

## HOUSE OF ASSEMBLY

Thursday, 9 June 2016

*Parliamentary Procedure*

### **SPEAKER, ABSENCE**

**The CLERK:** I advise the house of the absence of the Speaker. The Deputy Speaker will take the chair.

**The Deputy Speaker (Ms F.E. Bedford)** took the chair at 10:30 and read prayers.

*Matter of Privilege*

### **PREMIER'S REMARKS**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:30):** Deputy Speaker, I rise on a matter of privilege. I believe that a member of this chamber, namely, the Premier, has knowingly and deliberately misled this house and abused the privileges of this house. Yesterday, namely, 8 June 2016, in response to a question on the negotiation of compensation for victims of the erroneous chemotherapy dosing, while outlining the government's position in respect of the state acting as a model litigant, he stated:

So, we made a proper suggestion that people obtain legal advice. It was always our intention to pay for that legal advice. That would be part of the settlement that would be reached in relation to this matter, and that is certainly the approach we have taken.

Today, details of the first identified victim of the erroneous chemotherapy treatment, who has since died, have now been published. In particular, a member of the deceased's family claimed that, in the settlement they had received from the government, they had to pay their own legal costs

This disclosure is in direct contradiction of the Premier's claim of how the state operates in respect of compensation claims and where a settlement is paid. The Premier's response to a subsequent question was:

That's my advice, and I will bring back some further details for the house from the people that provided me that advice.

That was in response to a question of whether the Premier could provide any evidence that there has ever been any offer made by the government insurers to cover the legal cost, not whether legal costs were included as part of the settlement, and this provides no relief to the Premier as a qualification to his misleading statement to his answer to the first question. I ask that you rule on a prima facie case of breach of privilege regarding misleading the house.

**The DEPUTY SPEAKER:** As you know, I am not the Speaker. We will refer the matter to the Speaker for his consideration and advice to the house.

*Bills*

### **VOLUNTARY EUTHANASIA BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 14 April 2016.)

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (10:33):** I rise to indicate my general and in-principle support for the Voluntary Euthanasia Bill. I think it is appropriate that this parliament addresses this difficult, yet important issue and give due consideration to what has been proposed by the member for Ashford. I have known the member for Ashford for many years and she is a dedicated servant of this house and has been an advocate for people who, in many respects, could be described as people who need a voice, people who need the assistance of this chamber.

She has always been an advocate for those who need the support of others to advocate on their behalf. In this respect, she is seeking to raise her voice on behalf of those people who are suffering illnesses that are bringing them to the end of their life and are seeking to alleviate their suffering. It is utterly consistent with her life's work, and I acknowledge everything that she has done and this is a very substantial proposition. I respect those who are seeking to amend the legislation. This is complex legislation and, even if one accepts the principle, there is no doubt that there is more than one way of achieving this ultimate objective, which is to alleviate suffering for those in the terminal stages of illnesses.

I understand the member for Ashford and those proposing amendments are still in discussions, so I do ask for those discussions to continue to occur and that this matter continue to progress as we seek to resolve some of those questions about the definitions which are so central to this question of voluntary euthanasia. There is no doubt that voluntary euthanasia is a complicated and testing topic to grapple with because obviously it deals with that most fundamental question—the question of life itself, and so it is natural that there are going to be strongly held views about this matter.

There are many perspectives to consider: moral, ethical, legal, medical and professional, chief among them. Given that virtually every one of us has seen firsthand or has in some way been forced to confront the topic, there are a plethora of viewpoints which come from personal experience. I remember one of the earliest stories my father told me about his father who was injured in World War II was of him as a young boy peeking through a crack in the doorway where he witnessed his father on his knees begging the doctor to end his life. This is not an uncommon set of circumstances where people are suffering gravely and are seeking relief, and presently the law prevents people from supplying that relief.

There is no doubt that many jurisdictions and many politicians have been asked to consider this matter and it has been a source of challenge for us. In fact, it does challenge us as lawmakers about precisely what the role of law is. Is it our role to use the law to express a particular moral viewpoint? Is it our role to have the law to be a permissive proposition to allow those who seek to take advantage of the facility to act voluntarily in their own interest as they perceive it? These are challenges to these fundamental questions about how we see our roles as politicians.

It seems to me that I must accede to the wishes, as I understand them, of people in my community who are asking me to give them the opportunity to take control of their lives and, in fact, the timing of the ending of their lives in circumstances where that end is near and they are the subject of, what in many cases feels like, unbearable suffering.

We note that many jurisdictions have grappled with this matter. I note that in April, the Prime Minister of Canada, Justin Trudeau, unveiled a bill that would legalise doctor-assisted death for people suffering from serious and incurable illness that has brought them an enduring psychological physical suffering. I also note that, if the bill passes, Canada will join a small but growing number of places that permit some form of assisted dying. They include the nations of Belgium, The Netherlands, Switzerland and Germany, and the American states of Oregon and Vermont.

One of the most eloquent and rational voices calling for change in recent times is Andrew Denton who, among many things, is a former ABC television presenter. I had a chat with Andrew just recently when he visited Adelaide and I thought he made many compelling arguments. His viewpoint in favour of voluntary euthanasia has been shaped by the experience of watching his father pass away. In a recent article, Andrew wrote the following:

Watching my dad, Kit, die was the most profoundly shocking experience of my life. He was 67 and, although clearly dying of heart failure and obviously in great pain, he was assisted to die in the only way Australia's law then (and now) would allow: he was given ever-increasing doses of sedatives to settle the pain.

From my viewpoint, I can see little point in forcing extremely ill people to needlessly endure pain that is clearly not going to stop until it consumes them completely. Why should a person who is dying, yet in full control of their mental capacity and therefore making choices with a sound mind, be told that everyone else's wishes must override theirs and they must die slowly? It seems to me that this matter, this specific piece of legislation, will come down to definitions and that is why the important work does need to continue. Nevertheless, I believe this parliament does need to find a way to come up

with laws that give genuine choice to those who are dying and that also put in place proper safeguards.

I think that this will be a mark of the strength of this institution if it is able to grapple with these difficult questions and come up with wider solutions, and so I do invite all members to permit this bill at least to proceed to the next stage while we can have these important discussions. I commend the bill to the house.

**Mr HUGHES (Giles) (10:40):** I rise today to express my support for the Voluntary Euthanasia Bill 2016. In debating this bill, we all bring to the chamber the values and principles that guide us, and, for what is probably many of us, the very hard won insight that comes from the loss of loved ones taken by disease or injury.

Individual autonomy is an important principle, and it is clearly one of the driving principles behind the bill before us: the ability to choose what we do with our life if faced with suffering that is both unbearable and hopeless. As important as individual autonomy is, as important as the capacity to choose is, there is something deeper embedded in this bill. It is about giving yet fuller expression to our humanity, in what are profoundly sad circumstances. It is about love, empathy, and compassion. It is about recognising the suffering of others. It is about dignity and respect.

You might have a deeply held belief that would lead you never to contemplate voluntary euthanasia. I respect those beliefs, but in a secular society that is not illiberal you should respect those who do not share your beliefs—those who, in terrible circumstances, might want to access voluntary euthanasia. It is not about denying the sanctity of life, or the recognition of what a profound gift any particular life is, a gift that borders on the cusp of impossibility. We do not give away that gift easily. We will cling to it, and only in desperate circumstances might we choose to end it. Even in those circumstances, most will continue to cling to life until the very end.

I listened to the words from the member for Fisher who said that, as a nurse, she has held the hands of more dying patients than she cares to count. She faced the death of her parents. She said that, after watching both her parents pass away, that there should be a choice when it comes to voluntary euthanasia even if that choice is never exercised. The member for Adelaide recounted the harrowing death of her mother and of watching her mother starve to death, day after day. Even touch was painful. That leaves a profound mark—it rocks you to the core. It is no wonder that she, like the overwhelming majority of South Australians, supports voluntary euthanasia.

Last year, I lived through my younger brother's dying days, weeks, and months. Bowel cancer had spread to his liver, lung and brain. The emotions are still raw. Seventeen years before his death, my dad died of the same cancer that had also spread from the bowel to other organs. If you asked me before his death whether I supported voluntary euthanasia, I would have said yes—but it would not have been a visceral yes. It would have been about abstract principle, or possibly just plain common sense. Of course, you provide relief in a final way if someone is experiencing profound suffering and despair, and is facing imminent death, and their desire is to end it.

What was abstract support became real and deep during my dad's dying days. He died at the Concord hospital in Sydney. The palliative care ward was in an old weatherboard building, at the back of the main building. He died in a sometimes curtained-off room shared by four dying men that was part of a larger ward. In that room, the disease robbed my dad of his dignity, and racked his body with pain. Waves of nausea fought with the medication given to control the bouts of vomiting. My mum, my sister, my brother and I watched him die over a period of weeks.

That strong, loving, larger-than-life man was reduced to a barely living husk. What was the value in that prolonged ending? Absolutely none. There was no redemption for his suffering, just pain, despair and hopelessness—absolutely pointless. My dad was a strong practising Catholic but, in those last few weeks, he would have gladly accepted voluntary euthanasia, if it were available.

To go through that experience with my 75-year-old dad was traumatic. To face the same prospect with my younger brother, the brother who I spent the first 18 years of my life sharing a bedroom with, was almost beyond enduring. My brother received high-quality palliative care as a public patient in the Whyalla Hospital. He was there for eight weeks in a private room with his own

toilet and shower, plus a private deck. More importantly, the palliative care he received was exemplary and the staff both caring and professional.

In those dying days, we talked about voluntary euthanasia. He said that he supported voluntary euthanasia and that the choice should be available. He said that he could not imagine making that decision to end his life, but could understand that others would. For many, knowing that they have the choice, even if not exercised, provides a degree of comfort and a degree of personal control.

We were wheeling out my brother for a smoke up until the last day. He could still engage in conversation. He was still fully present. He was surrounded by people he loved and the people who loved him. When the final stage came, he lost consciousness—a combination of the progression of the disease, the body giving up and the increasing dose of morphine and other medication. Over those last hours, he seemed to fight for every breath until finally letting go.

There was a stark contrast between my brother's final weeks and my dad's. The quality of the care and the facilities, the passage of time and improvements generated, the particulars of how the cancer plays out and the person's mental state all shaped those last days and weeks. It was not a good death, but it was a better death than my dad's, apart from dying way too soon.

Contrary to what has been said by some in this chamber, voluntary euthanasia does not undermine high-quality palliative care. It should be seen as one of the options available in what is a spectrum of approaches to assisting the dying and the families of the dying. It is no coincidence that those jurisdictions that have introduced voluntary euthanasia also have very high-quality palliative care with voluntary euthanasia seen as a part of palliative care.

It should also be noted that the real-world examples of the jurisdictions that have had voluntary euthanasia for many years show that there is no evidence of the slippery slope and no evidence of abuse or coercion. The sky will not fall in. Others have addressed the detail of the bill, its intent, the checks and balances and the definition used. I am comfortable with the broad thrust and the particulars of the bill. There might well be some further discussion about the definition of 'unbearable and hopeless suffering' in order to give those who broadly support voluntary euthanasia some additional comfort when it comes to definition.

Voluntary euthanasia is about the exercise of free will in what are very trying and dire circumstances. It is respect for the individual and a recognition of their autonomy. No man or woman is an island and, for most, the decision to end their life within the proposed legal framework will be a decision taken after discussion with their loved ones. We are all interdependent, we are individuals, but we are ultimately social animals and, as such, it is that capacity to feel, to love, to empathise and to show compassion that makes us fully human; that is why this bill should be supported.

Debate adjourned on motion of Hon. T.R. Kenyon.

## **LOCAL GOVERNMENT (RATE INCREASES) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 26 May 2016.)

**The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (10:50):** I would like to speak on the Local Government (Rate Increases) Amendment Bill that is before the house at the moment. I rise to make a contribution to the debate on this bill as the member for Frome. I have made my position very clear on the issue of rate capping, and, as part of my agreement with the Premier to form a stable government, a commitment was given not to introduce rate capping in this term of government.

I am aware that the member for Goyder blatantly made a number of appearances at various local government meetings to talk about his rate capping bill. But, of course, as the member for Giles pointed out in his speech when he read out some of the letter written by the Mayor of Kimba, that type of consultation was after he had introduced the bill. The member for Goyder was telling them what he had done, not generally consulting on the issue, and certainly not waiting for the findings from the Economic and Finance Committee's inquiry, which the opposition had urged.

There is no doubt rate capping arouses a level of popular support, particularly if the debate is pitched merely at the question of whether or not the public might like council rates to be low. I share the concerns of other members in this place about cost-of-living pressures, and I welcome the government's introduction of the \$200 per year cost-of-living concession, which was increased above the former council rates concession of \$190. I also commend those councils that offer further support and concessions to vulnerable individuals, groups, and those doing it tough. However, when the consequences for communities of such a policy are fully considered, it will be seen by many as a less desirable approach to ensuring an appropriate balance is struck between council revenue raising and expenditure.

In terms of assisting communities to better understand the need for that balance, councils themselves have a large role to play. I will say more on this aspect shortly, but I would like to outline some of the key concerns that I have with rate capping generally, and with this bill more specifically. It is my view that councils, as a tier of government, should be held accountable to their electors, and not to an unelected external administrative body like ESCOSA. Councils need to have open conversations with their communities about how they will address the needs and the interests of the community through their council's rating policy.

As the member for Goyder is aware, councils adopt their annual business plans, budgets and rating strategies between 1 June and 31 August each year. Since 2007, each council has been required to go through a process of producing a draft business plan and consulting its community on the proposed spending and revenue requirements of the draft plan. Each council must take into account the views expressed by its residents and ratepayers before finalising its annual business plan and setting rates.

The Local Government Act 1999 also requires councils to make reasonable provision for rate relief where appropriate, consider setting a maximum increase in rates for principal places of residence, and offer the holder of a state Seniors Card the opportunity to defer a prescribed proportion of rates. Ultimately, council budgets and rates need to be set in the context of the council's strategic management plan, long-term financial plan, and decisions around the level of services and revenue required for the coming year, together with community consultation outcomes.

Section 123 of the act includes specific requirements for public consultation by councils about their draft annual business plans. This includes notification to the public via a newspaper and on the website about the preparation of these draft plans, and an invitation to attend either a public meeting or a meeting of the council at which the public can ask questions and make submissions regarding the draft annual business plan.

While the act sets minimum requirements for consultation on these matters, I am aware that some councils do more to engage with their communities. However, I think it is evident that many councils need to engage more effectively with their communities about budget and rate setting. That is why I have written to the president of the Local Government Association reiterating my opposition to rate capping but also urging that the LGA take a strong leadership role to have all councils implement more effective means of consulting with their communities. That includes making use of more contemporary methods of direct engagement with individual households and organisations.

**Mr Griffiths:** That's what I'm talking about.

**The DEPUTY SPEAKER:** Order!

**The Hon. G.G. BROCK:** As the Minister for Local Government, I have been pleased with the enthusiasm of the sector to adopt some reforms that will ultimately serve our communities better, especially around improving council boundary change processes, and I am hopeful of getting the same kind of response on this issue. I am always cautious when looking at other jurisdictions for inspiration in tackling issues on our home front.

For a start, I think South Australia leads the way in many respects in local government, and direct comparisons are not always easily made. There is the usual problem of trying to compare apples with pears. There is a wide range of responsibilities and activities that councils across our nation are involved in and there is the usual problem of trying to compare apples with pears. I am aware that the inquiry into rate capping being conducted by the Economic and Finance Committee

has been taking evidence from a number of sources, some of whom have drawn attention to the New South Wales experience of rate capping—the jurisdiction with the most extensive history of using that approach.

I acknowledge the significant experience of the member for Goyder as a senior officer in various local government areas, including a stint in New South Wales, but I also note the concerns raised by a respected South Australian chief executive who appeared before the committee on 28 August last year. He had also been a CE in a New South Wales council previously and, in his view, the ultimate revenue decisions remained in the hands of the elected members and, in his experience of councils here, they were responsive to community feedback.

In terms of his New South Wales experience, he expressed the view that, with rate capping, the focus of the council was very much on struggling year to year to maintain existing infrastructure and not on taking up new opportunities or introducing new services. Regarding the New South Wales council he had worked for, he concluded the following:

It was working, if anything, simply on a simplistic year-to-year costcutting process. You can do that for a little while, but you end up cutting into services and genuine capacity.

Of course, a reduction in services to communities and backlogs in maintenance and new infrastructure are one possible set of consequences that could arise from council rate capping. Another consequence could be that councils look to raise what is considered to be necessary revenue by increasing various fees and charges for other services. This would be a particularly blunt approach and would tend to impact the more vulnerable in the community who draw more heavily on those council services.

New South Wales has a process something akin to what the member for Goyder is proposing here, whereby councils that want to set rates above a cap need to make a submission to the Independent Pricing and Regulatory Tribunal. While not setting out to denigrate a process used in another jurisdiction, I note that according to the advice that I have received for 2015-16, 22 councils applied for special variations, with 21 being fully approved and the other partially approved.

I am not sure why we would be seeking to set another layer of red tape for councils and divert precious resources to that process, from both the state and councils, particularly if we followed the New South Wales pattern where it seems to be 'ask and you will receive'. I would very much prefer to have councils engaging in a mature and direct fashion with their communities and getting the right mix in terms of how revenue is raised, how much is raised and how it should be expended. Indeed, I think the member for Goyder and I seem to share similar views on this point. In his report as CE in the 2002 annual report, a year that saw rates increase by something like 15 per cent, he wrote:

While our budget approaches the \$17 million mark, thus creating the capacity to undertake large projects, the need for improved infrastructure across so much of our community makes the budget setting process a fine balancing act of determining priorities.

I commend the member for Goyder, when he was the CEO, for at least trying to be open with the community and having a genuine conversation about how his council made budget and rating decisions. Quoting a little more from the CE's report from the same document under the title Challenges Ahead, the now member for Goyder went on to write:

The Elected Members recognise that the majority of Council income, and as such the ability to provide services, is dependent upon the willingness and the ability of property owners to pay the rates based upon their valuations.

The challenge of finding a 'middle ground' in which sufficient income is received to provide the range of services required, while being at a level of cost that is acceptable to the property owner, is always foremost in the thoughts of Elected Members when considering and adopting budgets.

I have to say that I tend to agree with the member for Goyder's assertions. It does not sound to me like the language of rate capping. This leads me to believe that this bill is more about playing popular politics than developing sound local government policy. At a time when local government is showing a willingness to step forward and play a significant role in helping to transform our economy and create jobs, I do not understand why we would be sitting here seeking to tie up councils in a bureaucratic rate capping process. I cannot support this bill.

**The Hon. J.M. RANKINE (Wright) (11:01):** The Liberal Party went to the last election with rate capping as one of their policies. We now know that they did not win and are still reeling—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** —from that defeat.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** In fact, they are still reeling from not winning in 2010 or 2006—

*Mr Pengilly interjecting:*

**The DEPUTY SPEAKER:** No!

**The Hon. J.M. RANKINE:** —or 2002; 14 years of reeling rather than getting on with the job of being an effective opposition.

*Dr McFetridge interjecting:*

**The DEPUTY SPEAKER:** Member for Morphet!

**The Hon. J.M. RANKINE:** So, the electorate rejected the state Liberals and their policies, this being one of them but that does not mean that they should not have a go and bring a bill into this place in an attempt at winning something. That is fine.

*Mr Pengilly interjecting:*

**The DEPUTY SPEAKER:** Order, member for Finniss!

**The Hon. J.M. RANKINE:** They of course commenced their move by having this matter examined in the Economic and Finance Committee, an opportunity also for the member for Bright to get out a story or two or maybe even send some direct mail to his constituents. I know the member for Hartley has been doing just that. He told us he surveyed his electorate—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** —asking in-depth questions—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** —like, 'Do you think council rates should be capped?' Surprise, surprise! He got responses back saying yes; but I bet he did not ask the question—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** —'Are you happy to have your rates capped but pay more for council services?' I bet he did not ask, 'Are you happy to have rates capped but charged for services that are currently free to use?' I did ask him whether he had asked whether they would support capping his pay.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** I venture to say he would get bigger response to that question. No-one likes paying tax. We hate receiving our rates bill in the post, but we do understand the rates we pay bear a direct correlation to the services provided by council and the amenity of our areas.

Our rates reflect the services provided to older people in our local communities. Our rates reflect the sporting facilities councils provide to engage and develop young citizens. Our rates reflect and support services provided for new arrivals and refugees in our community. Our rates reflect the quality of our parks and gardens, our street plantings, verge maintenance, all of this, except of course, for the Tea Tree Gully council where the Golden Grove councillors gave all theirs away to other areas. In general, that is what we expect from our council rates.

We are dealing with this bill because the economic and finance inquiry the Liberals asked for is not delivering what they expected. By the time we had finished taking evidence only one council person had come in and supported rate capping, a councillor from the Onkaparinga council whose view was that his fellow elected members, including former Liberal MP and now mayor, Lorraine Rosenberg, were being led around by the nose by the staff.

Mayor Rosenberg was very strong both times she appeared in opposing rate capping to the committee. She made the point that rate capping carried significant risk of pushing intergenerational costs on to those who follow, and I quote:

I think it would be catastrophic quite frankly, and double that with recent decisions by the federal government—

That is, the Liberal federal government—

to cap and hold financial assistance grants at a certain level so that they're not indexed any more. We have lost our supplementary road funding, which was \$18 million, which we were entitled to...

She made the point that councils need to maintain their autonomy and flexibility to provide for the different needs of different communities. She said, in fact, that she would let communities know why and who was responsible for not delivering the facilities they were looking for. Again I quote her:

...if we are in a position where another level of government determines what services a local council can provide, then it's a pointless issue having a locally elected democracy because we have no flexibility to respond to our community plan. We are basically being told that, 'Regardless of what your community have said they want, you can only afford to do these things this year'.

From my personal perspective, I think our local government area would probably put on every rates notice, 'These are the things we are not building this year thanks to rate capping'. I think that's the sort of thing we would do; and with no question in my mind, politically it would be a short-term gain for long-term pain, in my view.

On 24 September, when she came before the committee, she said:

Our council will definitely make sure that our community is absolutely aware of why services are cut or projects are not being done. We will be absolutely clear about that. I will be out there, more than happy to fly the flag, because at the moment local government takes the blame for a lot of things and we wear it.

She said that she would publicly denounce such a move if it were introduced.

The Local Government Association opposes rate capping, councils oppose rate capping, experts who have worked with councils and with governments to implement financial accountability in local government oppose it, the Australian Services Union, which represents the administration staff oppose it, so it was not going all that well.

Then, after we had closed off taking evidence we had a request for the member for Unley and political aspirant, Lachlan Clyne, to give oral evidence. We are an amenable group, so we agreed. We all agree that he is a pleasant fellow; in fact, I offered to support him in any preselection for the seat of Unley. Interestingly, he gave evidence, he says, as the Mayor of Unley, but made it clear he was not representing the Unley council. I do not quite know how you can claim both, but he did.

Lo and behold, the member for Goyder appeared to hear his evidence. I do not think it would be too much of a stretch to suggest that this was both an attempt to claw back lost ground and at the same time audition for preselection. He was an articulate person in front of the committee, but a strong proponent of rate capping, despite his council not supporting it. What became evident, however, during questioning was his confirmation that rates could be capped but not the cost of services, not service charges. So, rates could be held, and charges spiral. Net benefit to the community: no benefit.

**Mr Griffiths:** And ESCOSA considers that as part of its determination.



**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** No benefit to residents, particularly those most in need of the services that councils provide. It is interesting that a former Liberal MP and current mayor would be so strongly opposed to this legislation, and that a Liberal Party aspirant and current mayor is so supportive of the legislation. I will leave people to make their own conclusions about that. It should also be noted that the two councils they represent are vastly different, both in size and the communities they service.

Also, there is a very strong view that rate capping will hit rural and regional councils the hardest. The member for Goyder, the proponent of this legislation, was chief executive of a small rural council, and I find it hard to believe that, were he still in that position, he would be supporting this legislation. Mr Scales from the ASU gave evidence. He asked the very salient question:

...What's actually the problem? If there's a problem in the community around rates, then our view is, let's articulate that issue and then maybe rate capping is part of that debate, but we are unclear as to what the issue is which would prompt such an inquiry or furthermore prompt the implementation of rate capping.

Rate capping in New South Wales was implemented when rates had been increased by an average of 200 per cent. Rate capping in New South Wales was described by Professor Sansom as a 'dog's breakfast'. Professor Sansom said:

I wanted to highlight the really self-evident fact that is often forgotten in these discussions; that is, local government is part of the state public sector. It's not something separate that's floating off the coast somewhere, it is part of the state public sector and rates are part of the overall revenue available for the state public sector. When governments contemplate something like rate capping, it is absolutely vital that that simple fact be taken into account.

Professor Sansom also said:

...Even more horrific was the fact that we had, on numbers provided for us, I think it was more than 80 New South Wales councils, out of 152, so more than half, were running substantial operating deficits, operating deficits that could only be recovered with rate increases of 10, 20 per cent or more.

Rate capping would be a disaster for communities in South Australia and I am pleased that the government is not supporting this bill.

**The DEPUTY SPEAKER:** Member for Goyder. If you speak you close debate, is that correct, member for Goyder?

**Mr GRIFFITHS (Goyder) (11:11):** True, thank you Deputy Speaker. I always knew this would be a rather challenging debate, I must say. I am grateful for the fact that the member for Wright has reaffirmed that it was in February 2014 when the Liberal Party put the policy there because we believe in efficiency of service provision. That is why it was brought about; it is all related to cost-of-living pressures. I find the member for Frome—if I can use that term, given that he chose to make his address as the member for Frome but then referred to his actions as minister, so he cannot have it both ways—

**The Hon. P. Caica:** Well, he is. He is the member for Frome.

**The DEPUTY SPEAKER:** Order!

**Mr GRIFFITHS:** He chooses to vote and answer questions in this place as the member for Frome instead of as the minister. I reflect upon a question I posed to the member, as the minister, in the 2014 estimates (in that five or six months that he had been a minister) about what interest he was pursuing to ensure that rate increases were kept to an absolute minimum. The response that I got back was stuff that occurred five or six years before that. That is what it was, minister. This is one posed from the basic premise that the people of South Australia are challenged significantly when it comes to cost-of-living pressures.

You referred, member for Frome, as part of your response to this bill today, to the \$200 cost-of-living concession provided by the state government. I absolutely support the fact that it is there. However, it refers to the key issue—the cost-of-living concerns that people have—and that is targeted towards those who are of the age or income level to receive it. I understand that, but it is all South Australians who are challenged when it comes to the cost of living, be it electricity, water, gas,

all consumables, all the basic necessities of our society, and there have been increases regularly in those.

I have posed, via the Liberal Party, for an effort to try to ensure efficiency. Local government receives approximately \$1 billion in rate income per year, a significant amount. It is about 6 per cent of what the state's budget is, but it is a significant amount of dollars that is spread across the 68 councils plus the outback communities area. As a responsible shadow minister, I have to make sure that what Liberal Party policies are about is ensuring efficiency. I have done this because it is recognised as a significant sector. The member for Wright referred to it as part of the public sector—

**The Hon. P. Caica:** You've done it for populist reasons, Steven; yes, you have.

**Mr GRIFFITHS:** —and I will refer to that too.

**The Hon. P. Caica:** Yes, you have.

**The DEPUTY SPEAKER:** Order!

**An honourable member:** Throw him out, ma'am.

**The DEPUTY SPEAKER:** Order! No, you have all been really naughty.

**Mr GRIFFITHS:** If indeed the debate that occurs about this creates efficiencies that are going to be driven from a \$1 billion income sector, if it equates to just 1 per cent of what might otherwise be rate revenue, that is \$10 million. That is \$10 million that stays in people's pockets. I know others out there will attempt to put it down to the fact that it is less than 68¢ per week or \$1 per week on individual property owners.

I am looking at the collective thought about it because I am trying to look at the capacity, the needs and the desires and the pressures on people. No matter what dollar figure it is, everything in a cumulative effect impacts upon families. That is why we have done it.

**An honourable member:** What about service costs?

**The DEPUTY SPEAKER:** Order!

**Mr GRIFFITHS:** We have done this to try to create some kind of solution to give to South Australian property owners.

*Members interjecting:*

**The DEPUTY SPEAKER:** No, there will be no chucking; there will be naming.

**Mr GRIFFITHS:** Can I put on the record that the local government does not agree with that. I understand that. Other members have spoken about that. I did not consult with them belatedly, though, member. I went out and had, I believe, eight meetings: two in metropolitan Adelaide, six in regional areas. They have not supported it, but I have used those meetings as an opportunity to explain to them the workings of the legislation and to take feedback from them. From that, I believe there are some efficiency opportunities, absolutely, and some improvement opportunities to the legislation. I want that to be part of the discussion because it will remain as a policy for the Liberal Party through to 2018 because we believe in what South Australians need—and they want all levels of government to be efficient.

I am going to finish on this. The member for Wright referred to the public sector and the fact that local government is linked with that. I have been here over 10 years now. I have heard so many budget presentations that have been made about the fact that there have been full-time equivalent caps; departments have put that upon themselves. You have demanded efficiency dividends; departments have had to put that upon themselves. If local government is to be part of the public sector—and it is—it has to be efficient also.

While councils have complained to me that I am impacting upon their revenue opportunity—and that is what it is—the legislation is going to create an opportunity to review their expenditure. I want their expenditure to be efficient to ensure that the over \$1 million they get in rate income per year is used in absolutely best possible way and that the winners from this discussion are the people of South Australia. That is what this chamber exists for, that is what this parliament is here for—to

create opportunities for people's lives to be improved. Some might argue that this is not beneficial. I understand that it will be challenging, but it is a win-win opportunity for everybody. That is why I hope that the chamber supports the legislation.

The house divided on the second reading:

Ayes ..... 18  
Noes ..... 22  
Majority ..... 4

#### AYES

Chapman, V.A.	Duluk, S.	Gardner, J.A.W.
Goldsworthy, R.M.	Griffiths, S.P. (teller)	Knoll, S.K.
Marshall, S.S.	McFetridge, D.	Pederick, A.S.
Pengilly, M.R.	Pisoni, D.G.	Redmond, I.M.
Sanderson, R.	Treloar, P.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Williams, M.R.	Wingard, C.

#### NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Brock, G.G.	Caica, P.	Close, S.E.
Cook, N.F.	Digance, A.F.C.	Gee, J.P.
Hamilton-Smith, M.L.J.	Hildyard, K.	Hughes, E.J.
Kenyon, T.R. (teller)	Key, S.W.	Koutsantonis, A.
Odenwalder, L.K.	Piccolo, A.	Rankine, J.M.
Rau, J.R.	Snelling, J.J.	Vlahos, L.A.
Wortley, D.		

#### PAIRS

Bell, T.S.	Picton, C.J.	Speirs, D.
Mullighan, S.C.	Tarzia, V.A.	Weatherill, J.W.

Second reading thus negatived.

### **NATIVE VEGETATION (ROAD SAFETY AND ROADSIDE FUEL REDUCTION) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 14 April 2016.)

**Mr TRELOAR (Flinders) (11:22):** I am on my feet—

**The SPEAKER:** Members will resume their seats out of respect to the member for Flinders.

**Mr TRELOAR:** Thank you, Mr Speaker.

**The SPEAKER:** Especially the members for Unley and Morialta, who are still in the gangway.

**Mr TRELOAR:** Thank you, Mr Speaker, for your protection and support.

**The SPEAKER:** The member for Kavel will be seated. The member for Flinders.

**Mr TRELOAR:** I should be good now. I rise to continue my contribution on the bill to amend the Native Vegetation Act brought to this place by the member for Morphett, who has on a number of occasions brought a bill similar to this, but on each and every occasion, unfortunately, has been

defeated. I know that the member feels very passionately and strongly about the need for legislation in this regard, and it is all to do with allowing roadside verges to be managed.

At the moment, there is that opportunity, but it is a very convoluted process. The application process to clean up native vegetation is a difficult one and it is time consuming. Often landowners and responsible people give up in disgust and decide that it is all too hard to go through the application process, knowing full well that they cannot progress what they might want to do because it is actually against the law. This bill would make it possible and much more acceptable for those landowners who feel the need or requirement to remove some vegetation, or at least clean up along their private property.

I spoke last time about the importance of having a safe landscape and a safe environment. In fact, it is almost three months since I last contributed, so it is a pleasure to come back to this bill. One of my real passions is the environment and the landscape, and what we are starting to do in many circles now is talk about a planned landscape and a designed landscape. It is a concept that is not uncommon in Europe and even in North America, but it is a relatively new concept in Australia.

It is not something we have engaged with, but I think we really are at a point, as landscape managers, as landowners, where we should start to address the whole of landscape management, making it not only productive but secure. The reason it needs to be secure, of course, is that we are prone to natural disasters, we are prone to floods in the wintertime here in South Australia—at least flooding rains and often floods in hilly terrain—we are prone to bushfires, particularly in our long, hot and dry summers. Our fuel loads are often high and I suspect that we have had good rains already again this autumn and winter, the early part of the winter, so there is no doubt that fuel loads will be high again.

Landowners do their best to protect their properties around their homes. The message is finally getting through with regard to firebreaks, safe areas, having adequate sprinkler and watering systems in place so that farmers and landowners can protect their properties. But this actually takes it a step further. It takes it to the point where, when a bushfire is roaring across the countryside, roaring across the landscape, it adds that extra security. Landowners who have the opportunity will be more prepared than ever; they will clean up the road verges and it will be less likely to carry a fire. Even if the fire does get into that roadside verge, it will be far more manageable—firefighters will be able to combat it, it will be less likely to roar up and down the road verges.

I have seen it happen: often, on Eyre Peninsula, the road reserves are three chain wide, which in modern terms is 60 metres, but they were always measured at three chain, often at one chain. The sealed part of the road, or the sheeted part of the road, is probably only one chain of that, so often there is a significant amount of dense vegetation. Even the Mallee vegetation can be dense, often undergrown with broom bush, and then the occasional taller eucalypt, often a gum tree or a melaleuca, which will carry a fire at a significant pace.

We are all too familiar with bushfires in the state. Just this last year, of course, this last summer, we had the devastating Pinery bushfire, which, sadly, took lives and burnt around about 80,000 hectares in an afternoon. That is 200,000 acres in an afternoon. It was an extraordinary bushfire; nobody has the capacity to combat that. The reality is that, even if work had been done on the roadside verges, there was probably little that could have been done to stop that particular fire, because it was such extreme circumstances.

But it is part of a whole package of protecting property, of protecting homes, and of protecting farms, livestock and machinery, all those things, and it just adds to the armoury, if you like, of defence against a raging bushfire. I do remember, as a young man, Ash Wednesday, way back in 1983. Even though it didn't affect us on Eyre Peninsula, it certainly impacted much of South Australia and Victoria.

I know the member for MacKillop was caught up in the bushfire that day—that was in the South-East—and I also realise that a large part of the Adelaide Hills went up in smoke that day, and I am going to put this to parliament today: it will happen again. There will be another bushfire next summer; if not next summer, then the summer after, and I don't want to be scaremongering, but there will be another big fire in the Adelaide Hills at some point. A lot has happened since 1983, and there

are far more people living in the Adelaide Hills than there were 33 years ago in 1983. Far more people have been allowed to build, and I do not blame them for wanting to live in the Hills—

**Mr Duluk:** They are beautiful.

**Mr TRELOAR:** Yes, they are absolutely beautiful, as the member for Davenport says, and he would know—he has a delightful electorate there. The views are magnificent and often homes are nestled amongst a natural environment with woodland and many gum trees but, gee, it could be and will be a death trap on one particular day during one particular summer.

These are the sorts of situations that this bill, brought by the member for Morphett, is designed to help address. He wants to make those people safer, he wants to make the environment safer and he wants to make the landscape safer. I commend the member for Morphett for bringing forward this eminently sensible and sound bill and congratulate him on the work he does in encouraging people to be responsible and to help South Australians everywhere combat the threat of bushfire.

Debate adjourned on motion of Hon. T.R. Kenyon.

#### *Motions*

### **FLAGSTAFF ROAD**

**Mr DULUK (Davenport) (11:31):** I move:

That this house urges the Weatherill Labor government to prioritise the development of a fourth lane for Flagstaff Road in order to—

- (a) improve commute times for local residents;
- (b) provide the safest possible conditions for road users;
- (c) provide efficient access for emergency services to the suburbs connected to this road; and
- (d) take pressure off South Road.

Flagstaff Road is a 3.3 kilometre stretch of road that intersects with Main Road and the Southern Expressway to the north and Black Road and Happy Valley Drive to the south. It has a total of three lanes, with a reversible centre lane for about 800 metres towards the northern end of the road. The reversible lane is designed to meet the tidal nature of movements to and from the surrounding suburbs; that is, two lanes for northbound traffic in the morning peak period and two lanes for southbound traffic in the evening peak period.

In theory, the notion of a reversible lane to help manage peak traffic flows is a great concept, but, unfortunately for the commuters of Flagstaff Road, the reality is very different. A reversible lane system is only good if the direction of traffic flow is clear and followed, of course, by all road users. Unfortunately, this is not always the case. Drivers travelling up and down the road often use the centre lane when they should not. During peak hour, it is troublesome, as the volume of traffic makes it clear. But outside these periods, drivers tend to become a little confused and conditions on the road can become quite dangerous.

Approximately 25,000 vehicles travel along Flagstaff Road each day: commuters travelling to and from their homes in and around the suburbs of Flagstaff Hill, Coromandel Valley, Coromandel East, Craighburn Farm, Aberfoyle Park, Chandlers Hill and Happy Valley. Residents in these areas have reported some horrendous experiences of witnessing people travelling in the wrong direction and near misses. I personally have had the frightening experience of driving along the centre lane of Flagstaff Road and finding myself face to face with another car that has either misread the signage or missed it altogether.

The confusing and dangerous nature of Flagstaff Road is not a new issue for the government. It has been raised on many occasions in this very chamber by both my predecessor, the Hon. Iain Evans, and the late member for Fisher, the Hon. Bob Such. They, too, received many complaints from their constituents about the dangers of Flagstaff Road. The late member for Fisher even tabled a petition in 2012 signed by more than 600 residents of South Australia requesting that the house urge the government to retain access to SA Water land on the eastern side of Flagstaff Road for the construction of a permanent two-way dual carriageway.

Construction of a fourth lane to provide a dual carriageway for both directions is critical to ensuring safety of commuters. Flagstaff Road was nominated in the RAA Risky Roads campaign, and subsequently a study was released in May 2013, which reported that there were 64 crashes along Flagstaff Road between 2008 and 2012, including 21 casualty crashes and eight seriously-injured/fatal crashes. This, of course, does not account for all the near misses. The government did make some upgrades to lane signals in 2013 to try to better direct motorists into the correct lanes but, in my view and in the view of many of my residents, this simply is not enough. Commuter confusion, near misses and dangerous conditions continue.

Currently, during periods when southbound traffic has only one lane, there are limited opportunities to overtake safely. This can be particularly frustrating and potentially dangerous when one is caught behind a bus or other large slow-moving vehicle. An ambulance or other emergency vehicle trying to get up the hill will have to wait for the bus to exit further up before they can pass, and a motorist caught behind a bus or truck is essentially condemned to moving at a snail's pace. As overtaking is incredibly dangerous, once you commit to overtake, there is a very real possibility of a head-on collision.

Of course, on Flagstaff Road, there is an absolute lack of bike lanes as well. In an era when we are encouraging cyclists, the ability to cycle is limited on Flagstaff Road at the moment. These poor road conditions are affecting a large number of people. Even the new designs for the Darlington upgrade have recognised the significant traffic volumes from Flagstaff Road. Community consultations reveal that just as many commuters use Flagstaff Road and Main South Road as the Southern Expressway. As a result, the amended plans for the Southern Expressway at Darlington will now allow people travelling from Flagstaff Road to access the non-stop motorway.

A fourth lane along Flagstaff Road is paramount. The creation of a permanent dual carriageway would remove confusion, provide room to overtake slow-moving traffic and allow emergency vehicles to proceed unencumbered. It is something members on this side of the house have long recognised and it is a road we are committed to improving.

The Weatherill Labor government's continual neglect of Flagstaff Road is disappointing not just to me but to the residents of Davenport and Fisher who regularly use this road. But neglecting transportation needs and residents' concerns in Davenport is no exception from this government: it has, sadly, become the norm. It is a government that continues to ignore the blatant need to address road capacity issues and has failed to deliver improved roads and bushfire fire safety for the Mitcham Hills area.

Traffic down Old Belair Road, Unley Road and Fullarton Road out of the Mitcham Hills continues to increase, driven by a growing population, especially with the rise in housing developments first at Blackwood Park and recently at Craighburn Farm. The Weatherill government has allowed an increase in urban sprawl without investing in essential local infrastructure. There is a critical need to upgrade roads, especially the central road corridor through the Mitcham Hills.

As my predecessor told this house many times—and I will continue to tell the house as long as it is necessary—the road capacity in the Mitcham Hills will not stand an evacuation when there is a fire. Of course, this applies to Flagstaff Road as well. Every summer, we are concerned about the capacity to evacuate in the event of a bad fire. In 2009, the Natural Resources Committee, chaired by the current Deputy Premier, released its Interim Bushfire Inquiry report. Recommendation 1 stated:

The committee recommends the provision of substantial funds to improve road infrastructure in the Mitcham Hills to be spent over the 2010-11, 2011-12, 2012-13 and 2013-14 budgets.

I ask: how much has been allocated to meeting the recommendations of the NRC? Very little indeed, unfortunately. The government has made no effort to respond to the recommendation of this report and it has made no effort to invest in the safety of Davenport residents. In his evidence to the committee, the then Sturt CFS group officer Mike Pearce stated that, if there was to be a major bushfire in the Mitcham Hills area on any weekend:

...we could have more than 8,500 vehicles fleeing from an approaching front. Of the six exits from the district, you could reasonably expect less than half to be suitable for this purpose due to push my impacts. This situation will cause severe traffic congestion throughout the district and leave road users in some areas at extreme risk.

The final report, released in 2011 when the member for Ashford was Chair, contained the very same recommendation. Put simply, the Mitcham Hills road corridor will not carry the necessary traffic in the event of a fire.

Sustained population growth throughout the Mitcham Hills and surrounding districts in the last seven years since this recommendation was first made has only increased the need to invest and upgrade local roads and, especially the Main Road corridor. The Weatherill Labor government continues to ignore the principal recommendation leaving Davenport residents exposed to the risk of being trapped in a bushfire, and it is a risk that increases with each new dwelling in this area. For any member of the government who doubts the seriousness of the situation, I invite them to join me on a tour of the Mitcham Hills and have a close look at the extent of the problem.

The government has neglected the residents of Davenport for far too long. It has ignored community concerns about the dangers of the reversible lane system on Flagstaff Road. It has ignored commuters' pleas to put an end to this system and develop a fourth lane and it has ignored the risk of severe traffic congestion in the event of a bushfire. The government is making no effort to improve road infrastructure in my electorate. The government simply does not govern for all South Australians.

**Mr ODENWALDER (Little Para) (11:40):** I rise to oppose the member for Davenport's motion calling upon the state government to prioritise the development of a fourth lane for Flagstaff Road, although I commend the member for his advocacy on behalf of his constituents, as he said, following in the footsteps of his predecessor. I would like to address each point of the member for Davenport's motion in turn, but before I do I would like to just give a bit of background on Flagstaff Road.

Flagstaff Road is 3.25 kilometres long from Main South Road to Black Road, with a reversible lane section 0.8 kilometres long. As the member for Davenport has outlined, the reversible lane was designed to meet demand that is of a tidal nature. During peak periods to and from the Flagstaff Hill area, there is a higher demand for north-bound vehicles in the morning peak period and south-bound in the evening peak.

The member's first point is that the development of a fourth lane will improve commute times for local residents. While this may arguably be true, such logic could be applied to any reasonably busy road in South Australia or, indeed, anywhere in the world. I am advised that traffic volumes have remained around 25,000 vehicles per day over the last 10 years and the road is currently operating well within capacity and, therefore, the reversible lane arrangement remains an effective arrangement at this time.

I am also advised that a fourth lane would need to be approximately 750 metres long and, depending on the side of the road chosen for construction, either extensive cut or fill would be required, extending far further than the lane itself. It would also require extensive land acquisition. It is also worth noting, as I think the member for Davenport did allude to, that the Darlington upgrade may alleviate some pressure for Flagstaff Road. I am sure the member for Davenport is thrilled that the South Australian Labor government, with support from the federal government, is not only going to complete the Darlington upgrade but the entire north-south corridor.

**Mr Duluk:** I think it's about 80 per cent from the feds.

**Mr ODENWALDER:** That may be the case, but we are going to complete the north-south corridor and it will make it easier for the member for Davenport to visit us in Salisbury and Elizabeth, and when the Northern Connector is finished in four years' time, make it quicker to visit Gawler and the beautiful Barossa Valley in the north.

*Mr Duluk interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr ODENWALDER:** I know how much the member for Davenport loves coming north. The member's second point is that the development of a fourth lane would provide the safest possible condition for road users, which is always a worthy goal and one both sides of politics should always strive to achieve when investing in this sort of infrastructure. There have obviously been some

concerns over the years about the reversible lane section, but I am advised that between 2006 to 2011—that is five years—only three crashes involved vehicles crossing into the wrong lane, and no crashes occurred within half an hour of the times at which the changeover occurred, and one of these, indeed, involved an alcohol-affected driver.

On the third point made by the member about improved access for emergency services to the suburbs connected to this road, it is the government's view that there is already sufficient access for emergency services to the connecting suburbs. If the member believes this to be an issue though he is free to write to the Minister for Transport and Infrastructure to voice his concerns. I know the Minister for Transport and Infrastructure well. He is a reasonable man and I am sure he will listen to those concerns.

On the final point made by the member about a fourth lane on Flagstaff Road taking pressure off South Road, again, I do not doubt that the member has good intentions, but I reiterate that this government has made huge investments in the north-south corridor, especially the Darlington upgrade. The Darlington upgrade, in particular, may actually take pressure off Flagstaff Road. Again, while I do not doubt the member's good intentions, the government opposes this motion.

**Mr DULUK (Davenport) (11:44):** I will be extremely brief. I thank the member for Little Para for his contributions and I look forward to the invite to come up north. I will not reiterate what I have already put on the record, but I thank him for his contribution.

The house divided on the motion:

Ayes ..... 18  
Noes ..... 22  
Majority ..... 4

#### AYES

Chapman, V.A.  
Goldsworthy, R.M.  
McFetridge, D.  
Pisoni, D.G.  
Tarzia, V.A.  
Whetstone, T.J.

Duluk, S.  
Griffiths, S.P.  
Pederick, A.S.  
Redmond, I.M.  
Treloar, P.A. (teller)  
Williams, M.R.

Gardner, J.A.W.  
Knoll, S.K.  
Pengilly, M.R.  
Sanderson, R.  
van Holst Pellekaan, D.C.  
Wingard, C.

#### NOES

Bedford, F.E.  
Brock, G.G.  
Cook, N.F.  
Hamilton-Smith, M.L.J.  
Kenyon, T.R. (teller)  
Odenwalder, L.K.  
Rau, J.R.  
Wortley, D.

Bettison, Z.L.  
Caica, P.  
Digance, A.F.C.  
Hildyard, K.  
Key, S.W.  
Piccolo, A.  
Snelling, J.J.

Bignell, L.W.K.  
Close, S.E.  
Gee, J.P.  
Hughes, E.J.  
Koutsantonis, A.  
Rankine, J.M.  
Vlahos, L.A.

#### PAIRS

Bell, T.S.  
Weatherill, J.W.

Picton, C.J.  
Speirs, D.

Marshall, S.S.  
Mullighan, S.C.

Motion thus negatived.

#### PATIENT CARE ESCALATION POLICY

**Mr PEDERICK (Hammond) (11:49):** I move:



That this house urges the state government and the Minister for Health to outline and implement a patient care escalation policy with the inclusion of a medical intervention phone number for families, carers, guardians, and patients, as an initiative to prevent misdiagnosis and future deaths.

I rise today with great honour as I introduce a motion holding the potential to save future lives, a motion which is close to the hearts of some here in this place today. It is with great privilege that I stand here as a member of parliament, and I hope that after my speech members on the other side will see the importance of the motion. I rise today to call on the state government and the Minister for Health to outline and implement a patient care escalation policy with the inclusion of a medical intervention phone number for family, carers, guardians and patients as an initiative to prevent misdiagnosis and future deaths.

Before sharing the story of little Leila, I need to acknowledge in the gallery Leila's parents, Edie and Ricky Harkin, as well as Edie's father, Hessel, who are here in support of this motion. I first learnt of the tragic circumstances surrounding the passing of Miss Leila Baartse-Harkin, upon meeting with her mother, Edie. I was extremely saddened to hear of the misdiagnosis and death of Leila on 1 October 2015, less than 48 hours after a playground accident at just nine years of age.

Leila was misdiagnosed by examining hospitals on several occasions and her final cause of death was a perforated bowel, an illness which I believe can be treated in numerous ways depending on its severity. Unfortunately, it was life taking in Leila's case. Edie, her husband, Ricky, family and all those affected by Leila's passing experienced a form of grief which no family should ever have to endure. No words can describe the loss of a parent or loved one, let alone a child.

When Edie met with me, she was so strong while sharing with me Leila's story and was persistent in the fact that she and Ricky do not want other families to go through the loss they live with every day. Edie and Ricky envision South Australia having a policy such as Ryan's Rule which is a patient care escalation system implemented in Queensland through the Queensland government.

Ryan Saunders tragically passed away at nearly three years old in a Queensland health facility in 2007, and his death was found to be 'in all likelihood preventable'. Upon the death of her young son, Ryan's mother did not want any person to be affected by the grief she feels daily, and I quote:

Ryan Saunders was nearly 3 years old when he tragically died in hospital. His death was found to be in all likelihood preventable. Staff did not know Ryan as well as his mum and dad knew him. When Ryan's parents were worried he was getting worse they didn't feel their concerns were acted upon in time. Ryan's Rule has been developed to provide patients of any age, families and carers with another way to get help.

Ryan's Rule was introduced into Queensland and, through my research, I do not believe it was legislated and instead was introduced as a policy. The Health Contact Centre and Health Support Queensland are in partnership with the health department's patient safety innovation unit, 13 HEALTH and Smart Services Queensland, to deliver Ryan's Rule throughout the state. It works on a three-step process:

1. Talk to a nurse or doctor about your concerns. If you are not satisfied with the response, you pursue step two.
2. Talk to the nurse who is in charge of the shift and if you feel as though your concerns are still present, you escalate the process to step three, the final step.
3. Phone 13 HEALTH (13 43 25 84) or ask a nurse and they can call on your behalf.

Upon phoning this medical intervention phone number, request a Ryan's Rule clinical review and you will be asked to provide the following information: the name of the hospital, the name of the patient, bed and ward number (if available and known) and your contact phone number. After this, a Ryan's Rule nurse or doctor will review the patient file and assist.

It is my understanding that Smart Services Queensland have 92 full-time equivalent staff who are the first to respond to a Ryan's Rule phone call. These staff are skilled and competency assessed, and this is done on a quarterly basis ensuring they are adequately trained to receive this form of correspondence. I think it is important to note that these staff are not employed solely to take Ryan's Rule calls as they are also responsible for answering other human service-related calls.

Ryan's Rule has been utilised heavily throughout Queensland since its commencement in December 2013. Recent data provided by the Queensland government suggested that one to two calls are made per day to Ryan's Rule across approximately 10,000 public acute submissions and feedback received has been positive. These statistics provide the house with an insight of the true significance of this service and show that it is not ignored by concerned patients, family members or carers.

I would like to share the story of a young mother who actioned Ryan's Rule after being turned away from a Queensland hospital eight times. Lili Curtis, the mother of 10-month old Arabella, visited Gold Coast University Hospital eight times over a period of 17 days. It is advised she was turned away every time as 'Arabella was apparently not sick enough to be there.' Lili acknowledged and followed her mother's instinct and made the decision to invoke Ryan's Rule. Arabella's diagnosis was referred to the head of paediatrics, who was called in to review the case notes. As a direct result, Arabella was diagnosed with a form of bronchitis and was treated with a long-term course of antibiotics. Through invoking Ryan's Rule, Lili was able to receive an adequate diagnosis for her daughter, and she was able to trust her gut instinct and provide her daughter with the care she needed.

Many other states throughout Australia, and the world for that matter, have individual policies in this regard, which pose similar comparisons. However, South Australia has none sharing the same similarities and security processes as those in Ryan's Rule. As previously mentioned, policies much like Ryan's Rule also exist in the United States. This is known as the Josie King Foundation. The story that initiated the creation of this foundation is another case which is extremely saddening to read.

Josie King was just 18 months old when she passed away. In the days leading up to her death, Josie's mother, Sorrel King, can recall her screaming for water each time she saw it, and sucking profusely on a flannel when bathing. Sorrel thought this was concerning, but was instructed by medical staff not to let Josie drink. Upon putting Josie to bed, she noticed her eyes rolling into the back of her head. She was advised by a nurse on duty that this sometimes happened. Sorrel suggested speaking to another nurse, as she knew this was not a normal trait of Josie's. The second nurse reassured her also. However, unfortunately, two days later Josie King's life support was switched off, with her final cause of death being dehydration and a wrongly administered narcotic.

It is understood that 98,000 people in the United States die every year as a result of medical errors, making it the fourth leading cause of death in the US. Through the death of her young daughter, and those of some 98,000 people, Sorrel King initiated the inception of the Josie King Foundation, which endeavours to implement change and deter future deaths which may be caused by misdiagnosis. The foundation has created a program called Condition H, with the 'H' meaning Help, which is a helpline for families. This also works on a three-step method before ringing an independent phone number.

In relation to states within Australia, New South Wales has implemented a policy called REACH, which stands for 'Recognise, Engage, Act, Call and Help is on its way.' Similar to the processes in Ryan's Rule, parents, carers or family members are encouraged to firstly engage with a nurse or doctor to express their concern, and if those concerned are still not comfortable, the matter can be escalated by requesting a clinical review, which should occur within 30 minutes of its lodgement. If after these two steps, parents, family members or carers still believe that something is not right, an independent review or a rapid emergency response can be activated.

Within the Canberra Hospital there is a program titled Call and Respond Early (CARE). This also works on a three-step escalation process for those concerned about a patient's health or diagnosis, and the third step involves ringing a medical intervention phone number and speaking with a CARE nurse. In Victoria, the Let Me Know policy has been carried out through the Alfred Hospital, which again has a three-step process, with the inclusion of an independent phone call as the third step. I also note that other hospitals throughout Victoria also have their own individual patient care escalation processes, similar to this.

As has been heard, many states throughout Australia have implemented such a policy within their hospitals. Parents, family members and carers often know when something is wrong with their

child or a loved one, and, if they have gone through all the appropriate processes and still feel as though there is an underlying issue, they deserve the opportunity to be heard and listened to.

The policy in South Australia would be titled Leila's Lifeline. It would have a step-by-step escalation process and, if any parent, caregiver, patient or family member felt as though the diagnosis was incorrect, there would be a phone number they could ring where an independent doctor could access the patient file and make a third-party determination. A petition on Change.org was created by Edie, which urges the Minister for Health and others to ensure future lives are protected by endorsing Leila's Lifeline in South Australia, and this petition has so far received 5,494 online signatures, mine being one.

I hope that those on the other side and the Minister for Health will see the benefits of introducing such a policy in South Australia, not only to honour the life of Leila Baartse-Harkin but all those who may have lost their life and did not have the opportunity to be provided with this potentially life-saving second chance. I have introduced this motion to fulfil the wishes of Leila's mother, father and family and also as a way of honouring Leila. From what I have gathered, she was a beautiful, strong girl, and I hope her name and memory can live on through the policy Leila's Lifeline. I commend the motion.

**Ms COOK (Fisher) (12:00):** I rise with pride on behalf of the government to support the motion. I have spoken in this place a number of times in relation to health care and have a degree of authority to do so based on 28 years working as a nurse across a number of healthcare sites. When I started nursing, clinicians did not actually seek the help of an acute medical team from the intensive care unit to assist with resuscitation and retrieval of a patient who had medically fallen off a cliff, so to speak, until the patient was in a state of cardiac or respiratory arrest. These calls were known as Dr Speedy or Dr Quick calls, and the teams were notified over the loudspeaker system. More often than not, even a patient arresting in the hospital resulted in a negative outcome. Calls were made infrequently and usually far too late.

Acute-care settings have come a huge distance in a relatively short time. Not only do we have a MET (medical emergency team) that undertakes regular and specialist training in supporting medical emergencies, the ward staff are also well versed in the recognition of warning signs. There are well-defined criteria and a clearly documented and universally accepted policy that see many more MET calls than ever before that have a much better outcome because rarely are they for a patient in full cardiac arrest. They are made because people just do not feel right about the patient.

Health systems have come a long way, and it is important that in this place there is an understanding of this constant nature of change, improvement and delivery of evidence-based practice. Clinicians always set out to do the right thing by their patient. They construct appropriate care pathways, and they deliver the best possible care. As stated, serious adverse events such as unexpected death and cardiac arrest are often preceded by observable physiological and clinical abnormalities. We know that early identification of deterioration may improve outcomes and lessen the intervention required to stabilise patients whose condition deteriorates in hospital.

There is evidence that the warning signs of clinical deterioration are not always identified or acted on appropriately although, according to patient incident data on clinical deterioration from across all of our LHNs (local health networks) that exist statewide in South Australia, the incident numbers in 2015 and 2016, thankfully, have reduced by about 3 per cent, which is significant, across all health networks. The organisational and workforce factors that contribute to a failure to recognise and respond to a deteriorating patient are complex and overlapping, and we need to understand those also. These include, but are not limited to:

- not monitoring physiological observations consistently or not understanding observed changes in physiological observations;
- lack of knowledge of signs and symptoms that could signal deterioration;
- lack of formal systems for responding to deterioration;
- lack of skills to manage patients who are deteriorating; and
- failure to communicate clinical concerns, including in handover situations.

Systems to recognise deterioration early and respond to it appropriately need to deal with all of these factors and need to apply across an entire healthcare facility. The 'National consensus statement: essential elements for recognising and responding to clinical deterioration' was developed by the Australian Commission on Safety and Quality in Health Care and has been endorsed by Australian health ministers as the national approach for recognising and responding to clinical deterioration in acute-care facilities in Australia. It provides a consistent national framework to support clinical, organisational and strategic efforts to improve recognition and response systems.

This standard builds on the national consensus statement to drive implementation in acute care facilities. This standard applies to all patients in acute healthcare facilities, including adults, adolescents, children and babies, and to all types of patients, including medical, surgical, maternity and mental health patients. Acute healthcare facilities range from large tertiary referral centres to small district and community hospitals.

The 'Recognising and responding to clinical deterioration' policy directive has been implemented across SA Health. The policy is underpinned by the criteria established in the National Health Safety and Quality Health Service, standard 9, 'Recognising and responding to clinical deterioration in acute health care'. Under this policy, three local health networks have started to implement escalation of care processes that can be initiated by patients, families and carers, while two are finalising plans for the process.

An SA Health working group has been established under the 'Recognising and responding to the deteriorating patient program' to develop an SA Health model for consumer-initiated escalation of care. The model will support SA Health sites to further embed consistent statewide processes that are best practice and in line with current research. This will save lives. SA Health is collaborating with the Faculty of Medicine, Nursing and Health Sciences at Flinders University, which has conducted an extensive research program into the best ways to promote and publicise patient escalation of care to members of the public, and also to ensure that responses to worried patients and families are activated effectively by caregiving staff.

With that, I would like to commend the hardworking nursing, midwifery, medical, allied health, research, administration and ancillary staff working across all of our local health networks, and thank them for the wonderful outcomes that they do achieve for our loved ones in their care. There are experiences, however, that inform their work daily and stay with them for life.

Private members' motions such as this often arise from conversations and genuinely powerful stories of pain and loss in our communities. I acknowledge the presence in the gallery today of a family who has experienced this deep pain and loss. The loss of a child is the biggest thing that you can experience in your life, and I wish that family well as they move forward; we are there for you. The government supports the motion before the house by the member for Hammond in acknowledgment that any piece of work with the aim of preventing death and improving the journey of our loved ones, as patients, within our health service is worthy of support.

**Mr PEDERICK (Hammond) (12:07):** I really do appreciate the government's support for this motion, and the kind words by the member for Fisher. It is great that this has been moved through the house so efficiently. We see many things that can take a lot of negotiation, but I am pleased—absolutely ecstatic, in fact—that the government have gone onside to support this motion.

It is my wish, moving ahead, that this is rolled out in clinics, hospitals and other health facilities throughout South Australia in a very expedited manner so that we can get the health care for our friends, our children, our parents and our loved ones, and get the right health outcomes for our state. I am really pleased for the Baartse-Harkin family that we have this consensus here today, and I commend the motion.

Motion carried.

#### **SOCIETY OF SAINT HILARION**

**Mr TARZIA (Hartley) (12:10):** I move:

That this house—

- (a) congratulates the Society of Saint Hilarion on their significant milestone, celebrating their 60<sup>th</sup> anniversary in 2015;

- (b) pays tribute to the Society of Saint Hilarion's service to Italian migrants and the wider community, especially through their aged-care facilities, which improves the lives of older people by providing high quality aged-care facilities within a culturally diverse community; and
- (c) acknowledges the importance of their establishment and the work they have done over the last 60 years in the promotion and preservation of Italian heritage and, in doing so, also enriches the multicultural landscape of South Australia.

It gives me great pleasure to speak today on this motion. The Society of Saint Hilarion, as we know, was actually founded as not only a cultural body but a religious body in 1955. I believe it formally became incorporated in 1974. The origin of this group is certainly owed to the passion of an astounding and wonderful group of migrants who settled in South Australia after migrating from the town of Caulonia in Italy—notably about 27 kilometres from my grandfather Vincenzo's town of Siderno—and other surrounding regions in southern Italy, both sides of the Second World War.

In the 1980s, the Saint Hilarion group entered into the aged-care area where I believe they purchased a nursing home at Lockleys in Adelaide's western suburbs. Since then they have gone on to do wonderful and great things every day. They have grown to become one of the state's leading multicultural aged-care service providers in our state. It was a great pleasure to be able to go there recently and see the wonderful work that they do.

When you go to one of these homes, such as the Bene nursing home in the eastern suburbs, you see nothing but the absolute best care provided to these residents. Not only is it the best care but there is warmth and friendliness and they cater for many of these migrants in their native tongue, which is obviously a huge benefit, but, most importantly, they get home-made, good Italian food, which is an added bonus.

Today, the society owns and operates two facilities: a charming villa-style development at Fulham and a new House of Saint Hilarion at Seaton, which I believe was completed in about 2010. The society is a not-for-profit organisation and it certainly puts an enormous emphasis on family, family values and community values. That is underlined, as I just said, by ensuring that the residents enjoying nothing but the utmost quality and compassionate care in a warm, positive and loving environment. They not only focus on people's physical care but also on their mental, social and spiritual wellbeing. They often have feast celebrations and other religious celebrations and residents are included in that way as well.

The Society of Saint Hilarion is named after the patron saint of Caulonia. Caulonia is a small town in the region of Calabria in southern Italy. As a member of parliament who descends from Italian migrants originally, I am very proud to see the great work they have done. They have many traditions and one is a feast that members of the organisation put on and help out with. It is usually held in the third week of October with the Feast of Saint Hilarion, which has quite a large program. It is usually a five-day program of prayer and spirituality that takes place.

It culminates on the final day, which is always a Sunday, with the feast day. It has certainly evolved as one of the biggest and popular events of its kind in South Australia. It is always pleasing to see members of both sides of the house at the feast day supporting the church and the nursing home, and also getting on board with the celebrations of the day. The feast day is one of the largest of its kind in the state, and it certainly provides a full day of culture, entertainment and religious activities.

Visitors to the feast are always treated to many wonderful and fantastic musical and dance performances. Not only that, visitors can also enjoy some of the best pasta, trippa (tripe), spit roast pork, and gourmet barbecue, which is fantastic. For those with a sweet tooth there are always, of course, many zeppole, gelati, and so on.

I would especially like to thank the executive committee for all the work they do. At the time that this paper was presented, the executive committee included: non-voting councillors Matilda Gallina, Tahlia Greco and Lorenza Velardo. The voting councillors included Vince Circosta, Frank Naso, Ilario Nesci, and Carmel Stefano, public relations officer Vince Greco, secretary Sandra Greco, treasurer Jamie Crisera, Vice President Frank Naso, and President Jassmine Wood.

I also want to thank all of the volunteers, the men and women who look after the stalls, who also help with traffic and on the day put together many of the stalls and tents. They also organise the

booklets, calendars and advertising which go into support the feast. I also thank the sponsors, because there are many who have contributed over the years to ensure that the feast continues and that the Society of Saint Hilarion is preserved, supported and maintained. With those words I commend the motion to the house.

**The Hon. S.W. KEY (Ashford) (12:17):** I rise to support this motion that:

- (a) congratulates the Society of Saint Hilarion on their significant milestone, celebrating their 60<sup>th</sup> anniversary in 2015;
- (b) pays tribute to the Society of Saint Hilarion's service to Italian migrants and the wider community, especially through their aged-care facilities, which improves the lives of older people by providing high-quality aged-care facilities within a culturally diverse community; and
- (c) acknowledges the importance of their establishment, and the work they have done over the last 60 years in the promotion and preservation of Italian heritage and, in doing so, enriching the multicultural landscape of South Australia.

One of the reasons I am very pleased to support this motion by the member for Harley is that I have visited the Society of Saint Hilarion a few times now, and I have been involved in a number of celebrations (not the 60<sup>th</sup> anniversary albeit) and I know a number of people who reside there.

One of the interesting things for me is that, although I do not have Italian heritage, in a former life, certainly as a student, I worked at Pagana's restaurant in Hindley Street. My Italian still is not very good, but I certainly know all about Italian food as a result of working there and for some time assisting in cooking some of the food. Interestingly, some of the people who used to visit Pagana's I have met again at the Society of Saint Hilarion, and I am very pleased to have again made their reacquaintance.

As has already been said, 2016 is the year when the Society of Saint Hilarion marked its 60<sup>th</sup> anniversary, celebrating the Feast of Saint Hilarion in South Australia. For six decades generations of migrants from Caulonia, Calabria, and other Italians and their families have celebrated this important feast in our state.

The place of the Cauloniesi in the proud story of South Australia's Italian community is well recognised. Indeed, it has been the subject of much detailed research. *Connections with the homeland: Community and individual bonds between South Australian Italian migrants from Caulonia (Calabria) and their hometown*, written by Daniela Cosmini-Rose, states:

The Cauloniesi in Adelaide are a visible and enterprising Italian community, well known for their devotion to their patron saint, Saint Hilarion, as well as for their contribution and commitment to aged care.

I think it is fair to say that the Society of Saint Hilarion has played a pivotal role in the life of the Cauloniesi in South Australia. Of course, the traditions on which the Society of Saint Hilarion have been built go back many centuries, and each year the Cauloniesi in Adelaide celebrate the miracle of the rain worked by Hilarion in the Afroditon around 330 AD, which, most notably for the Cauloniesi, was repeated at Caulonia more than 1,500 years ago.

In May 1855, due to an exceptional drought, the people of Caulonia appealed for rain from their patron saint, Saint Hilarion, by carrying relics in a procession. The procession took place on 13 May and it is said that on the 14<sup>th</sup> rain miraculously arrived. It seems, certainly in South Australia, that this may be something we should take on in our times of drought.

**Mr Pengilly:** We've already done that; we've done that regularly.

**The Hon. S.W. KEY:** I am reliably informed by the member for Finniss that we have already tried that avenue, I suspect maybe not as successfully as the place where this miracle originates.

From that year on, therefore, Saint Hilarion Day, which occurs on 21 October, is also repeated on 13 May amongst its society. Here in South Australia the Society of Saint Hilarion continues the tradition and celebrates the Feast of Saint Hilarion. This festa plays an important role in maintaining many of the religious, social and cultural traditions in the Italian community.

It is also important to acknowledge the actual feast itself, where a number of favourite meals are cooked: barbecued pork and chicken, pasta, trippa and, everyone's special favourite, the traditional zeppole. The afternoon is always a continuous feast of activities and entertainment,

sometimes with a fun-filled spaghetti eating competition. Here in South Australia the Society of Saint Hilarion has a well-earned reputation for its special role in providing aged-care services.

In 1987, the Society of Saint Hilarion had the foresight to recognise the growing need for aged-care services for the large South Australian Calabrese community. It was then that the society resolved to take action to provide much needed aged-care services. They determined that they would provide culturally specific aged care in Adelaide, which would provide for the residents' cultural and spiritual needs. Again, having visited this place, I know that many of its residents celebrate the fact that this has been acknowledged.

Obviously, like in many things, the care here would not have been possible without the time and effort of many volunteers involved in the Feast of Saint Hilarion. In 2010, Saint Hilarion's most recent aged-care facility, the House of Saint Hilarion at Seaton, was completed and formally opened. I am very pleased, along with the member for Colton and also the former member for Hindmarsh, Steve Georganas, to have been part of those celebrations.

This marvellous multimillion dollar, state-of-the-art facility complements Saint Hilarion's aged-care villas at Fulham. Congratulations are in order to the presidents and members of the Society of Saint Hilarion, who have driven these many achievements over the past six decades. I also congratulate the society's current president, Jassmine Wood, and the members of the executive committee, volunteers and all devoted parishioners for their involvement in this year's diamond anniversary celebration. The Society of Saint Hilarion certainly makes a significant contribution to the lives of South Australians and other Calabrese Italians over the generations.

I also think that, having been on the periphery of this great initiative, it has set a very high standard for some of the other cultural groups in South Australia, and acts as a bit of a model for us to make sure that, certainly in aged care and areas where we do provide care and assisted accommodation, we also have a cultural lens over that support. For all those reasons, the government supports this motion.

**The Hon. A. PICCOLO (Light) (12:25):** I will just add a few words in support of this motion. I will not take too long because most of what needs to be said has been said by the member for Hartley and also the member for Ashford, and I do not wish to repeat what they have already said. There are just a few comments I would like to make as a migrant to this country, although I am not from the Calabria region. I am from the Campania region, which is further north. Certainly my children are half-Calabrese, their mum's family being from Calabria. They enjoy the benefits of two cultures, and I will explain why I believe it is two cultures rather than just the one.

The Society of Saint Hilarion is one of many regional organisations which has an Italian heritage. I say regional because, for those people who perhaps do not know Italy that well, Italy only came together in the 1850s as a nation, and some of those differences came through when people came to Australia and other parts of the world when they migrated. My late father used to tell me a story when I was young that when we migrated to Australia we had some neighbours who were from Calabria and, because we came from the Campania region, when they first met they did not know they were both from Italy because the dialects were so different. They found it quite challenging to communicate and it took a while for them to start to understand each other. I am sure the member for Hartley would support what I say.

People who were born in Italy speak multiple dialects and languages. In fact, the Italians actually created a new language. It is sort of a version of English and Italian put together. It has been studied because it is actually quite a common thing around the world where, particularly for people of southern Italy, and I include my family in that, who were not well educated in their own language, often the language they knew was only spoken. We actually anglicised some Italian words, or we italianised some Anglo words. A cousin of mine who visited us some years ago said that my mum can actually speak three languages in one sentence, where she throws in a whole range of different words. I am sure the member for Hartley can relate to that as well, when he hears people, it is particularly older people, doing that.

I mention regional because these organisations have been very important. Often people say, 'Why do you need one for each region?' It is because each region had its own traditions, its own values, its own patron saints, its own belief systems. They considered themselves Italian, but often

they would consider themselves Neapolitan or Calabrian or Sicilian first. These regional organisations provided very important support and mechanisms for people to adjust to a new nation, to a new country. For a lot of those people who came to Australia, the first time they ever left their village, or their town or their city, would have perhaps been when they came to Australia. It would have been a huge cultural shock, from not only a lack of language but also a lack of understanding of different cultural values.

These regional organisations provided, if you like, a safe landing for a lot of people as a place which provided a bit of familiarity in a nation which was quite different. It was not only different in terms of the climate—well, the climate is pretty close; but, in terms of physical appearance, look at the villages, look at the physical appearance of Adelaide, it is very different to Italy. These regional organisations played an incredibly important role to provide a safe landing, but also a very important role for integration to help people grow and integrate into Australian culture. The first people who arrived were assisted, then the next generation came along and they were assisted. They played a very important role to help people integrate.

As time has moved on, these organisations have grown into areas such as aged care and other social services. The number of regional organisations which have spawned a lot of services in aged care and also other cultural things has, again, been very important. It has enabled the growth of events and activities and festivals etc., not only for the people of that region in the broader Italian community, but for the whole Australian community. If you go to any festival or feast in South Australia, a lot of the people are from a non-Italian background and they enjoy the hospitality and enjoy the culture.

It is not only about the food, etc. that we see; it is also about the whole range of values and beliefs, and that has also influenced Australian society. It is no secret that it was very tough for the pioneers in these organisations. They often did come up against a whole range of bureaucratic barriers, but they persisted. We owe those early pioneers who set up these organisations for their hard work. More importantly, we thank those who have come after them for the things that they have done.

I have been to the Saint Hilarion society aged-care facility in the western suburbs on a number of occasions. In fact, I was there recently when they officially opened their wellness centre. The importance of places like wellness centres is that it is not just about providing a roof over people's heads for aged people of Italian background, but it is also making sure that they actually are able to live fulfilling lives in the autumn of their lives. It is not only about physical health. Certainly, they have a gym there which provides some physical opportunities for physical health, but also they provide opportunities for mental health and cultural health, in the sense that they enable people to do things at the centre itself or they take people on trips outside the centre to remain connected to the broader community.

That is one of the greatest fears of older people, whether they are of Italian background or Greek background or people who are born in Australia. They are concerned that they will become disconnected from community, they will become disconnected from family. I know the Saint Hilarion aged-care facility has put a huge emphasis on making sure that these people remain connected to their communities, which is very important, and they have actually seen the benefit. People's mental health has improved and their physical health has improved as well. I congratulate all the people who have been involved since day one in the society, and I also congratulate all those people who have been involved in the offshoot organisations which now provide a whole range of services and support for our community at large.

**The DEPUTY SPEAKER:** The member for Colton.

**The Hon. P. CAICA (Colton) (12:31):** Look how much healthier I am today, Deputy Speaker, and thank you for the call. I am going to be very brief, but I could not let this motion pass without me saying a few words. The first words are to congratulate the member for Hartley for bringing this matter to the attention of the house. I am very proud to say that I have a significant influence within my electorate of the Society of Saint Hilarion. It initially had two aged-care facilities, one on Henley Beach Road at Lockleys, which has since closed down. They closed that down at around the time that they established the new facility down in Seaton, which is in that part of Seaton outside of my electorate.



We also have the Saint Hilarion aged-care facility at Fulham. That is a smaller facility and it is still predominantly Italians there. I remember going to visit on numerous occasions Father Joe Grealy, who was there.

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

**The Hon. P. CAICA:** Yes, a lovely man; a really lovely man. That was always a good experience to see him tease the residents and to see the residents in turn tease him. He was always welcomed by all the residents down there, given the fact that he provided mass every day. What I did was learn a lot about that facility at that stage. It is a very good facility. Importantly, it understands the cultural sensitivities that are required for the predominantly Italian people who are there at that time.

I was also lucky enough to be able to be involved in the opening of the new facility at Seaton. I cannot remember whether it was the then premier or the now Premier whom I was able to represent at that particular opening, but that is an outstanding facility.

**Mr Pengilly:** You wouldn't do anything for him.

**The Hon. P. CAICA:** Well, I was doing it for the Society of Saint Hilarion really, and that was very good that I was able to do that. But that is a very, very good facility, and it is a credit to the structural arrangements that the society has in place to be able to construct such a facility to meet the needs of the people of Italian heritage who are now members of an ageing population.

I also want to pay tribute to the society for the services it has provided to Italian migrants and the wider community. Really, you cannot understate the role that Saint Hilarion plays in its particular area. We know—and I think it was mentioned by the member for Light—how the significance, if you like, or the influence has broadened into other areas over those 60 years.

I am also very lucky to have Mater Christi in my electorate on Grange Road. It is a little parish that once also contained a school, and that is where they celebrate the Feast of Saint Hilarion each year. I can tell you that it is a very good feast and I have been known to assist on those occasions in helping to cook zeppole, which is a brilliant sweet.

**The Hon. A. Piccolo:** Sweet or savoury?

**The Hon. P. CAICA:** I actually like the one without the anchovies.

**The Hon. A. Piccolo:** Anchovies are better.

**The Hon. P. CAICA:** It's all a matter of personal taste, but that is what I like. I have also been at Carnevale to assist them on occasions at the Saint Hilarion stall to cook that. I am not quite sure whether I have actually earned my certificate of competence yet, but I have not wrecked them either.

I said I was not going to hold the house for very long and I do not intend to. I want to again congratulate the society on celebrating their 60<sup>th</sup> anniversary last year. I want to pay tribute to the role that they play within the community, particularly within the community that has people from Italian heritage. May they last another 60 years and beyond, and continue to do the work that they do.

I want to finish with this point. We know that in each of our electorates, and there are more numbers in some than others, we have emerging populations and emerging communities from other nations around the world, and I think we should celebrate that. I think what is going to become a problem in the future is that, as those populations from the emerging communities age, we are going to have to have different facilities that take into account the cultural requirements of those people from those emerging communities. I think it is a sleeper issue at this point in time.

My point is that we can learn from what Saint Hilarion has done, and continues to do, in making sure that, with respect to aged-care facilities and other institutions, they embrace the cultural needs of those people who require such an institution. I commend the motion to the house and, again, I thank the member for Hartley for bringing it to our attention.

*Parliamentary Procedure***VISITORS**

**The DEPUTY SPEAKER:** Before I call the next speaker, I would like to acknowledge the presence in the public gallery today of a very fine-looking group of students who I believe are from the Woodcroft Primary School, guests of the member for Mawson. We welcome them to parliament, along with their adults who have come in. Are you coming back for question time? No, you are going to miss out, but never mind. We will try to make this next bit very exciting for you. We hope you enjoy your visit and look forward to you coming back to the house. Do not forget to have a look at *Hansard* because your visit is recorded for all time in the *Hansard* today.

*Motions***SOCIETY OF SAINT HILARION**

Debate resumed.

**Mr TARZIA (Hartley) (12:37):** Once again, I thank the house and the speakers in the house who have supported this motion. I thank the members for Light, Colton and Ashford especially for their support. I again take this opportunity to commend the Society of Saint Hilarion for the dedication that they have shown and the wonderful care that they have given to many in need over many years. I, too, wish them all the very best in their 60<sup>th</sup> anniversary and also for the next 60 years. I commend the motion to the house.

Motion carried.

**MATES IN CONSTRUCTION**

**Mr PEDERICK (Hammond) (12:38):** I move:

That this house notes—

- (a) the exemplary work of MATES in Construction in its endeavour to prevent suicide in the construction industry and promote health and wellbeing;
- (b) that MATES in Construction is a federation of independent industry-based MATES in Construction organisations throughout New South Wales, Queensland, Western Australia and here in South Australia;
- (c) that MATES in Construction aims to raise awareness about suicide, making it easier to access help and ensuring that the help offered throughout the industry is practical, professional and appropriate; and
- (d) that MATES in Construction has implemented the following programs to address the tragic rate of suicide in the industry:
  - (i) an individual case management program which aims to assist troubled workers with an effective plan to address their mental issues;
  - (ii) field visits, which involve field officers going from site to site to advise workers of the program; and
  - (iii) a post-vention program, which provides support where a worker or worker's family member has committed suicide.

I would like to give an exceptional amount of credit to my colleague the Hon. John Dawkins MLC for introducing this motion into the state parliament in the other place. MATES in Construction is well known for its award-winning suicide awareness, prevention and post-vention programs offered to the construction industry across a great deal of Australia. They value themselves on being proactive and responsive, supportive and non-judgemental, committed and dependable, honest and respectful.

MATES in Construction was established to decrease the level of suicide and progress the mental health and wellbeing of construction workers. The organisation was first established in Queensland in 2008 and, since implemented in South Australia, the organisation has executed general awareness training to at least 8,248 persons, connector training to 445, assist training to 114 people and, through case management, assisted with 441 instances. I would also like to note that MATES in Construction has trained over 90,000 people nationally in their program.

All this training is provided fee free to construction companies and their workers on building sites. This training is both vital and unique, and it provides simple tools and support structures to help educate workers in the industry to assist their mates and colleagues before seeking advice from a professional. The training is vital to the industry, and I commend the organisation for all that they do.

I would like to note that suicide levels in the construction industry are up to two times higher than in other workforces, and workers have six times more chance of dying from suicide rather than through a workplace accident. It is also suggested that apprentices in the construction industry have a suicide rate 2.5 times higher in comparison to other young men in Australia. Along with their training, MATES also supply a national phone hotline for those experiencing suicidal thoughts or difficult mental situations. That support line can be accessed on 1300 642 111. I believe the perception of MATES in Construction throughout the industry is extremely supportive and positive.

Through watching the videos on the MATES in Construction website, I was made aware of a very confronting story which provided a true indication of how important the training provided by MATES in Construction is. The story involved a gentleman who seemed somewhat emotional at lunch one day. His co-workers noticed this behaviour and reported it to the safety and wellbeing adviser, who then took the initiative, began the conversation and spoke to the gentleman for three hours, where he admitted he was planning to suicide that very night. This adviser believes the training which they were provided through MATES was a significant contributor in somewhat saving this gentleman's life. Stories such as these provide a true representation of the significance and importance of these programs and training.

In relation to funding, MATES and the Building Employees Redundancy Trust are going to tackle the Kokoda Track. In 2015, the funds raised by those who conquered the 96-kilometre track were donated to MATES. Last year, \$137,000 was raised. For 2016, the goal is to reach \$150,000. I would like to inform the house that if you would like to register your interest in participating, you can complete this through the MATES in Construction website. It is my understanding that funds from the Australian government have also been provided to the organisation, which is truly fantastic to see.

A significant initiative which has come to light recently is the partnership with the AFL players' and coaches associations. MATES and the associations have instigated a project, also known as the STRIDE project, which is a digital campaign with the target audience being construction industries and AFL communities. The aim of the STRIDE project is to reduce the stigma we have around talking about matters which may be getting you down. It is important that we remember: conversations matter.

I have met with representatives from MATES in Construction, and we had great in-depth discussions regarding their involvement and future strategies for the industry. These conversations increased the appreciation I already had for the organisation, and I again need to commend MATES in Construction for all they do. When I last met with MATES in Construction, they talked about some of their counsellors working down through country South Australia, talking to farmers and rural people who obviously can get on the edge, just like construction industry workers. I was really pleased to hear about the work they were doing in that sector. MATES provides a great service to South Australia and beyond and has thousands of people involved within their organisation. My hope is that this motion will begin more conversations and enable MATES to receive even more support in the hope that some support be through funding from the state government.

In conclusion, I would like to acknowledge, along with the commendable work that the Hon. John Dawkins has done on this motion, the work that he does in relation to the whole suicide prevention network. Suicide prevention is extremely important and we need to ensure we continue to improve the systems we already have. In South Australia alone, in December 2015, suicide in the construction industry cost an estimated \$57.36 million annually and \$1.5 billion on a national basis, with an average of 169 construction workers losing their lives to suicide each year. Let's ensure we look after our mates and continue the conversation, because any life lost to suicide is one too many. I commend the motion.

**Ms HILDYARD (Reynell) (12:45):** I rise today to speak in support of the member for Hammond's motion and, in doing so, thank him for moving it and also thank him for his deep commitment to raising awareness about the tragedy of suicide and how we can work together to end it. As I have outlined in this house before, tragically one in five Australians now experience mental health issues at some point in their life; 4 per cent of Australians experience a major depressive episode in any 12-month period; 14 per cent of Australians are affected by an anxiety disorder in any 12-month period; 3 per cent of Australians are affected by psychotic illness such as schizophrenia; and mental illness is now one of the most prominent causes of disability in Australia.

Many Australian people and their families are touched by mental illness at some point and grapple with the emotional toll that this takes as family members take on caring responsibilities often for extended periods of time. They see loved ones struggle with the effects of illness and, often, the resultant withdrawal from family and community life. Tragically, many families in our community as a whole are deeply impacted by suicide and this motion speaks to this tragedy and, importantly, speaks to the important work that MATES in Construction does to raise awareness and make it easier for construction workers to access professional, compassionate and practical support and advice.

In particular today, we are focusing on the industrial aspect of suicide—industrial in the sense that we are focusing on what is possible to encourage construction workers to support one another at work and to seek help, with encouragement from workmates, when dealing with mental health issues. This workplace approach has been championed by both a union and an industry working in partnership through MATES in Construction. After having seen the devastating effects of suicide, this industry, through this organisation, has worked with successive governments to deliver innovative programs to save lives.

As the member for Hammond mentioned, every year 190 Australians working in the construction industry take their own lives. This means that we lose a construction worker every second day to suicide—overwhelmingly, men. Construction workers are six times more likely to die from suicide than from an accident at work, and our young workers are well over two times more likely to take their own lives than other young Australians. As MATES in Construction says on its website:

For workers in the construction industry, suicide seems to [sadly] be a part of the reality of working in the industry. Work within the industry is highly transient with most workers employed on a project by project basis, for periods from a few weeks, to at best a few years.

Other research has shown [us] that workers find it difficult to discuss feelings and emotions with colleagues at work and the nature of the work made social support more difficult.

It goes on to say that pride was identified by MATES in Construction as an issue, with many men saying they had a problem being seen as not manly by disclosing. These figures are horrifying. This mindset is deeply worrying and calls for ongoing action. The figures demonstrate the need for greater investment in training construction workers to recognise the signs of a co-worker being unwell and to develop the skills to encourage them to connect with support before it is too late.

The causes of suicide are numerous and complex, which makes prevention one of the most difficult challenges we face as a society. It is a testament to the member for Hammond and this house that we are focusing on this issue, an issue that remains not widely understood. MATES in Construction was established in 2008 to reduce that unacceptably high level of suicide among Australian construction workers. As their website also says, the MATES in Construction program is rightly:

...based on the simple idea that 'suicide is everybody's business' and that if the building and construction industry in Australia is to improve the mental health and wellbeing of workers and to reduce suicide then it cannot be left to the mental health professionals, but rather everyone in the industry—

And, indeed, in our community—

must play their part.

Today, I place on record my thanks and appreciation to MATES in Construction for the work they do and the manner in which they do it. I thank them for their deep understanding of the need for all of us to look out for one another, to provide support where we can and to do whatever we can as

community leaders to raise awareness about suicide and the intervention and support programs available.

In September 2012, our South Australian government released 'The South Australian suicide prevention strategy 2012-2016: every life is worth living'. It calls for a whole-of-government, whole-of-community response to suicide. Many of the areas for action to prevent suicide are outside of the control of our health department alone. To see its incidence reduce, we must work together and MATES in Construction is an exemplar of how we can do this.

MATES in Construction is a highly valuable resource to the construction industry, everyone who works in it and our community as a whole. The emotional impact of a suicide on a construction site can be a catastrophic event, first and foremost in terms of the family and friends of individuals who take their own life, but also in terms of time lines blowing out and increased cost to the contractor and developer.

The value of MATES in Construction is extraordinary in many ways and I look forward to our house continuing its commitment to it. I look forward also to the ongoing federal government support for it. I also very much look forward to continuing the conversation and promoting that idea that we must continue the conversation wherever we can. In closing, I thank the member for Hammond for bringing this motion to the house.

**The Hon. S.W. KEY (Ashford) (12:51):** First of all, I commend the member for Hammond for bringing forward this motion and also endorse his recognition of the work and advocacy by the Hon. John Dawkins MLC. I would also like to acknowledge the work that has been done by the member for Taylor in this area because I know she has been following up on some of the recommendations that have been made by a number of organisations, including MATES in Construction, and that we have a government response that was mentioned by the member for Reynell. I think there has been a really important evolution that a number of people, both in the Legislative Council and this house, have played a role in making sure that the issue of suicide prevention is in our mind.

I had the opportunity to be involved in co-sponsoring a briefing session for MATES in Construction in this place and I think that we learnt a lot about the details of the model of MATES in Construction. I know that I was particularly impressed with the fact that there were different ways of noting that men in particular, particularly in the construction industry, are subject to thoughts of suicide and the different methods that were used to try to engage men in conversation, as well as supporting each other, that might be a bit different to, perhaps, what women may do.

It was also made clear that it is important to have those discussions and to provide support for each other and for the families and friends of people in the workplace. It was not necessarily, as we were told by the workers from that organisation, an easy thing to do, but, again, as things have evolved, people are starting to realise that there is nothing sissy about trying to support your fellow worker. There is nothing sissy about seeing someone in need and actually talking about it.

On the basis of this, I am very pleased that the issue of suicide prevention and mental health is one of the areas that we are looking at in the occupational safety, rehabilitation and compensation committee in parliament, and I thank again the Hon. John Dawkins for suggesting that this be a reference that we look at. What we have found, though, is that there are a number of people who have wanted to come and talk to our committee about their views on this very serious issue and also make about recommendations they think may be able to be taken up.

We are talking about the workplace, in particular. Of course, suicide and mental health issues are not just issues for the workplace. Certainly, family and friends and just generally surviving in the community are all issues that need to be taken on board, but I am very pleased to say that we have had a very big response to our inquiry and we are hoping to eventually come down with a report that we can bring back to the house. I know a number of people in this house and in the Legislative Council will be interested to hear of the fantastic submissions and witnesses that we have had looking, in a very positive way, at trying to prevent suicide, in particular, in the workplace.

I should also mention something that does not seem to get a lot of credit, and that is that this issue has been fairly and squarely on the agenda for the Australian Council of Trade Unions (ACTU)

for many years. Prevention of suicide and mental health issues have been on their agenda, and SA Unions have also had this as a major health and safety and general welfare concern issue.

I particularly want to place on record my appreciation to the different unions that are covered under the building industry, in particular, but also the transport industry in the work they have done to try to change the image of this issue as being something men do not talk about, men do not deal with and men cannot cope with. I would particularly like to acknowledge not only their contribution but also that of all the partners under the MATES in Construction banner who work together to try to prevent the real problem we have with regard to suicide and mental health.

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (12:56):** I would like to take this opportunity to thank all the speakers who have shared their commitment to this cause today. I first became aware of MATES in Construction through a briefing the member for Ashford held at the Constitutional Museum in Old Parliament House. The work that is being done in suicide prevention across the state, across party lines, is a very good response to this issue.

Many families, in fact most of us, would have been touched by the tragedy of suicide. The work that MATES in Construction is doing in enlarging its scope across the state into regional areas is vastly important considering some of the challenges our regional towns are facing at the moment. That challenge also exists in the mining sector, given the isolation that some of those workers face in remote places working away from family and friends on a day-to-day basis. MATES in Construction is an incredibly important organisation that we all support. The suicide prevention networks are a community response to that, so I thank all the people who are working in this space across both chambers in this building because, as the minister, I know that together we are making a profound difference in the conversations that are happening in the community.

**The Hon. A. PICCOLO (Light) (12:58):** I would like to speak in support of this motion and thank the member for Hammond for bringing this matter to our attention. It is an appropriate motion, given that next week is Men's Health Week and most of these issues deal with men. I know there are women in construction, but predominantly it is men, and Men's Health Week is about promoting good health in men—not only physical health but mental health—and there are a number of activities occurring. MATES in Construction is just one of those programs out there designed to help with men's mental health. I was fortunate enough to go to one of their events, a breakfast meeting, and I would just like to say that I commend the program, and I commend the member for raising it.

**Mr PEDERICK (Hammond) (12:59):** I thank the members for Reynell, Ashford, Taylor, and Light, representing the government, for supporting this motion. I really do thank the government for their support on this motion. Suicide awareness is something that everyone has to manage day by day because, as the member for Taylor said, we are all touched by suicide. I commend the motion.

Motion carried.

*Sitting suspended from 13:00 to 14:00.*

*Matter of Privilege*

#### **PREMIER'S REMARKS**

**The SPEAKER (14:00):** I make this statement about the matter of privilege raised by the deputy leader in the house earlier today. However, before addressing that matter, I wish to outline the significance of privilege as it relates to the house and its members. Privilege is not a device by which members or any other person can seek to pursue matters that can be addressed by debate or settled by a vote of the house on a substantive motion.

McGee, in *Parliamentary Practice in New Zealand*, which I think states the practice on this matter well, makes the test for whether or not a matter is a matter of privilege by defining it as a matter that can 'genuinely be regarded as tending to impede or obstruct the House in the discharge of its duties'. Clearly, a minister giving a knowingly and deliberately false answer would have that effect. An essential aspect of privilege is to ensure that each member can speak without fear or favour but at the same time be able to rely on the accuracy of a statement made in the house by a member. It is not designed to punish poor wording or unintentionally inaccurate information.

I refer to the matter raised by the deputy leader, where she alleges that the Premier has knowingly and deliberately misled the house. The deputy leader says the Premier's answers to questions in the house yesterday about the government's position on the payment of legal advice for victims of the chemotherapy treatment errors directly contradict claims the deputy leader attributes to a member of the family of a deceased victim of the erroneous chemotherapy treatment.

More specifically, the deputy leader refers to this answer made by the Premier to a question in the house yesterday. It is on page 5,869 of *Hansard*. I quote:

So, we made a proper suggestion that people obtain legal advice. It was always our intention to pay for that legal advice. That would be part of the settlement that would be reached in relation to this matter, and that is certainly the approach we have taken.

I am quoting the Premier there. The deputy leader alleges that, and I quote:

...a member of the deceased's family claimed that, in the settlement they had received from the government, they had to pay their own legal costs.

The deputy leader says there is an inconsistency between, on the one hand, the Premier's stated belief that the payment for legal advice would form part of the settlement and, on the other hand, the claim that she attributes to a family member of a deceased victim that they were to pay their own legal costs. It is on that basis that the deputy leader alleges the Premier has misled the house.

On reading what little information I have before me, which includes the Premier's answers to questions in the house and the claim, albeit lacking in detail or authentication, relied upon by the deputy leader, there is nothing before me to suggest that an inconsistency exists between the two let alone a case for knowingly and deliberately misleading. The Premier has indicated that legal costs would form part of the settlement. Alternatively, the deputy leader is claiming that the Premier's answer yesterday means that the legal costs should be paid for in addition to any settlement. It is not unreasonable to presume that the payment for those legal costs would be made out of the settlement.

*Members interjecting:*

**The SPEAKER:** The leader and the deputy leader will both rise and apologise and withdraw their imputation forthwith.

**Ms CHAPMAN:** I rise to withdraw and apologise for laughing.

**Mr MARSHALL:** I rise to withdraw and apologise.

**The SPEAKER:** As Speakers have stated in previous opinions, an inconsistency between the words used by a member in the house with those previously used in the house or elsewhere, or words spoken that are inconsistent with the text of any document, is not of itself deliberate and intentional misleading and therefore not a matter of privilege. As the information provided by the Premier to the house is, arguably, not inconsistent with the outcome being claimed by the family member of the victim of the chemotherapy treatment error, there is nothing to suggest that the Premier has misled the house in the relevant sense.

Accordingly, I do not propose to give precedence which would enable the member to pursue this matter forthwith as a matter of privilege, but this decision does not prevent the deputy leader or any other member, if the claim of breach of privilege is bona fide, from proceeding with a motion on the specific matter by giving notice in the normal way. I now invite the deputy leader to do so.

In calling on notices of motion by private members, this is an opportunity to agitate, if the matter is bona fide, the point forthwith and to place it on the *Notice Paper*. So, again I call for notices of motion by private members. There being none, I call on presentation of papers, notices of motion and ministerial statements.

*Ministerial Statement*

#### **WHYALLA STEELWORKS**

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:07):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.W. WEATHERILL:** I rise today to announce the South Australian government's proposal both to support the future of Whyalla and the Upper Spencer Gulf region and to enable Australia to retain an ongoing structural steelmaking capability. Due to the current caretaker provisions at the federal level, this morning I have written to the leaders of both major parties outlining a proposal to provide a joint state and commonwealth funding assistance package to a new owner of Arrium.

This is an issue of national significance and requires a national response. Without this support from state and federal governments, it is our belief that steelmaking in Whyalla is unlikely to continue. The state government today is committing \$50 million in funding and is seeking a bipartisan commitment from both major parties for a contribution of \$100 million towards a funding facility to support a new owner of the Whyalla operations. This would mean the total funding facility being available to a new purchaser would be \$150 million, which we expect would be matched by the purchaser, subject to appropriate terms and conditions.

We believe these terms should include a requirement that investments support the long-term sustainability of steelmaking at Arrium and maintain the company's operations in South Australia. Our advice from the Steel Taskforce is that a \$150 million funding facility, along with the restructuring work that is being undertaken by the administrator, should be adequate to enable a new owner to build an ongoing, sustainable steelmaking business in Whyalla. This is a large and important request, but would be allocated to technological efficiencies or upgrades in the Whyalla operations to ensure that taxpayer money is spent to benefit the thousands of jobs at Arrium and in the wider supply chain.

I would also like to take this opportunity to update the house on the progress of the Whyalla small business loan scheme, which was announced in May. As of yesterday afternoon, 13 formal applications for assistance have been received and a further nine companies are in the process of applying. Seven loans totalling nearly \$3 million have been approved, with many others very close to finalisation. I would also like to take this opportunity to highlight the tireless and unwavering advocacy from Eddie Hughes (member for Giles) on both of these issues. I look forward to further updating the house as these matters progress.

#### *Parliamentary Procedure*

#### **PAPERS**

The following paper was laid on the table:

By the Minister for Education and Child Development (Hon. S.E. Close)—

Education and Child Development, Department for—Annual Report 2015

*Ms Chapman interjecting:*

**The SPEAKER:** The deputy leader is called to order for interrupting proceedings.

#### *Question Time*

#### **CHEMOTHERAPY TREATMENT ERROR**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:10):** Can the Premier inform the house what he was referring to in his comments, made publicly this morning, when he said that there had been 'a cover-up' in the chemotherapy underdosing saga, and what action has the Premier taken to address this?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:10):** Well, there is no doubt—

*Mr Pisoni interjecting:*

**The SPEAKER:** The member for Unley is called to order.

**The Hon. J.J. SNELLING:** One needs only to look at the Villis Marshall report, which indicates that there was a failure to follow the normal protocols when an adverse event occurs in one of our hospitals, a misleading of both the department and myself about the nature of what had happened. Clearly, in the case of Flinders Medical Centre, the underdosing had continued and



patients, including Mr Knox, had been underdosed when, if the normal procedures had been followed, that wouldn't have happened. So, that is what the Premier was referring to. There is no secret about that—

*Mr Marshall interjecting:*

**The Hon. J.J. SNELLING:** —as that has all been canvassed in the Villis Marshall report.

**The SPEAKER:** I call the leader to order for interrupting the minister.

#### **SMALL VENUE LICENCES**

**Mr ODENWALDER (Little Para) (14:11):** My question is to the Deputy Premier. How has the introduction of small venue licences transformed the City of Adelaide?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:12):** Thank you very much—

*Members interjecting:*

**The SPEAKER:** The members for Chaffey and Stuart are called to order.

**The Hon. J.R. RAU:** Thank you very much, Mr Speaker, and I thank the honourable member for that question—a very important question actually—and it's one I think the honourable member has expressed some interest in over a period of time. In April 2013, the government introduced the Small Venue class of liquor licence—not, I might add, without some degree of objection by some in the parliament. That of course occurred following consultation with venue operators. Those who are able to cast their minds back these few years that this story goes might recall that the venue known as Udaberri on Leigh Street was amongst the first of this new wave of—

*The Hon. T.R. Kenyon interjecting:*

**The Hon. J.R. RAU:** They were the pioneers, so to speak, of this style of establishment.

**The SPEAKER:** It is not a revivalist meeting. The member for Newland does not need to reinforce the Deputy Premier's remarks.

**The Hon. J.R. RAU:** But it is welcome to have his support.

**Mr Gardner:** Was he called to order?

**The SPEAKER:** Yes, he is called to order.

**The Hon. J.R. RAU:** What of course happened was that those people, as members might be aware, faced extreme difficulty in getting their licence. At the time, they were subject to a needs test under the old regime and were, in effect, being deep-pocketed by other liquor licence holders nearby—in particular, a certain publican. This cost them a great deal of money, and it actually got to the point where it was a touch-and-go proposition as to whether they were able to get started at all.

That led to a bit of thinking, as a result of which the small venue licence was—over the objection of many—passed into law. Now, only a couple of years later, we have 70 active small venue licences. Bearing in mind that the small venue licence is contained to the commercially zoned precincts of the square mile of the city, that is a significant increase in number. A total of 78 have been granted a licence since the commencement. As at 30 June 2015, there are 50 in existence, so we can see that this type of licence is growing and the number of venues is growing.

*The Hon. T.R. Kenyon interjecting:*

**The Hon. J.R. RAU:** It is. It is a remarkable achievement, and a remarkable display of investment and confidence in the city. On 3 March 2016, the 70<sup>th</sup> small venue licence was granted to Fiefy's Coffee Pty Ltd. in Flinders Street—70<sup>th</sup>, that is. This year alone, 12 licences have been granted. These licences have been granted to an array of different types of venues, including an African cafe, a cafe and retail space that also features art exhibitions and underground music, a

billiards club, cocktail bar, and a cowboy-themed saloon with the motto, 'Leave your horse at the door', which is very reminiscent of Tarantino sort of ideas.

*The Hon. L.W.K. Bignell interjecting:*

**The SPEAKER:** The Minister for Agriculture is called to order.

**The Hon. J.R. RAU:** As a matter of interest, today on behalf of the Premier I attended a venue called Antica, which is on Morphett Street.

*Members interjecting:*

**The Hon. J.R. RAU:** This is another example—

**The SPEAKER:** I call the member for Colton to order.

**The Hon. J.R. RAU:** I am trying to talk about the good stories in the City of Adelaide, the great achievements, the entrepreneurs, the businesspeople, and I would suggest to anybody who is interested they should go and have a look at this venue. It is a magnificent venue.

*Members interjecting:*

**The Hon. J.R. RAU:** Sadly for me, I had to return here before I could enjoy the repast properly, but this is typical of what's going on in the city: growth, new jobs, entrepreneurs—the sorts of things those opposite don't want to hear about.

**The SPEAKER:** I call to order the members for Schubert, Finniss and Morialta and I warn for the first time the leader, the deputy leader and the member for Schubert. Leader.

#### **CHEMOTHERAPY TREATMENT ERROR**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:16):** My question is to the Premier. Was SA Health acting as a model litigant when its initial offer to the McRae family last year was for only \$10,000, being \$5,000 to the late Mr McRae and \$5,000 to his family?

*Mr van Holst Pellekaan interjecting:*

**The SPEAKER:** The member for Stuart is warned.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:16):** Just for the information of the house, the way in which these claims are handled is through the South Australian government insurer. That is the mechanism by which compensation claims of this sort are entertained. In these particular cases, these very sensitive cases, at the time when these difficulties were revealed, we assured people that we would conduct ourselves as a model litigant. I think it is pretty clear, from all that we have seen, that we have not conducted ourselves in that fashion.

I think, frankly, that it would be of benefit if there was stronger oversight from our health department but, because this matter was put into that part of government that deals with compensation claims, I don't think it received the sensitivity of treatment, or certainly the urgency of treatment, that it needed. That's something we are going to reflect upon because—

*Mr Marshall interjecting:*

**The Hon. J.W. WEATHERILL:** It certainly—

*Mr Pisoni interjecting:*

**The SPEAKER:** The member for Unley is warned.

*The Hon. P. Caica interjecting:*

**The Hon. J.W. WEATHERILL:** That's something that—

**The SPEAKER:** The member for Colton is warned.

**The Hon. J.W. WEATHERILL:** —we will reflect upon to make sure these circumstances don't arise again. But as soon as the minister and I became aware that there were concerns being raised about the litigation process, we intervened immediately. That is why there was an offer generated and clarity was given about the question of legal costs.

There is no doubt and there is no hiding from the fact that the state, however you want to describe its manifestations, didn't behave as a model litigant in this case. I know that the minister's office certainly reached out to a number of the affected parties, but he, like I, accepted the assurances that the state, in its compensation frame, was behaving as a model litigant. It has become clear that we haven't, that there have been, I think, inappropriate delays—

*Mr Pengilly interjecting:*

**The SPEAKER:** The member for Finniss is warned.

**The Hon. J.W. WEATHERILL:** —in the generation of offers. I think in circumstances where you are talking about life-threatening illnesses, a special expedition needs to occur. I think also in cases where there has been a manifest and egregious fault on behalf of the state, that also requires a special form of attention.

It is not as though there is a mere misadventure with somebody slipping up in a foyer of a government office, which doesn't have any particular moral element to it. Here, we made a mistake. Indeed, that mistake was compounded by the fact that it was hidden, in circumstances where people were suffering life-threatening illnesses. So proper care should have been taken and we—

**Ms Chapman:** Yesterday you stood there and tried to cover that up, Jay. You pretended you were Mr Perfect.

**The SPEAKER:** The deputy leader is warned for the second and final time. If she makes another utterance that is not in accordance with standing orders, she will tread the same path as yesterday.

**The Hon. J.W. WEATHERILL:** In circumstances where there is an enormous and justifiable anger and emotion about this matter, we have sought to respond sensitively and quickly to the people affected. All I can do is offer my apologies on behalf of the state for the way in which the people who have been affected by this mistake have been treated, and we are doing everything we can to make that right.

### COMPULSORY THIRD-PARTY INSURANCE

**The Hon. J.M. RANKINE (Wright) (14:20):** My question is to the Treasurer. Can you provide an update on the implementation of the private sector provision of compulsory third-party insurance from 1 July 2016?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:21):** I am pleased to advise the house that the compulsory third-party insurance reform project is progressing well in readiness for the transition to the new private sector insurer arrangements on 1 July 2016. From 1 July 2016, CTP insurance will be provided by four well-known and established insurers for the first three years, before transitioning to a fully competitive market.

Under the new model, more than one million South Australian motorists will be allocated to one of the four private CTP providers—QBE, AAMI, SGIC and Allianz. It is important to note that, for the first three years under the fixed-price model, there is no advantage to being with a particular insurer. The cover and price of insurance is the same and the entitlement to compensation motorists may receive should they be injured and have an eligible claim will also be the same regardless of the approved insurer.

In year 4, when the market is completely deregulated, then motorists will be free to choose a provider of their choice and shop around for their best price. At this point, we expect even more competition for motorists' business as other insurers, such as the RAA, consider entering the market. The Department of Planning, Transport and Infrastructure will continue to issue CTP insurance renewal processes as a part of the vehicle registration process. The current payment methods will also remain, including the EzyReg website, an app and, of course, direct debit.

An education campaign has already commenced promoting the changes. Advertising materials have been placed in the *Sunday Mail*, the *Adelaide Advertiser*, all Messenger newspapers and newspapers in languages other than English, including Greek, Italian, Hindu, Vietnamese and

Chinese press in South Australia. A variety of media have been targeted to ensure all motorists are made aware of these changes. These include metropolitan and regional radio commercials, web-based advertising and social media. A number of government agencies are also supporting this initiative, including Service SA, DPTI, SA Health and, of course, the Motor Accident Commission.

A new website ([www.ctp.sa.gov.au](http://www.ctp.sa.gov.au)) has also been developed and is live. It is an education tool and provides information about CTP insurance, what it covers, what to do in the unfortunate circumstance of a crash, as well as web links to all private insurers supporting South Australian motorists. Renewals will be posted early next week for the new financial year. Every motorist will receive a leaflet explaining these changes and the details to find out more information via the CTP insurance website.

The renewal notice itself will also promote the changes and a link to the website. All motorists will have to do is receive their registration notice in the mail and pay how they normally would. The insurance certificate will display the name of each motorist's nominated insurer from 1 July 2016. To make a claim, motorists will call the same number as they do now and they will be redirected to their nominated insurer. All four insurers will be ready to assist and provide CTP insurance support for all South Australian motorists. The government continues to work with each of the approved insurers to ensure a successful transition to our new private CTP insurance arrangements that will begin on 1 July 2016.

#### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:24):** My question is to the Premier. Why did the Premier tell the house yesterday that the legal costs of the chemotherapy underdosing victims were always going to be paid for by the government, when the McRae family had to pay their own legal costs incurred during the settlement reached last June?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:25):** I explained this yesterday, but we will do it again the long way. For those who aren't familiar with the way in which these matters are dealt with, when the government is dealing with serious matters—so, not small matters, which probably can be resolved without requiring somebody to get legal representation—it is orthodox for the government insurers to invite people to get a lawyer for a couple of reasons: one is to make sure they can properly formulate their claim and, two, so that they can assess whether or not any offer that ultimately is made is appropriate. Legal representation is a right. It is an appropriate right and we encourage people to get that support. When we were talking yesterday about this, it was in response to the allegation that people suggested that these people should 'lawyer up'.

*Mr Tarzia interjecting:*

**The SPEAKER:** I call the member for Hartley to order.

**The Hon. J.W. WEATHERILL:** The implication was that we were going to play hardball with them and that they needed to get ready for a battle. It is completely the opposite. What we were actually doing was trying to protect them by making sure that they were aware of their legal rights and they would have the proper advice.

*Mr Tarzia interjecting:*

**The SPEAKER:** I warn the member for Hartley.

**The Hon. J.W. WEATHERILL:** The way in which these matters ordinarily occur is that the lawyer then sends on behalf of the client a letter of claim, and that claim is usually a particular sum of money plus legal costs and other disbursements. And the way matters are routinely resolved is that a negotiation occurs and then a settlement sum is received. More often than not, a settlement sum is given on an all-inclusive basis, so the claim might be X plus costs and—

*Ms Chapman interjecting:*

**The SPEAKER:** The deputy leader is on two warnings.

**The Hon. J.W. WEATHERILL:** —the matter is resolved on the basis that a total sum is paid, which is inclusive of legal costs, and that has always been the intention of the government in dealing with these matters.

**Mr Gardner:** Why didn't you say that yesterday?

**The SPEAKER:** I warn the member for Morialta.

**The Hon. J.W. WEATHERILL:** It's just the simple truth about how these matters are dealt with routinely on a day-to-day basis and, with all due respect to my former profession, it is not often they forget to put their legal fees on a bill, so that does tend to be something that is the subject of negotiation—

*Members interjecting:*

**The SPEAKER:** The member for Morialta is warned for the second and final time, as is the member for Finniss.

**The Hon. J.W. WEATHERILL:** It usually does loom large in the discussions and usually the client wants to know what they get in their hand, so they want to know what are the costs, what is the offer and what is the net amount. Usually, an all-inclusive amount is done in that fashion. It is also how insurers or governments like to deal with it, so you don't have a further negotiation at the end about legal costs, and I know the deputy leader knows this all too well.

The point about this is that this was not well understood by some of the claimants in this case and that is natural because it wouldn't be something necessarily that is well known, so I can understand why they have suggested that they are not getting their legal costs paid. But to make that absolutely clear, when the minister and I intervened on Monday, we made it clear that any offer that was going to be made should make it clear that there would be legal costs paid discretely on top of that amount and that is what has happened.

All of this agitation is about something that has happened in the past. From Monday, it has been crystal clear to all of the claimants that they are getting a sum of money plus legal costs on top of that money, just so that there is no doubt that people are getting their settlement sum plus their legal costs. I hope that that provides some clarity and I hope the negotiations, to the extent that they have not been resolved yet, are resolved in a speedy fashion. If it is any comfort to those who have been the subject of this, I offer my abject apology on behalf of the South Australian government.

#### INTERNATIONAL STUDENTS

**Ms HILDYARD (Reynell) (14:29):** My question is to the Minister for Investment and Trade. Can the minister update the house on government action to increase the number of international student enrolments in South Australia?

**The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (14:29):** I thank the member for her question because the South Australian government's economic priority number four, 'The knowledge state', includes the objective of increasing the number of international students studying in South Australia from 28,300 in 2013, as a baseline, to 35,500 in 2017.

**The SPEAKER:** The minister will be seated. For months the house has been presented with the simian behaviour of the member for Finniss who, when the minister rises to give an answer, immediately rises and turns his back on the minister. The member for Finniss will place his backside back on his place or he will be named.

**Mr GARDNER:** Point of order: it has heretofore been the practice of the house that members not be referred to in any way as animals. I seek your clarification on whether that is still the case, that that is unparliamentary language.

**The SPEAKER:** Yes, I will give that my earnest consideration. Meanwhile, the member for Finniss will remain in his seat and not continue making a display, as he has for months previous. Minister.

**The Hon. M.L.J. HAMILTON-SMITH:** Thank you, Mr Speaker. And 35,500 students remain our target for 2017. International education has become South Australia's fourth largest export, reaching an estimated \$1.17 billion in 2015, according to the ABS. This represents a 10 per cent increase over the 2014 calendar year. To the year ending March 2016, South Australia recorded an

8 per cent increase in total international student enrolments across all sectors, from 22,718 to 24,603 students. This gives the state just over a 5.3 per cent share of the Australian international student market. I think, with a lot of effort, we could do better.

South Australia welcomed nearly 8,500 commencing new students between January and March 2016, an increase of 12 per cent over the same period in 2015. There is even better news when we look at the detailed figures. There was big growth right across all education sectors, with a very large growth in school commencements of 24 per cent, and in vocational education students of 26 per cent in the year to March 2016. These students often stay in South Australia after graduating and go on to study at our world-class universities.

The contribution of international students to our economy extends beyond the purely financial benefits of expenditure on education and also has indirect benefits with spend in retail, accommodation and tourism. International students enrich the social and cultural diversity of South Australia and contribute to society through participation in the workforce and their local communities. That is why the state government has committed an additional \$5.7 million over four years to StudyAdelaide for the Destination Adelaide plan, which aims to boost South Australia's competitiveness to attract yet more students.

The Destination plan is the key blueprint for international students and it was developed cooperatively with the industry, including universities, schools and VET providers. I can inform the house that the South Australian government has developed a draft action plan that has been sent out to stakeholders for consultation with the aim of significantly increasing our share of the market. The draft action plan proposes to achieve this aim by forming an international students ministerial advisory council to receive stakeholder feedback and drive policy and programs.

Our coverage of the release of the draft action plan for consultation included reference to an aspirational goal over time of seeking to double our share of the international student take. I think that is a big idea and one to which we should aspire, but I make the point that is not a target: the target is 35,500, as stated. It would be nice if things could be accurately reported. What this government does is it has big ideas and it aims to see them put into effect.

There will be a new international education office after the consultation has been concluded. The aim is to encourage a 'team South Australia' approach that has our universities, our schools and our VET providers all working together to grow exports and to grow the number of international students we have in South Australia because that is good for students, good for the education system, good for jobs and investment and good for South Australia.

#### *Members*

### **MEMBERS' BEHAVIOUR**

**The SPEAKER (14:34):** I draw the house's attention to standing order 68. Members take their places immediately on entering the chamber. While in the chamber, members may not move within the chamber in such a way as to detract from the decorum of the house or impede its proceedings.

#### *Question Time*

### **CHEMOTHERAPY TREATMENT ERROR**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:34):** My question is to the Premier. Given the Premier's assertion that the government would always cover legal costs, why did SAICORP suggest to chemotherapy dosing bungle victims on 14 April that they should seek legal representation but gave no indication that there would be any assistance with costs? In an email dated 14 April, Mr Knox is advised by a claims officer from SAICORP:

I strongly suggest that you seek legal representation to assist you with this process and recommend that you call the Law Society of South Australia.

They provide the telephone number. The email continues:

They may be able to assist you in finding a lawyer who would accept your case without any or minimal cost.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:35):** That's precisely consistent with the remarks that I made earlier. I refer—

**Mr Marshall:** You said that the government was always going to pick up the tab.

**The Hon. J.W. WEATHERILL:** That's right.

*Mr Wingard interjecting:*

**The SPEAKER:** The member for Mitchell is called to order.

**The Hon. J.W. WEATHERILL:** This is precisely what I have been advised, that it was the intention—

*Mr Pisoni interjecting:*

**The SPEAKER:** The member for Unley is warned for the second and final time. There will be no further warnings.

**The Hon. J.W. WEATHERILL:** This is precisely what I was advised and precisely why I told the house what I told the house yesterday and today. The advice was clear, and that is that a—

*Mr Marshall interjecting:*

**The Hon. J.W. WEATHERILL:** If the honourable member thinks he knows the answer, he can supply it himself; otherwise, he might want to listen in silence.

*Ms Digance interjecting:*

**The SPEAKER:** The member for Elder is called to order.

**The Hon. J.W. WEATHERILL:** I've got nothing more to add to the answer I have given. It was always the intention, once a particular claimant had obtained legal advice and had formulated a claim, for the claim to be settled on a basis that would include a claim of legal costs. It's orthodox, just in the same way as the claim would likely set out a claim for disbursements—typically, things like medico-legal reports and different heads of damages. It would also include a sum for legal costs and that they would be paid. So, it is utterly consistent with my earlier responses.

#### UNESCO CITY OF MUSIC

**The Hon. S.W. KEY (Ashford) (14:37):** My question is directed to the Minister for the Arts. Minister, what events are coming up to promote Adelaide as a UNESCO City of Music?

**The SPEAKER:** The cultural attaché.

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:37):** Thank you very much. I know how excited the member for Ashford is, as am I, about coming events in the next few weeks. After a few weeks of post Fringe, Festival and WOMAD rest, Adelaide is about to hit the accelerator again with live music from this weekend through to the end of August.

It all kicks off with our Cabaret Festival, which starts on Friday night. Artistic directors, Ali McGregor and Eddie Perfect, have had some pretty sizeable shoes to fill following on from the success of last year's director, Barry Humphries. It's an exceptional program which will see the Festival Centre come alive with 150 performances over 16 days and nights as we celebrate the eclectic genre where, as the Cole Porter song suggests, *Anything Goes*.

I do have to put in a plug for a show that I have seen previously, which I think all members of the house would appreciate, and that is *Margaret Thatcher Queen of Soho*, which poses the question: how did the Iron Lady get lost in the gay bars of Soho and become a cabaret superstar? I recommend all members get along to the show, which will be on from 15 to 17 June.

Following on from the Cabaret Festival, Adelaide will then erupt with the Umbrella Winter City Sounds taking over the city from 15 July until 7 August. Presented by Music SA, Umbrella is a curated festival which will bring together new and exciting live music events to create vibrant winter activation across our CBD.

The Adelaide Festival Centre has this year launched Guitars in Bars and Other Places, which to date has more than 300 registered events over 27 days and nights. Guitars in Bars will see music played across our state, from Willalooka to Port Lincoln, and of course at our usual suburban live music haunts, the Wheaty, the Gov and the Semaphore Workers Club. Guitars in Bars is the Fringe event to this year's Adelaide Festival Centre's Guitar Festival, which will take place from 11 to 14 August. South Australia is very lucky to once again be treated to a program curated by internationally renowned guitarist, Slava Grigoryan, and will celebrate and showcase the world's most popular instrument.

We are fortunate to have the best musicians in the world coming to Adelaide for this festival, including the artistic director of the Seville guitar festival, Francisco (Paco) Bernier, who is performing with Massimo Scattolin and Sergio Ercole in a concert called *Memories of Spain*. Between the Cabaret Festival, the Umbrella Festival, and the Guitar Festival (featuring Guitars in Bars and Other Places), it is the city, not the Hills, that will be alive to the sound of music. There is something on for everyone, and I encourage all members to get along and support our live music scene.

**The SPEAKER:** In reference to the member for Morialta's point of order, I have looked into the matter and the order of simians includes humans. The leader.

#### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:40):** My question is to the Minister for Health. Why, when Mr Knox raised concerns with the Minister for Health's Chief of Staff, Matthew Hillard, that the SAICORP advice he received on 14 April was a call to 'lawyer up', did neither the minister nor Mr Hillard make clear to Mr Knox that victims' legal costs would be covered by the government?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:41):** I say one thing: Mr Hillard, my Chief of Staff, has had many, many, many conversations with Mr Knox on many frequent occasions. In fact, I would say it's a regular occurrence that my Chief of Staff has spoken to Mr Knox. I'm not privy to all the conversations that my Chief of Staff has had with Mr Knox, but I can assure the house they have all been amicable, and I think Mr Knox would confirm that. Now, I am not privy to all the details of those conversations, but nonetheless I can only reiterate what the Premier has already said.

#### ASSOCIATION OF MINING AND EXPLORATION COMPANIES CONVENTION

**Mr HUGHES (Giles) (14:41):** My question is to the Minister for Mineral Resources and Energy. Minister, can you inform the house on matters arising from your attendance at the recent convention held by the Association of Mining and Exploration Companies in Perth?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:42):** I thank the member for Giles for this timely question and his continued support for unlocking the potential of South Australia's mineral and energy resources. I had the pleasure of meeting with the resources minister in Perth, Mr Frydenberg, and of course the Leader of the Opposition, Mr McGowan, who are both strong supporters of the industry.

As you may be aware, Mr Speaker, the Association of Mining and Exploration Companies (AMEC) this week held its annual convention in Perth. The convention attracts over 500 delegates, and brings together world-class and industry-leading presenters, as well as speakers from all levels of government. This year, AMEC presented a very impressive program with a focus on looking beyond the horizon—a very appropriate theme, given the current position in the commodity cycle.

I was delighted to be invited again to present to the AMEC Convention and outline this government's strategy for unlocking the potential of our resources, energy and renewable assets, as set out in the Premier's 10 economic priorities. I was able to tell delegates about the opportunities for exploration generated by the release, in December, of high resolution geophysical data from a PACE airborne survey of the Coompana Province along the Western Australian border.

Coompana comprises 85,000 square kilometres in the south-west corner of the state. Explorers have until the close of business tomorrow to apply for 14 new exploration release areas drawn from this exciting new resource frontier. Providing magnetic and radiometric data is the first



phase of \$6.5 million worth of regional geophysical survey work in the Coompana region that will provide explorers with a wealth of new datasets needed to identify targets.

The AMEC Convention was also an opportunity to inform explorers and mining companies about the investments we have made in our world-class state drill core library at Tonsley. Already winning awards for its design by its designers, the library is an investment in our future that will repay itself many times over through new discoveries that lead to world-class projects. I was also able to tell them that this government stands behind explorers through the PACE and its discovery drilling program. In April, we announced that the maximum grant provided under this program had been increased to \$250,000 from \$100,000 and that we had broadened the activities that now qualify for government support. Not surprisingly, these changes have proven to be very popular, attracting the most applications since 2011.

Most importantly, I informed the convention of the most significant tax reform package in our state's history. These reforms reward the risk-takers, like miners and explorers, by abolishing stamp duty on business transactions—reforms that make South Australia the most competitive jurisdiction in Australia to do business. Policies, not posturing from the highest paid whingers in the state opposite, is what industry wants to hear, and I was delighted to be able to outline a few of our many resource initiatives to this very important gathering of Australia's leaders in mining.

### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:45):** My question is to the Minister for Health. What action did the minister take to monitor the progress of the compensation discussions between SAICORP and the chemotherapy dosing victims? On 18 April Mr Hillard, the Chief of Staff to the Minister for Health, emailed Andrew Knox and said, and I quote:

In relation to the email from SAICORP, I have no background in law whatsoever, Andrew, and nor do SAICORP report through to me or our Minister but I have forwarded what you sent me onto SA Health.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:45):** The reason why I have chosen to answer this is because it goes to the question that we canvassed earlier about the way in which these matters are handled within government. Once they become matters of compensation they do go to SAICORP, which reports through to the Treasurer.

I think we acknowledge that certain cases, especially cases of such great sensitivity, perhaps do require a different level of monitoring, and that is something that we are going to reflect on in the light of this. Having said that, though, the minister's office kept in regular contact with Mr Knox through the Chief of Staff; in your previous question you acknowledge that. I understand that they were courteous and regular and, I think Mr Knox might suggest, supportive conversations with the Chief of Staff. The reality for all to see, though, is that that is manifestly inadequate because Mr Knox and others—

*Ms Chapman interjecting:*

**The SPEAKER:** The deputy leader is on two warnings and has been reminded of that once already.

**The Hon. J.W. WEATHERILL:** Mr Knox and others have complained about the lack of expedition in the resolution of these claims, hence our intervention, but we are going to reflect on how these particular types of matters are handled in the future.

*Members interjecting:*

**The SPEAKER:** The member for Colton is warned for the second and the final time, and the member for Morialta is reminded that he is on two warnings already. Member for Elder.

### SPECIALIST EDUCATION GRANTS

**Ms DIGANCE (Elder) (14:47):** My question is to the Minister for Education and Child Development. Minister, could you update the house on how the government is supporting schools to offer specialist programs for students?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:48):** I am very pleased to talk about this. We have

in South Australia an interesting mixed approach to the extent to which schools in the public system are in many ways quite autonomous but are nonetheless part of a very big system. Some 170,000 students go to public schools. It is important that we allow both diversity to flourish but also that we encourage equality of a similar standard to sit across all of our schools.

One of the ways in which we have been recently promoting diversity to enable schools, in consultation with their school communities, to determine what kind of specialist education their students will be offered is to have a program of specialisation grants, that is, about \$3 million over four years for some 60 schools to be able to offer specialist education in particular subjects, some of which will be new to that school and some of which the school is already doing but they would like to have the grants to further deepen and enhance the program being offered.

We have recently been able to confirm the latest round, which is some 15 schools, and they are schools that are both primary and high schools, and metro and country, of course. The grant is a one-off grant of \$50,000 to enable the school to invest in that specialisation. The specialisation can be remarkably diverse, including STEM, business, languages—and languages include Auslan—sports or professional development for teachers.

I will just give the house three examples of schools within this latest round. One is Port Augusta Secondary School, which is planning to nurture the entrepreneurs of the future through its existing business and enterprise program. The grant will help it to develop the program further to support students' development of business skills. Another example is Edwardstown Primary School, which is establishing a new specialty program in digital technologies across subject areas, including science and maths. I am extremely pleased to see a primary school investing in digital technologies and investing in science and maths. I think it's a very good example of the strength of our primary schools that their minds turn to that as their desired specialisation.

A third example I will give you is Norwood Morialta High School. They already have an Italian immersion program, which they have been doing in cooperation with the Italian government, in fact. They have been successful in this grant in order to prolong and deepen that program, and they are also going to be building in a modern Greek language immersion program. The idea is that we encourage all schools to have the entire Australian curriculum, all schools to teach well and all schools to have similar quality, but to permit and encourage the communities of those schools to identify areas in which they would like to see their students have the opportunity to specialise.

#### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:51):** My question is to the Premier. Can the Premier explain why Mr McRae was required to sign a confidentiality gagging agreement in respect of his compensation claim and, given the Premier's comments, will the Premier confirm that future compensation agreements will not require this same condition?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:51):** I think it's standard practice for the settlement of any litigation with the government, as much as to protect the claimant as it is to protect the—

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** The first thing is it's a standard thing that's usually exchanged. If I recall correctly, the member's own political party has been involved in litigation recently where there have been similar things requested and exchanged—

**Mr Marshall:** But you have said that there is no gag on this.

**The Hon. J.W. WEATHERILL:** —so this is—

**Mr Marshall:** So, now you are saying it's standard practice. Which is it?

**The Hon. J.W. WEATHERILL:** It is standard practice to ask and, if the relevant party on the other side doesn't want to agree to it, then it wouldn't become an agreed term of settlement. It's a negotiation and, generally speaking, the claimant—

*Mr Pisoni interjecting:*

**The SPEAKER:** The member for Unley will not converse aloud.

**The Hon. J.W. WEATHERILL:** —the claimant, as well as the defendant, is as interested in maintaining the confidentiality of the agreement as anyone—

**Mr Marshall:** So, the minister says there is no confidentiality, but you are saying it's standard to—

**The Hon. J.W. WEATHERILL:** Well, it is standard to ask for it and, in each case, if there is a clause, it is because both parties have agreed to it.

*Members interjecting:*

**The SPEAKER:** I call to order the member for Morphett and the Minister for Health, and I warn the member for Mitchell. Member for Giles.

### REGIONAL YOUTH TRAINEESHIP PROGRAM

**Mr HUGHES (Giles) (14:53):** My question is to the Minister for Regional Development. Can the minister inform the house on the progress of the Regional Youth Traineeship Program?

**The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (14:53):** I thank the member for Giles for the question. Good news, just recently, when the Treasurer announced the \$50 million towards Arrium for the new owners there. I am very pleased to inform the house that young trainees from the Limestone Coast councils will, next Wednesday, attend a networking and professional development event as part of the \$2 million Regional Youth Traineeship Program.

Members of the house, particularly those representing our regions, will be pleased to hear that there has been a strong response to this excellent program which is helping young people in our regions to enter the workforce full-time with a two-year traineeship in local government and local governance. Participating regional governance bodies will receive \$14,500 per year towards employing each trainee. The program is fully subscribed with all 57 traineeships on offer taken up by 36 regional councils, the Yalata Aboriginal community and the Outback Communities Authority. There has been a very positive response from councils, some of which are now employing up to three trainees.

I was pleased to meet two of the Mount Gambier council's very capable young trainees, Ashlee and Ebony, when I was in Mount Gambier for the Regional Summit last week. Both Ashlee and Ebony were very thrilled to be able to start their careers in their local area, and I can see that Ashlee and Ebony will be great assets to their community. We know that for regional communities to stay strong we need to keep young people in our regions. That is why these traineeships are specifically aimed at people aged between 17 and 24 living in the regions who are unemployed or don't have a full-time job.

The traineeships cover a range of skills, with positions in administrative services, IT, horticulture, civil works, library assistance, waste management, community services and also tourism. In addition to employment, these young people will be receiving valuable on and off-the-job training, and will be able to receive certificate level qualifications to further boost their future employment prospects.

Part of this training is attendance at a Welcome to Local Government induction. The theme of the induction workshops is to 'educate, inspire, inform, network and share'. Participants will meet face to face with other trainees from their own regions and hear from local role models to encourage thoughts about future career possibilities. I look forward to meeting more trainees when I attend some of these induction sessions across the state over the next couple of months.

Through the Regional Youth Traineeship, the state government is giving young people the opportunity to stay in their community while doing work that interests them. They are getting valuable experience and skills that they can put on their CV for a head start in their careers. In closing, I would like to thank the Local Government Association for successfully delivering the program on behalf of the state government.

**CHEMOTHERAPY TREATMENT ERROR**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:56):** My question is to the Minister for Health. Given the Premier's response to the last question, can he please clarify the statement that he made in this house early this week? Earlier this week—in fact, on Tuesday—in question time I asked the following question:

My question is to the Minister for Health. Can the minister advise whether the compensation offers made to victims of the chemotherapy dosing failures come with any conditions, in particular conditions regarding confidentiality?

In response to that question, the Minister for Health responded, 'I can advise, as previously said, they don't.'

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:57):** That is the case.

*Members interjecting:*

**The SPEAKER:** The member for Mitchell is warned for the second and final time.

*Members interjecting:*

**The SPEAKER:** The member for Mitchell will withdraw for an hour under the sessional order.

*The honourable member for Mitchell having withdrawn from the chamber:*

*Members interjecting:*

**The SPEAKER:** The member for Unley will withdraw for an hour under the sessional order.

*The honourable member for Unley having withdrawn from the chamber:*

*Members interjecting:*

**The SPEAKER:** The leader is warned for the second and the final time.

**The Hon. T.R. Kenyon:** Volume and hand waving is not called for.

**The SPEAKER:** The member for Newland is warned.

**An honourable member:** Kick him out!

**The SPEAKER:** Well, he was kicked out in the last sitting week.

**The Hon. J.J. SNELLING:** There is absolutely no inconsistency with what the Premier said and what I have said. It is the case—

*Members interjecting:*

**The Hon. J.J. SNELLING:** I am not going to try to scream over them, Mr Speaker.

**The SPEAKER:** The member for Schubert is warned a second and final time. Minister.

**The Hon. J.J. SNELLING:** There is no inconsistency with what the Premier said and what I said earlier in the week. It is the case that there was no confidentiality requirement with the offer of compensation that was made, and that was—

*Members interjecting:*

**The SPEAKER:** The member for Stuart is warned for the second and final time, and the leader is on two warnings.

**The Hon. J.J. SNELLING:** I think everyone would acknowledge that, with regard to this matter, it is not a standard matter. That was why we took the exceptional step—

*Members interjecting:*

**The SPEAKER:** If the leader and the member for Schubert make any utterance outside standing orders from this moment to the end of question time, I will remove them under the sessional order. Minister.

**The Hon. J.J. SNELLING:** Given events, and given the enormous distress that victims of this affair had been put through, we made, I think, the unprecedented decision to intervene in this case and to make sure that SAICORP made an offer of compensation. That offer of compensation was a serious offer of compensation. I think even Mr Knox in the media said that the compensation deserved careful consideration. It was not a frivolous offer. It was a very serious offer consistent with our advice about what would be appropriate in the circumstances. Given the unprecedented nature of the offer, we made clear—

*Ms Chapman interjecting:*

**The SPEAKER:** The deputy leader is warned for the second and final time.

**The Hon. J.J. SNELLING:** We made quite clear that there would be—

*The Hon. J.M. Rankine interjecting:*

**The SPEAKER:** The member for Wright is called to order.

**The Hon. J.J. SNELLING:** This offer came without any conditions and certainly did not have a confidentiality requirement in it because of the nature of the matter, which was different from the normal run-of-the-mill type compensation. There is absolutely no inconsistency. Yes, of course it is standard for—

*Members interjecting:*

**The Hon. J.J. SNELLING:** I won't scream over the opposition because this is an issue I take incredibly seriously. The opposition might want to play politics with it, but I will not. I will not engage with the opposition trying to scream over the top of me while I am giving a serious answer to a serious question.

*Members interjecting:*

**The Hon. J.J. SNELLING:** There is no inconsistency with this. This was an unusual step—in fact, it may even be an unprecedented step—for an offer to be made, given the special circumstances, given what the victims of this error had already been put through. It certainly was the case that there was no requirement for confidentiality as there would normally be in an offer of compensation in such a matter.

**The SPEAKER:** My advice to the opposition is that, if the opposition thinks it has a minister on the run—I was a minister for eight years—silence is a lot more intimidating to the minister than a barrage of interjections. The member for Wright.

## COUNTRY SPORT

**The Hon. J.M. RANKINE (Wright) (15:02):** My question is to the Minister for Recreation and Sport. Minister, can you update the house about the state government's support of the netball Country Championships taking place this long weekend?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:02):** I thank the member for Wright for the question. Of course, the June long weekend is a very important time of year for sport in South Australia, particularly country sport. The netball Country Championships have been going on for 74 years now. They are now at Priceline Stadium down at Mile End, where the government has put in \$650,000 to resurface 26 netball courts. We will be officially opening them as we start the Country Championships on Saturday, and they will go over the whole weekend.

We have 92 teams from 26 associations around South Australia and, as I said, this has been a long-held tradition and one that I have been involved with as a journalist. Back at the ABC, we used to make sure that we went out and covered it each year so that country viewers could actually see their players in action in the Country Championships. I know it is a really important part of the year for netball players from around the state, and we should remember all those wonderful netballers who have been produced in country areas and have come through to play for their state, to play for the Thunderbirds and indeed to play for their country.

Of course, there are lots of footy carnivals on this weekend as well. I will be heading down to Naracoorte for the Mid South Eastern versus Kowree Naracoorte Tatiara interleague game. That should be brilliant. Over at Port Lincoln, they are playing for the Mortlock Shield. Also, the junior competition over there has the Port Adelaide Cup for the underage teams. We wish all those footballers around the state, whichever competition they are in, all the very best for a safe weekend, and one where you join forces with those who are often your rivals from competing clubs within your league.

The Robyn Chaplin Australian fencing titles are on as well, which is another big sporting event on the June long weekend each year. The Frostbite Regatta down at the Goolwa Regatta Yacht Club is on over the long weekend, and there is an orienteering carnival up at Burra, which will have three different events all within 50 kilometres of Burra happening over the—

**Mr Pengilly:** Don't forget the Mortlock Shield.

**The Hon. L.W.K. BIGNELL:** I mentioned the Mortlock Shield a little earlier—

**Mr Pengilly:** I didn't hear you.

**The Hon. L.W.K. BIGNELL:** —you were probably moving around—and the Riverland Paddling Marathon, conducted by the Marathon Canoe Club of South Australia—

*Ms Sanderson interjecting:*

**The SPEAKER:** The member for Adelaide is called to order.

**The Hon. L.W.K. BIGNELL:** —three-day event runs from Berri to Morgan over the Queen's Birthday long weekend every year in June. As I mentioned, it is very important that we have these competitions going on around our state, and also the fact that there are a lot of people who are not playing means that they can get away and enjoy a long weekend, this one that comes right in the middle of the year.

The Hockey South Australia State Junior Championships are on, where the under 13s, the under 15s and under 18s will all be playing. The grand finals will be held at the State Hockey Centre on Monday. For anyone who is heading out over the long weekend and wants to get out and see some really top-level sport, I suggest you check out online where these events are taking place, and if you are in—

*Mr Knoll interjecting:*

**The Hon. L.W.K. BIGNELL:** Sorry?

**Mr Knoll:** Just checking online the list of things going on.

**The Hon. L.W.K. BIGNELL:** Yes, there is no media release. I should think the people of Schubert expect their local member to come in here and ask questions about things that are important to them—things about wine, that's very important to the Barossa Valley, things about tourism.

**The SPEAKER:** The minister will answer the question.

**The Hon. L.W.K. BIGNELL:** Thank you very much, sir. As I said, I am a big fan of country sport—and this is great sport going up against the member for Schubert.

#### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (15:06):** My question is to the Premier. Will the Premier now initiate an independent judicial inquiry into SA Health to assure the South Australian community that no other matters have been covered up in the compensation of the victims of the chemotherapy, BreastScreen and prostate cancer bungles?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:07):** No, we won't and, to explain why, Mr Villis Marshall initiated an inquiry and, of course, he uncovered the—

**Mr Marshall:** So you're just going to reflect on it?

**The Hon. J.W. WEATHERILL:** Well, no, we've acted on it. We have acted on—

*Mr Marshall interjecting:*

**The SPEAKER:** The leader—

**The Hon. J.W. WEATHERILL:** We acted on Mr Villis Marshall's—

**The SPEAKER:** Could the Premier be seated for a minute. I told the leader if he made another utterance outside standing orders he would be removed from the house. I will give him yet another chance. Premier.

**The Hon. J.M. Rankine:** That's the third one, sir.

**The SPEAKER:** The member for Wright is warned.

**The Hon. J.W. WEATHERILL:** So there was the report of Mr Villis Marshall, which uncovered—

*The Hon. J.M. Rankine interjecting:*

**The SPEAKER:** The member for Wright is warned a second and final time.

**The Hon. J.W. WEATHERILL:** —what he described as the dysfunction and I think what we have now concluded is the cover-up of the underdosing. That led to eight clinicians being referred to AHPRA, which is the supervisory body for the professionals—

*Mr Marshall interjecting:*

**The SPEAKER:** The leader will withdraw from the chamber under the sessional order for one hour.

*The honourable member for Dunstan having withdrawn from the chamber:*

**The Hon. J.W. WEATHERILL:** —and then of course there is the disciplinary action that's being undertaken by SA Health in relation to particular officers of SA Health. All of these measures taken together I think demonstrate the seriousness with which this issue has been taken and no further inquiries are proposed.

#### **ELDER ABUSE**

**Ms COOK (Fisher) (15:08):** My question is to the Minister for Ageing. What is the government doing to stop elder abuse in our community?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (15:09):** I thank the member for this question. Sadly, around one in 20 older Australians experiences some form of abuse from someone they trust, often a member of their own family. This abuse can be financial, emotional, physical neglect, social or even sexual in nature. On 12 June, we will commence phase 2 of the 'Elder abuse can be stopped' campaign, which will be visible across radio, social media and the public domain until 26 June. Elder Abuse Awareness Day is officially on 15 June. This builds on phase 1 launched in October last year and will target workplaces and professionals in the health, financial and legal sectors, who are often the first to notice signs of abuse but who, up until now, may not have known what to do about it.

A new resource, the Stop Elder Abuse wallet card, has been developed for staff in these sectors to discreetly give to older clients they may be concerned about. It directs people to call the Elder Abuse Prevention Phone Line on 1800 372 310 if they are concerned about elder abuse. Over 150 calls have been received by the Elder Abuse Prevention Phone Line to help address concerns of families, friends and work colleagues and, more significantly, from older people themselves who want to talk.

I highly recommend that members visit [www.sahealth.sa.gov.au/stopelderabuse](http://www.sahealth.sa.gov.au/stopelderabuse), which features a wealth of valuable information, tools and resources for the broader community and professionals. With more than 7,000 visits to the page between October and April, it is proving to be a valuable resource.

*Grievance Debate***LABOR GOVERNMENT**

**Mr TARZIA (Hartley) (15:11):** Recent events have shown that this government's moral compass is broken. Its moral compass is destroyed. Let me explain. The recent chemotherapy bungle, in which 10 patients received less than half the required dose of their chemotherapy drug, has demonstrated how callous and out of touch this Labor government is. These patients were not given their best chance in their fight against leukaemia. This is a huge mishap and the ensuing response from the state Labor government over the last 15 months has to be one of the biggest failures of the health system to date.

The Weatherill Labor government's treatment of victims of BreastScreen SA errors—patients who are yet to see fair and unconditional compensation for their mistreatment—is just as bad. Why does the government insist on having women with a terminal illness wait years to know whether their suffering will be acknowledged and compensated? As Andrew Knox, one of the cancer patients involved in the chemotherapy dosage bungle, said on FIVEaa this morning, 'This is not about compensation: it is about conduct.'

The government has acted callously, allegedly making 'take it or leave it' offers to patients and then refusing to admit that this is so. What we saw today was an absolute disgrace. Any reasonable government would be quick to provide fair and unconditional compensation to the victims of such a stuff-up, of such a significant chemotherapy dosage mistake. However, all we have seen from this Labor government is a disgusting, slow, unfair, penny-pinching approach that fails to show any level of respect or dignity to the victims of a failed Labor government healthcare system.

Last year, the Premier stood in front of cameras and said that the families are getting all the support they need. We have now heard from the victims and their families that this was not the case. What we have had in South Australia for years and years under this government is a culture of cover-ups. The government is more concerned with protecting itself, its own members and its own seats, rather than its own citizens. I ask all the government members across the chamber to stand up for what is right, stand up for the victims and stand up to the Premier. This culture of cover-ups has to stop and it has to stop now.

How can the government treat terminally ill people this way and do so for so long? I know what it is like to have a loved one diagnosed with cancer, as do many of you. My mother was diagnosed with breast cancer when I was in year 12 at school, and my mother's world came crashing in on her, just as it did for all these other victims when they found out they had cancer. When victims are given the bad news, it is a time when family, health specialists and their networks have to band together around them to do everything possible to care for them.

They do not need this rubbish caused by those opposite me. It is an absolute disgrace. Anyone who has experienced a similar thing knows that it is a time when the cancer patient needs nothing but the best care and attention. They have enough stress going on in their life. They do not need any more, and what this government has recently put them through is an absolute disgrace. What this government do and the way that they have dragged them through this is an absolute outrage. I have deep, deep empathy for Andrew Knox and the other victims, the other patients, who have been victims of this bungle and other bungles and this disgraceful cover-up culture that exists in this government.

The first time Andrew and the other patients involved heard that the government was willing to pay for any legal advice was this Monday, 15 months too late. What an absolute disgrace. As I said, this state government's moral compass is broken. They need to have a good, hard look at themselves. It is doing an injustice to the people of South Australia. How can they trust the minister? How can they trust the Premier? How can they trust our system when things like this go on and on, especially in the recent cases of the victims that I have spoken about?

This government will be measured and it will be judged on how it treats the most vulnerable members of the public, like the ones I have mentioned, instead of legalistic arse-covering. That is what is going on here, that is what we heard today from the Premier and the minister: legalistic arse-covering and trying to avoid bad press. The government needs to immediately establish a judicial inquiry into this mess.



### GILES ELECTORATE

**Mr HUGHES (Giles) (15:15):** I rise today to talk about a number of positive initiatives in the electorate of Giles. Before going on to the specifics, I need to acknowledge the commitment by the state government of \$50 million towards the Whyalla steelworks, towards whoever will happen to be the new owner of the steelworks. That support is conditional on the money being spent here in South Australia, in Whyalla.

I hope the letter that has been sent to both the Prime Minister and to the Leader of the Opposition in this caretaker period gets a very quick bipartisan response. The request for both of the major parties in this election period to commit \$100 million will go a long way, in conjunction with the \$50 million from the state government, to give some comfort to the people of Whyalla who have for many months been facing real uncertainty and real job losses. As I have said previously in this chamber, there have been up to 1,000 direct job losses in Whyalla already to date, so a speedy commitment on the part of the federal parties would be very welcome.

This comes on top of the Whyalla small business loan scheme, the \$10 million that has been set aside for local contractors who were facing incredibly difficult challenges when it came to cash flow due to the operation of Arrium and the move into administration. Having spoken to a number of contractors in Whyalla, I know that this scheme has been a godsend. Without it, companies would have gone to the wall, companies that provide essential services to the steelworks and companies that employ a lot of people in Whyalla. As I have said in this place before, they are companies that have been built up over many years and are part of the fabric of our community. That builds upon the change to steel procurement policy.

One of the frustrating things I find about this place, in this chamber, is that a lot of words are spoken with no great effect or impact at the end of the day. Sometimes it is the quiet work behind the scenes that I think is the important work, and it is work that those of us on this side engage in. There would be a lot of members on the other side who also engage with ministers and advisers to try to get decent outcomes for their communities.

Back in 2014, when I was elected, I identified my top priority as changing steel procurement policy in South Australia. That has happened, and it will make a significant difference when it comes to taxpayer-funded projects in South Australia and when it comes to the use of Australian steel and specifically structural steel from Whyalla. I think that is a real plus.

I am going to talk about a number of other positive initiatives in the electorate, and in so doing I fully acknowledge the major challenges that are being faced and will be faced in the electorate of Giles and specifically in the community of Whyalla. Top of the list of the challenges is the loss of jobs that have occurred in the electorate. Leading up to my election and subsequent to my election, many jobs were lost at Olympic Dam, which had a major impact on workers' families and the community of Roxby Downs. Close to 1,000 jobs, as I have already said, have been lost in Whyalla.

Although a semi-optimist by nature, I have never been prone to wearing rose-coloured glasses. We should honestly and objectively look at, assess and act on the difficulties we face, so the positives that I am going to flag in no way detract from what has happened with job losses. The various positive proposals will go some way to addressing job losses and help diversify the economy of the region. Although not a done deal, the proposed copper concentrate plant at Whyalla is good news. If it gets the green light, there will be 100 construction jobs, in addition to 100 permanent jobs. It will also probably lead to the port of Whyalla becoming a copper concentrate export point.

Time expired.

### INTERNATIONAL STUDENTS

**Mr WHETSTONE (Chaffey) (15:20):** It is a good thing that the minister is in the chamber because I would like to talk a little about the state government's approach to attracting international students. The state government has released its International Student Action Plan. We are seeing a number of these action plans from the Weatherill government, the danger being that no action actually occurs.

Upon its launch, the minister for trade explained that this plan is called an action plan rather than a strategy because the government has a lot of strategies but the minister wants action—an interesting way to look at it, particularly when you open the first page and it reads:

Aim of this Action Plan. As soon as practicable, South Australia should achieve a target of 64,500 international students studying in SA—

When? It is interesting—

a 10% market share for international students based on national figures to the end of 2015.

'As soon as practicable' is the term used, not an actual time line when this should be achieved. What are the factors in play here? Is it practical to achieve this in two years, five years, 10 years, 20 years or 50 years? When will this number be achieved? Who determines this? The SA international education office is also being set up, but the plan does not outline any extra funding for it. Apparently, appropriate officers from the agencies that make up the office would be seconded to the IEO to work on key opportunities.

When it comes to targets on attracting international students, the goalposts have constantly moved. The Labor government fell 15,000 students short of its goal to attract 45,000 international students to the state by 2014. If you look at the last state budget, the target of international student enrolments was actually reduced to 31,900 in 2015 as part of the government's economic priority to increase the number of international students studying in SA, from 28,300 in 2013 to 35,500 in 2017—approximately 5 per cent of the market share based on the state's population. Currently, 32,000 international students are enrolled in South Australia.

Interestingly, the budget papers also stated that in 2014-15 the target was to have 5.7 per cent of the national share of overseas students in South Australia, but the estimate result was 5.2 per cent, and then the government decreased that target to 5.3 for the 2015-16 year—so much for thinking big and not small. The state government also missed its target for the number of international student commencements by 17,300 in the 2014-15 target: it only reached 16,460.

The main body responsible for promoting the city's education offering internationally, StudyAdelaide, was at one stage earmarked to have government funding cut. However, this funding was partially reinstated during the 2014 election campaign following an uproar from the opposition, industry and the public in general. If we look at some of our recently important international student markets, particularly South-East Asia, the latest statistics on South Australia's share of Indonesian students show that in 2012 we had 412. In 2016 we now have 286, and that is a damning statistic.

Look at some of the statistics. Let's look at the areas where a recent trade mission was undertaken by the minister to Vietnam and Indonesia. There are 1,118 Vietnamese students in South Australia to April 2016 out of a total, nationally, of 21,000. If we look at Indonesia, there are 286 students out of a total of 13,826. No wonder there are alarm bells ringing over there. International education is South Australia's fourth-largest export, reaching \$1.13 billion in 2014-15.

*The Hon. M.L.J. Hamilton-Smith interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr WHETSTONE:** Its importance should not be underestimated, and there is no doubt that South Australia offers much to international students. It is an attractive place to study. In April, the federal government released its National Strategy for International Education 2025. It set out 10-year goals, it set out development plans—a global, Australian and international education community.

As stated in the media this morning, if the aspirational number of students is achieved and creates 8,400 jobs, does the government take credit for the fall in exports to China as the equivalent to 5,000 to 6,000 jobs? Here in South Australia we must do more. The state government is full of spin, with no targets and no credible achievements at all.

Time expired.

**The DEPUTY SPEAKER:** The member for Fisher.

*The Hon. M.L.J. Hamilton-Smith interjecting:*

**The DEPUTY SPEAKER:** Order! The member for Fisher is entitled to be heard in silence.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! That's it—out! Go and have your discussion outside. The member for Fisher is about to speak. Just walk out. If you want to have a chat, finish it outside.

**Mr Gardner:** You've been ejected, Martin, get out.

**The Hon. M.L.J. Hamilton-Smith:** We can't leave the house without a minister.

**The DEPUTY SPEAKER:** Well then, don't have the chat. The house will not put up with this behaviour while other members are trying to speak.

*The honourable member for Chaffey having withdrawn from the chamber:*

**The DEPUTY SPEAKER:** The member for Fisher.

#### **ESSENTIALS 4 WOMEN SA**

**Ms COOK (Fisher) (15:26):** Today, I rise to talk about and pay tribute to the great outcomes that can be achieved when women support women. Yes, men play a critical role in the community, but today I specifically want to highlight an outstanding organisation that is run by women for women. There is one aspect of women's homelessness that is not often discussed: the difficulty of getting your period while living rough. Limited access to sanitary products means homeless women are often forced to choose between buying sanitary items and other essential items like food. It is most undignified. This does not just include homeless women, this is also families with girls who have limited access to resources.

Essentials 4 Women South Australia is a local charity that aims to provide all women with the basic, but costly, items for feminine hygiene, including sanitary products and underwear. Essentials 4 Women SA was founded in early 2015 by Amy Rust and Kelly Peacock—two mums living in Adelaide's southern suburbs. They very appropriately highlighted a gap in the current charitable system, and that was the provision of sanitary items to homeless, disadvantaged, and at-risk women.

I am sure that like many of you in this place, or listening to this today, the thought of donating sanitary items to a charity was once such a foreign idea—let alone even talking about it. Sanitary items are not a glamorous item, but they are most certainly essential. We know these items are not cheap. In fact, for many women living on a low income or, worse still, struggling to find work, they are truly treated as a luxury. To add to that, many shelters and service providers simply do not have the means to be able to give these items out month after month, given their cost.

Since their foundation, Essentials 4 Women SA have collected and distributed over 120,000 items to local women in need over three donation drives. Women in my electorate, and right across South Australia, have benefited from this, and participated in it. What a spectacular feat. But Amy and Kelly did not purchase this huge number of items. They were 100 per cent donated by the members of the community. I am pleased to say that the large bulk of those people donating have been women. It is a real Robin Hood project.

My office has proudly been one of the many drop-off points across South Australia, and I want to thank the members of my local community for getting behind this very worthy cause. As is often the case, those with the very least were the very first to come forward and make a donation. Local organisations, such as aged-care homes, schools and local businesses, also made very generous contributions.

In particular, I would like to thank the Girl Guides of Happy Valley; Reynella Braeview Calisthenics, which I know is very close to your heart, Madam Deputy Speaker; and also the nursing staff of the Flinders Medical Centre, who I am very close friends with and stay in touch with, in particular those in the intensive care unit, but broadly several wards also helped out.

As you can imagine, the sheer volume of public sentiment has meant a very large output of effort by this volunteer organisation over a very short time. It is not just the time it takes but is also the physical handling and the delivery of the items. Collecting donations from over 40 drop-off points

across South Australia, sorting and distributing them to over 23 front-line services is no small task. Even with using their own two personal vehicles, their fuel, the efficiency was not very high, given the amount of going back and forth between locations.

Essentials 4 Women SA recently applied for a state government Community Benefit SA grant to purchase a delivery van, and I am so happy to say that they got exactly what they needed and that the van has been either delivered or is on the way. They were granted \$31,990, and they have been busily and far more efficiently helping local women in need. In fact, they are going on their first regional tour this weekend to Port Augusta and Whyalla to provide regional homeless and domestic violence shelters with these much-needed items. It was with great interest that I saw that they were running a little competition to name their van, and a particular favourite of mine was Flo Rida—some people might understand that more than others.

I would like to congratulate Amy and Kelly on their hard work in helping to support local women in need and on the creative ways they have gone about generating public interest in their cause. I was very pleased to join my colleagues, the member for Wright, the Minister for Education and Child Development, the member for Adelaide, and also the hardworking federal member for Adelaide, in helping to support a great afternoon tea to raise money and awareness for disadvantaged and at-risk women right across the state. I have become a member, and I would encourage others in this place to also.

Time expired.

#### PARADISE DEVELOPMENT

**Mr GARDNER (Morialta) (15:31):** Today, I wish to talk about a new development taking place in my area that a number of constituents are quite concerned about. The proposal is for 18 two-storey dwellings to be built on 301,007 square metres of land on the corner of George Street and La Scala Court in the suburb of Paradise. Existing residents of La Scala Court, many of whom are elderly, purchased their properties on the premise that the land across the road would not be developed according to the plans—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr GARDNER:** —of 12 March 2011. These are mainly people who wish to downsize to something smaller and more manageable but who also wish to stay in the beautiful tree-lined surrounds of Paradise. Concerns have been raised about increases in traffic, including difficulties turning right and entering and exiting the development, bins having to be placed out in the street as there is no footpath, and further stresses to infrastructure, including stormwater run-off, water pipes and sewerage systems.

Residents from within the nearby retirement village, Warrina Homes, a number of whom have written to me, describe how they fear the changes might affect them. With permission, I am going to use some of the words that have been offered to me by residents of Warrina Homes. I quote:

From a personal point of view the close proximity (of the development) to our property will be very intimidating and uncomfortable. We did not buy into retirement village to have to face this situation, it never entered our minds that Council would consider such an intrusion. We are not against progress and development but surely they could reflect the local surroundings, not destroy them.

This construction will tower over our small area to the degree that it will be completely overshadowed. During late autumn, winter and early spring (6 months of the year) we will have no afternoon sunlight into our living area, one of our bedrooms, nor onto our gardens. In summer the reflected heat will create a very hot, enclosed space, and it will be unbearable.

I have spoken to a number of councillors and to council administration about this development. I understand the pressures on council caused by the fact that for them to reject any development they have to take into account the liability they may face of being therefore taken to court and the standards being applied against their plan and not requiring, of course, the complete agreement with plan for the development to be judged.

It is a significant cost to ratepayers when council bears those legal fees and, when the chances of successfully defending their position are not considered to be appropriate, then that is a

real strain, and it is something it is incumbent on all of us in this place to consider whenever we are dealing with planning matters. Obviously, we want employment to be encouraged in an economy as moribund as this state's and, with the declining of the manufacturing industry and over a decade of a Labor state government, this is even more pertinent.

We need that building industry to be able to continue to survive and provide those jobs, but it must not come at the expense of people's lifestyles, quality of life and reasonable expectations that the communities they buy into will not be completely changed, the streets they buy into will not be completely changed, in opposition to the development plans that they understand they are moving into. All of us need to think about this very seriously when we are dealing with planning and development matters.

I have sadness for those residents who are in distress. I hope the development, which, clearly, now will be going ahead, will not produce some of the negative consequences that some residents have envisaged and that there may well indeed be some opportunities for local infrastructure improvements. I will work hard to endeavour to seek those opportunities where they may be found.

### HEALTH REVIEW

**Ms WORTLEY (Torrens) (15:35):** I rise today to speak about Transforming Health in the north-eastern suburbs and about the upcoming open day at the Lyell McEwin Hospital. Transforming Health has been developed to deliver better services and care to patients and, importantly, better outcomes. The state government consulted with more than 250 doctors, nurses, midwives and scientific and allied health professionals, and considered feedback from more than 2,225 people. Question and answer forums were held in regions across the state to hear the views of consumers, and I know I attended those held in the north-eastern suburbs, as did other members of parliament.

Under Transforming Health, the Royal Adelaide Hospital will remain the state's major complex, multitrauma department, and the Lyell McEwin and Flinders Medical Centre will each operate major emergency departments. The Lyell McEwin Hospital has undergone a major expansion over the past decade. Since 2002, \$314 million has been invested in the Lyell McEwin Hospital. Works completed within the redevelopment include:

- construction of a new 50-bed mental health building;
- a new 96-bed inpatient building, including a new helipad facility;
- a new women's health and paediatric inpatient building;
- an eight-bed extended emergency care unit;
- a new administrative teaching and research space;
- expansion of the intensive care unit and outpatient department and external site works;
- refurbishment of inpatient palliative care and medical wards;
- Aboriginal health services;
- outpatient facilities;
- SA Pathology services;
- medical imaging;
- operating theatres and day procedure units; and
- oncology facilities, including provision of two linear accelerators.

Work also included a significant upgrade and improvement to the engineering infrastructure. In 2010, a new multideck car park was also constructed. In addition, under Transforming Health, the Lyell McEwin Hospital and Modbury Hospital will work together and complement each other, reducing the time patients in the north and north-east wait for surgery and ensuring they have access to the best possible emergency, surgical, medical and rehabilitative care.

Both hospitals will continue to operate emergency departments staffed by specialists 24/7. A comprehensive 24-hour, seven-day orthopaedic trauma surgery service at the hospital provides faster access to orthopaedic surgery for north and north-east residents. Previously, patients were waiting up to 150 hours for surgery. The average waiting time for hip fracture surgery is now less than 15 hours. The Lyell McEwin Hospital will focus on emergency and complex surgery. It will manage major emergency and trauma patients, and it will be supported, as I have already stated, by the 24-hour senior doctors and nurses and the diagnostic and imaging support.

On Saturday 18 June, between 10am and 2pm, the Lyell McEwin Hospital will be open to the public. There is going to be an open day, and it is going to be an excellent opportunity for members of the public to visit the hospital and see the new, modern facilities, including the purpose-built cancer centre, a women's and children's health hub and an outpatients department. Visitors will also be able to speak to local clinicians about changes at the hospital. There will be guided tours, information stalls, and question and answer sessions, and free parking will also be available.

Finally, I would just like to mention the new \$3.6 million state government-funded ambulance station on Fosters Road in Oakden which will open later this month. This station was established to meet the needs of our growing community and to deliver improved emergency response times to residents.

### *Bills*

## **STATUTES AMENDMENT (ELECTRICITY AND GAS) BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 25 May 2016.)

**Mr VAN HOLST PELLEKAAN (Stuart) (15:41):** I advise the house that I am the opposition's lead speaker on the Statutes Amendment (Electricity and Gas) Bill 2016. Let me say at the outset that the opposition will not oppose the passage of this bill through the house, but we do reserve our right to make amendments in the other place. I have discussed this bill at length with my colleagues, and there are certainly some areas which the opposition has some concerns about.

I accept the value in having sensible laws, and I accept the value in tightening them up, improving them, and making them more modern and contemporary. I think there is no doubt that that is something governments need to do from time to time. We in the opposition are never very excited about additional regulations, additional red tape, and, potentially, additional costs.

It is important to try to get the balance right when attempting to improve regulations which are essentially for the safety of the community, whether that be consumers, tradespeople or operators of equipment and/or infrastructure, etc. We are concerned about the potential for unnecessary red tape and increases in costs, increases in fines, etc. We certainly do not want people who work in the electricity or gas industry—and when I say 'work' in it, there is a very broad range of work or involvement that is considered by this bill—to do the wrong thing.

We also certainly do want anybody who does the wrong thing to be identified and appropriately pursued by the law and its enforcers, whether through a police matter, or the Office of the Technical Regulator, or some other relevant party. We certainly do not want to go overboard with regard to pursuing those people in a way that could make doing their work properly onerous, inefficient or costly.

We do find, in opposition, that the government quite regularly increases regulation and red tape for, I am sure from its perspective, the right reasons. But, there are often negative consequences that come from; some of them are unintended, some of them are perhaps considered to be outweighed by the benefits, in the government's mind, and some of them perhaps not even considered at all.

I will step through this bill the best I can. My colleagues will certainly do that as well, and I know that they will raise issues which are very relevant to their own electorates. I know that they will touch on issues with regard to regulation, legal principle and frustrations that their constituents have experienced with regard to issues like those covered in this bill. I say again: we will always support

sensible improvements, but we will always be cautious about trying to make sure that they are sensible.

The Statutes Amendment (Electricity and Gas) Bill 2016 is an omnibus bill developed after reviews of the electricity and gas acts, first mooted in 2012-13, to improve the effectiveness and operation of the legislation. The Minister for Mineral Resources and Energy introduced this bill into the house on 25 May, which was the last Wednesday of sitting. The bill seeks to address a number of wideranging issues relating to the electricity and gas industries, including safety and technical standards, administrative and legal matters, many of which have become apparent over time.

I will just touch on a few key measures in the bill in no particular order. If passed as tabled, this bill would enable electricity entities to prune or remove hazardous trees outside of the currently prohibited buffer zones around powerlines, which includes allowing trimming or removal of trees that may fall onto power lines but are outside the buffer zones. It would enable authorised officers to enter land for the purposes of inspection without written consent in prescribed bushfire zones. Currently, officers are only allowed to enter land with written consent. The provisions still exist for areas outside of the bushfire zone.

This bill would grant authorised officers additional investigatory powers. It would increase the maximum penalties and expiation notices and introduce some new offences. It would enable prosecutions for noncompliant work to be brought within three years instead of two, as noncompliant work is often not identified within two years. It would modify privilege for self-incrimination, making information a person gives relating to the safety of electrical installations or equipment inadmissible as evidence.

The bill would transfer the administration process for approving safety, reliability, maintenance and technical management plans from ESCOSA to the Technical Regulator. It would establish a regime for assurances and enforcement orders to avoid legal proceedings ending up in court. It would extend the Technical Regulator's authority to direct an electrician or gasfitter to rectify defective electrical or gas installation work or equipment if the work was carried out within the last two years. That is a fairly quick summary. There is more to discuss, but I think that is a fairly quick and fair summary of what the bill aims to do.

I want to touch on the electricity market in general because one of the potential impacts of this bill is to increase the cost of energy, whether that be through the production of electricity or through energy supply directly into households and businesses as gas. I really want to touch on that issue because I think it is actually very important, given that our energy costs are regularly increasing in South Australia. Currently, with regard to installed capacity in the South Australian energy market, we have approximately 5,000 megawatts of installed capacity. Essentially—

**The Hon. A. KOUTSANTONIS:** Point of order: I have sat quietly and given the member plenty of latitude. He is now speaking on matters that do not relate to the bill before us.

**The DEPUTY SPEAKER:** I should ask the member to make sure he does relate to the bill then.

**Mr VAN HOLST PELLEKAAN:** Deputy Speaker, I did say very clearly that this bill has the impact to increase electricity costs, and I think it is important to include in the debate then a summary of the electricity market as it exists at the moment.

**The Hon. A. KOUTSANTONIS:** The National Electricity Market is not being debated here, ma'am. It is the electricity and gas acts.

**Mr VAN HOLST PELLEKAAN:** My comments were, again, Deputy Speaker, very clearly about the South Australian market, not the national market.

**The DEPUTY SPEAKER:** We are going to listen very carefully then.

**Mr VAN HOLST PELLEKAAN:** Thank you, Deputy Speaker. We currently have approximately 5,000 megawatts of installed capacity in South Australia, and that is made up of approximately 52 per cent gas, approximately 30 per cent wind, approximately 11 per cent solar and approximately 5 per cent diesel.

Juxtaposed against that is the fact that demand we know now we did not know a few years ago, but demand is actually decreasing slightly, approximately one to 1.5 per cent per year in this state. I think that is an important point to point out. Certainly we have in remote outback locations (11 of them I think) remote area energy electricity schemes, which support remote standalone microgrids in towns in outback South Australia. They are fuelled with diesel, and often diesel and gas combined in those areas.

We have 39 wind farms. Very importantly, a feature of our electricity market is that approximately 25 per cent of homes in South Australia have rooftop solar on them. This is a very positive move: we are seeing a general move from fossil fuels towards renewable energy. So there is no misunderstanding, I point out that there is an increased cost to consumers throughout our South Australian electricity consumption market at the moment, and it relates directly to this bill, because this bill has the potential to contribute further to that increase.

We have seen the federal government provide Renewable Energy Certificates, which provides funding support (subsidies, in essence) for renewable energy—

**The Hon. A. KOUTSANTONIS:** Point of order: he is now debating legislative measures in the commonwealth parliament. There is nothing in this bill that impacts on commonwealth subsidies to wind.

**The DEPUTY SPEAKER:** We will keep listening. Off you go.

**Mr VAN HOLST PELLEKAAN:** Thank you, Deputy Speaker. Simultaneous to those federal government subsidies is the state government permissions, and those two things work hand in hand and they are both incredibly important with regard to our South Australian electricity market.

*The Hon. A. Koutsantonis interjecting:*

**Mr VAN HOLST PELLEKAAN:** What was that?

**The DEPUTY SPEAKER:** Order! It is unparliamentary to interject and it is just as unparliamentary to take notice of it. We are listening to you and that is the important thing. The member for Stuart.

**Mr VAN HOLST PELLEKAAN:** Deputy Speaker, I think it is entirely appropriate to say that the federal subsidies contribute—

**The DEPUTY SPEAKER:** We are not arguing it now, we are listening to you. Off you go.

**Mr VAN HOLST PELLEKAAN:** And the state government provides the permissions for where and when these renewable energy projects can be developed, built, installed and operated in South Australia. I say again that this links to cost. The state government has been extremely free with regard to providing these permissions for new wind farms particularly. When I say 'free', I do not mean 'not conscientious with regard to considering their safety' or anything like that, but they have certainly been deliberately allowing them so that—

**The Hon. A. KOUTSANTONIS:** Point of order: for the benefit of the house, could the member please point to the clause being debated in reference to what he is saying to the house now about DPAs on wind farms within the bill?

**Mr VAN HOLST PELLEKAAN:** Deputy Speaker, I have said several times that this is about the cost of energy.

**The DEPUTY SPEAKER:** I am advised by the Clerk that this wideranging discussion is within normal procedure, so the faster we hear it the faster you can have your rebuttal at the end. Off you go.

**Mr VAN HOLST PELLEKAAN:** Thank you very much, Deputy Speaker. So the state government provides the permissions to allow renewable energy to be installed in this state, and that is entirely appropriate. However, what has happened is that the state government has allowed so many wind farms to come into our state—and I say wind farms that cannot store the energy that they produce—that it has actually been disruptive to our market and it has increased the cost of electricity in this state.



Very quickly, renewable energy, if you put aside the capital cost, is actually very cheap energy when the renewable energy source is available. When it is windy, wind farms produce cheap electricity; when it is sunny, solar farms produce cheap electricity. That is a really positive thing. There is no doubt and nobody would deny that but, of course, they cannot produce their energy when it is not windy or it is not sunny or the renewable energy source is not available to them. That means that the cheap energy that is provided when it is windy or sunny, etc., has driven some base load capacity out of our marketplace in South Australia.

Port Augusta power station is a very good example of that. The power station did not have the flexibility to turn on and turn off quickly in response to the market. It took 24 hours or more for it to enter and leave the market, so it could not respond quickly to the sunny times or the not sunny times, the windy times or the not windy times. That meant that when the Port Augusta power station was trying to compete in a low price spot market, it just could not do it and it was losing lots and lots of money.

Of course, the flip side was true. When it was not windy and it was not sunny, the Port Augusta power station and other base load providers were able to make very good money, but when they weighed all those ups and downs against each other and when they looked at their overall profitability at the end of the month or the end of the year, they found that the ups and downs were too damaging for their business, so they had no choice but to actually leave the market.

Once that base load provider is gone, then when it is not windy and it is not sunny and we have even less base load capacity, the price of electricity at those times is even higher because it cannot actually be met by a base load supplier. Again, with relation to cost and how this bill might add to costs in our market, it is important to recognise that electricity prices in South Australia are going up for a few reasons, but one of them is definitely government policy allowing too many wind farms to be built in our state—that is, wind farms that do not have storage capacity.

We all know that storage is the thing everybody is hanging out for. All sorts of extremely clever people are working very hard at it and they have made extraordinary progress with regard to small-scale storage in houses and with regard to solar panels on residential roofs. It could even work for small industry with a very light load of electricity. Batteries are coming into the market. They exist at the moment and that is a very positive thing, but until we have essentially storage for the very large scale—let's say 20 or 50 or 100 wind farms at a time—we are going to keep running up against this problem, which has been created by the government policy of giving permission for these wind farms. Certainly, these remarks are borne out by real-world prices—

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Well, if you've got some problem, come and speak to me.

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** I can hear what you are saying to the member for Wright.

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Dear, oh dear. Is it going to be like that this afternoon?

**The Hon. A. Koutsantonis:** No, I'm not going to put up with it. What's the—

**The DEPUTY SPEAKER:** Order! If you didn't want to come and speak to me, you are not going to take up the time of the house. Member for Stuart.

**Mr VAN HOLST PELLEKAAN:** Thank you, Deputy Speaker. This issue is borne out in real-world prices, and I will come to that shortly. It is also important to comment, with regard to the cost of electricity, that privatisation has absolutely nothing to do with this. It has absolutely nothing to do with it whatsoever because, typically, South Australia has the highest electricity prices in the nation and, typically, Victoria has the lowest electricity prices in the nation and both of those markets are privatised. In terms of other markets that are in between—not the highest and not the lowest—there is a range of different ways that they operate too. Privatisation really has absolutely nothing to do with the cost of electricity within our state because it is proven that Victoria is the cheapest and it too is privatised.

I said I would touch on prices to support the things I have been saying and link them to the cost of electricity, which is linked to this bill. I have here in front of me a printout of regional reference prices for the south-east of Australia, for some different states. The most recent date I have is 8 June, which is yesterday. It shows that South Australia has the highest priced electricity both with the regional reference price for the day, at \$89.80 per megawatt hour, and also with regard to a peak for the day, at \$105.28 per megawatt hour.

I also point to the futures prices. I should say that the numbers I have just quoted with regard to regional reference prices come from AEMO (Australian Electricity Market Operator) and that the prices I am just about to quote with regard to base futures contracts come from the ASX. They show that South Australia has the highest futures prices in 2017. I should also say that this is a national average, because they can be provided monthly or quarterly. For 2017, the average base futures contract price is \$86.03; for 2018, it is \$90.42; and for 2019 it is \$70.00 in South Australia. This is contrasted with Victoria, which has the lowest: for 2017, it is \$45.55; for 2018, it is \$45.84; and for 2019 it is \$45.00.

When we have discussed these issues in the past, not directly but through the media, the minister made a valid point, and I would like to touch on that. He said the futures prices that are available at any one point in time are usually not the prices that eventuate in the market. They are usually offered at higher prices than they turn out to be. The reason for that is that if an electricity provider is offering a contract price to an electricity customer who wants to buy a significantly large quantity of electricity into the forward market, that is usually because that customer has a very strong need for security.

That customer cannot wait for the spot price on the day, not usually because it is so worried about the price—it is often because it wants to factor that in to its forward planning—but usually because security of supply is the key. That is usually the primary reason a customer would buy into the forward market. If you go back to the side of the supplier, to offer genuine security of supply to that major customer on a contractual basis, given what I have said before about there being significant fluctuations in the price—between very low prices when it is very windy and very sunny, to very high prices when it is not windy and it is not sunny, because we cannot store that renewable energy—that supplier who is contracting to deliver will always err on the side of the higher price.

It is actually very difficult, and I would say nigh on impossible, for that supplier to offer, with certainty, a price into the future. So given the fluctuations, that supplier will offer a much higher price. Those prices may or may not be taken, they may or may not be contracted; we find out later the deals that are actually done. I will come back to the point the Treasurer makes, that the forward prices do not always eventuate. He is quite right about that, he is quite right, but what is equally true is that the forward prices—

**The DEPUTY SPEAKER:** The Clerk has said to me, and it is quite true, that you need to come back to the bill. You are now moving a little bit too far away.

**Mr VAN HOLST PELLEKAAN:** Yes, thank you, Deputy Speaker. I am working very hard on the vein of the cost of electricity as it is linked to the bill.

**The DEPUTY SPEAKER:** Come right back to where we need to be.

**Mr VAN HOLST PELLEKAAN:** I am actually trying to point out an area where the Treasurer has been quite correct.

**The DEPUTY SPEAKER:** Just keep going.

**Mr VAN HOLST PELLEKAAN:** They are still a very accurate indicator of the relativity of electricity prices between states, so they will all be higher in terms of forward offers. They were typically all reduced, but the relativity between the states will typically stay the same. So, seeing forward prices higher in South Australia than in any other state will almost certainly eventuate in actual prices being higher in South Australia than in any other state.

I would like to touch on interconnectors too. Interconnectors are often seen as a way of smoothing out electricity prices, and in fact they are the type of infrastructure that is addressed in this bill. This bill touches on a very wide range—

**The DEPUTY SPEAKER:** You have touched on it. Perhaps we could try to get back to where we need to be. I am being advised that you are way off.

**Mr VAN HOLST PELLEKAAN:** Are you saying that—

**The DEPUTY SPEAKER:** We need to look at—

**Mr VAN HOLST PELLEKAAN:** Are interconnectors not part of this bill?

**The DEPUTY SPEAKER:** Let's see him bring it back then.

**Mr VAN HOLST PELLEKAAN:** Deputy Speaker, to the best of my knowledge, interconnectors are one example of the type of infrastructure that is covered by this bill. If interconnectors are built, they have a very long amortisation period. They are extremely expensive. They do have the capacity to keep electricity prices as low as possible by sharing electricity between states. It is a very sensible concept and it happens already. One proposal in South Australia is that we would increase the capacity of the two interconnectors that we have that link into Victoria. This is exactly the sort of thing this bill is here to deal with.

Of course, the cost of building an interconnector is amortised over a very long time. If the electricity market does not change much, and if the northern power station has gone out of production, as it has, and as a consequence of that we are able to use an interconnector to import more coal-generated electricity from Victoria into South Australia via an interconnector, that certainly will contribute to keeping the costs of electricity down. It would not necessarily contribute to reducing greenhouse emissions or anything like that, but it certainly would do that.

If, on the other hand, well within the amount of time over which the cost of a new or an expanded capacity interconnector was going to be amortised, the technology I referred to before is available to store large amounts of electricity that is generated by renewable energy, we would still have to pay for the interconnector but we would not need it. That is the sort of difficult crystal ball gazing, in some regard, that is necessary in relation to interconnectors because, once it is built, you have to pay for it regardless, and regardless of whether you use it. You cannot get out of that cost at all.

This bill deals with a wide range of matters, from electricians and plumbers, doing electrical work and gasfitting work in residential houses, all the way through to high voltage lines and interconnectors.

**The DEPUTY SPEAKER:** Where does it deal with interconnectors?

**Mr VAN HOLST PELLEKAAN:** Under infrastructure, Deputy Speaker. Of course, another very important issue linked to this bill is that of land access. Whether it be land access for a new wind farm, whether it be land access for a new powerline (high voltage or low voltage), whether it be land access for the purposes of inspecting infrastructure or vegetation, or addressing, improving or making any changes whatsoever to that vegetation or infrastructure, land access is incredibly important, and it is also central to this bill.

There have been a lot of very tricky issues—and I would say this for all of us, in government and opposition—difficult, challenging issues to deal with in regard to land access. That has been the case particularly in relation to the wind farms which the government has been giving permission to across the state and which have contributed to higher electricity prices. I know that many of my colleagues in their contributions will also touch on land access.

Land access is changing a lot at the moment, and members will remember a bill we passed through this parliament last year with regard to putting electricity generating infrastructure on pastoral leases. They might be on pastoral leases and linked to the grid, or they might even be on pastoral leases and separate from the grid if there is an appropriately scaled electricity consumer in the vicinity of that new development. So, access to land is very important.

We saw a very unfortunate situation—in fact, it is still being dealt with, to be quite blunt—in regard to the Hornsdale wind farm in my electorate. The government provided permission for a new wind farm in exactly the same place as the government had previously provided permission for

exploration and mining. It caused a great deal of angst locally. This sort of thing is incredibly important in the context of this bill because the bill talks about where electricity and gas infrastructure may go.

I now come to the issue of jobs and employment. The bill is linked to the cost of electricity, and the cost of electricity is linked to the profitability of employers. The profitability of employers is linked to our state very clearly because we have the highest unemployment in the nation and we also have the highest electricity prices in the nation. I would be very concerned if this bill were to increase the cost of electricity even more, as it may well do, and then, unfortunately, make unemployment in our state even higher than it actually is.

With regard to consultation on this bill, I would like to thank the minister and the minister's office, his staff, and also the staff from the Office of the Technical Regulator, and my staff member, Mr Chris Hanna, who does an extraordinary job supporting me in my shadow portfolios and in other things as well. I appreciate the fact that, as always, the minister's staff are very straightforward, very open, and they answer all the questions they can at the time. One of the difficulties that we always have is that at the time we get the briefing—and this no-one's fault—I do not know all the questions that I want to ask.

I have no doubt that the minister's staff would answer more if they could, but from the perspective of a shadow minister you are every day trying to get on top of things a bit more, a bit more, and a bit more, and there are no other people to go to for support. There is nobody else to tell the shadow minister questions you need to ask of the minister's staff. Some questions have come to light particularly through discussion with my opposition colleagues since we had that briefing. Nonetheless, I again thank the minister's office and the OTR staff for the way in which they have always, in my experience, gone through this.

The government tells us that it has consulted with SA Power Networks, ElectraNet, Envestra, AGL, Consumer and Business Services, ESCOSA, the LGA and the ASU. The government has advised me that none of the organisations that provided support raised any concerns whatsoever with this bill, so that is positive. The minister's staff told me that, if any others come with subsequent advice which is contrary to the bill, they will certainly let me know.

With regard to the consultation that I have pursued, again, I have spoken with ESCOSA, SACOSS, the Energy Consumers' Council of South Australia, the Master Builders Association, the National Electrical and Communications Association, Primary Producers SA, SAPN, the LGA and the Small Business Commissioner. When I said I have 'spoken with them' I should have said 'asked them for feedback', because that is what I have done.

I have received feedback from some of them, and it has been mostly supportive—not entirely supportive, but certainly mostly—and I am waiting to get more feedback from others who have not had the chance to get back to me yet. When I receive that feedback I will share it with my opposition colleagues, and then we will come to our final position on this bill.

I now want to go through in more detail the key areas that this bill addresses. This bill addresses 20 key areas, and I will step through them one by one for the benefit of the house and anybody who might read *Hansard* late at night. It is something that we do in this place, but I do not imagine there are too many people out there who would do it for fun, but we do know that there are some who take their opportunity to access *Hansard* extremely seriously.

I should say for the benefit of the house and the benefit of you, Deputy Speaker, that I am working in the same order through the minister's second reading speech that he inserted into *Hansard*. That will help everybody, because that is the order in which the minister's staff and the staff from the Office of the Technical Regulator briefed me as well. The first issue is that:

The Bill provides that electrical and gas installations must be designed in accordance with technical and safety requirements under the regulations.

The key word there is 'designed'. Electrical and gas installations must be 'designed' in accordance, not just 'installed' in accordance. That is very much the key issue, and it certainly seems to be a very fair issue to address but there are a few questions with regard to how far back in the supply chain you can go pursuing people with regard to design. On the face of it that seems to be fair, but we are

seeking some feedback on that. The second key issue that the government addresses in this bill is that:

The Bill enables, but does not require, electricity entities to prune or remove 'hazard trees' which are outside the currently prescribed clearance and buffer zones around powerlines in the bushfire risk area...

This is a very significant issue, and I know that many of my colleagues will comment on this. It might interest you, Deputy Speaker, to know that that the regulations that cover this sort of thing are well in excess of 100 pages. I do not think that anybody who deals with it is really happy with those regulations. That is not to say that it would be easy to improve them, but nobody wants to be dealing with 100 pages or more (I think it is closer to 200 pages) of regulations.

They are quite unusual in some ways. There are some very specific zones delineated by metres—meters around towers on high-voltage lines, meters away from the actual high-voltage lines themselves when they are away from the towers. I have seen in my own electorate that they can result in some very unusual tree pruning. You can have trees where half of the tree is hacked out and the other half is left there because the electricity entity is not allowed to touch the other half of the tree if the zone, that is clearly defined in the regulations, stops in the middle of the tree. This part of the bill has the potential to address exactly this sort of thing.

There are of course a lot of different opinions between landholders. You can imagine somebody whose freehold land could be a massive swathe of outer country grazing land in a pastoral zone. That type of person might be very comfortable in saying, 'Just cut down anything you want. Cut down as much as you want. Just make it safe.'

They would not necessarily say that because they wanted to get rid of the trees but because they want it to be safe, and they do not want the electricity entity to have to come back anytime soon. So, they might be of the mindset to say, 'Please, just cut as much as you can,' but, of course, the electricity entity is limited as to how much it can cut. You might get another person in a country area who has a winery, a restaurant, a B&B or a home, and the work that is required to be done by the electricity entity with regard to trimming the trees could be quite practical, could be for all the right reasons, could be well within the guidelines that they are meant to be operating within but, for the person who loves that tree, it could be an absolutely devastating outcome.

No wonder the regulations are nearly 200 pages long, because how on earth would you be able to deal with such a wide range of those sorts of issues? There will certainly be more said on that issue by my colleagues. In conversation with SAPN, they actually indicated that they would like to see those regulations adjusted. They will have an opinion, there will be others who will have a different opinion as well, but it is interesting to see that they find that those regulations are, in their opinion, restrictive.

The crux of what is included in this aspect of the bill I personally support wholeheartedly. It makes great sense to say that, if you have a tree that is outside the zone determined by the regulations, and it has the potential to be dangerous and create bushfires, typically because it is very tall and could fall onto the high-voltage lines—usually it is high-voltage lines, but not always—and if an arborist was to give a professional opinion and say, 'Yes, there is genuinely serious potential for that to happen,' then the electricity entity should be able to remove the tree or whatever part of that tree it is appropriate to remove so that the electricity line, in all probability, would not be impacted, and the chance of bushfire would be significantly reduced.

It is interesting to note that, in the last round of price setting submissions/negotiations undertaken by the AER (Australian Energy Regulator), SA Power Networks asked for a very significant increase in their allowable cost, which leads to the foundation of the charges that they can put towards electricity costs. They asked for a significant increase in the cost of tree trimming. The government actually opposed that. The government at the time wrote to the regulator, and it is my understanding that the Minister for Energy asked the former minister for emergency services to write on behalf of the government to say that it did not want that extra tree trimming provision to be incorporated, but it is now here in this bill.

It is important to point out it is not exactly the same thing. The way of going about trying to get an arborist to, essentially, recommend that the tree be cut or trimmed in some way is a bit

different, but it is certainly a turnaround in the government's position. It is certainly something that has the potential to increase the cost of electricity, which comes back to my earlier points.

No doubt the arborist will charge for the opinion. No doubt, if the opinion is that the tree should be trimmed or felled, it will cause a cost to the electricity entity to go and do that. So, when we come around to our next round of AER hearings with regard to what the distributor (SAPN) is allowed to charge, there will be a very real cost that the distributor has incurred because of this bill, which will flow through to electricity prices.

I would have to say this is going to be a difficult issue for the opposition to come to a landing on between the houses. We understand how critical it is to protect our state as much as possible from bushfires, but we also do not want electricity prices to be increased any more than they actually need to be. The bill also:

...strengthens bushfire prevention measures by enabling electricity officers (appointed by an electricity entity) to enter land that is not public land in the bushfire risk area at any reasonable time and without prior notice for the purpose of inspecting infrastructure. This will assist in the identification of hazards, including hazard trees.

I do not think it is going to be hard for the opposition to come to a landing on this issue. While we have not taken a position yet, I foreshadow that the opposition will very likely be quite opposed to this issue. There is any number of situations, and many of them linked to government agencies, where people are allowed to come onto property. I think all members of this house would think it was very fair to give notice beforehand.

I am not talking about a bushfire emergency, nor am I talking about a situation where you need a really urgent repair. This is particularly for entering property for inspections, not in a hazardous situation. I think that removing prior written notice for the purpose of coming onto the property for an inspection is something that is going to be very difficult for my colleagues to support. Once we have gone through this debate and looked at this in the committee stage, I will have more information to take back to them so that we can make our decision. Moving on to the next section of this bill:

Authorised officers are granted further powers under the Acts, including power to stop and inspect vehicles, to require infrastructure, installations or equipment to be tested for safety, to require persons to identify themselves and to require persons to attend for interview and answer questions. These powers, and existing powers, may only be exercised as reasonably required for the administration or enforcement of the Acts. The further powers have been identified as necessary, as electricians and gas fitters have been suspected of hiding evidence of offences against the Acts in their vans, and authorised officers have found unidentified persons working on infrastructure, but have not had power to ask them to identify themselves or to present evidence of their authorisation to perform such work. This will contribute to the safety and security of electricity and gas infrastructure and installations.

Personally, I am quite comfortable with that, but I can tell the house that some of my colleagues who are more legally minded than I am are very concerned about this part of the bill. I guess it is fair to say it is a double-edged sword. When everything is going well, and the authorised officer, on behalf of the electricity entity, is using this power 100 per cent appropriately, then why would it be a problem?

That would be my view, and I do not think for a second that any authorised officer would deliberately use it inappropriately, but it has certainly been the case that a wide range of authorised officers have used that sort of power inappropriately. To use a completely different example, we would have all seen in the media the example of a police officer in Queensland who is currently being investigated and suspended from his duty without pay for the way he pulled over a person in a ute. It is just an example; I deliberately did not use an OTR or electricity entity officer—

**The Hon. A. PICCOLO:** Point of order, Deputy Speaker: I think we have been quite patient, and I know the member wants to branch out to a whole range of other issues, but could he get to the root of the issue first?

**Mr VAN HOLST PELLEKAAN:** Deputy Speaker, I very deliberately did not use a South Australian electricity entity authorised officer because I am not trying to point the finger at them.

**The DEPUTY SPEAKER:** I don't think that is what they are referring to. They want you to tighten it up and move it along a bit. You are only up to page 1; that is the trouble. If you are going to go through everything paragraph by paragraph, it is going to be a very long contribution, that is all.

**Mr VAN HOLST PELLEKAAN:** The next issue the bill addresses is:

Authorised officers will also be granted power to issue enforcement notices for the purpose of securing compliance with the Acts. These notices enable authorised officers to require persons to take specified action, comply with standards, undertake specified tests or monitoring, provide reports or stop faulty work from proceeding.

This is certainly something that could increase the cost of electricity. This could certainly be considered additional red tape. The next issue this bill addresses is:

...an increased expiation fee of \$1,000 for the offence of reconnecting the electricity or gas supply, or a cathodic protection system, without the written approval of an authorised officer after the supply has been disconnected by an authorised officer or the Technical Regulator for safety reasons. This addresses the serious risks associated with unauthorised reconnections, including those that follow police drug raids on properties.

I think that is extremely fair and I do not think I will have any difficulty explaining to my colleagues that this is a part of the bill that should be supported. The next section of the bill states:

...aligns the maximum penalty for maintaining an electrical or gas installation with that for performing work that might make the installation unsafe...A consistent maximum penalty of \$50,000 for bodies corporate and \$10,000 for natural persons, is set for both offences. The present maximum penalty of \$250,000, is retained, but applied only to infrastructure owned by bodies corporate that act intentionally or recklessly.

Again, I have no problem with that. If those fines are imposed in situations where somebody has committed an offence, particularly causing harm or potential danger, that seems entirely appropriate. The next issue the bill addresses is:

It clarifies the circumstances in which accidents must be reported to the Technical Regulator. It also enables the Technical Regulator to restrict access to infrastructure, installation or equipment involved in an accident during investigations.

Again, I think that is in principle quite fair, as long as it is not used in a heavy-handed way. I give the example of a transport company whose driver has done the wrong thing, maybe has committed some offence—not necessarily on the road, not necessarily a driving offence. That transport company's truck can be kept off the road while that offence is being investigated. That is an example of a situation where a company, an operator, through no fault of his or her own, could actually be penalised unfairly because the person really has done nothing other than employ a person who broke the law. With regard to this section of the act, I think it is very fair in principle, but there may well be some situations where it may be inappropriate. We will deal with that in the committee stage.

The bill modifies the privilege against self-incrimination for natural persons by requiring them to provide information relating to safety. Such information, however, will not be admissible in evidence in proceedings against the person who has potentially performed the faulty work. This is something that we discussed in our briefing. It is something that I know at least one of my colleagues will raise from a legal perspective. I do not have any personal concerns at all with the idea that this act, if changed in this way, would make it possible to force a person to provide, in my mind, necessary information. However, how that links to modifying privilege against self-incrimination is something that we will again have to deal with in the committee stage.

The next issue this very broad bill deals with is better protection of electricity and gas infrastructure and installations. It increases penalties for persons who, without proper authority, enter enclosures where electrical or gas infrastructure is situated. In particular, it deals with persons who steal copper wire from electrical substations. The bill also prohibits the burning of materials in proximity to electricity and gas infrastructure without the written authorisation of the owner or operator.

Again, I have no hesitation in saying that I think that is perfectly fair. People who are entering these premises or the vicinity of this infrastructure without proper permission or without proper purpose should certainly not be able to do that, whether it is stealing copper wire or whether it is lighting fires in their proximity. It has certainly happened that people have tried to sleep in them or even stay in them for a few days occasionally. While we might all feel for the person who believes they have no choice but to do that sort of thing, it is still not something this house would want to happen.

The next thing the bill does is streamline administrative processes by transferring responsibility for approving safety, reliability, maintenance and technical management plans under

the act, and the electricity switching manual, from the Essential Services Commission of South Australia to the technical regulator. I confess that I do not understand. I have not been able to do enough research yet to get to the bottom of everything that is incorporated in this part of the bill, but I am certainly very happy to say that ESCOSA's feedback on this was certainly positive. ESCOSA said that they were very happy for this to happen. In fact, ESCOSA said that they requested it to happen, and I am sure that the feedback that the government had from ESCOSA would be exactly the same.

The next issue the bill deals with is that, under the proposed regime, ESCOSA or the Technical Regulator may accept an assurance given by a person regarding matters in relation to which they have a power or function under the act. Once an assurance has been accepted, ESCOSA or the technical regulator must not proceed against the person in respect of the conduct specified in that assurance unless the person fails to comply with that assurance.

Again, that seems very fair. Why would you want to proceed to some form of litigation if you did not need to? If a breach could be identified or if a problem needed to be remedied, and if there were good reason not to proceed to some charge or other legal pursuit, why would you not just deal with that person? If you come to an agreement that they will remedy whatever the issue is and, if they do it, then let's let that be that.

At present, a direction to rectify defective electrical or gas installations or equipment may only be given to the person in charge of the installation or the occupier of the place in which the installation is situated. The bill would enable the Technical Regulator or an authorised officer to give such direction directly to the electrician or the gas fitter who performed the work if the work was carried out within the last two years and if the person in charge of the installation agrees.

I cannot see any great problem with that. It is probably hard to know all the circumstances where that might be an issue. It might, for example, be an issue if the regulator was going to go straight to the electrical or gas installer and require them to do work and, if that was going to result in some cost to the owner of the property, the owner of the property might feel that he or she needed to agree—because, as I have just said, that would be required under the bill—but might have found another way to do it.

We are all familiar with situations where a government entity engages a contractor to do some work and it often might cost more than when a private person or entity engages a contractor to do more work. I understand that this is very much about trying to remedy work that was not done appropriately the first time, essentially, but there might well be other work that is attached to that. It may not be as simple as just getting the contractor to go back and remedy all of it.

If there would not be any cost whatsoever to the property owner or, in fact, the person or company that was initially in charge of the work, that person or company might have wanted to do the work themselves to avoid using the contractor who stuffed it up the first time. They may not want that person anywhere near the job again, but let us just hope that the regulator could work with the property owner and and/or the person who was in charge of the work previously.

The bill enables prosecution for noncompliant work on electrical or gas installations to be brought within three years in place of, currently, two years after the date on which the offence is alleged to have been committed. This is required because noncompliant work is often not identified within two years. I think that would be quite okay. I am not a tradesman. I do not have the experience of a regulator. I am not able to envisage all the situations where that might be necessary.

Suffice to say that, as far as I am concerned, if a person does the wrong thing and it is possible to instruct them to rectify it, as per the last part of the bill I was talking about, or if they are actually to be prosecuted as is included in this part of the bill, then if it takes three years to identify the breach and prosecute them, so be it. I am comfortable that they should have three years.

Next, provisions concerning bodies corporate that have become standard in recent legislation have been incorporated into this bill. They provide the establishment of proper workplace systems and procedures designed to prevent the contravention of the act. On the face of it, that would seem very appropriate. Nobody wants workplace procedures that would contravene the act but, again, I would say this is potentially an area where unintended red tape might be brought into the equation.



Of course, we want everything to be done very safely, but we do not want to raise the bar on a company so that it has to check and double-check and triple-check and comply with rules and regulations that would essentially be red tape, would essentially add cost and would again result in higher electricity prices, because anything that adds costs at this level will flow through to higher electricity prices.

Another thing that this bill does is it provides that directions are to be issued during periods of gas rationing enabling the minister to require information to be provided, usually by the gas entities or large users, at specified times; for example, daily, rather than (at present) only each time in response to a specific notice. I think that seems very fair. In a time of gas rationing, I have no doubt that the government would be doing everything that it possibly could to support not only the gas entity but, more importantly, the gas consumers who would be dealing with very difficult situations. I believe that the government should have as much information at its disposal as it would need.

We can all remember not so long ago (perhaps a year or so ago) the pipeline that became unserviceable. It had a leak. I think it was around Whyte Yarcowie, which meant that a large section of the north of the state had its gas supply cut off, and the Upper Spencer Gulf cities of Port Pirie and Whyalla were the most severely affected. It was a very serious and difficult situation for homes and businesses, for customers and employees, at that time.

I think that the government should have as much information as it needs, and the ability to require provision of as much information as it needs, so that it can help resolve those situations at whatever level it is involved. It might just be with regard to directing the gas rationing or it might be with regard to contributing one way or another to the rectification of the actual fault. The government would do what it could at the time, and needs the information to do so.

The next section of the bill clarifies that metering providers would be authorised to temporarily disconnect the electricity supply while installing or replacing a meter and reconnect the supply after the meter has been installed or replaced. Certainly on the face of it that seems sensible enough, but I can tell you that SAPN are not thrilled with that part of the bill. That does not mean that the opposition would object to it, but it does mean it is something that needs to be thoroughly considered.

SAPN say that if they are responsible for the safe delivery of mains electricity to a property then they should be the only ones allowed to disconnect and connect it, because if anybody else is doing it they do not have complete comfort that it is being done safely. I do not have enough technical or trades experience to know whether that is true or not. It could also be easy for somebody to mount an argument to say that SAPN's opinion is based on SAPN wanting to retain that work. SAPN would not be the only organisation in the universe to have ever said, 'No, we would like to retain demarcation. We would like to retain our capacity to be the only ones to do this part of the work.' I genuinely do not know.

I have no doubt that SAPN provided me with that information with all good intentions, and it is something that we might get to explore during the committee stage of the bill, but that is certainly something that we all need to look at. The only other thing that I would say on that section of the bill is that if it could be shown that costs could safely be reduced or avoided by this section of the bill so that increases in electricity prices across our state could be avoided, then certainly that would be extremely important to me with regard to trying to consider how the opposition would deal with that in terms of trying to juxtapose efficiency, safety and cost.

The next section of this bill attempts to clarify that, if the Technical Regulator considers that urgent action to issue a public warning statement about unsafe electrical or gas equipment or installation practices is required, the Technical Regulator is not required to conduct a hearing or invite submissions. Urgent public warnings, which might, for example, be based on information received from regulators in other states, will not be delayed by hearings and the evaluation of submissions. Again, that seems pretty straightforward to me.

If urgent action is required, whether to make a statement about an unsafe practice or actually deal with an unsafe installation, then I think that that should not be delayed because, both in electricity and gas supply, we are dealing with potentially very hazardous situations. If that process is undertaken appropriately by the regulator—and I have no reason to doubt that it would be—then why would you not let them do that? They would, of course, need to gather all relevant information to

begin with so that they could make a responsible statement and provide responsible warnings, but not have to be slowed down by a structure of hearings.

The next issue that this bill deals with is that the maximum penalty for a breach of a regulation is increased to \$10,000, and authorised officers, or electricity or gas officers authorised in writing by the Technical Regulator, are enabled to give expiation notices for alleged offences against the act. Again, I think that seems quite reasonable if it is done properly. In general, I am a supporter of the ability for authorised officers, whatever the context is, to give expiation notices. It is typically a way that can identify a breach and provide a penalty for a breach but not require a legal or institutional process to be instigated as long as the expiation fee is set appropriately.

It says that the maximum penalty for a breach of regulation increased to \$10,000. I would like to assume that it is not a flat \$10,000 and that some responsible decisions would be made along the way. I would, of course, like to see whatever the government or the regulator intends, presumably through regulation, that the actual financial penalty would be, but, yes, in general, if it is possible to give a fine, an expiation notice, and have a very clear record of why the expiation notice was provided and that that record is retained in longevity, because we need to create a history about people who receive these expiation notices, then the principle is exactly the same as a low-level speeding ticket, for example, for a road user.

Deputy Speaker and minister, you will be pleased to know that I now come to the 20<sup>th</sup> of the government's 20 aspects of this bill. The bill enables documents required or authorised to be given to a person to be transmitted by email, thereby modernising the day-to-day administration of the act. Who would not want to do that? It seems quite sensible. That is a very straightforward thing. I cannot imagine that any of my colleagues would object to that. There is a range of skills amongst our team with regard to the use of communication technology, but I know that every single one of them is certainly up to speed using emails, on a couple of occasions with staff support. That would seem to be an extremely fair and sensible issue.

There is a summary of the government's bill to the best of my ability. The reason that I have tried to do that very thoroughly for the government, the OTR and the government's advisers is that, as I said right at the start, we are not going to object to this bill. We are not going to try to stop passage of this bill in this house, but there are some issues about which a significant number of my colleagues feel very strongly.

After everybody has had their opportunity to speak, and after we have had the opportunity to go through the committee stage of the bill, it will be necessary for us to go through the process of coming up with the actual opposition position, the parts that we support, the parts that we oppose and the parts that we want to amend, and so forth. I say very openly and clearly that those are possibilities. I do not want the government to be surprised or caught out between the houses: I want the government to know exactly where we stand, and I have given comments to those 20 parts of the government's bill as openly and generally as I possibly can.

I will just wind up by saying that, like so many things that we deal with in this house, we have come up with a balanced landing point. I have no doubt that what the government and the regulator are trying to do through this bill is with good intentions, and we need to consider them with good intentions, but also consider what unintended consequences there might be: unintended consequences with regard to cost and how it might flow through to electricity prices; how those unintended consequences might flow through to ever-increasing unemployment in our state; and how some of those consequences may even (and this is not my area of expertise) have unintended legal consequences that might inappropriately affect people's civil liberties. With those words, I conclude my remarks.

*Sitting extended beyond 17:00 on motion of Hon. A. Koutsantonis.*

**Mr PENGILLY (Finniss) (16:56):** I will not occupy a lot of the house's time, but there are a few things I want to say about some aspects of the bill. There are certain aspects of the bill that I do not have a problem with, but there is one big glaring omission which I am adamantly opposed to, and I just need to put on the record my concern, and, without consulting them too widely, I might add that I know it would be the concern of many of the rural residents in my electorate. Unfortunately, we are still in this year feeling the wrath of 1983 Ash Wednesday and the complete failure by National Parks

or DEWNR, even now, in doing enough prescribed burning to make things safer for those residents in bushfire-prone areas.

My concerns are to do with enabling inspectors or authorised officers to go onto land without any permission whatsoever. To me, it is a grave injustice. It is like something out of occupied Europe in World War II, where they can be knocking on your door at 3 o'clock in the morning. I think it is disgraceful. I do not think it is good enough. I think it has been dreamed up by some bureaucrats who have decided that it would be a good idea to give even more power to the bureaucracy, and I do not think it is Australian at all.

Clearly, officers in the police force and a couple of other areas have to have powers but even then, unless they are detectives or have a suitable warrant, they cannot walk into people's houses. When you have a farming property, it is not your quarter-acre block—it can be hundreds or thousands of hectares. Particularly in my electorate, where we have high areas of native vegetation retention and scrub lines along our fences etc., we do more than our fair share for conservation. I am adamantly opposed—adamantly opposed—to having authorised officers, without written consent or advice, marching onto people's properties and telling them what to do on their own land. I think it is wrong, wrong, wrong. If it started happening in the city, I think there would be hell to pay, quite frankly.

We went through the Pinery fire last year, and that was a catastrophic disaster in plains-type country. In a lot of the country across my electorate, in the Fleurieu and KI, with heavy vegetation areas, what really gets people's dander up is when these Power Networks' contractors—Activ8 or whoever they happen to be—come through and slash and burn, and SAPN enter your property without even notifying you.

On a personal note, last year, they drove in and straight through the crop while it was flowering—straight across, no hello, ifs, buts or maybes. It is not on, nor is it on for authorised officers, in this case, to have no written consent to enter a bushfire zone to go onto your property. I think it is wrong. That is my major concern with this bill, minister, it is wrong, it is not on, and they should be required to give you written approval.

Even now, some of these people do not do it. They just come onto your property at will, and it is not on. I would personally like to see that removed and them made to have some written form of consent from the landowner before they enter. That is not to say that it is not up to us as responsible landholders to take what action is necessary; it is not that at all. It is an intrusion on private property which is not on in this day and age in Australia. I could go on, but I do not find it necessary, as I have made my point.

**Mr WHETSTONE (Chaffey) (17:01):** I too will make a couple of brief comments. I would like to echo the member for Finnis's concerns about entering, without written consent, unauthorised land or property for the purposes of inspection. Yes, my electorate does have bushfire issues, but it also has biosecurity issues. In a lot of instances now, particularly with an organic-type market, we see a lot of vehicles getting around. They carry prickles, weed seeds and all sorts of things on their vehicles and on their tyres, and all of a sudden they are entering these certified properties for the sake of pruning, firebreaks or inspections. Again, I do not think it is on.

I had an experience on a property that I owned and developed at a place called Overland Corner on the River Murray. Authorised officers came in with no notification—nothing—and drove around the gate. They came in, cut down trees for the sake of powerline clearing and left them on the ground and off they went. Of course, as they were leaving, they got bogged in the sandhill and made a hell of a mess. That was something that happened then, and this is a prime example of what could continue to happen.

Obviously, in terms of some of the measures enabling the electricity entities to prune and remove hazardous trees outside of the current prohibited buffer zones, I have just explained the impacts it could have on horticulture. The issue of biosecurity is of real concern. These people come in at their own discretion and cut down windbreaks and native flora. It is a real issue, and I think it really needs to be looked at and addressed, particularly in the regions, which most of this side of the chamber represent. It normally revolves around agriculture, when coming onto newly planted areas, whether it is dryland farms, horticulture, viticulture or agriculture. All these issues need to be given consideration.

If those entities enter a property and all of sudden start cutting and carrying on, or entering just for the sake of an inspection or meter reading, they are breaking a code of conduct that, some instances, comes under the biosecurity code and the organic farming code. I think the minister needs to at least acknowledge that, and there needs to be some provision put in place. There are obviously a number of other key measures in the bill that I do not have a lot of concern with, other than what I have just explained.

This bill gives me an opportunity to talk about some of the issues that the electorate of Chaffey is dealing with at the moment, particularly with power prices. Recently, the state Liberals have released data from the Australian Energy Regulator showing that South Australian base load electricity prices will be the most expensive in the national electricity market during the next three years. I know the minister tells us our prices are not the dearest and we are seeing reductions in the cost, but I can assure him that is not what the bills are telling many of my constituents.

It is probably the hottest issue, particularly in irrigation districts. We have seen the implementation of the basin plan, and that has driven irrigators in particular to be more efficient and farmers to look at new methods and new techniques, particularly with power, to become more cost-effective, but what we are being shown is that efficiency gains, particularly with water, come at a cost, and they are coming at a cost with power prices.

We see more pressurised systems. A lot of management on farm now is precise horticulture. Historically, we would irrigate crops at night or on the weekends for cheap power, but that cannot be achieved now. Those plants are receiving the irrigation when they need it. It is normally in the heat of the day, and that is when we have spikes in power prices. The trade-off for water efficiency, the price we pay, is the high cost of power, particularly in peak demand.

What I want to say is the AER electricity futures prices show South Australia hitting \$86.40 per megawatt hour in the first quarter of next year, whereas the same electricity in Victoria will cost just \$47.70 per megawatt hour, and both states have privatised electricity markets. It really does grind the gears of irrigators in my electorate in particular when they can throw a stone from their property into their neighbour's property and have comparative power prices that are simply unfathomable. South Australia versus Victoria is something that people are having issues dealing with. To give another example, by the third quarter of 2018, the South Australian cost will have jumped to \$94.40 per megawatt hour, which is 126 per cent higher than the Victorian price of \$41.30 per megawatt hour. It really begs the question: where has this gone wrong?

At the beginning of last week, I attended a power forum that came to the region. They are travelling around the country. What we further heard, particularly with my two main irrigation trusts, was that the cost of power has just been outrageously expensive. The meeting was organised by Energy Consumers Australia. During that meeting, a number of issues were raised. In particular, the CEO of the Central Irrigation Trust, Gavin McMahon, said that network charges had doubled over the past five years. In 2010, network charges for the Loxton pumping station alone were \$382,000. By 2015, they had gone up to \$750,000, and that is just the network charges. On the retail side, in 2010 the cost was \$432,000. In 2016, it was \$440,000; however, the forecast for 2017 was \$825,000, which is a doubling over 12 months. If businesses cannot absorb these costs, they are going to have to make cuts. That equates to jobs, it equates to downscaling, it equates to not having properties that are viable in their current size.

Again, what does that mean for South Australia's economy? We are losing jobs, we are losing productivity, we are losing that competitive edge. I have businesses that have been in the Riverland and the Mallee that have moved. They were looking for upgrades and they have moved into Victoria because the Victorian government said to them, 'How can we help? Come in and we will help.' Another issue is the set-up charges, but obviously this bill does not go there.

The Renmark Irrigation Trust has said during the meeting that it is feeling the pinch with power, and of course it is passing on that cost. Both the RIT and the CIT have concerns about the volatility of the market and the massive increase in the long-term contract retail price, which has doubled. Almondco, one of the leading manufacturing businesses in the electorate, has huge concerns. At the meeting, they said that considering ways that they could go off the grid as much as possible in order to reduce their mainstream energy usage.

There were also a number of small businesses that are setting up off-the-grid power generation packages—disused horticultural properties, sun farming—and becoming self-sufficient. I think it was a great initiative. Yates Electrical Services at Paringa put up some really good concepts on just exactly how they are going to deal with this issue. Over time, what was very much noted at this meeting was that community-owned irrigation service providers—founded in 1983, 600 properties, 4,500 hectares—are disillusioned. There were increased supply charges from SA Power Networks, and this has been a major issue and is leading to holding back investment, holding back certainty and holding back confidence.

In conclusion, the Riverland is one of South Australia's premium food bowls and the irrigators are the lifeblood of the region. They are a serious contributor—\$1.9 billion in economic activity here in South Australia. The federal government has just punched \$265 million into properties in the Riverland, particularly dealing with putting water back into the environment. However, to do that they have to find efficiency gains elsewhere, and those efficiency gains are coming at a cost of power. Power is probably the number one concern irrigators are facing, depending on the availability of water, of course.

Given that the region produces more than 60 per cent of the state's wine vintage and 25 per cent of the Australian wine grape tonnage, major wineries are also feeling the pinch as these energy bills skyrocket. Again, it is impacting on manufacturing. I think we need to look at how power prices through ESCOSA can be more transparent. We have seen the perceived ESCOSA model used as a buffer for why prices are so high.

However, I would like to finish by saying that in the electorate of Chaffey, in many parts of South Australia, business has been built on affordable and reliable power. Today, they are dealing with unaffordable power and they are dealing with low reliability. It is sad that power prices are driving a lot of businesses interstate. The Victorian border is all down the eastern side of my electorate and I am seeing major manufacturers, major processors, moving their business model interstate. They are going to Victoria.

It is not pretty, and it makes my heart bleed that I have good quality businesses leaving because they say that they are not competitive because their businesses are power hungry. They rely on their irrigators to use high amounts of electricity to put high-pressure water into pipes, to be water efficient but sadly, here in South Australia, we are dealing with the wrath of high electricity prices and it is hurting our economy.

**Mr WILLIAMS (MacKillop) (17:14):** I have a significant interest in this. As both my colleagues from down south (the member for Finniss and the member for Chaffey) just expressed, one of the concerns, which has also been raised by a number of my other colleagues, is this idea of access to property.

I find myself in a rather unique position because my family and I were victims of significant fires caused by trees falling across powerlines, and I refer to 16 February 1983. I would like to ensure that the proper authorities have every tool available to them to make sure that their infrastructure is safe and that the possibility of those sorts of incidents recurring are absolutely minimised. I can assure the house that I say that very sincerely. Notwithstanding that—

**The Hon. A. Koutsantonis: 'But'.**

**Mr WILLIAMS:** There is a 'but', minister. The farming, horticulture and viticulture communities and businesses which operate farming land in South Australia all rely on power and on our electricity network. They also have other significant risks to their businesses. The member for Chaffey talked about biosecurity. On my farm at this time of the year, when the ewes are lambing, the last thing I want is some authorised officer—they might know a hell of a lot about power works and even native vegetation, but I would be very surprised if they know much about a mob of ewes and lambs, and things like that. I am sure they would have very little understanding of some of the biosecurity risks faced by the farming community every day.

The minister might correct me, as I might have got this wrong, but I suspect that there has been quite scant consultation with organisations like Primary Producers SA and some of the commodity groups around the state who would be able to advise the minister on the significance of

biosecurity issues. I am somewhat surprised and disappointed by that. That is the bind I find myself in. There are very serious biosecurity and production issues. I talked about lambing ewes, but it is the same with calving cows and other forms of livestock.

The transfer of wheat seeds and/or biological agents that cause problems in all manner of farming situations is a very serious problem. It has become much more serious today than it ever has been before, simply because we are a much more mobile society. The chances of these agents which cause biosecurity risks traveling around the countryside are greatly increased. The movements of these things were much slower 30 or 40 years ago, whereas today they are very rapid.

To give an example, a few years ago I was at the opening of a facility at Naracoorte in my electorate, where grape harvesters are brought in from interstate. To protect the local vineyards from phylloxera, there is a facility where the grape harvester is put inside a shed and is heat treated. This means it is brought up to a temperature and held at that temperature for a period of time to ensure that if any phylloxera has attached itself onto the grape harvester through mud and dirt, it is actually destroyed before that grape harvester enters any vineyards in South Australia. They are the sorts of measures that we find are necessary these days and obviously were not necessary in years gone by. That is just one example of many I could give.

I am not too sure I would insist that any agent who comes onto my property to inspect and prevent the possibility of an outbreak of a bushfire get written consent, but I do not think it is too much to ask that the landowner or operator of the land be contacted and to have a conversation. On what I call my home block, the block of land on which I live, which is only a relatively small block of about 350-odd acres, there is a major—

**The Hon. A. Koutsantonis:** Would that be your summer residence or your winter residence?

**Mr WILLIAMS:** Summer and winter. I do not get the holiday time, like some. It is my residence. There is a 33,000 volt three-phase line which runs through the length of the property, and there is also what we call a SWER line (a single-wire earth return line). There are two powerlines that run through the length of the property: there is a T-junction on the SWER line and that goes off at a right angle across the property as well. There are plenty of lines there and SA Power Networks, from time to time, have to come to undertake some sort of service.

In the 40 years I have lived on the property, they have been there and done things as varied as putting in new power poles, replacing and repairing insulators and all that sort of thing. There has never been an issue with them gaining access, but by and large they come and talk to me. Indeed, I have gone out of my way to ensure they access the point within the property they are trying to get to via both the most convenient and safe route. I have actually directed them to parts of the property where there are not even gateways and have opened fences for them to allow them to get into the property without making a mess, particularly in the wetter months of the year. I suspect that virtually all property owners would act in that sort of responsible manner.

Interestingly, and I will take the opportunity to impart a short story, one of the devastations that befell me was when my wife and I lost our home in 1983. Having rebuilt our home a couple of years later, we had moved into our new home and had only been in it a matter of a week or two. I was sound asleep one night and at about 4 o'clock in the morning there was a banging at my door. A neighbour or a chap I knew who lived in the nearby town was driving home, I think from shift work or something, at 4 o'clock in the morning, and my paddock was ablaze.

He woke me up and I looked out the window, and all I could see was a wall of flame in the paddock. As it turned out, there was absolutely no wind. It was still of night and there was no wind. Even though it looked disastrous at the first instance, it was quite benign. It turned out, on investigation, that a possum had climbed up the power pole and out onto the cross arm and it had shorted out. The possum obviously fell to the ground in a ball of flames and started a fire. So, it is quite simple to start a fire if something goes wrong and you have dry and flammable material on the ground near the powerline.

I tell that story—it was rather ironic and quite frightening at the time for myself and my wife—because fire from powerlines is a serious risk and one that I am very well aware of. There are other risks, as I say, to farming enterprises. I am sure that there is a way to ensure that everybody's needs

are met and that good, sound compromises can be made. Having made those comments, I will conclude my remarks there.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:24):** I rise to speak on the Statutes Amendment (Electricity and Gas) Bill 2016 and commend other members for their contributions, particularly the member for Stuart who has outlined a number of matters. I think he has attempted as best as possible to identify where there appear to be important areas of remedy proposed that are acceptable and appropriate, and areas where that is not the case.

I propose to address my remarks primarily in respect to the amendments to the Electricity Act 1996, but in respect of authorised officers, I note that substantially it is also to apply to amendments to the Gas Act 1997. I also wish to refer to the annual report of the Technical Regulator in respect of electricity for the 2014-15 year, and the SafeWork SA Advisory Council Annual Report 2014-15.

Let me start with the areas of concern in this bill that I wish to address. First, the bill proposes reforms in respect of the current prescribed clearance and buffer zones around power lines in bushfire-risk areas insofar as they relate to the pruning or removing of hazardous trees and the claim that these initiatives have been brought about following the recommendations of the Victorian Bushfires Royal Commission.

It is so long ago since the Victorian fires and since that commission concluded and gave its recommendations. I would have to go back and check. I do not recall there being a recommendation suggesting that it was necessary to enter a private premises without notice in bushfire risk areas for the purposes of inspecting infrastructure. I think if it did suggest that, I would have noticed. It is entirely probable that there were suggestions that there be some relaxation of the level of removal, or what could be removed by way of vegetation, around electricity infrastructure to deal with what is not an unreasonable concern; that is that, even if there is a meterage limit to areas in which hazardous trees should be removed, there could still be an adverse impact if a tree were to fall across the line from a significant distance.

It is not beyond the realms of possibility that there needs to be some flexibility in the rules in respect of that, but I would suggest that the claimed ill in this regard, such as it is, that is, it being necessary to clear a greater area, has not been outlined by the government to satisfy the justification for extending the opportunity to enter without notice. I find it inconsistent, I find it unacceptable and, to date, I have found it completely unnecessary.

The situation I have experienced in respect of regional areas and the property I own, which has power lines traversing it obviously servicing the property and the 11 buildings on it, is one where, from time to time, the necessary authorities in respect of power infrastructure management contact me to advise that they wish to enter the property and check whether there is any hazardous material that might interfere with their infrastructure or create some bushfire hazard. Arrangements are made, the property is opened, advice on roadways and access is entertained and, where appropriate, they are escorted to ensure that there is appropriate access for the vehicles of the relevant officers. Work is undertaken, usually to sever the tops of trees that might be growing up towards powerlines or, where appropriate, to remove smaller shrubbery that is likely to cause a problem in the future.

The only problem I have ever encountered in respect of that occurring that I can recall is where occasionally there has been the leaving of part of a tree to such an extent that it totally distorts that tree and may make it vulnerable to becoming hazard. Namely, if four or five branches on the left of the tree are shaved off down low, branches on the other side of the tree may leave it completely asymmetrical. Of course, if a wind does blow up, that would make it pretty damn hard for that tree to survive, and it may in fact cause a hazard. It may not, but it certainly could cause a problem if it does fall over, and fall onto fences and the like. That may be of no concern to the electrical installers or inspectors, or maintenance persons, but it certainly can be to the property owner.

It has certainly been my experience that, where there has been some discussion about the extra pruning of trees that may not strictly offend the area but which could create another risk, as I have outlined, a sensible arrangement can be arrived at, then that occurs and it is tidied up. Sometimes an offer is made for the landowner (me in this situation) to get somebody else in to make sure that that is attended to at the same time.

So you know what is going on, you can be present or have somebody present who can supervise that, and by mutual arrangement the matter is attended to. Hopefully it is to the benefit of both the landowner, who does not want to have a fire start on their property or cause any problem, and those who have valuable infrastructure traversing the landholding, so it is a win-win situation for both. I suppose there is the third element, and that is the rest of the community that can be ravaged by fires if there were a problem. That is the experience I have had.

I do not doubt that there can be situations, and probably have been situations, where there have been some inconsistent views expressed between the landowner and the relevant personnel contracted to do the work, and that could cause some problems. However, if it was a problem, I would have expected, firstly, that we would have heard about it and, secondly, that there would have been a much more rapid approach to bringing this matter to the attention of the parliament if it was necessary to deal with a problem that was out there.

Remember that what we are being asked to do is, first, to let people come onto the property without notice and, secondly, to be able to have greater power to remove vegetation outside of the current buffer zone, neither of which have been mentioned by the technical regulator in his annual report. If we had a problem, I think we would have heard about it.

Certainly the emergency services legislation has been reviewed post the Victorian Bushfires Royal Commission and we have looked at emergency management and the like—access to properties, digging of clearance areas, etc., and all the things that go with that. However, to my knowledge we have not had anything from any minister, including the current one, or the Minister for State Development, who does not have the carriage of this bill, but apparently his department has done some consultation on this, according to the second reading explanation.

I will read what the Technical Regulator says in his report. As I understand it, the technical regulator is a Mr Robert Faunt, who I do not think I have ever met. He may be very good at what he does and I am not reflecting on him personally.

*Mr van Holst Pellekaan interjecting:*

**Ms CHAPMAN:** He is here, is he? Excellent. Good, I am glad he is here, because I will remind him of what he said. Firstly, he told us that, in respect of building and vegetation clearances from power lines, on page 1, that there was clearly a problem with buildings being too close to power lines, and he tells us about that. His words were:

Despite rigorous administrative processes to ensure that people are aware of safety distances between buildings and powerlines the Technical Regulator continues to see examples of non-compliant buildings and worksites which often require costly rectification.

He then talks about how his office has successfully managed the rectification of that. He goes on to say:

The technical regulator also administers the legislative requirements to maintain clearance distances between powerlines and vegetation, and monitors the network operators' compliance with these requirements. The intention of these prescribed distances is to minimise the risk of catastrophic bushfires being started by powerlines.

Unlike the building traversing in too close proximity to power infrastructure, vegetation does not appear to be a problem—there is no mention of it in his report.

There is obviously reporting to the parliament on electrical product regulation, the work he does for communication and the general community, etc., and all of that is good and we appreciate his work in that regard. More specifically in his report, when he talks about vegetation management on pages 6 and 7, to paraphrase, he explains the principles that apply in respect of the vegetation management programs and what auditing processes are undertaken on an annual basis and basically who does them, and all that is set out there. At the bottom of page 6, he says:

During the 2014 field audit, the SA Power Networks inspector undertook the task thoroughly, and non-compliances by the contractor were identified, reported and rectified. The inspection regime appears to work effectively to identify vegetation clearance non-compliances, which need to be rectified by the contractor at additional cost or effort. This creates an incentive for the contractor to employ best endeavours to correctly scope and prune the vegetation at all times in order to mitigate the bushfire risk as much as reasonably possible.



He then goes on to report ElectraNet's role. ElectraNet obviously has a role in the whole scheme of things in respect of electricity supply in South Australia, but they also have a specific responsibility in respect of vegetation clearance management, and he says this:

ElectraNet provided a detailed overview on how the organisation keeps track of its vegetation clearance management program and explained the KPIs to achieve this objective. ElectraNet further elaborated how its vegetation management contractor is being audited to ensure compliance with legislated requirements in order to reduce the risks from transmission lines being too close to vegetation.

No identified problem. On bushfire risk management, under ElectraNet, he says:

ElectraNet satisfactorily explained the process to assess and manage the condition of transmission lines and the thresholds of de-energising lines on high bushfire risk days as a preventative measure.

That is good—again, no identified indication of there being any problem.

Then there is quite a list of the information on safe work practices (and I will come back to those in a moment) and a good summary in his report, which I always find an excellent read, about the infrastructure we have across the state for which he is responsible for keeping the technical watchdog on, including all our major generators, transmission, and the like. So, he has a very important role in respect of that infrastructure and a very specific role in ensuring the safety of the electrical installations and work that is being done.

In his report, in respect of transmission in appendix 7, of vegetation infringements, the data in respect of ElectraNet key performance indicators, he reports, on vegetation maintenance, on the number of reported vegetation infringements unresolved within seven days during the fire season, as follows: in the 2013-14 year, none; in the 2014-15 year, none.

In respect of fire starts, and here the performance measured is on line maintenance, the number of fire starts caused by ElectraNet transmission assets in 2013-14 was none; in 2014-15, one. On lost time injuries—which I will deal with in relation to ElectraNet while we are on safety—the number of injuries resulting in more than one day lost in 2013-14 was two; in 2014-15, none. On lost time injury frequency rate, which is another safety issue, the number of injuries resulting in more than one day lost per million hours worked for 2013-14 was three; for 2014-15, zero.

I hope that referring to this data might illustrate to the minister, who is promoting what I call a very draconian law reform—namely, access to property without notice and/or the increased capacity to be able to remove trees without consent—that it is without any basis in data. It appears from reading this report that everything is fine. The regulator is doing a good job. Everything is okay. We do not actually have any problems in respect of bushfire management and the infrastructure and, in particular, the responsiveness of landowners to ensure that there is a win-win opportunity to ensure that there is a reasonable clearance of vegetation.

I might be wrong, in which case, we need to have that information. If it has not been given in this report, then it raises the question why it has not been given in this report because, after all, one of the statutory obligations of the regulator is to report to the parliament and, of course, to keep the minister advised in respect of what is to be done. While we are on safety, which relates to some other matters to which I wish to draw the attention of the parliament, the Technical Regulator also listed, under his title, the major issues that arose from the Technical Regulator's operations and administration in 2014-15 and the first one, unsurprisingly, is 'Electrical safety performance and fatalities'.

When you read the minister's contribution in this debate, you would have this feeling that there must be some major problem out there in the contracting world in respect of the installation (shabby as it may be from time to time) and safety, and the consequences of there being dodgy work done or failure to remedy work that has been identified as inadequate or unsafe. That is the impression you would be left with, in terms of the need for us to have a whole lot of extra laws. Here is what the regulator says in his report:

Unfortunately two electrocutions occurred in South Australia during the past financial year.

That ought to cause some concern in itself and it is very sad, of course, for those two people, but the incredible thing that is reported on next is that these were not deaths as a result of contractors or

people undertaking dodgy work or trying to do cheap work, which we are apparently trying to resolve here. They were two retired people in their own homes. The report states:

In one instance a retired fitter and turner made contact with a disconnected cable of a homemade work light. Obviously, it was fatal and it is very sad. It is hardly the type of behaviour that we are apparently trying to remedy in this legislation. The report continues:

The second fatality involved a retired electrician who made contact with a test lead while repairing electric motors at home.

He may not have been a very good electrician. He may have been retired early. I do not know the details. Of course these are sad situations, but it is not the flavour of what we are being told is a problem out there that requires us to severely increase the powers and responsibilities of authorised officers with the corresponding diminution of rights of those who may be impeded or trashed as a result of those powers. Let's just go back to—

**The DEPUTY SPEAKER:** Unfortunately—

**Ms CHAPMAN:** I will, in the committee stage, go back—if I can just conclude the sentence, Madam Chair. I will go and deal with—

**The DEPUTY SPEAKER:** I am being verbally. Off you go; finish the sentence.

**Ms CHAPMAN:** I am sorry; I did not mean to be rude. I will traverse these issues in committee because they are concerning, but I just ask the minister to look at this report and come back to us with some evidence if he is justified in doing what he is about to do.

Debate adjourned on motion of Mr Treloar.

#### **FAMILY RELATIONSHIPS (PARENTAGE PRESUMPTIONS) AMENDMENT BILL**

##### *Final Stages*

The Legislative Council agreed to the amendments made by the House of Assembly to its additional amendment without any amendment, and does not insist on its consequential amendment to which the House of Assembly had disagreed.

#### **STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL**

##### *Final Stages*

The Legislative Council agreed to the bill returned herewith with the amendments indicated by the annexed schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Part 7, page 8, lines 29 to 38 [Part 7, clause 19]—Delete Clause 19

No. 2. Part 12, page 11, lines 20 to 29 [Part 12, clause 28]—Delete Clause 28

No. 3. Part 17, page 15, lines 7 to 16 [Part 17, clause 38]—Delete Clause 38

Consideration in committee.

**The Hon. G.G. BROCK:** I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

##### *Parliamentary Committees*

#### **CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE**

The Legislative Council informed the House of Assembly that it had appointed the Hon. D.G.E. Hood to the committee in place of the Hon. R.L. Brokenshire (resigned).

At 17:47 the house adjourned until Tuesday 21 June 2016 at 11:00.