It is well past time that we call out the attacks on the ABC for what they are: an ideological opinion by a minority of Australians who do not represent the prevailing community views of what the public wants from our national broadcaster or increasingly, for that matter, what the public wants from their elected representatives. I commend this motion.

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

### **PALLIATIVE CARE**

Adjourned debate on motion of Hon. F. Pangallo:

That this council—

1. Recognises Palliative Care Week was held from 20 to 26 May;
2. Recognises that access to appropriate pain and symptom management, and being surrounded by family and loved ones, are most important to people who are dying;
3. Acknowledges that the Productivity Commission's draft report into human services, released in June 2017, argued that more community-based palliative care services are needed to enable more people who wish to die at home to do so, and that end-of-life care in residential aged care needs to be better resourced and delivered by skilled staff;
4. Notes that there are just 213 palliative medical specialists across Australia, equating to one specialist for every 704 deaths each year;
5. Notes that Palliative Care Australia estimates that while 70 per cent of Australians wish to die at home, only around 14 per cent do so;

6. Recognises Palliative Care Australia's call for a national palliative care commissioner who would examine existing palliative care services and programs nationally to assess their efficiency and effectiveness in supporting terminally ill individuals and their families to live as well as possible, right to the end of life; and
7. Urges the federal government to make palliative care a health priority and appointing a national palliative care commissioner.

(Continued from 30 May 2018.)

**The Hon. I. PNEVMATIKOS (17:33):** I rise today to speak about the motion brought to us by the Hon. Frank Pangallo and to thank him for moving this important motion. This year's national Palliative Care Week shone a light to recognise what matters most. What does matter most to people is family, health, community, dignity and independence. How can we best ensure that these concerns are applied in palliative care to help people with a life-limiting illness have a high quality of life, right to the end of their life?

The answer starts with discussion—discussion with loved ones and health professionals to ensure that what we want to happen, in terms of our end-of-life care, is known. Because for many, one's journey to the end of their life is hopefully not alone; it is with family and friends within the community and it is being surrounded by those who, over time, have become an integral part of the life that we live. Palliative care is about more than our final moments. It is about the range of services and programs that assist us at any age, should we be diagnosed with an incurable, serious illness, to have a high quality of life right to the end of our life.

Prior to its formalisation in the 1980s, palliative care was conducted through hospices which were run predominantly by religious orders to provide care to people who were sick and dying. Post 1980, we have seen the movement evolve and develop to provide expertise, advocacy, information and support in this area for individuals, young and old, and their families.

It is through organisations such as Palliative Care SA that we have been able to develop various initiatives to increase quality of life outcomes for people with palliative care needs. The government must do what it can to ensure support services are in place to assist with the implementation of what matters most.

Good palliative care services mean the right to choose the palliative care option that best suits the individual and include the involvement and support of family and friends. Many of us would not wish to spend our final days in an institution, though that is sadly often the case, as we either do not know that we have a choice or there are not enough resources to provide for home care. The Australian Institute of Health and Welfare's recent statistics on the high rate of palliative care-related hospitalisation in South Australia is evidence that there is still much we can accomplish in this area.

One initiative that has been highlighted by Palliative Care SA for us to be able to move forward on this issue is through increased focus on community care. This makes sense. Palliative care is about more than physical symptoms. It is about the emotional, spiritual and social symptoms as well. It is about being available to all people with serious illness, whether young or old, and their families and support base. Improved quality of life is bigger than the individual. It is about community support and awareness. We need appropriately funded palliative care services, including more community-based palliative care services, so that people are afforded a choice in their end-of-life care.

Everyone's priorities at the end of life are slightly different, but we deserve the choice and dignity of living our final days with quality and respect. Whatever form palliative care takes, services must be properly resourced with skilled staff to provide end-of-life services in a loving and supportive environment that is community focused.

This month, Palliative Care SA will be holding its annual palliative care conference on 20 July. I am very interested to hear more about their productive discussions on community care. Labor has a sound track record of improving palliative care services across our state. As recently as September last year, Labor met its commitment of \$185 million for upgrades to the Flinders Medical Centre, which included a new hub for palliative care services. I am proud to stand with my colleagues on this issue. It was Labor's priority in government, and it will remain our commitment to support further increases for palliative care services. I commend the motion to the house.

**The Hon. M.C. PARNELL (17:38):** I too rise to support the motion, and I congratulate the Hon. Frank Pangallo for putting it on the agenda. It is an important issue. It is an issue we do not talk about enough and we should talk about more. It can be very uncomfortable for people to talk with family and friends about end-of-life decisions, but if we are going to do the best we can for people in the community who are dying, which is going to be all of us eventually, then we need to have those conversations and, most importantly, we need to have resources in place to give people the best possible care in that difficult end-of-life period.

I met with Palliative Care SA back in February, in the lead-up to the state election, and they presented a great deal of information, some of which is very similar to what the Hon. Frank Pangallo has put on the *Notice Paper* in terms of the wording of his motion. What Palliative Care SA remind us is that three out of four South Australians are not getting the care they need at the end of their lives. Given that 13,337 people died in 2016—and the numbers would be similar in other years—that is a lot of people who are not getting the care and the services they need.

Also, as I was hunting through my paperwork in preparation for this debate today, I noted that many of us in state parliament, and certainly I on behalf of the Greens, signed the palliative care funding pledge, promising on behalf of our party to support \$24.5 million dollars of funding for palliative care. I note that the honourable member's motion calls on the federal government to take certain steps and to make it a priority. I understand exactly why he has done that: that is where the bulk of the funds are. They are with the federal government, and they have a lot of responsibility in this area, but the state too needs to make sure that palliative care is a priority.

The only other thing that I would say very briefly is that often in this debate there is a furphy trotted out to say that there is some form of competition between palliative care and voluntary euthanasia. I want to put on the record again that there is no such dichotomy. The vast bulk of people want to live as long as they can, they want to live as well as they can and they want to have a death that is as dignified and pain-free as it can be.

Given the thousands of South Australians who are going to die every year and who should be entitled to the best possible palliative care, the people for whom voluntary euthanasia might be available are just a drop in the bucket. It is a handful of people who would meet that very strict test of dying from an incurable condition with unbearable suffering that not even palliative care can alleviate. There is no conflict; in my view, we need to support both initiatives.

Certainly, the vast bulk of South Australians want improvement in palliative care options and improvement in funding to allow the bulk of people to die at home. That is what 70 per cent of us say we want, yet only 14 per cent of people get the chance to do that, largely because there is not the palliative care in-home services available. With those brief words, I congratulate the honourable member for putting this on the agenda and fully support the motion.

**The Hon. D.G.E. HOOD (17:42):** I rise to indicate the government's position on the motion put by the Hon. Mr Pangallo, and I indicate that the matter went to our party room earlier this week. The Hon. Mr Pangallo will be pleased, I am sure, to hear that the Liberal Party will support his motion wholeheartedly. I say at a personal level that I was particularly pleased to see this matter raised and I think it is something that is long overdue.

The Marshall Liberal government regards palliative care services as critical in helping people with a life-limiting or terminal illness to live their life to the fullest and to be treated with the dignity and respect they deserve. The government welcomed National Palliative Care Week, held from 20 to 26 May, as an opportunity to raise awareness about the importance of these services and to pay tribute to the staff of the specialist palliative care teams, who not only provide excellent care but also support colleagues such as general practitioners and hospital staff with their various experience.

This year, the theme for National Palliative Care Week was, 'What matters most?' This theme highlighted the need for members of our community to plan ahead and discuss their wishes with loved ones and health professionals in preparation for their death. By talking with their families and their health professionals about what matters most to them, people are more likely to receive the care and treatment they desire. Indeed, that is the purpose of this motion.

South Australia has made good progress in supporting advance care planning, including the Advance Care Directives Act, which passed under the previous government but was supported by the entire chamber, as I recall. It allows adults to record their preferences and wishes in a legal document and appoint someone to make decisions at a later time on their behalf. I would urge all members in this chamber to take steps to complete an advance care directive if they have not yet done so, and perhaps it would also be wise to talk to their loved ones about that.

Development of a clinical tool known as the 7 Step Pathway that records decisions about treatment and resuscitation that are aligned to a person's wishes is also one of the steps that has been taken to advance progress in supporting palliative care and the advance care directives. The Planning Ahead community awareness campaigns that encourage people to take control of their future and record their wishes are another example of progress that has been made in supporting advance care planning.

With respect to demand for palliative care services, currently the government provides high-quality specialist palliative care services to people in hospital and community settings across metropolitan and country areas. However, it is recognised, it must be said, that there will be greater demand for specialist palliative care services in the future, and that these services are best provided in community settings to enable more people in South Australia to be cared for and, ultimately, to die in their own homes, which is the wish of many.

This need has been echoed in the Productivity Commission's Report into Reforms to Human Services, which was released in March this year, and planning to increase services has commenced under a new end-of-life care strategy. There was an election commitment made by the Marshall government, which has committed \$16 million to more effectively support people in the final stages of their life and which will allow services to be increased and available more generally, and for the increase to happen more rapidly.

This year a statewide workforce analysis, and also an assessment of unmet need, will be undertaken to inform the planning for the expansion of adult community-based specialist palliative care services to support people 24 hours a day, seven days a week. At the same time, SA Health will also commence delivery of additional services to country, including palliative medicine, specialist outreach visits and telehealth services.

It is through a coordinated approach under the end-of-life care strategy that we aim to continue to improve the quality of services for people who are at the end of their life, as well as their loved ones and carers. The Marshall government has taken this seriously. There are a number of initiatives I have outlined: an extra \$16 million being made available in this space in order to put our money where our mouth is, if I can put it that way at least, and add some substance, too. It is not just words being said here—there is money available and extra programs actually in place.

It is recognised that palliative and end-of-life care is a complex area of health care, particularly due to the interplay between state and commonwealth-provided services. For this reason the Marshall Liberal government is supportive of efforts to make palliative and end-of-life care a national health priority to continue to drive the reform.

This is just the beginning; it is something the government takes seriously. We commend the Hon. Mr Pangallo on bringing this motion before the chamber. It seems with government support that it is unanimous, and we welcome its passage through this chamber this evening.

**The Hon. F. PANGALLO (17:46):** I wish to thank all the honourable members who have spoken on this sensitive, yet vitally important, topic. As our ageing population continues to grow, palliative care for our loved ones will be increasingly in demand, and our governments need to be quite progressive to ensure the community's needs and expectations are met. I would hope this new government recognises that it needs to be a priority and that adequate services and programs are provided and delivered.

As I pointed out in my address on this motion, there are considerable savings to be made to the ballooning health budget if resources are redirected to encourage more community-based palliative care services for those wishing to die at home and improving the standards of end-of-life care in residential aged care. So it is commendable that the government is actually taking it seriously and is expanding funds for this issue. I commend this motion to a vote.

Motion carried.

*Bills*

**FREEDOM OF INFORMATION (MISCELLANEOUS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 9 May 2018.)

**The Hon. R.I. LUCAS (Treasurer) (17:48):** I rise on behalf of government members to speak briefly to the second reading of the bill. I understand there have been discussions between staff of the Attorney-General's office and the Hon. Mr Parnell in relation to the government's position on the bill.

Only very recently we have been advised of some correspondence from the Ombudsman in relation to freedom of information legislation, particularly this bill, and wider issues that the Ombudsman would like to see canvassed. Without going through all of the detail of the Ombudsman's letter, because of the lateness of the hour, a general summary of his position is that he remains supportive of, I think, all of the recommendations of the former Ombudsman, most of which I think are replicated in the Hon. Mr Parnell's legislation. However, he says that the world has moved on in relation to freedom of information legislation and he would like to see a whole range of other things incorporated into a comprehensive rewrite of the legislation.

I will not go through all those provisions, but he raises some very complicated and complex areas. For example, he says that the act does not address modern day issues such as whether images of persons captured by CCTV and other electronic means constitute those person's personal affairs, and whether agencies should be required to restore email accounts when searching for documents. I can assure honourable members that that was never the case under the former government in relation to email accounts having to be restored—indeed even being produced, I think, in some cases. So there are many complicated issues that the new Ombudsman has raised.

The government's position is that we will not be supporting this legislation. The Attorney-General has already instituted a review of the whole of the freedom of information legislation and commenced consultation with agencies and other stakeholders. On behalf of the Attorney-General I can advise that she is quite happy to consult with the Hon. Mr Parnell—and I suspect not just the Hon. Mr Parnell but any other member who may have an ongoing and abiding interest in freedom of information legislation. It would not be exclusive to the Hon. Mr Parnell but would be inclusive of anyone who may be interested in it.

As I said, I do not intend to delay the proceedings other than to outline that I think the government's position is in accord with the new Ombudsman's position; that is, 'If you are going to do this let's have a look at a whole range of things'. He also has a whole range of other suggestions that he thinks we should be contemplating. As someone who often used the freedom of information legislation and who is often criticised by the former Labor government for being so unreasonable in my usage of freedom of information requests, in terms of this review the Ombudsman is raising a number of very difficult issues that will need to be addressed.

One of the other issues—this is a personal view, not a government view or government party room view at this stage—is that there needs to be some defining of the freedom of information request process. In my experience when seeking freedom of information it was generally a particular issue that you were pursuing. It might have been ministers' travel or a particular document or a particular privatisation or particular program cut but, whatever it was, it was at least identified. What I have seen in my short period in government for the second time around is a very lazy process entered into by some that essentially says, 'We would like a copy of every document you have ever received on any issue for the last month.' Then the next month, 'We now want a copy of every document you have ever received on every issue from anybody in the last month.'

Clearly the response, in nice terms, is going to be, 'Give us a break.' That is an unreasonable diversion of resources, and I think many of us have had previous quotes that it was going to cost \$2,413,000 to conduct this FOI search, or something. I think that in the comprehensive review it is

an issue that members, as a collective, need to address; that is, in my view there needs to be some defined purpose.

It does not have to be restrictive, but at least something that indicates what it is you are actually looking for, short of it actually saying, 'We now want a copy of every document you have got,' which means that every office has to go through every document and either refuse, redact, consult—or whatever it is—on every document that has ever been received by a minister on any issue. In my view that is, first, an unreasonable diversion of public sector resources; secondly, it is for no good purpose; and thirdly, it is enormously costly in terms of the proposition.

I think it defeats the spirit of freedom of information legislation. Freedom of information is there. If there is a particular issue, project or whatever it is that you are pursuing, you should be able to pursue that as assiduously as possible and be assisted in the process to a certain extent by government departments and agencies within the restrictions the FOI legislation outlines.

When we look at this, there will be one side of the argument in relation to continuing to open up, as I said, the issues of CCTV camera coverage, all of those sorts of things. It could be emails, text messages and a variety of other issues like that, then there will be the issue ultimately of perhaps a better delineation or definition of what it is a person is actually pursuing to assist the agencies and departments that have to manage the process.

With that, I indicate the government's opposition to this particular bill but certainly not its opposition to reform of FOI legislation. I put on the record that the Attorney-General has already commenced a review of the FOI legislation, has commenced consultation and extends the open hand of consultation, not only to the Hon. Mr Parnell who is the mover of this bill, but indeed to other members who might have strong views to put to the Attorney-General in relation to reform of freedom of information legislation.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

#### *Motions*

### **SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL**

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

That the regulations made under the South Australian Civil and Administrative Tribunal Act 2013 concerning fees—general, made on 26 September 2017 and laid on the table of this council on 28 September 2017, be disallowed.

(Continued from 6 June 2018.)

**The Hon. J.A. DARLEY (17:56):** I rise today to withdraw my motion and in doing so I want to update the house on progress that has been made on this matter. When I originally moved this motion, it was to disallow regulations that had been made in relation to SACAT fees for a number of services. The ones that concerned me the most were the fees which related to a SACAT review under the Valuation of Land Act.

Every year, the Valuer-General determines a valuation for every property in the state. If an owner or another stakeholder believes this valuation is incorrect, they can lodge an objection to the valuation. The Valuer-General may agree there has been a mistake and reduce the valuation or they may disagree and uphold the original valuation. If an original valuation is upheld, the owner can ask for a review by an independent valuer or by SACAT.

Before the new regulations were made, the application fee for a SACAT review was \$71 for both individuals and corporations. The new regulations prescribed new fees of \$765 for corporations and \$545 for any other person. This was far too much of an increase and would be a barrier for many from exercising their right to a review. I have had discussions with the government throughout this process and they have advised that they have prescribed new regulations and that the new fees are now \$250 for corporations and \$200 for any other person. These fees are much more reasonable and I want to thank the government for working so cooperatively on this matter.

Notice of motion withdrawn.

*Bills***PUBLIC FINANCE AND AUDIT (MISCELLANEOUS) AMENDMENT BILL***Introduction and First Reading*

**The Hon. R.I. LUCAS (Treasurer) (17:59):** Obtained leave and introduced a bill for an act to amend the Public Finance and Audit Act 1987. Read a first time.

*Second Reading*

**The Hon. R.I. LUCAS (Treasurer) (18:00):** I move:

That this bill be now read a second time.

This bill proposes to improve timeliness and effectiveness of reporting by the Auditor-General and to simplify publication and administration. Currently, reports of the Auditor-General must be tabled on the next sitting day and then only after the report is tabled can the report be published.

This bill proposes to allow the Auditor-General to publish a report after it has been delivered to the President of the Legislative Council and the Speaker of the House of Assembly. If either the President of the Legislative Council or the Speaker of the House is absent then the bill proposes to allow a clerk of the relevant house to receive a report on behalf of the President or the Speaker (as the case may be).

The effect of this amendment is that the Auditor-General will be able to publish a report regardless of whether the parliament is sitting or not. This addresses a key concern of the Auditor-General documented in his annual report tabled in parliament on 17 October 2017.

I note that on 16 November 2017, the Hon. Vickie Chapman, as the former deputy leader of the opposition, took leave to introduce the Public Finance and Audit (Auditor-General's Reports) Amendment Bill 2017 which sought to address the Auditor-General's concerns. This bill was not passed before parliament was prorogued.

This bill also proposes a number of simplification measures. The first measure will allow the Auditor-General to annex documents to his report, which will reduce the burden of publishing his annual report to parliament which currently can be in excess of 3,000 pages. Under the proposed amendments, these annexures will be available to parliament on a website determined by the Auditor-General.

The second measure will require the Auditor-General to publish, on a website, audited financial statements of public authorities and the financial statements of the administrative unit established to assist the Auditor-General. This is a significant accountability measure that ensures that all audited financial statements of public authorities will, for the first time, be available on a website determined by the Auditor-General.

The third measure will allow me to delegate my power as Treasurer under the Public Finance and Audit Act to open, close and maintain deposit, special deposit and imprest accounts. This administrative function is considered low risk and will enable more efficient administration to support machinery of government and other strategic decisions of government.

As a matter of housekeeping and at the request of the Auditor-General, the bill proposes to adopt terminology about audit that is consistent with current auditing standards in Australia and New Zealand. The term 'efficiency and economy', in the context of undertaking an audit, has been redefined in auditing standards and other audit acts across Australia and New Zealand as 'efficiency, economy, and/or effectiveness'. This change has been included in the bill, noting that the 'and/or' device is not used in legislative drafting and that, in the context in which the phrase is used in this act, the use of 'and' is sufficient.

The bill includes a provision for the act to commence on assent of the bill to enable the Auditor-General to apply these new provisions to its 2017-18 annual report to parliament. In the preparation of these proposed amendments, the government has consulted with the Auditor-General, who supports the amendments.

The government considers that these proposed amendments will ensure that this government is transparent in its financial reporting and further provide the Auditor-General with the appropriate legislative framework to ensure timely and full disclosure of the results of their inquiries to the people of South Australia.

I seek opposition support for these amendments which will ultimately improve the relevance of the Auditor-General's annual report to parliament and ensure timely access is available to this information and agency financial statements to parliament and all South Australians. I seek leave to have incorporated into *Hansard* without my reading it the detailed explanation of the clauses.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Public Finance and Audit Act 1987*

###### 4—Amendment of long title

This clause amends the long title to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.

###### 5—Amendment of section 8—Special deposit accounts

This clause amends section 8 so that the power of the Treasurer to establish and maintain a special deposit account, and the power to approve a purpose of, or relating to, a government department for the purposes of section 8, can be delegated by the Treasurer.

###### 6—Amendment of section 9—Imprest accounts

This clause amends section 9 so that the power of the Treasurer to establish an imprest account can be delegated by the Treasurer.

###### 7—Amendment of section 21—Deposits

Section 21 provides that money accepted by the Treasurer on deposit from a person must be recorded in a separate account maintained by the Treasurer. This clause amends the section to enable the Treasurer to delegate the power to establish and maintain accounts.

###### 8—Amendment of section 31—Audit of public accounts etc

This clause amends section 31 to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.

###### 9—Amendment of section 32—Examination of publicly funded bodies and projects and local government indemnity schemes

This clause amends section 32 to delete the phrases 'efficiency and economy' and 'efficiency and cost-effectiveness' and instead refer to 'efficiency, economy and effectiveness'.

###### 10—Amendment of section 33—Audit of other accounts

This clause amends section 33 to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.

###### 11—Amendment of section 36—Auditor-General's annual report

This clause allows the Auditor-General to annex documents to the annual report (including the documents that are currently provided to Parliament with the annual report) and to annex them by including a reference to a website on which they are, or are to be, published. The reference in subsection (3) to a single supplementary report is changed to allow for multiple other reports. The provision also allows for the Clerk of a House of Parliament to receive a report on behalf of the President or the Speaker (as the case may be).

###### 12—Amendment of section 37—Recommendations by Auditor-General

This clause amends section 37 to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.



13—Amendment of section 38—Reports and other documents to be tabled before Parliament and published

Section 38 is amended to make consequential amendments and to allow the Auditor-General to publish a report on a website, or in some other manner, once it has been delivered to the President of the Legislative Council and the Speaker of the House of Assembly under the Part. If, however, the day after delivery of the report is a Parliamentary sitting day, the Auditor-General must not publish it until the report has been laid before a House of the Parliament. The proposed amendments also require that the Auditor-General ensure that audited financial statements that were not annexed to the annual report are published as soon as reasonably practicable after the annual report has been laid before a House of the Parliament.

14—Insertion of section 42

Proposed section 42 applies where the Treasurer delegates a power under the Act. The delegation—

- may be to a specified person or to a person occupying or acting in a specified position; and
- must be in writing; and
- may be absolute or conditional; and
- does not derogate from the power of the Treasurer to act in a matter; and
- is revocable at will by the Treasurer.

Debate adjourned on motion of Hon. I. Pnevmatikos.

### HEALTH CARE (GOVERNANCE) AMENDMENT BILL

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 3 July 2018.)

**The Hon. J.A. DARLEY (18:05):** The bill before us will re-establish governing boards for each local health network which will be responsible for the—

**The PRESIDENT:** Excuse me, Hon. Mr Darley. To the gentleman up there, it is not a viewing platform. Please continue, Hon. Mr Darley, and my apologies.

**The Hon. J.A. DARLEY:** I better start again. The bill before us will re-establish governing boards for each local health network, which will be responsible for the operations, budgets and resources within the local health network. This was a model which SA Health had prior to 2008 before local boards were abolished by the previous government in favour of a more centralised model of healthcare administration. I understand one of the major criticisms of the previous boards was that they were essentially toothless tigers that were hamstrung by budgetary and administrative constraints. That is to say that the boards were often seen to be the scapegoat of the government.

If a problem arose, it was very easy for the government to simply shrug their shoulders and place responsibility on the boards, notwithstanding the fact that boards did not have much power. Budgetary constraints, in particular, are a concern for me because I do not believe it is useful to have a board which is hamstrung to provide services or upgrade equipment if they do not have the ability to put forward a budget proposal and discuss the needs within their local health network. I have raised these issues with the minister, who has advised that it will be a two-way dialogue and that boards will be included in the budget setting procedure and have the ability to apply for additional funding on an as-needs basis.

The opposition has filed a number of amendments to the bill, with several relating to the composition of the board. In particular, I understand amendments have been filed to stipulate that boards should include a representative voted for by employees of the incorporated hospital, as well as requirements indicating that there must be at least one medical practitioner and one non-medical practitioner on the board. I am supportive of some of these measures; however, I believe that one of the issues with the previous boards was that they were essentially representative boards, which caused issues as they often acted in competition with the hierarchy in SA Health over matters such as staffing and workplace conditions.

I believe that if we replicate what was there prior to 2008 the same issues will arise. In briefing me on the amendments, the minister has indicated that the goal is to have a skills-based board to

ensure a calibre of people who have the skills required to undertake the business required; that is, the focus of the board should be on running the business of the local health network rather than representing one particular subset of employee or consumer. However, it is important that there is engagement with the clinicians, employees and consumers with the board, and I understand this will be achieved through the requirement for each board to have a clinician engagement strategy and a consumer and community engagement strategy.

These will be developed in conjunction with the stakeholders and will be available publicly. The bill outlines that the minister also appoint an adviser to the board to assist with improving the board's performance, and may appoint an administrator if members of the board are dismissed. The bill also introduces inspectors who can be appointed by the minister to investigate the administration, operations, and governance of incorporated hospitals. The opposition has filed amendments to dramatically change the function of inspectors so that there is an inspector for each local health network who must undertake inspections at least once every two months. The minister has indicated that this amendment is outside the scope of the bill. That is to say that the bill currently before us is specifically regarding boards and, more precisely, their composition and eligibility.

The minister has advised that these amendments regarding inspectors and other amendments filed by the opposition, such as reporting requirements for the board, do not relate to this bill and, as such, should not be considered now. The minister has also advised that he is happy to discuss these matters further and hopes to address them as part of the second healthcare bill. I will take the minister on his word on these matters. I believe he is acting with integrity and want to give him the opportunity to achieve his objectives.

Finally, I understand it is intended that the boards will be responsible for all public health services within their local health network and not just for the hospital. By having this approach, it will allow local health networks to have a more holistic approach to health care, including incorporation of preventative healthcare measures, which I am supportive of. Whilst I have clarified this with the minister's office, I would be grateful if the minister could also clarify this point on the record. I support the bill.

Debate adjourned on motion of Hon. R.P. Wortley.

At 18:11 the council adjourned until Thursday 5 July 2018 at 11:00.

*Answers to Questions***DEVELOPMENT PLAN AMENDMENTS**

In reply to **the Hon. J.A. DARLEY** (29 May 2018).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** The Minister for Transport, Infrastructure and Local Government has advised:

He has asked the Department of Planning, Transport and Infrastructure (DPTI) to continue the assessment of council initiated development plan amendments (DPAs) where they demonstrate that we are open for business, and support our ongoing economic performance as a state.

He is also continuing to progress ministerial DPAs where they provide an important policy response to issues of state importance.

However, a key priority is to deliver the Planning and Design Code for South Australia, which will revolutionise our planning system. As such, it is important that both state and council resources are directed to this important work and that this solid policy foundation is set as early as possible.

We have asked councils to hold off on broad-sweeping policy reforms at this time, and to focus their efforts on strategic planning for their areas, and working DPTI on what the new code will look like.

DPTI has advised that:

1. There are currently 34 DPAs/statement of intent (SOIs) in the system, seven of which have been lodged for approval. Many of these DPAs are highly complex, and as such DPTI is working closely with councils and relevant agencies where necessary to ensure key concerns can be suitably addressed and the DPAs approved as quickly as possible. The DPAs are currently under active consideration and as such, it is not possible to give timelines at this stage.

2. As outlined above, a key criterion for DPAs is that they will deliver outcomes that are of state importance or result in significant investment and employment, and as such a small number of new SOIs have been agreed in recent months on this basis.

However, in order to ensure timely delivery of the code, it is important that DPAs are finalised quickly, and also do not seek to alter policy which will ultimately be best addressed via the code. Notwithstanding, councils may continue to undertake the necessary investigations to inform a rezoning process; such that it can then be used to inform a DPA or as part of transitioning to the code. It is suggested that if council has any further queries they contact DPTI directly in this regard.

**LAND VALUATIONS**

In reply to **the Hon. J.A. DARLEY** (30 May 2018).

**The Hon. R.I. LUCAS (Treasurer):** The Minister for Transport, Infrastructure and Local Government has advised:

1. As outlined in the 2016-17 Budget Measures Statement the Valuer-General did receive \$15.45 million over the forward estimates as additional support to improve valuation accuracy, which is referred to as the revaluation initiative, but this initiative is not about commencing a five-year rolling revaluation program, where one-fifth of the state is to be valued each year for five years.

Rather, the Valuer-General will still continue to undertake general valuations for rating and taxing purposes for each of the areas of the state as required, and the valuation project work associated with this revaluation initiative will not be undertaken in isolation to the regular annual general valuation process. This way the whole state will continue to be revalued on an annual basis during the life of the revaluation initiative, avoiding the relativity issues between valuations that would be created if only one-fifth of the state was valued each year for five years.

Even if this was not the case, section 19(3) of the Valuation of Land Act 1971 (the act) relates only to a discretion the Valuer-General may exercise to amend a valuation that is not consistent, or relative, with other valuations in force. The section does not direct how the Valuer-General is to approach the general valuation task across the state, and is designed not to prevent the Valuer-General from meeting the intent of the act for them to provide regular and accurate valuations to the rating and taxing authorities.

Relativity between valuations is important from a fairness perspective, and the Deputy Valuer-General is aware of this, but where these issues may exist on the various valuation rolls across the state, the issue is also best addressed through improving the accuracy of valuations, which the revaluation initiative is designed to do.

2. The revaluation initiative was incorporated into the commercialisation process for land services, and as part of the purchase price there are contractual arrangements for Land Services SA, the new service provider, to undertake the valuation services associated with the project. As a consequence the project will continue, and work will occur in 2018-19, 2019-20 and 2020-21, with the completion date for the initiative remaining unaltered.

The work undertaken by Land Services SA will be under the governance of a steering committee chaired by the Valuer-General. So the Valuer-General will have oversight and control of the work that is undertaken, in particular, the quality of the work and the valuations that are determined.

The communication plan associated with the initiative is designed to make the process as transparent as possible, and to keep stakeholders informed of what valuation changes will occur.

**KENNEWELL, MR G.**

In reply to **the Hon. F. PANGALLO** (6 June 2018).

**The Hon. R.I. LUCAS (Treasurer):** I have been provided the following advice:

This relates to a prosecution that has been handled to date by South Australia Police (SAPOL). The Director of Public Prosecutions has not had any involvement in this matter.

To that end, I have sought information from the Minister for Police, Emergency Services and Correctional Services who has informed me that he has been advised SAPOL is currently conducting a review.

As the Minister for Police is the responsible minister for SAPOL, the Attorney-General has not sought a briefing.

SAPOL is the independent prosecuting authority responsible for determining whether the charges will proceed or not. It is therefore outside of the Attorney-General's remit to influence the application of SAPOL's resources to expedite the determination of this matter. Similarly, it is also outside of the Attorney-General's remit to influence, or be seen to influence, the outcome of the review. The decision of whether or not to prosecute is solely a matter for SAPOL.

As part of SAPOL's review into this matter, I am advised that police will consider whether there is a reasonable prospect of obtaining a conviction and if the prosecution of Mr Kennewell is in the public interest. A decision will be made prior to Mr Kennewell's next appearance in the Magistrates Court.

**MURRAY-DARLING BASIN PLAN**

In reply to **the Hon. M.C. PARNELL** (7 June 2018).

**The Hon. R.I. LUCAS (Treasurer):** The Minister for Environment and Water has advised:

The Murray-Darling Ministerial Council met on 8 June 2018 and approved the Murray-Darling Basin Authority Joint Programs work plan and budget for 2018-19. There have been no changes to funding arrangements of the joint programs that negatively impact on South Australia.