HOUSE OF ASSEMBLY

Tuesday, 21 June 2016

The SPEAKER (Hon. M.J. Atkinson) took the chair at 11:00 and read prayers.

The SPEAKER: Honourable members, I respectfully acknowledge the traditional owners of this land upon which this parliament is assembled and the custodians of the sacred lands of our state.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament students from Geranium Primary School, who are guests of the member for Hammond.

Bills

ASER (RESTRUCTURE) (FACILITATION OF RIVERBANK DEVELOPMENT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 April 2016.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:02): I rise to speak to the ASER (Restructure) (Facilitation of Riverbank Development) Amendment Bill 2016 and, in doing so, confirm from the outset that the opposition does not agree with this bill being progressed at this stage. That is not to say that we object to there being development on the riverbank. Whilst we could extensively discuss what we think may be better aspects of a development, the government has chosen a certain composition of developments within this site and we are not here to debate that.

So, whilst we may have done it differently, we support there being development and would agree to progressing the bill in the event that there had been full disclosure of the documentation we consider necessary to advance the progress. In short, they are three things: first, the contract known as the development agreement entered into between Walker Corporation and the government; secondly, the particulars of the proposed announcement by the Premier of a new art gallery which is to be detailed in the near future; and thirdly, the correspondence between Mr Walker and the former minister for planning and urban development which has been the subject of a freedom of information application directed to be issued by the Ombudsman, appealed in the District Court and withdrawn last week. There are also outstanding freedom of information applications in respect of the documentation, including any drafts of the contract, which, for the purposes of this debate, has been referred to as the Development Agreement by the government.

The effect of this bill, introduced by the minister on 13 April 2016, is to amend the ASER (Restructure) Act 1997. Essentially, this is necessary to formalise arrangements, or variations to arrangements, of the management of the Festival Plaza site, which accommodates the Railway Station, the Intercontinental Hotel, the Casino, the Festival Theatre and the Convention Centre, and allows for individual leases and shared management of the facilities and services thereto.

Commitment to the redevelopment was announced by the government prior to the 2014 state election, and then in March 2015 it was announced that an agreement had been reached with the state government and Walker Corporation to contribute $180 million and $430 million respectively to a development. Ultimately, the terms of that were confirmed in a development agreement signed by Walker Corporation on or about 26 May, but I will come back to that in a moment. In any event, it was only in recent weeks.

In addition, according to a ministerial statement, a second agreement has been signed with SkyCity, which has a proposed development adjacent to its existing casino facilities. The threshold

question is whether in the terms of these agreements access to common areas, roadways, service facilities, etc. has been considered. Frankly, given that so much of the ASER area, which is delineated in the principal act and covers the tenants, as I have referred to them, could be covered by contractual arrangements, the need to continue to provide this under statutory entitlement has been considered by us.

It is fair to say that although the Riverside building was previously owned by the government and is now in the private hands of a German superannuation fund consortium, the Intercontinental is private and the SkyCity has private tenancy, the rest of the operations in the current precinct are all government owned or controlled. The extended area that is proposed under the legislation to become a Riverbank act covers all areas of which the tenants are government owned or controlled.

Essentially, this bill will allow not only for increasing this site to a greater map, to principally accommodate the SkyCity development, but also for temporary suspension of all the ancillary property rights to allow works to proceed. It also provides for the restructuring of leases and ancillary property rights to the area following the completion of the project, all of which are accepted as being necessary to progress the development, and, finally, as I say, renames the act the 'Riverbank act' because it will take in a much larger area of ultimate consideration in precinct master planning and the like.

The position of the opposition, however, not to agree to progress this bill, although listed this week in advance for consideration today as the first item of business this week, is one which requires the parliament to consider legislation in the dark. Whilst we accept development needs to be considered, although the form is different from what we perhaps may have progressed and announced at the last election, we accept that an amendment to the statute is necessary to facilitate it. However, we should not be expected to make those determinations and consider the issues without a full disclosure of the government's proposals.

In our view, it diminishes democracy and undermines particularly the role of parliament without that full disclosure—particularly the commercial terms included in the contract—to either the Public Works Committee or any other statutory body of the parliament, or to the parliament itself. Secondly, it is absolutely disrespectful to the people of South Australia. We are talking about the development of an asset owned by the people of South Australia, of which some $180 million is to be invested by the people of South Australia, which will ultimately be granting a very substantial 70-year lease for a commercial development by a third party, namely Walker Corporation.

Thirdly, it utterly destroys the trust in the government, particularly the responsible minister. For the government to even ask the parliament to progress this matter in the absence of this material is also, I suggest, completely inconsistent with the government's obligation under its own Disclosure of Government Contracts obligations, as published in PC027 in December 2005. In significant contracts, which are those as defined in this memorandum, the information should be listed as set out: dates of parties, contract dates, commencement times, consideration exchanged and the like, and:

> …as well as a PDF version of the entire contract. In cases where parts of the contract are not available electronically, these parts of the contract can be disclosed separately on request.

Certainly, there is a provision for disclosure, which is at the discretion of the chief executive, and covers what I would suggest to be the usual disclosure exemptions for private information, general business, commercial-in-confidence, intellectual property, trade secrets, etc. Remember, we are being asked here to progress this matter without there being any disclosure of the contract, other than a briefing that was provided eight or so days ago by the government representatives and a representative from the Crown Solicitor's Office, at which a number of questions were asked regarding the differences in the key performance features of the development agreement, and at about 7pm last night, finally, the provision of a summary of those key variations.

The document, I might mention, is headed 'Subject to legal professional privilege'. I do not therefore intend to read from it. I do not want there to be any suggestion that we are in any way impeding, or breaching, any alleged privilege. This is a document provided, as I say, from the government and purports to provide, as we have requested at least, a list of the material supporting the oral briefing provided by the government. The explanatory memoranda that came with it by email

suggested that the state was in no way waiving the legal professional privilege provided in the summary document, so I do not intend to refer to it.

It also raises questions though about having provided the summary of what ostensibly was presented at that briefing as information that was disclosable sufficient to highlight the differences between the terms of agreement pursuant to the Premier's announcement in March 2015 and what has transpired in May 2016 in the current development agreement. It certainly puts a cloud over what the actual situation is for us. It really only compounds the felony, if I can describe it in those terms, of the government's decision to exclude appropriate information from the parliament not just to the opposition but to all members of parliament who ultimately need to consider these matters. So that is the position that we take.

I refer now to the very brief history of the negotiations in respect of this matter to date and critical events that have occurred. Firstly, members might recall that the Festival Plaza Precinct project had been first floated in 2010 when the government appointed late that year a Riverbank stakeholders reference group chaired by Mr Rod Hook, who was then the chief executive of the Department of Planning, Transport and Infrastructure. They were charged with the responsibility to coordinate the development of a master plan. In the next year, in 2011, after various professional bodies had been tendered and contracted to draft master plan principles, by late that year a final master plan was published.

In 2012, after an expression of interest process, Walker Corporation, a Sydney development company, had been granted the exclusive right to submit a proposal for development. This is not an uncommon practice these days. Probably it is fair to say that that enables there to be a balance between people having an opportunity to put forward a proposal without the full expense, the very substantial expense for most of these big projects, of a full tender process. It eliminates you early if your ideas or proposals are simply not going to cut it. It enables the serious players, or at least one of them, to be identified and then to go through the more rigorous processes of tendering for work.

In 2013, in the middle of that year, the Premier released the Greater Riverbank Implementation Plan to create the grand central park and precinct. He confirmed the government had received plans from Walker Corporation for redevelopment of Festival Plaza and was considering them. We then had a picnic event where everyone was given a free drink and sausages and hamburgers and whatever, and you could go down to the Riverbank and put a Post-it note on a board to put forward your ideas about what you think should happen. Remember that this is some extensive period post the exclusivity period that had been granted to Walker Corporation.

Nevertheless, by July, then minister Rau announced a Ministerial Riverbank Health and Entertainment Areas DPA to amend the Adelaide (City) Development Plan, and by the end of that year submissions had been received. Ultimately, on 11 February 2014, Premier Weatherill and minister Koutsantonis, who was at the time responsible, announced that a car park would be developed by Walker Corporation. There was no mention whatsoever of office or retail buildings. Minister Koutsantonis was quoted at the time as saying:

> We have ruled out the development of any office towers on the Plaza because we want to ensure it remains a place for arts, culture, tourism and entertainment.

That was the information the public was to receive and digest on the eve of the election. A few days later, regulations were issued—I would have to say one day outside the caretaker period for the establishment of the Riverbank Authority, and the appointment of Mr Andrew McEvoy. Of course, a month later we had the state election.

It soon became clear, in fact, that the Riverbank Authority, whilst it was promoted as being an important supervisor of projects and the like in the Riverbank area, its responsibility was whittled down to a role in the master planning on the old Royal Adelaide Hospital site and at least a preliminary contribution to the master plan in respect of the Festival Plaza area, but it soon got sidelined. It is an authority which has regulatory power, over which Mr McEvoy presides. He lives interstate and comes here for regular meetings. He provides an annual report to the parliament. I think his budget is about $670,000.

From my perspective, when I read his annual report, it looks very clear that he and his board are the coordinator of events and they consider ideas from time to time and give advice to the

government about what could be dealt with. The sorts of things they did in the 2014-15 financial year include the early consideration of ideas at the Festival Plaza, which is the subject property we are considering; the Royal Adelaide Hospital site master plan, as I have said; the branding website and events; and their biggest objective for 2015-16 was to look at what events they could have in this precinct and what other pop-up opportunities there might be.

I think that tells us that they are not in charge of this plan. They really are quite independent of the actual management of this project. It became clearer from briefings that we were provided with subsequently that Mr John Hanlon, Chief Executive of Renewal SA, and his predecessor, Fred Hansen, had a role in respect to this. In particular, Mr Richard McLachlan, of Renewal SA, had a role in the general management of the development of this project. I am going to come back to them shortly. As a board, the Riverbank Authority was pretty much irrelevant to the pointy end of the pencil when it came to this development, and it came under the Renewal SA supervision, as I have said.

Interestingly, on 13 March 2014 the Premier announced the Festival Plaza Precinct Project, with the Walker Corporation. As I have said, they had been the successful applicant to bid for this opportunity, several years before, and in 2015 he announced the principal terms of that agreement. Interestingly, only a few days before, on 5 March, approval by the DAC of the Walker Corporation's Buckland Park project was published in the *Government Gazette*. In any event, let's move on. Obviously, we as members of the parliament are interested, as we have the responsibility to be, in becoming informed about the detail of this project, and that information was forthcoming in a summary way via the provision of a briefing by Mr Hanlon and other representatives.

In short, the government announced that it had agreed to a $610 million proposal—$180 million from the government and $430 million from Walker Corporation. The government's contribution was $90 million to the Adelaide Festival Centre upgrade, $30 million to the Adelaide Festival Centre car park and $60 million to public realm and surrounds. The Walker Corporation was to contribute $95 million to a car park and was given the right to build a new commercial office building and retail development, and it had an obligation to upgrade the plaza to the value of $40 million.

The governance was identified as being under the Riverbank Authority with Renewal SA. We now know that in fact Renewal SA had the oversight of this project in real terms. The Department of Planning, Transport and Infrastructure of course retained a role specifically in the oversight of the building program, the staging of all development activity, and the management of approvals and the like. Arts SA (for whom minister Snelling is responsible), the Crown Solicitor (for whom Mr Rau is responsible) and Renewal SA (for whom Mr Mullighan is responsible) were to detail the commercial terms of agreement and the development agreements and of course manage the legislation, some of which is before us today.

Essentially, the ingredients, as announced by the Premier, were to be for the building of a car park, as I have said. There had to be the security of 400 car park spaces available to the state government, some of which, as we know, are to be available to the parliament and to the Festival Theatre and other arts events attendees. The retail property and office building, which had to have a commitment to at least 10,000 square metres (that is, almost a quarter of a square metre area) had been approved and had to be offered to interstate and overseas tenants. The ground and first floor options were to be provided to the government on a first right of refusal basis.

The government announced that there would be no precommitment of any of the office space provided by the government, and that has been the position of the government ever since when questioned about it. There was to be provision of a 70-year lease by the state government to the Walker Corporation to occupy this area. If they are going to have a commercial and retail opportunity there, then obviously that is consistent with that. As I say, there was to be the melding of moneys for the development of certain activities in the precinct. That is what was announced.

There were some obligations, finally, by the government to Walker Corporation to commit to the construction of a car park within 12 months and the office and retail components within five years. That is what we started with back then, when the Premier announced this final FPPP. In the absence of information being provided, I referred a number of questions for consideration to the Auditor-General on 28 April last year.

I appreciate that in his 2014-15 annual report there is no specific reference by him to investigating any matter. I should place on the record that the Auditor-General is accountable to the parliament, can act under the direction of the Treasurer of the government, but is in no way obliged to act upon any request of any other party, including any other member of parliament. So, I do not mean by saying that there is nothing in his report that in any way he had declined to review this as a result of my request, but I make the point that, whilst that was near the end of the financial year, I am looking forward with interest, given the events that have occurred since, to his annual report for 2015-16 which we will not receive until later this year.

The other way which is really only left open to us in the parliament, because if we ask questions and we do not get any answers or we ask for briefings and we get sanitised and skeletal information we resort to this process, is to issue a freedom of information request. After this announcement on 30 March, I also lodged a freedom of information application seeking any correspondence between the Walker Corporation and the agency. In this case, it is the Minister for Planning, minister Rau, at the time who was also housing and urban development. It is fair to say that that process took nearly 18 months to resolve.

An application was requested for that information. It went through the usual process of rejection by the agency and the chief executive, who was Mr John Hanlon. Ultimately, the Ombudsman on review determined on 29 March of this year, so a year later, that the agency's determination should be reversed and that the one document which had been identified, that is a letter from Mr Lang Walker of Walker Corporation to the minister, should be produced.

The Walker Corporation had been represented throughout this request process and review process by a legal firm in Sydney and had been given very substantial extra time to put submissions to the Ombudsman. However, he made it clear in his determination that the document is not deserving of the protection claimed by Walker Corporation and it should be released. In response to that, Walker Corporation instituted proceedings on 27 April in the District Court of South Australia to seek to overturn the determination of the Ombudsman and the consequential keeping of that document secret.

Remember that by this stage the government had announced a year before that it had entered into an arrangement—not yet legal documents and contracts but an arrangement—with this entity, namely, Walker Corporation, to be responsible not only for the construction and build and development of a major redevelopment in the plaza precinct but also to commit to very substantial public money and Walker Corporation funds.

However, they said, 'No, we want this document kept secret.' They lodged their appeal and last Friday, just to complete the circle on this, without any explanation Walker Corporation withdrew their application against me and against the Attorney-General because he remained a party at the time to be in possession of the document in question. Remember that this is a letter from Walker Corporation to Mr Rau. At this stage, we have not seen it yet because, notwithstanding the withdrawal of those proceedings, that is the lodgement of a notice of discontinuance in the District Court last week, we have not yet seen the document.

Again, even past the May signing of a development agreement, we still have no document. It is still apparently a secret as far as the Walker Corporation is concerned. They have abandoned their District Court proceedings, and yet we still have not had from the government, which is in possession of this document, either a copy or a facsimile transmission of it, or an email, of course, in electronic form. It heightens the concern.

Finally, over this period, some other important things have happened. Firstly, remember that Renewal SA is responsible for this project in a material and day-to-day way together with the Department of Transport, and they have also been responsible for the management of other projects. They are a relatively new entity. They are only a few years old. So far, they have been financially a basket case. I think that is the best you could describe them as. There are two events that really heighten concern to me, which travel over the same period for which this agency has had responsibility for the plaza development.

I refer to a relatively recent disclosure, that is, the admission by Renewal SA in March this year to a parliamentary committee, in particular the Economic and Finance Committee (it was

February, actually, when the evidence was given), that in respect of another project that they were responsible for—that is, the development, tenancy and occupancy of the Tonsley site, another major development and very expensive asset owned by and under the control of the government, under the joint management of Renewal SA and the Department of State Development—the contract documents, when asked for by the Auditor-General, could not be located.

As was described at the time, that was a staggering lapse on behalf of Renewal SA. How can you have multimillion dollar contracts and you cannot even find the contract? I do not know what the filing system is at Renewal SA, but it makes you worry, does it not? Apparently, when the Auditor-General asked to see this contract, it could not be found. I find that very, very concerning. Mr Vince Tarzia, who is the member for Hartley in this parliament, sits on that committee. He described it, when he said, 'Why, in light of Gillman, is administration transparency still an ongoing wound?' It is certainly staggering to appreciate how the compliance with the production of a multimillion dollar contract to that precinct should just be missing.

That was a more recent one. Certainly, my concern had been raised when there had been the inquiry into the Gillman land sale. This was an inquiry, apart from multiple legal proceedings surrounding it as a result of the government's proposed sale and development of land at Gillman for their now infamous oil and gas hub, that had been announced in 2013, again just before the 2014 state election. Suffice to say, after millions have been spent on that prospective opportunity given exclusively to Adelaide Capital Partners, South Australia has not seen one job out of it—except lawyers, of course, who probably made a fortune—and not one dollar.

However, I am not here to talk about Gillman. That project, on its own, I think, made crystal clear how incompetent the government has been in its capacity to manage assets and money on behalf of South Australia. Commissioner Bruce Lander QC, who is the Independent Commissioner Against Corruption, undertook an inquiry under the Ombudsman Act, as though he were the Ombudsman, to investigate that land deal. He provided a report on 14 October 2015, which was tabled.

In that report, which of course is very lengthy, he made a number of findings about the sale of that land at Gillman and the conduct of various ministers. Ultimately, he made findings of maladministration in respect of both the former chief executive, Mr Fred Hansen, and Mr Michael Buchan, who had a senior financial position in Renewal SA. One has now scuttled back to Portland and been replaced by Mr Hanlon, and the latter is still there, operating in a very senior role in that agency.

However, I am not here to discuss Gillman. In this report, Commissioner Lander made a number of findings in respect of evidence given by Mr Richard McLachlan. He was then the general manager employed by the urban renewal authority, Renewal SA. He provided an affidavit in the hearings in relation to the Gillman inquiry. I think it is fair to say that he was called to be cross-examined (or questioned, I think is the best description) by Mr Lander or his counsel as to the conduct of the minister in charge at the time, who was minister Koutsantonis, in respect of the Gillman deal.

I also want to make very clear that Commissioner Lander made a finding that Mr Richard McLachlan had no involvement in the Gillman transaction. He was completely cauterised from involvement in that project and, furthermore, he was found to be a credible witness. His evidence was accepted and I think he was described as having given evidence with candour, etc. This is no personal reflection on Mr McLachlan but, at page 153 of the Gillman report, the following is recorded:

> During this period Mr McLachlan was responsible for activities in relation to the Riverbank Precinct, the Festival Centre Plaza and Car Park Project, the Port Adelaide Renewal Project and growth area infrastructure negotiations which were, as he described them, high profile and of interest to Minister Koutsantonis.

The commissioner makes further comments on page 155, after traversing certain language of minister Koutsantonis, which I will not be making comment on. I think the report spoke for itself, and his conduct, the expletives used and the evidence supporting that are all recorded in the report. However, on page 155, the commissioner finds:

> He—

meaning Mr McLachlan—

said…[that] there were two occasions where the advice that he gave Minister Koutsantonis was not positive. The first was when he told the Minister that a project could be completed in a particular time but later had to amend the time [of the contract] to report to market and the Minister said: 'Well, you have [effing] let me down'.

He then goes on to say:

On the second occasion Mr McLachlan said that he wrote to the Walker Corporation which was concerned with the Festival Centre Plaza and Car Park project and was told in a subsequent telephone conversation with Mr Walker that he did not appreciate Mr McLachlan's advice but it did not matter much because Mr Walker said he had spoken to Mr Hooker and Minister Koutsantonis and that Mr Walker would not be dealing with him in the future. Mr McLachlan said that without being told he was removed from responsibility for that project.

I think that is an extraordinary finding, and I suggest to the parliament that they have a good look at this when they are considering this bill. We have someone who has been found by Commissioner Lander to be a witness of good repute. His evidence has been accepted and he has told the commissioner, almost ancillary to the issue of the Gillman project but in relation to the conduct of minister Koutsantonis, that at least on one of the occasions he has delivered bad news to the minister he was taken off the project inexplicably—a very important project, one we are now having to consider before we advance legislative restructure to accommodate.

He goes on to say, and I should say this is referring to bad advice or what has been described as not positive advice (the bad news rather than the good news):

…that if Minister Koutsantonis was given advice a common reaction of the Minster was expressions such as 'this is just [effed]' or 'how the [eff] do I get myself out of this situation?'

That raises a number of concerns. Whilst the Festival Plaza Precinct project was not the subject of the inquiry I have just referred to, a witness of good repute has been taken off the project when a minister and/or a prospective contracting party or private agency, namely, Walker Corporation, with the government has been executed.

We have a situation this year where the agency that is responsible for the management of this development has been under the microscope a number of times. There is further waiting for this year's events—namely, the progression and culmination of agreements being signed, which hopefully Renewal SA have not lost, as they did in the Tonsley project, and will be able to produce for examination to the Auditor-General if he seeks to inspect the same. Hopefully, we will be able to have access to information such as a letter that has been the subject of freedom of information and has not been produced to anyone else.

I might say that I am a little curious as to how you could have a letter to a government minister from a third party, who ultimately became a contracting party with the government, and there appears to be no response. At no time in the investigation or assessment of the freedom of information applications and reviews had there been any disclosure by the government or any response. There was not even an email acknowledgement to say, 'Thank you very much, Mr Walker,' or whoever the representative signature was from. 'We have acknowledged receipt of your letter and it will be sent to the minister for attention,' or whatever.

There was no disclosure of any response at all. I find that curious in itself. It may be that the minister received this mystery letter and put it in the bin for all we know, but he has a copy of it at the very least. It is in his possession and we want to see it. There is no legal impediment to us seeing it, and I certainly want to see it before we agree to progress this bill. The other matter is the agreement between SkyCity and the government, which is apparently now signed. It relates to an expansion of their $300 million or $350 million development, I think, from memory, that they proposed to progress. Suffice to say, for the record, we have not seen a copy of that either. Again, it is the subject of further requests.

The material differences, as best as can be explained, are significant. We are not in a position to scrutinise those, but it is fair to say that on the information provided there have been some variations to the number of car parks. They went from 1,400, as originally announced, to 1,560. Apparently SkyCity does not need 1,000 car parks anymore; they are happy to have 750. That provides some flexibility for the Walker Corporation as to what they do with them, either for short-term tenancy or sale. We do not have the particulars of that.

One thing which does concern me, and which has at least been admitted, is that there is no penalty to the Walker Corporation if it fails to secure any interstate or overseas tenants for the quarter of the space of its commercial and retail development. That is a little concerning. I am sure most governments would like to encourage those who invest in their public land that, if there is a condition that they provide or introduce new parties or companies as tenants into a city precinct, they are going to do two things: firstly, to hopefully advance the state by introducing a new player into South Australia; and, secondly, not exacerbate the commercial tenancy glut as a result of cannibalising tenants out of other buildings, thus causing even greater hardship for investors in existing commercial tenancies or retail.

The terms are otherwise consistent with some of the announcements, although I just place on the record one aspect which I find very concerning. It is not the difference between what was announced by the Premier in March 2015 across to May 2016, but what had been offered for those parties who wanted to contribute in an expression of interest in that early process back in 2011. You might recall that back then there had been a provision for a height limit of up to six storeys for buildings. After the exclusivity deal had been signed, and consistent with the final determination culminating in the Walker Corporation agreement as announced early last year, he was able to build a 24-storey commercial and retail building.

Obviously, there had been development plan amendments to facilitate that, and the government said, 'Look, we think that is reasonable.' I think minister Rau made statements at the time that this was going to be consistent with the skyline along North Terrace. For whatever reason, he is now legally able to do that, and he has done so. But it is a far cry from what had been offered as an opportunity for development, or to submit an expression of interest in a development, which has very different to what ultimately transpired.

It is unsurprising to me that I read in the paper from time to time that there has been some disquiet in the property development world about this deal. I am not in a position to make any judgement about whether this has all of the barnacles of the Gillman deal, but I do say this: every day that the government refuses to provide us with the reassurance that this is a good deal for South Australia, a good use of taxpayers' money, and is of benefit to the South Australians of their public asset, then my confidence in this arrangement diminishes. It should ring alarm bells to everyone in this parliament.

One of the most recent comments that was made was about government doing things properly, not just to protect all the principles that I opened on today but to reassure the public that things were being done fairly and that the rules were being complied with by government, which is supposed to be the model litigant, the model citizen, etc. One of the things that must be done is ensure that there is no misconduct, no maladministration, no secret deals, no kickbacks or corruption and all those sorts of things. The government has to be reassured that they know they are actually doing the right thing and ensuring that the agencies that are responsible are doing the right thing.

We not only have a regime of law to protect against that but we also have regulatory impositions. We also have codes of conduct, practice guidelines—all the things that are necessary to ensure that the government and its agencies are acting in a proper manner. All of that is part of the confidence that we as a parliament would have in the government's management of a project in its application of funds, disposal of an asset or alienation of an asset, which is essentially what is occurring here: Walker Corporation are going to enjoy a 70-year exclusive access to certain precincts. In my view, that confidence is being shattered.

Our highest protector of conduct in the state as an investigator, the Independent Commissioner Against Corruption, makes statements that he then publishes, which he is able to do. He publishes information time to time about cases he is investigating, particularly when he has determined that it should be referred on to another agency (DPP or to the police and the like). He made a very recent statement in which he outlined a number of reasons why there ought to be some changes to the ICAC Act, in particular dealing with investigations that he considered might benefit from being held in public.

He made the very clear observation, which he has repeated on a number of occasions, that, whilst he staunchly opposed open hearings for corruption investigations, there would be benefits for some serious maladministration inquiries. Maladministration, members will remember, results when

there is an irregular or unauthorised use of public money, a substantial misuse of public resources, or inappropriate use of official functions, and it includes conduct that might be described as incompetent or negligent, but not criminal conduct. One of the most astute observations I think Commissioner Lander recently made is when he said, in respect of investigating maladministration:

> I was concerned that public officers could commit offences rather casually and that really is a product of maladministration that public officers can casually commit an offence and obtain money or benefits to which they're not entitled.

He went on to say:

> If maladministration is allowed to foster that will create the opportunity for corruption and that is our [SA's] experience.

That should again raise concerns by members of this house when they are asked to progress consideration of a statutory restructure to facilitate a deal of which the documentation that has been produced is manifestly inadequate. I remind the house that the opposition's position is very clear. First, let us see the contract. You put to us a position. If there is a specific clause in the contract which should be protected for commercial-in-confidence, trade secrets, intellectual property, etc., we would be happy to hear it.

Secondly, if you change the terms then we need to know about them. If the Premier wants to make an announcement, as he did a week or 10 days or so ago, that he is now thinking about putting a new art gallery in this precinct then we need to know about it and we are entitled to know about it. You cannot just come along and say, 'Look, this is a project we are thinking about, give or take a few hundred million.' No, that is not acceptable.

Thirdly, if the law says that we are entitled to see documents, including correspondence between the parties—in this case, Walker Corporation and the government—then we need to see them. That is a condition precedent for us to consider restructuring this law to facilitate this secret project. I do not think we are asking too much. I think that is reasonable. Anybody out in the public arena is entitled to have that information or at least know that we have received that information, have had the opportunity to consider it and then be able to express a vote in the advance of this bill in their interest. That is what we are here for.

For the government to continue to be so secretive, as I say, undermines the democracy, it undermines and insults this parliament and, in my view, it undermines the confidence of the public even in the government. Even for self-interest, they should start thinking a bit smarter and realise that they are here to represent and serve the people of South Australia, not sign up secret deals which are then being sought to be approved and given the blessing of this parliament without us even seeing the documentation. That is disgraceful conduct on behalf of a government. It is grossly inadequate for our consideration and we will not accept it on this side of the house.

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (12:02): I thank the deputy leader for her contribution. Not that I have done as much legislation in this parliamentary session as perhaps she and, more to the point, the Attorney-General have, but I think the filibuster of the session award goes to the deputy leader for padding out that hour quoting from reports unrelated to the matter or the content of the bill, let alone regurgitating past media statements on unrelated matters from opposition backbenchers. I take my hat off to the deputy leader for stretching that out in the way that she did.

Of course, I do not tend to agree with some of the quite probably unparliamentary reflections on me as minister, on some of my ministerial colleagues and on the government. In fact, I think the accusation of 'felonious conduct' was made by the deputy leader, which is somewhat disappointing, despite it being her birthday today. For her to engage in that sort of unnecessary and inappropriate behaviour in this chamber is a disappointing example to set for other members in here. Nonetheless, it would be untrue of me to say that it would be the first time that that sort of behaviour has been engaged in by the deputy leader. But I thank her for her contribution. She is an avid watcher of matters within this portfolio. I am surprised that she—

Ms Chapman: I am the shadow minister, that's why.

The Hon. S.C. MULLIGHAN: As the deputy leader points out, she is the shadow minister, and she has known about this bill for at least 11 weeks. Indeed, it has been before the house for 11 weeks. I get the impression that perhaps the reason for her hour-long filibuster and inability to indicate support or otherwise for the bill might be that, despite having those 11 weeks, she still has not taken it to her party room, which would not be unusual because, of course, we have seen similar sorts of behaviour from other opposition spokespeople.

Ms REDMOND: Point of order, Madam Deputy Speaker: the minister is imputing an improper motive to the deputy leader.

Members interjecting:

The DEPUTY SPEAKER: Order! Having listened, as I did, intently to the contribution, I understand the minister's point; however, he must—

Ms REDMOND: He hasn't bothered to read the standing orders.

The DEPUTY SPEAKER: Order! He must wind up the debate on the second reading.

The Hon. S.C. MULLIGHAN: Yes, of course, Deputy Speaker, it will be my pleasure to. Nonetheless, we look forward to progressing this bill. It is an important bill because, as the deputy leader unfortunately glossed over, this bill facilitates the development of a much-needed piece of infrastructure within the precinct in which we continually meet here at parliament.

At the very least, we need the redevelopment of the car park facility which is behind us, not just for the principal concern, I understand, of many of those opposite, or if not those opposite then those who work for those opposite—that is, car parking facilities for their benefit—but also for the Festival Theatre. We are not just seeking to redevelop a car park: we are also taking that opportunity to provide an extensive upgrade to the Adelaide Festival Theatre. Something which I think we can be proud of as a Labor government is that we are doubling down on the works that were done back in the 1970s by former premier the late Don Dunstan—a tremendous supporter of the arts.

Ms Redmond: It was Steele Hall's initiative.

The DEPUTY SPEAKER: Order!

The Hon. S.C. MULLIGHAN: Yes, as the former leader, the member for Heysen, says, this is another of the initiatives, apparently, of Steele Hall. What was he not responsible for between 1940 and 1980?

Ms Chapman: Financial debt.

The DEPUTY SPEAKER: Order!

The Hon. S.C. MULLIGHAN: Perhaps, even me uttering that name and a comment to that effect may indeed enliven some sort of contribution in the letters to the editor page in *The Advertiser* from the said former Liberal leader, but let's wait and see how that travels.

Ms Chapman interjecting:

The DEPUTY SPEAKER: Order!

The Hon. S.C. MULLIGHAN: Without further ado, I will conclude the government's remarks. We look forward to the support of this house for this bill so we can get on with this project which, as I mentioned, includes not just a car park but also the redevelopment of the Adelaide Festival Theatre and the development of a new meeting place for South Australians in the Festival Plaza Precinct. The agreements which have been struck, not just between the government and Walker but also between the government and SkyCity, allow the early works package of works for SkyCity's development, providing some basement facilities and foundation structures. I will conclude my remarks there.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The CHAIR: Are we going to do some debate on this or are we adjourning it?

Clause passed.

Clause 2.

Ms CHAPMAN: I move:

That progress be reported.

The CHAIR: Is that seconded?

Mr Treloar: Yes.

The CHAIR: For the question say aye, against say no, the ayes—

Ms Chapman: Divide!

The CHAIR: Sorry, we are not adjourning it?

Ms Chapman: Divide!

The CHAIR: Hang on just a second—are we misunderstanding you? We thought you wanted to report progress.

Members interjecting:

The CHAIR: Okay, so if there is a dissenting voice, we need to ring the bells. We are adjourning it, and now she is saying 'divide'.

Ms CHAPMAN: I am sorry if there is any confusion—

The CHAIR: There is lots of confusion. I wish someone would be clear about what we are doing. It is very hard to take advice from four people.

Ms CHAPMAN: At this stage I have moved to report progress, it has been seconded, you have taken the vote—

The CHAIR: I have not called it though.

Ms CHAPMAN: I thought you had called the noes.

The CHAIR: As I recall, I had not called it.

Ms CHAPMAN: If you would be so kind, Madam Chair, to call the vote and, in the event it is in the negative, I indicate to you that I will be seeking to divide.

The CHAIR: So, why don't the whips do all this beforehand? That was my question last week.

Mr Treloar: This has been organised this morning.

The CHAIR: It does not look organised to me. Does anyone not tell the member for Bragg—is that the problem? I am calling clause 2.

The Hon. S.C. Mullighan interjecting:

The CHAIR: You said no, so I am calling it lost.

Ms Chapman: Divide!

The CHAIR: Now the member for Bragg wants a division; ring the bells.

The committee divided on the motion:

Ayes 17
Noes 21
Majority 4

AYES

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

NOES

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

PAIRS

Marshall, S.S.	Close, S.E.	Sanderson, R.
Rankine, J.M.	Tarzia, V.A.	Hughes, E.J.
Wingard, C.	Weatherill, J.W.	

Motion thus negatived.

Clause passed.

Clause 3.

Ms CHAPMAN: My question is to the minister, and it is the only one I propose to ask. The minister opened the second reading contribution from the government by applauding, in the Riverbank area, the already successful story of the Adelaide Oval. He stated:

> The redeveloped oval has been a triumph, with visitor numbers not seen since the 'Bodyline' over half a century ago—in times of economic change it has galvanised South Australians…

My question to the minister is: did you check whether the attendances at the SANFL grand finals during the 1960s, which on my understanding exceeded 65,000 people, had been taken into account when you made that statement to the parliament?

The Hon. S.C. MULLIGHAN: I am happy to talk about the redevelopment of the Adelaide Oval and crowd figures that have been achieved, and I thank the member for the welcome introduction to talk about this project. As you would recall, Chair, when the government sought to progress the development of Adelaide Oval we had some significant challenges. Without trying to indicate what all of those challenges were, perhaps I could advise the house of some of those challenges. We were missing a key economic driver, for example, for enhanced economic activity within the Adelaide CBD.

We are also suffering from declining sporting attendances at two major sports: one, of course, Australian rules football, and the second is attendances at cricket games. Having had some significant history that has passed in the time perhaps preceding the interests of either the deputy leader or me in the lead-up to the move of SANFL football down to Football Park during the 1970s, since that time both the SANFL as well as, from time to time, some cricket games, perhaps notably some of the World Series Cricket games, have been held at Football Park.

However, in more recent times, certainly in the period of the first decade of the current millennium, we had seen a gradual decline and a gradual dwindling of crowd numbers at Football Park, and it is fair to say that there had been a similar sort of dwindling of crowd numbers for some

cricket fixtures—not all, but some cricket fixtures—at Adelaide Oval. To give three examples, certainly the club that I am most passionate about, the Port Adelaide Football Club and its AFL incarnation Port Power, had been suffering from declining crowd numbers at Football Park. When mated with what was perceived to be—and, of course, none of us have seen the actual details of this—an unreasonable stadium deal from the SANFL at that time at Football Park, these declining crowd numbers were costing not only the sport of Aussie rules football in South Australia some of its lustre and allure for fans but it was also financially costing the Port Adelaide Football Club quite significantly from being stuck down at Football Park playing games.

Certainly I can remember in a previous professional incarnation that there were some suggestions that an additional sheen of lustre could be reapplied to Football Park, and perhaps the state had some role in providing some financial assistance to the SANFL to substantially redevelop Football Park, and maybe that was to upgrade its facilities, upgrade its stadium capacity, upgrade its food and beverage experience and be able to attract the sort of crowds, which are referenced by the second reading comments, at that location.

However, of course, the AFL at the time took a different view. It thought that part of the reason why the MCG and now, as we understand to a lesser extent, Etihad stadium or the Docklands Stadium facility had been more of a success was because of its proximity to Melbourne's CBD, to the heart of Melbourne, and so came the suggestion for the redevelopment of Adelaide Oval. Certainly fast-forward—

Ms Chapman interjecting:

The Hon. S.C. MULLIGHAN: Fast-forward some period of time—

Ms Chapman interjecting:

The CHAIR: I must remind the member for Bragg, irrespective of the fact that it is her birthday, that we are not going to tolerate interjections—are we—and we are not going to respond to them.

Mr Knoll interjecting:

The CHAIR: Order! The member for Schubert, if I have to go and get the book I will go and get the book.

The Hon. S.C. MULLIGHAN: Where were we? Perhaps I will rewind and start again.

The CHAIR: Yes, why not. I have lost track, too.

The Hon. S.C. MULLIGHAN: Perhaps that might be necessary.

Members interjecting:

Ms Redmond: Speaking of filibusters.

Ms CHAPMAN: I do raise a point of order. My question was about why the alleged visitor patronage at the Adelaide Oval, in the opening statement by the minister, was inconsistent with the claim that over 60,000 people attended SANFL grand finals during the 1960s, so it is a visitor patronage question as to who is right. If the minister has erred in his claim that there had not been visitor patronage since similar to Bodyline, then perhaps he had not read it when he gave the speech or had not checked it, but I am happy to have—

Members interjecting:

Ms CHAPMAN: I am happy to have the minister—

The CHAIR: I have been very generous to everybody—

Ms CHAPMAN: —consider some long way of getting to it, but he has had about 10 minutes and I would like to know what the answer is.

Members interjecting:

The CHAIR: Order!

Ms CHAPMAN: Because he can speak—

The CHAIR: Order! Sit. The Chair has been very lenient with everybody this morning. We are going to listen carefully to what the minister says as he addresses, as soon as he possibly can, the question.

The Hon. S.C. MULLIGHAN: That is right, thank you, Chair. I apologise to the deputy leader, I did not realise she had an exclusive licence on that excess detail.

Ms Chapman interjecting:

The CHAIR: Order! It would be good if everyone was respectful of everybody, but there has been a little bit of argy-bargy here this morning, so it is a bit hard for the pot to call the kettle black. Back to the topic.

The Hon. S.C. MULLIGHAN: Anyway, crowd numbers. How to boost crowd numbers is the purpose of the Adelaide Oval, as referenced in the second reading contribution.

Ms Chapman interjecting:

The CHAIR: Order!

Ms Chapman interjecting:

The CHAIR: Member for Bragg, you will miss question time and I would not want that to happen.

The Hon. S.C. MULLIGHAN: Well, that is not something that would be true for all of us.

The CHAIR: Order! I might be misleading the house. Back to the topic.

The Hon. S.C. MULLIGHAN: So, crowd numbers. The idea of the Adelaide Oval redevelopment was to boost crowd numbers, particularly in light of the dwindling, last year, of both AFL football, at football park, and attendances here in South Australia for both of our teams. I gave the example of the Port Adelaide Football Club, but it was also an experience replicated, unfortunately, by the Adelaide Football Club—a club that I am somewhat less passionate about, but realise its equal importance here in attracting people to enjoy that game of Australian rules football but importantly contribute to the economy of South Australia.

As I was saying, the Australian Football League took the view that a redeveloped oval closer to the city was desirable to boost those crowd numbers. Fast-forward the tape a little and, as we found ourselves at the outset of the 2014 AFL season, only a small number of days after the recent state election—and what a pleasure it was for the re-elected Premier to be out on that oval after that state election, tossing the coin at the beginning of what was a showdown, and very pleasingly for me, as a season ticket holder of the Port Adelaide Football Club, a home showdown for Port Adelaide—we had a record crowd of over 50,000 people. Those crowd numbers, by and large, have been replicated throughout the entire season.

That certainly had not been the case for many years at football park, and when we come to cricket, and this is where we get to the nub of the issue about the comparison with—

Ms Chapman interjecting:

The CHAIR: Order! Member for Bragg.

Ms Chapman interjecting:

The CHAIR: Order! Member for Bragg.

The Hon. S.C. MULLIGHAN: It must be frustrating—

The CHAIR: No—to me, not her, me.

The Hon. S.C. MULLIGHAN: It must be frustrating—

The CHAIR: No, not that bit, the next bit about cricket.

The Hon. S.C. MULLIGHAN: So, to the nub of the issue, which is comparing the Bodyline crowds to the recent football crowds, and somewhat of a red herring conjecture by the deputy leader throwing up one crowd, which, if you are a Port Adelaide Football Club supporter—

Ms Chapman interjecting:

The CHAIR: Order!

The Hon. S.C. MULLIGHAN: That is right, is best forgotten, given the result. Nonetheless—

Ms Chapman: 2 October 1965.

The CHAIR: Member for Bragg, I will have to get the book, I cannot cope any longer. Keep going.

The Hon. S.C. MULLIGHAN: The comparison between these three events, the crowds that we had in the Bodyline series, where I understand we had five days—it was five days, it was not one of those six-day test matches that we used to have back in that era, but five days—and days they were, eight-ball overs back then. They were long days and it is incredible that a crowd would stick it out for that long, particularly given the quality of the infrastructure back then, when there was less shade and fewer amenities—but stick it out they did. Five days of capacity crowds at Adelaide Oval.

Now the deputy leader, somewhat incongruously, as a red herring—and I am mystified that she does not have any other questions at the committee stage of this bill, but I will not digress—says, 'What about one day,' unimportant in the context of sporting history particularly given its result, 'back in the 1960s when maybe there was an overcapacity crowd?' Well, one day does not a spring make, or whatever the metaphor is. One day is not a valid comparison for the trend that is spoken about in this second reading speech.

The trend of crowd attendances cannot be shied away from. The trend has been that crowds have repeatedly been at or near capacity for AFL football games at the redeveloped Adelaide Oval, at or near capacity as they were for the Bodyline series back in the 1930s. That is the validity of the comparison. Given that she represent suburbs which by and large are likely to support clubs like Sturt, as unfortunate as that may be, particularly for them, given their recent success or lack thereof on the sporting field, I realise that it is in the deputy leader's interest to raise that red herring, 'What about that Port Adelaide versus Sturt Football Club game?'

But to pick one day and say that that was at capacity or even beyond capacity and that that is a valid comparison to what happened in the 1930s, when we had a series of days over the whole period of a test match at Adelaide Oval when we were at capacity crowds, or even what we have seen for the most part over nearly 2½ football seasons now of near capacity or at capacity football crowds, I do not believe is a valid comparison, so I stand by what is in the second reading.

Clause passed.

Remaining clauses (4 to 7) and title passed.

Bill reported without amendment.

Third Reading

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (12:32): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Sitting suspended from 12:33 to 14:00.

MAGISTRATES COURT (MONETARY LIMITS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Assent

His Excellency the Governor assented to the bill.

REAL PROPERTY (ELECTRONIC CONVEYANCING) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the Premier (Hon. J.W. Weatherill)—

Remuneration Tribunal—
Determination of the Remuneration Tribunal No. 7 of 2016 Report Salary for the Governor of South Australia
Determination of the Remuneration Tribunal No. 8 of 2016 Report Review of Salary for Presidential Members of the South Australian Civil and Administrative Tribunal

By the Minister for the Public Sector (Hon. J.R. Rau)—

Regulations made under the following Acts—
Public Sector—
Public Sector Employment
Special Leave with pay

By the Minister for the City of Adelaide (Hon. J.R. Rau)—

Rules made under the following Acts—
Various—Gambling Codes of Practice—Predictive monitoring amendment

By the Treasurer (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Public Corporations—Southern Select Super Corporation

By the Minister for Finance (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Southern State Superannuation—Miscellaneous Amendment
Superannuation—Prescribed Authorities

By the Minister for Agriculture, Food and Fisheries (Hon. L.W.K. Bignell)—

Regulations made under the following Acts—
Fisheries Management—Fees—Variation
Primary Industry Funding Schemes—Deer Industry Fund—Revocation

By the Minister for Investment and Trade (Hon. M.L.J. Hamilton-Smith)—

Education Adelaide—Charter Report 2015-16

By the Minister for Local Government (Hon. G.G. Brock)—

Local Council By-Laws—
District Council of the Copper Coast—
No. 1—Permits and Penalties
No. 2—Local Government Land
No. 3—Roads
No. 4—Moveable Signs
No. 5—Dogs
No. 6—Cats

By the Minister for Communities and Social Inclusion (Hon. Z.L. Bettison)—

Regulations made under the following Acts—
Cost of Living Concessions—Rates and Land Tax Remission

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

Regulations made under the following Acts—
Teachers Registration and Standards—General

By the Minister for Disabilities (Hon. L.A. Vlahos)—

Regulations made under the following Acts—
Disability Services—Assessment of Relevant History

Ministerial Statement

CHILD PROTECTION DEPARTMENT

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:02): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: In 2014, the South Australian government ordered the royal commission into child protection systems after the horrific case emerged of now convicted paedophile Shannon McCoole. Pursuant to the terms of reference, the royal commission is to report on a range of matters, including improvements that can be made to the existing laws, policies and structures of the child protection system. The terms of reference provided for the royal commission to make interim recommendations as appropriate to ensure progress in this area continues.

On Monday 20 June, the government received interim recommendations from the royal commission. The commissioner recommended that the South Australian government:

1. Move the office of child protection and the functions of Families SA out of the Department for Education and Child Development to establish a separate department that has the business of child protection as its primary focus.

2. Appoint a chief executive of the new department who has strong leadership skills and established credibility in child protection work and who has a direct line of ministerial responsibility.

3. Implement a departmental structure in the new department that reduces the hierarchies between leadership and front-line workers.

4. Establish a refreshed leadership in the new department in order to attract and retain leaders who have established credibility in child protection work and who have the capacity to lead major reform of organisational culture.

The government has accepted those recommendations. With this new department will come new leadership. The government has begun recruitment for the position of chief executive of the new department. We agree with and accept the recommendations of the royal commissioner that the chief

executive should have strong leadership skills and established credibility in child protection work. We acknowledge that this structural change will not be the answer to all of the problems in this area and adopt the commissioner's comments that 'the change of departmental location must be accompanied by a committed, serious and profound shift in leadership and culture'.

I have also announced a series of leadership changes to other South Australian government departments, effective from today. Mr Rick Persse, previously chief executive of the Attorney-General's Department, has been appointed Chief Executive of the Department for Education and Child Development. Mr Tony Harrison, previously chief executive of the Department for Education and Child Development, has been appointed Chief Executive of the Department for Communities and Social Inclusion.

Ms Jos Mazel, previously chief executive of the Department for Communities and Social Inclusion, will take up a lead role for the government's newly established French engagement strategy. Ms Caroline Mealor, Deputy Chief Executive of the Attorney-General's Department, will be Acting Chief Executive in that department whilst a recruitment process takes place.

These changes reflect the leadership qualities needed across government, and I thank the chief executives for their excellent work in their respective departments. Mr Persse is a well-respected leader and takes on the most important challenge of ensuring our schools are delivering the best education outcomes for South Australian children and families. Mr Harrison has worked tirelessly delivering important reforms to the Department for Education and Child Development, in particular our responses to the Debelle and Valentine recommendations. I also wish to thank Jos Mazel for her long service to the Department for Communities and Social Inclusion. She will also take up an important position within my department as we seek to forge closer ties with the government and people of France.

Parliamentary Procedure

VISITORS

The SPEAKER: I now welcome to parliament students from Pennington Primary School, who are guests of the member for Cheltenham and Premier. The Minister for Agriculture says that he is an old scholar of Pennington Primary School. Quite how he achieved that living at Glencoe, I do not know. It must have been a big commute.

Ministerial Statement

WHYALLA STEELWORKS

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:08): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: I would like to further update the house on the ongoing efforts by the state government to secure the future of steelmaking and the thousands of jobs that rely on the steelworks and iron ore mines in the Upper Spencer Gulf. The South Australian government, on advice from the Steel Taskforce, this month announced a proposal to secure the future of Whyalla and the Upper Spencer Gulf through a $50 million commitment to support investment in the long-term viability of steelmaking.

At that time, we called for bipartisan support for an additional $100 million commitment from the commonwealth to secure a $150 million facility that would be made available to the new owners of Arrium's Whyalla operations. I am pleased that we have now been informed of two alternative proposals, one by Labor and one by the Coalition, in response to the state government's commitment to Whyalla.

Labor leader Bill Shorten has pledged that a government he leads will provide $100 million towards a Steel Reserve they can be drawn down by the new owners to support capital investment projects to improve the viability of the steelworks and associated mines. The Steel Reserve would comprise $50 million in commonwealth grants and a further $50 million in concessional loans

financed by the Export Finance and Insurance Corporation (EFIC) to build on the $50 million commitment made by the South Australian government.

This funding would be available to a new purchaser, subject to matching funding, and released on appropriate terms and conditions to ensure that this money supports investment in the plant. On the other hand, the Coalition has offered a $49.2 million concessional loan to the administrator to support investment in new machinery required to produce higher grade ore in the Middleback Ranges. Such a loan would be secured against the plant and equipment and repaid by the new owners.

I am advised by the Steel Taskforce that this investment project is just one of several measures required at Whyalla to improve the commercial viability of the mine and the steelworks. While this project is the most advanced and can most speedily return cashflow to the operations in South Australia—and I thank the commonwealth government for their investment—it alone will not be sufficient to ensure the long-term viability of the steelworks.

I note with interest that the federal member for Grey, Mr Rowan Ramsay, yesterday commented that the $49.2 million proposal was not 'the last offer on anything', and I look forward to further announcements from the federal industry minister (Chris Pyne) and the Prime Minister. We have been working hard to support the people and businesses of South Australia's second largest regional centre and to ensure that Arrium can emerge as soon as possible from administration.

I look forward to further updating the house with more information as the process to secure jobs and the future of Whyalla's workforce continues. I add my personal condolences to the family of Jim Pollock to those of his friends in the community. He was a fine servant of the people of Whyalla. He served our state with distinction. He was a true gentleman and he will be sadly missed.

Honourable members: Hear, hear!

POLLOCK, MR J.

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (14:12): I seek leave to make a ministerial statement.

Leave granted.

The Hon. G.G. BROCK: Today, I wish to mark the passing last week of Jim Pollock, aged 67, following a period of illness. He was the Mayor of Whyalla and a friend of several members in this house, including myself. Jim's funeral yesterday demonstrated the level of respect he engendered throughout the community. It was very well attended by the public, and the love his family had for him was also evident. Jim is survived by his wife of 46 years, Jenny, his daughters, Kerri and Steffany, and his five grandchildren. I know they have many cherished memories of Jim to help sustain them through this difficult time.

Jim attended Woomera Primary School before undertaking an apprenticeship at the age of 16 and qualifying as a motor mechanic, rising through promotion to become service manager and workshop supervisor. Jim and Jenny married in 1970 and subsequently moved to Whyalla, taking up Yendall's Deli business on Jenkins Avenue, before Jim moved on to other avenues. In 1997, Jim became a Whyalla city councillor and eventually became mayor in 2003.

He was Chair of Whyalla and Eyre Peninsula Regional Development Australia, Chair of the Provincial Cities Association and Deputy Chair of the Upper Spencer Gulf Common Purpose Group. Jim was very involved in his local community, being an honorary member of the Whyalla Norrie Rotary Club, patron of the Whyalla Football League and Cricket Association and patron of the Whyalla Surf Life Saving Club. Notably, he was a keen supporter of the AFL club for all South Australians, the Adelaide Crows.

An honourable member: Hear, hear!

The Hon. G.G. BROCK: Thank you. The respect Jim attracted was built upon his ability to engage with people from all backgrounds, demographics and political persuasions. While he was always very well dressed, he had a very down-to-earth manner in getting things done and listened deeply to all the views others expressed to him.

The Whyalla community drew assurance from his strength as a leader, but his influence spread beyond that fair city, and many South Australians, especially those of us from the Upper Spencer Gulf, were inspired by his wisdom, sense of commitment and, above all, his friendship.

While he was unashamedly a fighter for his community, he always led in a statesman-like manner, working constructively with all who could contribute to making things better for the Whyalla community. While he will be missed very much, his legacy will endure in Whyalla and throughout the region. He will be remembered as a tireless advocate for his city and the region, leading his community through times of great optimism and times when great changes needed to be faced.

I am sure all members will join me in acknowledging Jim's contributions and achievements. His life was indeed a great South Australian life, and our thoughts remain with his family, friends and the Whyalla community. Vale, Jim Pollock.

Question Time

CHILD PROTECTION

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18): My question is to the Premier. Why has it taken so long for this government to recognise that the child protection system is in crisis and has fundamentally failed the children of our state?

The SPEAKER: I detected some expression of opinion there, but it does give the Premier a lot of scope.

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:18): It does, sir. In fact, the first use of the word 'crisis' I recall in relation to child protection was actually in a report that was censored by the previous Liberal government when we came into government. Within three weeks of coming into government, the former minister for social inclusion, the member for Ashford, commissioned the Layton review which ultimately led to a tripling of the amount of resources that we put into child protection.

Every single time, every single report we have commissioned in relation to child protection has been done at the behest of this government, whether it was the subsequent Mullighan review, whether it was the subsequent Debelle review, or whether it was the Nyland review, which is presently underway—all of them initiated by this government because we take this area of endeavour most seriously. So, rather than simply allowing this debate to occur in an uninformed way, we have asked for independent expert analysis and exposed ourselves—

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: —to the highest level of inquiry. I notice the honourable member mentions the recommendation concerning Robyn Layton in relation to the children's commissioner. We, of course, want to implement that, but we are being opposed—

Members interjecting:

The Hon. J.W. WEATHERILL: It's deadlocked because the opposition are proposing a different model from the one recommended by commissioner Layton. The reason why we haven't put it forward is because we have been asked by Commissioner Nyland to await her final recommendation. That's the essence.

In relation to the question of responding to challenges in the child protection system, I think it could be fairly described that the system feels as though it is in crisis. Certainly, a lot of the workers do feel that way. But we need to remember that this phenomenon of child protection systems being in trouble is one which is an international phenomenon. The simple truth is—

Members interjecting:

The Hon. J.W. WEATHERILL: The simple truth is that there should be no ambition for a child protection system to stay out of trouble because it simply is not possible. What you are asking people to do is to make judgements about the future conduct of human beings, and necessarily, even with the most conscientious judgements in the world, they will be found to be wrong judgements from time to time.

If there is a culture of oppositions and commentators creating a sense of blame and crisis in the system every time something like this happens, we will never attract those qualified and conscientious people who do some of the most difficult work in government—that is, going into families who are unwilling or unable to care for their own children and making conscientious judgements about how to support those families or, that most brutal of decisions, to take a child away.

The truth is that this is the most difficult area of government. We are determined to get it right. This gives us an opportunity for a fresh start, and I ask those opposite to accept, now that we have a shared position on this, in a bipartisan way the opportunity to reform the system.

Members interjecting:

The SPEAKER: The members for Adelaide, Kavel, Davenport, Unley, Chaffey, Morphett, Hartley, Morialta and Mount Gambier, the leader and the deputy leader are called to order. The leader, deputy leader and members for Adelaide, Hartley, Morphett, Unley and Morialta are warned a first time. The leader, the deputy leader and the members for Hartley, Morialta and Adelaide are warned a second and final time, and some of the screaming by the member for Unley during the Premier's answer was a gout on the reputation of this parliament.

LYELL MCEWIN HOSPITAL OPEN DAY

Mr ODENWALDER (Little Para) (14:23): My question is to the Minister for Health. Minister, could you inform the house about the open day held at the Lyell McEwin Hospital last weekend, on Saturday 18 June?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:24): Thank you to the member for Little Para, who takes a keen interest in the Lyell McEwin Hospital, which is in the heart of his electorate. Indeed, my understanding is the member for Little Para was at the open day last Saturday and as well became a father again eight months ago at the Lyell McEwin Hospital, so he is very familiar with the wonderful services there. Both the member for Little Para and the member for Florey are strong advocates for the hospital and I am told both attended the open day on the weekend. I would particularly like to thank them both for their promotion of the event to their local communities.

The day was a great success, in part thanks to them but also thanks to the hardworking staff and clinicians from the Lyell McEwin and Modbury hospitals who gave up their time, and in some instances their days off, to make it happen. On Saturday, several hundred people from the north and north-east of Adelaide were treated to a special behind-the-scenes look at the Lyell McEwin Hospital. They were taken on guided tours of various areas of the hospital, including the purpose-built state-of-the-art cancer centre and the impressive women's and children's health hub.

The Lyell McEwin Hospital provides world-class hospital services to Adelaide's north and north-eastern community and, through Transforming Health, we are building up its capacity to ensure that many more people in this community are able to access hospital services within their local area. In fact, by 2016-17, due to population shifts towards our rapidly growing northern suburbs and the changes we are making, the Lyell McEwin Hospital together with Modbury Hospital will service almost half a million South Australians. That is why this government has exercised foresight, investing over $314 million in the Lyell McEwin Hospital since 2002 in the significant expansion of its services and facilities. Almost doubling in size, we have seen much change to the hospital in the past decade, transforming it into the major tertiary hospital for the north and north-eastern area.

I visited the Lyell Mac last Wednesday to hear from our clinicians about the recent service changes and the clinical improvement initiatives they are implementing through Transforming Health. Mr Speaker, I can tell you there is a real sense of positivity and enthusiasm among the clinicians working there. They told me about clinical improvements and innovations they have been leading in a range of health disciplines, all backed up by clinical evidence and data that is showing impressive and positive outcomes for patients of Modbury and Lyell McEwin hospitals.

It was clear that the clinicians are excited about the Lyell McEwin's continued transformation and are proud of the excellent care they are providing to patients. Last Saturday's open day also gave community members the chance to speak directly to our clinicians about changes at the

hospital. The tour showed off the equipment and facilities that are used and there were information stalls, health demonstrations and other festivities, including face painting and a sausage sizzle that would rival that of Bunnings on a Saturday morning.

Importantly for our northern and north-eastern residents, the Lyell McEwin and Modbury hospitals are seeing excellent results for patients. Despite the busy winter period, I am told these hospitals continue to improve on the national four-hour emergency target and, on average, are still the highest performing hospitals in South Australia. These positive results are great news for our patients and a testament to the hardworking and dedicated doctors, nurses, midwives and allied health staff who care for our community every day.

Despite a small number of detractors determined to undermine the impressive improvements our clinicians have achieved, it is clear that recent changes we have made have been a success and, most importantly, have improved care for people who live in the north and the north-east.

CHILD PROTECTION

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:27): My question is to the Premier. Does the Premier stand by his comments made in the house on 6 August 2014? When the Premier was asked if he would consider separating the Department for Education from child protection, the Premier stated:

> …the bringing together of the Department for Education and Child Development was a conscious step to bring together relevant education, health care, protection and child development services within one agency so that we could consider, rather than a series of disconnected services, the whole of our service system from the perspective of the child…I think it is a good approach, and it is something that I stand by.

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:28): Yes, that vision remains the vision for our services in the child development area. Notwithstanding the decision today, in fact the commissioner is at pains to reinforce the importance of joined-up approaches across various agencies. It's absolutely—

Mr Marshall: You said one agency.

The Hon. J.W. WEATHERILL: That's right, and that needs to be achieved in that context. The one agency now has to—

Ms Chapman: It was a conscious step to bring them together.

The Hon. J.W. WEATHERILL: Yes, it was a conscious step.

The SPEAKER: The deputy leader and leader are on two warnings.

The Hon. J.W. WEATHERILL: That vision to work across a range of agencies, whether it is social housing, whether it is disability services, whether it is family support services or Aboriginal-specific services, or indeed the mainstream services of health and education, they have to be joined up to deal with those families that find themselves in crisis. The truth is that we have child protection notifications for one in four children by the time they reach 18.

It is not possible for a statutory child protection response to occur in respect of each of those children, and it would be wrong if that were to happen, so we do need an agency, we do need a child protection response, which is confined to those children at real risk of harm, but for those families who need additional support we need to bring in those services around them.

I had a different view about how that was best achieved. I thought we should put the child protection agency within one of those mainstream agencies. That hasn't worked, but the agenda needs to be delivered because there is no other way of keeping children safe and dealing with those children who find themselves having suboptimal child development because they are in families facing poverty or some other difficulty.

But we also need to make sure that we assertively remove those children at real risk of harm who can get lost in a child protection system that gets swamped with so many other notifications. So, that's the public policy challenge. The approach we have taken hasn't worked. We now have a recommendation—

Mr van Holst Pellekaan interjecting:

The Hon. J.W. WEATHERILL: —of a different way of doing things, and we have accepted that recommendation. Structures themselves, as the royal commissioner has told us in this recommendation, won't be enough, but it is a necessary precondition that we do have a fresh start so that when we do get the recommendations that will be handed down in a few months' time we can act on them quickly and effectively and change the culture of this agency. That is what we are committed to and that is what we will deliver.

The SPEAKER: The member for Stuart is called to order. The member for Light.

CYBERSECURITY

The Hon. A. PICCOLO (Light) (14:31): My question is to the Minister for Investment and Trade. Can the minister outline recent initiatives to bring investment into 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) (14:31): Earlier today, I announced plans by multinational technology company NEC to establish a global security intelligence centre in Adelaide. The centre will include the development of a cybersecurity practice, a centre for excellence focused on cybersecurity research, and a purpose-built cybersecurity centre for monitoring and managing threats across different industries.

There are two major benefits to South Australia's future from this: firstly, this is a $4.4 million investment. It will create 50 well-paid, high-value technology jobs that are currently in demand globally. Secondly, it gives our state a strong presence in the emerging demand for cybersecurity services. Cybersecurity is an industry that is becoming more important to Australia's national security—

Mr KNOLL: Point of order, Mr Speaker: the minister put out a press release on this this morning, and everything that he is discussing has already been sent to the media.

Members interjecting:

Mr KNOLL: 'NEC to set up $4.38 million cybersecurity centre in Adelaide and create 50 jobs.'

The Hon. P. Caica interjecting:

The SPEAKER: The member for Colton is correct that I did hear the point of order the first time, and I call him to order.

Mr KNOLL: It's exactly relating to what you were talking about.

The SPEAKER: I will check against delivery.

The Hon. M.L.J. HAMILTON-SMITH: Thank you, Mr Speaker. It's important that South Australia maintains capability in cybersecurity. The risk to business and government from computer intrusion and the spread of malicious code by organised crime have been assessed by the Australian government as high. In April this year, the Prime Minister released Australia's Cyber Security Strategy.

NEC's decision to establish one of its front-line information technology defences in Adelaide has been supported by the South Australian government's Investment Attraction Agency. As a result, the high-value jobs and industry expertise to be based here will play a significant role in the state's future. It's an example of a multinational enterprise choosing to expand their operations in South Australia where the best conditions for business make such decisive decisions achievable. It is also another achievement of the Investment Attraction Agency.

In October 2015, the South Australian government established the agency to lead the state's efforts in pursuing investment from overseas and interstate. In the nine months since then, 10 companies have been provided with assistance, primarily in the form of case management services. This has led to more than $950 million worth of direct investment for projects in the state that will create 3,800 direct and associated jobs for South Australians. These investments include ScreenAway, Orora Limited, Wineflow, Micromet, Hornsdale (Neoen France), West Franklin

Development on Franklin Street, Vision on Morphett, Buddy Platform, Ingham Enterprises and now NEC.

These results support Deloitte's Investment Monitor report released in April for the March 2016 quarter, which shows that the value of investment projects in South Australia rose 14.2 per cent in the year to date to reach $41.5 billion. The state government is committed to ensuring development continues in South Australia. It's one of the reasons why we announced a $670 million tax cut initiative in the Mid-Year Budget Review that will assist in driving private capital investment up in South Australia. Good government means getting results. This morning was the latest example of that, and there is more to come.

The SPEAKER: That appeared to be wholly original. The leader.

CHILD PROTECTION

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:35): My question is to the Premier. Will the Premier now take urgent action to appoint a commissioner for children and young people, as his government promised would be delivered by the end of 2013?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:35): I don't know whether the honourable member was listening to my previous answer because he would know the answer is no. Here's the history—

Mr Knoll interjecting:

The Hon. J.W. WEATHERILL: Well, here's the history of the matter. We decided to put forward a commissioner for children and young persons which was modelled on the recommendations of commissioner Layton. The opposition decided they had a better idea and wanted to amend it to give it some additional responsibilities—

Ms Chapman interjecting:

The Hon. J.W. WEATHERILL: That's what we're waiting to find out.

Ms Chapman: Why don't you ask her?

The Hon. J.W. WEATHERILL: Well, we have.

Ms Chapman: Why don't you ask her?

The SPEAKER: The deputy leader will withdraw for the remainder of question time under the sessional order.

The honourable member for Bragg having withdrawn from the chamber:

The Hon. J.W. WEATHERILL: We have asked her, and she's asked us to wait.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Well, now the opposition leader seems to be either suggesting that either myself or Commissioner Nyland is being less than truthful. I think it's a dangerous set of propositions, but if she wants to advance that I will let her do that. We were asked to wait until her recommendations to take further steps in relation to that. If she recommends a particular model, we will obviously give it—

Mr Marshall: You promised it by the end of 2013—before the royal commission was even established.

The Hon. J.W. WEATHERILL: Yes, that's right.

Mr Marshall interjecting:

The SPEAKER: Would the leader like to join the deputy leader?

The Hon. J.W. WEATHERILL: That's true, and if you had simply agreed to the model recommended by commissioner Layton it would be law. In the desperate attempt to play politics with child protection, those opposite wanted to hang on to a point of difference.

Mr GARDNER: Point of order, sir, standing order 98: the Premier is clearly debating in his labelling of the motive going on.

The SPEAKER: For what?

Mr GARDNER: The Premier's accusation that the opposition is playing politics with child protection is clearly debate. In addition, members find it offensive.

The SPEAKER: I think if the accusation of playing politics in parliament were taken out of *Hansard*, it would be a much skinnier volume.

Mr GARDNER: Point of order, sir: the Premier is responding to a question asking whether he will take urgent action to appoint a commissioner for children and young people and, in framing the debate, accusing the opposition of certain tactics as being why he hasn't done that. That is debating.

The SPEAKER: That matter of the commissioner has been before the parliament habitually in the past few years. Premier.

The Hon. J.W. WEATHERILL: It's pretty germane, to the point, why isn't there a commissioner for children and young persons, because the model that's being proposed by those opposite is inconsistent with the model recommended by Layton, and if they had accepted the model proposed by Layton it would be law. The simple answer is: there would be a commissioner for children and young people if they had decided to simply accept the recommendation of an authority that they are fond of quoting when it suits them but are happy to disagree with when it suits their political convenience. That's the simple answer and, because it then got caught up with the royal commission, it's now going to be considered across a range of other matters.

The truth is at the time, the reason we didn't we have a—I think I was child protection minister at the time who was responsible for choosing which of commissioner Layton's recommendations to act on—what we chose to do instead was to actually upgrade the role of the child protection advocacy body, or advisory body. There were two bodies: the child interests bureau and the child protection advisory council. We decided to amalgamate them, give them powers of advocacy, and that ended up being essentially the advocacy body for children à la a children's commissioner.

There are still ambitions for there to be a children's commissioner, so we said we would act on that. We obviously are attracted to the model that commissioner Layton recommended. Now, of course, I think what Commissioner Nyland wants to do is to consider all of these various advisory bodies, such as the council for children and young persons, and also the Guardian for Children and Young People. She is going to consider all those and make a recommendation about what the model should look like in the future.

I just met with Belinda Valentine, who is obviously a strong advocate for these matters, and she suggested a potential circuit-breaker was the folding of some of these roles into the operations of the guardian for the child and the young person. That may or may not be what is recommended by Commissioner Nyland, but I think we should await her expert recommendations.

KANGAROO ISLAND EMPLOYMENT

Mr PICTON (Kaurna) (14:40): My question is to the Minister for Planning. How is the government supporting jobs and growth on Kangaroo Island?

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) (14:41): Can I thank the honourable member for his question. Last week, I had the privilege of attending a community information session at the Kingscote Football Club on Kangaroo Island. It was a very interesting meeting. I would say there were 80 or 90, perhaps, members of the community there at the meeting, and it was also attended by the Commissioner for Kangaroo Island, who has been doing a lot of work there, some of her staff and members of the council.

Mr Pengilly: Did you hear the mayor's interview on Friday, John?

The Hon. J.R. RAU: Is that right?

Mr Pengilly: What a classic.

The Hon. J.R. RAU: No, I didn't hear—

The Hon. A. Koutsantonis interjecting:

The Hon. J.R. RAU: Yes, we did hear Sam Johnson's interview, but I didn't hear—

Mr Pengilly: I'll send it to you.

The Hon. J.R. RAU: Okay. I did have the privilege of having a chat with the mayor, who is very interested in some of the work that is being done in respect of development of the island. Actually, there are a lot of very interesting things going on. The first thing is that there's been a document published called the Kangaroo Island Economic Development—

Mr KNOLL: Point of order, Mr Speaker: the minister had a press release on the KI economic outlook that he issued last week, on 15 June.

The Hon. J.R. RAU: This is not in a press—

The SPEAKER: I will check against the Deputy Premier's delivery to ensure there is no duplication.

The Hon. J.R. RAU: I accept that the proper name of this particular item, which if you put it in inverted commas is 'The Kangaroo Island Economic Development Outlook', may have appeared in some other publication at some other point in time, but that doesn't mean that what I'm about to say about it, which is fascinating, appears in any other printed material. So, if I might go on.

What is this about? I'm going to call it a prospectus. We didn't actually call it a prospectus originally because there are some legal issues around using the word 'prospectus' for a document of this type, but that's really what it is. When my ministerial colleague, the Minister for Investment and Trade goes overseas, and when other ministers are travelling, they are going to be able to have a copy of what I call 'the Kangaroo Island prospectus' that they can hand out to people all over the place and say, 'If you want to invest in Kangaroo Island, if you want to see what magic opportunities there are on Kangaroo Island, here is—

Mr Knoll interjecting:

The Hon. J.R. RAU: The member for Schubert hasn't found any of this, I imagine, because it's all completely original. This prospectus will be there. It will be available for people who want to invest in the island. There is also a 'draft management plan for housing'. What is that about? There are challenges for housing on Kangaroo Island. There are challenges about having appropriate housing and enough housing. There are challenges around housing for people with disabilities. All of these things are now the subject of a management plan which is being consulted upon in the island even as we speak. Even right now I expect people are consulting on it. Here is another one of great interest: expressions of interest for the Kingscote wharf development.

The Hon. A. Koutsantonis: And there's more.

The Hon. J.R. RAU: There's more. The Kingscote wharf, as the member would know, this Kingscote wharf area is that area outside the Ozone Hotel. There has not been anything much happening there for a long time, a few sheds. Since the demise of the *Troubridge* it has been a bit quiet. Now there is an opportunity. We have at least one company that has already made an expression of interest in doing some work on the island and we are looking at further investment. There is investment possibly coming in golf courses. What an exciting time it is for the island.

The SPEAKER: Well, that sounded all extempore to me.

CHILD PROTECTION DEPARTMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:45): My question is to the Premier. Does the Premier still believe that having a dedicated child protection agency is, and I quote from his own words, 'a retrograde step' and that combining the Department for Education with child protection was, and I quote, 'a very important reform for this government'?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:45): No, I don't agree with that anymore. We have changed our mind about that because it hasn't worked, but the objective remains. We are not giving up the objective of having a child protection agency which is focused on the tertiary end, the most difficult end, the area where children are at risk, and trying to use every other mainstream agency, including the non-government sector, to support families to strengthen them.

We want, as far as we possibly can, not to punish families whose only crime is to be in poverty. We want to make sure that we can support those families to be as strong as they can so that they can care for their children, and that is the only way any system of child protection can effectively function. We need also to be wise enough to be able to discern when a family is tipped over the edge and children are at real risk of harm and to be able to assertively and quickly remove those children from those circumstances.

So, that remains our vision for child protection. As to the means by which we achieve it, of course, we are prepared to expose ourselves to advice. We are prepared to change the views that we have about this on advice. I must say, though, that none of the inquiries that we have had previously, whether it be Robyn Layton's inquiry, the Mullighan royal commission, the Debelle inquiry, until now, until today, none have recommended that there be a stand-alone child protection agency. None have recommended that. They have recommended that today, as a stand-alone agency, and we have acted on it today.

LINCOLN COVE MARINA

Mr GEE (Napier) (14:47): My question is to the Minister for Transport and Infrastructure. Can the minister provide the house with details on what the state government is doing with the marine facilities at Port Lincoln?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:48): I thank the member for Napier for his question. As all members are aware, particularly the member for Flinders, Port Lincoln is an important community in South Australia. It has a proud history for its fishing industry and it is also an export and grain handling facility for grain grown on Eyre Peninsula. It also has a thriving tourism industry, including the set-off point for cage diving with great white sharks, swimming with sea lions or bluefin tuna, or tasting some of the finest and freshest seafood in the world.

In recent years, there has been a significant growth in daytime seaborne tours operating out of the Lincoln Cove Marina. As these organisations grow, so does the need for marine infrastructure required to support these organisations also to grow. Many members would be familiar with the Lincoln Cove Marina and the pontoon area adjacent to the Marina Hotel. Tour operators have expressed an interest in the redevelopment of this pontoon area to accommodate their growing needs, in particular to accommodate larger vessels.

As some members may be aware, we have had an issue in recent times with the inability of this pontoon to accommodate larger vessels. Certainly, the member for Flinders has raised this issue with me, as has the Minister for Tourism. The Tacoma Preservation Society also sees this pontoon area adjacent to the hotel as an ideal location to moor its—

Ms Cook interjecting:

The Hon. S.C. MULLIGHAN: So soon?

Ms Cook: Sorry, it was accidental.

The SPEAKER: I call the member for Fisher to order!

The Hon. S.C. MULLIGHAN: I might finally make it to four minutes now, Mr Speaker. The Tacoma Preservation Society also sees this pontoon area adjacent to the hotel as an ideal location to moor its historic vessel, the *Tacoma*, a purpose-built tuna fishing vessel of about 26 metres in length and, I am advised, weighing around 150 tonnes. In responding to these competing interests, the Department of Planning, Transport and Infrastructure will be undertaking a public request for proposal process to license and develop the seabed land adjoining the Marina Hotel.

I am pleased to advise that, once this public request for a proposal process has been completed, the successful proponent will be offered a licence of sufficient duration to be able to invest in improved facilities, and in particular, preferably, develop facilities that will be able to accommodate these larger vessels. Of course, we need to allow the opportunity for such a proponent to be able to amortise these costs over a lease period.

I advise that at this point in time we are looking at a lease period of a maximum of 20 years at an independently assessed annual licence fee. I would like to remind the house of the significant importance that these industries and organisations have, not only for Port Lincoln but also for South Australia, and the vital role that the state government can play by assisting with the continued growth of these sectors through this initiative.

It is an exciting time for the Port Lincoln community, and my department will continue to work closely with the City of Port Lincoln and the member for Flinders to ensure that the right proponent is chosen to undertake the proposed redevelopment which will see an increased amount of activity in the Lincoln Cove Marina and surrounding areas.

CHILD PROTECTION

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:51): My question is to the Premier. How long will it take to have a fully operational, dedicated agency for child protection in South Australia?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:51): Certainly, we will act on that as soon as possible. This is the first work—

Mr Marshall: How long?

The Hon. J.W. WEATHERILL: Well, as soon as possible. The ambition is to have this as advanced as we can have it by the time the recommendations have been responded to. Ideally, in a perfect world, we would have a new chief executive and we would have a fully functional agency set up and established, but really that largely abides the length of recruitment time. We are undertaking an international search for a new leader for the child protection agency, the new child protection department. That will take as long as it takes to get the right person. As soon as we possibly can, I think, is the answer.

RIVER MURRAY SUSTAINABILITY PROGRAM

The Hon. T.R. KENYON (Newland) (14:52): My question is to the Minister for Agriculture, Food and Fisheries. Minister, can you explain how the South Australian River Murray Sustainability Program is saving water and creating jobs?

The SPEAKER: If, indeed, it is. Minister.

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) (14:52): It is indeed saving water and producing more jobs and also some great benefits for the local community. I would like to commend the Premier for the great work he did in making sure that South Australia and particularly those irrigators in the Riverland got more than our fair share. The irrigators up there have been giving up things since the 1960s. They have become the most efficient irrigators anywhere in South Australia and they have done a tremendous job. I was up there last week and I spoke to some of the people—

An honourable member: Did you have a swim?

The Hon. L.W.K. BIGNELL: I went for a swim. It was pretty cold, but not as chilly as the relationship between you and Tony Pasin. I was up there last week and I was talking to some of the people who have been recipients of these grants and they remember the Premier coming up. They said that at first he wasn't armed with much more than the moral high ground in his back pocket and we all got in behind him and we wondered how he was going to do this. But he got the research through the Goyder trust and went to the feds and said, 'This is what South Australian irrigators have given up in the sixties and the seventies, the eighties, the nineties and the 2000s.'

Mr Whetstone: Rubbish, absolute rubbish.

The Hon. L.W.K. BIGNELL: You don't like it, do you? $265 million being spent in your part of the world and you want to sit there and have an argument about it. Go your hardest. This is one of the biggest investments in any region in South Australia's history and the Premier went in there and fought for it because we remember what the member for MacKillop and others opposite said. They said, 'That's the Rolls Royce. We don't want the Rolls Royce.' You guys wanted the Mazda. I'm telling you that I was up there and I was talking to your constituents last week, who were saying that this has been an incredible boost and it has allowed them to do things they could never have done. I met Richie Roberts from RNR Farms. This money has—

Mr KNOLL: Point of order: I would ask that you check the delivery against the 16 June release.

The SPEAKER: I will have a look.

The Hon. L.W.K. BIGNELL: I am not reading notes here, sir. I am talking off the cuff. This guy, the member for Schubert, is a time waster and I would like some time put back on the clock.

The SPEAKER: The minister will get on with the answer, please.

The Hon. L.W.K. BIGNELL: Thank you very much, sir. Richie Roberts, one of your constituents, at RNR Farms has just put in a covered area where he has planted blueberries with a high-tech hydroponic system and he is saving water. He has netting over the top.

The SPEAKER: It is in the press release.

The Hon. L.W.K. BIGNELL: This bit you will not find in the press release, sir. Do you know the value of those blueberries? It is $10,000 a tonne.

The SPEAKER: No, I didn't know that.

The Hon. L.W.K. BIGNELL: That's not in there—$10,000 a tonne. Do you know the value of the orange trees that he ripped out of there before? It was $250 a tonne. That's not in the media release, but that is a massive improvement. We then met with the Wursts, who are pistachio growers near Waikerie. They are taking out vines and putting in more pistachio trees. When I was in India two years ago, the Indian almond and pistachio importers said they would buy every almond and every pistachio we could possibly sell them. This is a growing world market and it is great to see people in the Riverland getting on board, using this money wisely, creating more jobs and really making sure that an economy that suffered so badly during the drought is thriving now and into the future.

The SPEAKER: Is the point of order that the minister's time has expired?

Mr GARDNER: No, I am seeking the call to ask a question, sir.

The SPEAKER: I guess it's your turn.

HARRISON, MR T.

Mr GARDNER (Morialta) (14:57): My question is to the Premier. Why was Mr Tony Harrison moved from his role as Chief Executive of the Department for Education?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:57): Because I believe that it is important to allocate the talent that we have in the South Australian Public Service in the best way possible. My judgement was that Mr Harrison would be best suited to be placed in the position of chief executive of the Department for Communities and Social Inclusion. He has been for three years in the role of education.

An honourable member: A revolving door.

The Hon. J.W. WEATHERILL: I don't think three years is a revolving door. He was brought in at a difficult time to deal with the aftermath of the Debelle inquiry. I think he has assiduously applied the principles and recommendations of the Debelle inquiry such that we no longer see those types of issues arising as they were on a routine basis, so I think he has done an excellent job there.

He has also had to deal with the difficult issues associated with the Valentine inquiry, and I think his work there has taken the agency to a particular point in its existence. We now have the

recommendation that gave us the opportunity to rethink a range of organisational structures. I had already had discussions with a range of chief executives about refreshing the service earlier in the year, and so I took the opportunity to reallocate him to another portfolio. I expect that he will continue to perform to an excellent standard.

REFUGEE WEEK

Ms BEDFORD (Florey) (14:59): My question is to the Minister for Multicultural Affairs. How is the government supporting community organisations to shine a different light on the story of refugees?

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) (14:59): I thank the honourable member for this important question because I know that she shares the government's commitment to support refugees who arrive in South Australia from countries that have experienced conflict. The United Nations High Commissioner for Refugees estimates that the number of refugees or asylum seekers and internally displaced people worldwide is more than 59 million. According to the UNHCR, 51 per cent of refugees are under the age of 18. Their stories are all different, but they share common experiences of courage and resilience. Refugees have faced the wrath of human evil but survived. They are extraordinary people.

This week is the 2016 Refugee Week. It is an important occasion and it comes at a time of considerable media attention towards refugees and asylum seekers. Refugee Week provides us with an opportunity to engage with new members of our community and deepen our understanding of the issues that affect them. But strengthening community harmony involves much more than those from a targeted community to be willing to converse, educate and dispel misconceptions. There is an equal responsibility on the rest of the community to listen and engage in a mature and respectful manner.

The theme for this Refugee Week is, 'With courage, let us all combine,' taken from the second verse of our national anthem. This theme celebrates the courage of refugees and it is a call for unity, encouraging us to welcome refugees and to acknowledge the skills and energy they bring to Australia. There will be many community events and activities held across our state, including a soccer carnival, poster and art exhibitions, multicultural meals, DVD launches and language lessons. I am pleased that our government committed $15,000 to the Australian Refugee Association and the Australian Migrant Resource Centre to support the delivery of these activities.

I strongly encourage all South Australians, and indeed members of this house, to celebrate Refugee Week at an event in their local community. Please visit www.refugeeweek.org.au for more information about events near you. These events are a great opportunity for all of us to join together and celebrate the diversity of our South Australian community, and there was no event more so than last night, and I note that the Leader of the Opposition was also in attendance. We were invited by our Governor to celebrate World Refugee Day. He invited two young people to speak about their journey here to South Australia. They talked about fear, they talked about the unknown, and then they talked about their future here in South Australia and the positivity around that.

I guess what stayed with me more than ever last night was when the His Excellency the Governor of South Australia said, 'Every day is World Refugee Day at Government House,' and that when he was studying after he arrived in 1976 he walked past Government House every day to go to university and he never knew what was behind the wall for many, many years, and now he lives there. This is an important story to tell that we should be proud of in South Australia, and we welcome people here as they start their life anew.

CHILD PROTECTION

Mr GARDNER (Morialta) (15:03): My question is to the Premier. When was the Premier advised of the interim recommendation by Commissioner Nyland to establish a stand-alone child protection agency? When did he decide to move Mr Harrison from education and when did he inform Mr Harrison of that decision?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:03): We have been in dialogue with the commissioner for some period over generally the question of the inquiry and structures. I think I met with Commissioner Nyland on 7 June and we had a general discussion about this matter, but we did not receive the interim recommendation until yesterday, 20 June, in draft form, with the suggestion that it would be published today. I have continued to have discussions with each of my chief executives on a regular basis about the question of succession and planning. So, I have been in regular dialogue with a range of chief executives, including Mr Harrison, over an extended period.

STATE GOVERNMENT PROCUREMENT

Ms DIGANCE (Elder) (15:04): My question is to the Treasurer. Can the Treasurer inform the house what the Industry Participation Advocate has been doing to maximise the economic benefit from state government expenditure?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:04): As you would know, the state government is committed to creating jobs and diversifying our industry sectors during this period of economic transformation. Public sector spending must always have a strong emphasis on value for money, but value for money should include measures to broaden economic benefit. These include factors such as employment, investment and of course industry development. There must be a broader measure of value when spending is measured across a total spend of government.

On many occasions, cost and the allocation of risk are considered to be the primary drivers of procurement decisions and, in doing so, we simply create a race to the bottom where other matters are not given the due consideration that they deserve. That is why I am proud to say that this state government is leading the charge to support the Australian steel industry by ensuring all state government projects use steel that meets the Australian standards and certification requirements, giving local industry a competitive advantage against lower quality imports that may be being dumped on our shores. Importantly, this policy position leverages from the South Australian industry participation policy, with the steel certification initiative being part of a holistic value for money assessment measuring economic benefit to our state.

Further to this policy position, the government recently announced hosting a meeting of leading South Australian architects, which I was lucky enough to be at. At that meeting, I canvassed their ideas on how we can use design to stimulate our current industry sectors and at the same time grow the diversity of our industry base in this state. As a result of that meeting, remembering that a lot of the procurement decisions are made very early on in design when often the horse has bolted, I asked the Industry Participation Advocate to work with the design fraternity to provide me with recommendations on how the government can drive innovation and growth that supports the economy and provides long-term and social community benefits—public value.

We want to make the current industry participation policy even stronger to ensure that at the initial design phase we are considering what value can be achieved in terms of social and economic outcomes. This latest initiative will make smart procurement central to the development of public projects, from conception through to delivery, and ensure that maximum economic activity is generated here in South Australia, giving local producers, local entrepreneurs and local businesses every opportunity to be successful.

This includes working with our Government Architect, local architects and universities to come up with recommendations that can be embedded in our future procurement policies. Whether it is the design of a building, landscaping, an office fit-out or procurement services and systems, this new requirement will mean that design should incorporate social and economic outcomes, and this must be at the forefront of our decision-making process.

I know that it drives all members of this house crazy when we see interstate or international products being used that are substandard, and there are many examples of that in the local government area. I am pleased to see the Local Government Association, indeed the national Local Government Association, adopt our procurement policy on steel procurement. Indeed, that national body yesterday in Canberra put out a press release crediting this government in its leading role for doing that. We are working to do more on this, and I will be further updating the house on the good

work the Industry Participation Advocate is doing. It is lucky that we won because the opposition would have abolished that office.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT

Mr GARDNER (Morialta) (15:08): My question is to the Premier. What specific qualifications does Mr Rick Persse have that qualify him to be the 10th chief executive officer for the Department for Education during the term of this government?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:09): I think he is generally regarded as one of the finest public servants in a leadership position in the Public Service. I certainly know that the Attorney-General is sad to see him go from his portfolio areas, and he has demonstrated to me that he is a first-class leader of people, which is essentially the issue. He also has been presently supervising the royal commission into child protection and assisting the Attorney in his function in that regard.

Members interjecting:

The Hon. J.W. WEATHERILL: Well, the most urgent issue is this next period as we seek to set up the new agency. He will be supervising that process, and I am sure that you will see a fantastic performance from him as chief executive of Education.

MENTAL HEALTH SERVICES

Ms COOK (Fisher) (15:09): My question is to the Minister for Mental Health and Substance Abuse. What support is available for carers of people with mental health problems?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:10): I thank the member for her question. She is a passionate advocate on behalf of people living with mental illness and their carers in her electorate and across the state. We know that one in five South Australians and Australians suffers some form of mental illness in any one year. This is a figure that is often cited in the media, and it's highlighted by the common prevalence of mental illness.

However, an often underappreciated aspect is the fact that carers look after people with mental illness. It's estimated that 2.4 million people in Australia care for a person with a mental illness. These are people who play crucial roles in everyday and ongoing care and support the most vulnerable people in our community. The carers in our community are often unsung heroes, and many of us would know the stories of carers in our electorate.

The South Australian government remains committed to ensuring that carers are considered partners in the journey to recovery and in the healthcare system. It was a pleasure to meet a wide variety of people with lived experience in this area recently. On separate occasions, I recently met with representatives from Carers SA, the eastern and western Lived Experience Liaison Groups and the Western Carers and Consumers Forum. It was a privilege to listen to their stories as carers and the stories of the people they look after. The amount of compassion they show for their loved one is outstanding.

Earlier this year, I launched a 'A practical guide for working with carers of people with a mental illness'. This is a handy tool for all people involved in the mental healthcare sector to help carers, consumers, staff and organisations improve their practice and engagement with the carer community. The guide includes self-assessment tools so users can use the guide to meet the best-practice standards of care around the state. There is also information about where they can find practical support for themselves and resources about how they can learn to live balanced lives whilst caring. I would encourage everyone in the chamber to take a look at the guide for themselves and encourage it to be widespread throughout their electorate. You can follow it on the website www.mindaustralia.org.au.

It's important that carers are considered part of the mental healthcare community, and we need to do more in this space. The process we have established for carers to have a greater say in improving mental health services in our state involves our Lived Experience Register and liaison groups. If people in this chamber don't know more about it, I would be happy to speak to them outside

and encourage more people, particularly from regional South Australia, to involve themselves in the register and liaison groups.

The South Australian Mental Health Commission will also feature extensive consultation and collaboration with carers and consumers when developing the state mental healthcare plan. The experience and knowledge that carers can provide to improve decision-making in mental health is a great asset to this state, and we should make much advantage of it. We should be enabling this community by increasing their capacity and resilience with resources and this carers guide, and we must also leverage their experience by listening to them and taking their feedback on board, as with the Lived Experience Register. I commend the very hard work of carers throughout our community and thank them for the invaluable role that they provide to their loved ones and our state.

FRENCH ENGAGEMENT STRATEGY

Mr WHETSTONE (Chaffey) (15:13): My question is to the Premier. Premier, what specific trade qualifications does Ms Joslene Mazel have to make her the appropriate person to head up the new French engagement strategy, and were there any language requirements as part of the appointment?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:13): I think she actually comes from a French background. I think her mother was Egyptian and they came from that part of the world, but that wasn't the principal requirement. In fact, the job itself isn't about trade per se: it's about the relationship with France and, in particular, more about the non-trade elements of the relationship with France. What we have decided to do within the Department of the Premier and Cabinet is have the deepest possible engagement with France across a range of domains, including sporting, cultural and artistic. We are looking to explore sister state relationships/sister city relationships.

Fortunately, the Minister for Defence, the present French Minister for Defence, is also my counterpart as President of Brittany, so he is both a state Premier, in our parlance, and also a federal minister. That's rare. In fact, it's the only member of the French ministry who has been given that forbearance by the President of France to occupy both positions. It is a rare opportunity to bring our two regions closer together.

This is how the French see the relationship: they see this as an act of friendship, not just a commercial relationship. Of course, there will be other parts of government that will attend to the trade relationship. The Minister for Trade will attend to that, and of course a discrete subcomponent is the defence relationship, which is all well underway and being supervised by his agencies. It's important we take a whole-of-government approach to this. We are expecting a visit from the French defence minister later this year. I think we are also expecting a visit from the French environment minister later this year, if that is still happening. So there is an enormous amount of attention.

Those visits need to be handled with great care and attention. We want to put our best foot forward. There is a French advisory board, which is being chaired by our Minister for Education, who I know is a fluent French speaker who will bring together a range of notable French citizens here in South Australia to come together to assist us to find ways in which we can deeper engage with the people of France off the back of this extraordinary opportunity presented to us by the Future Submarines project.

WORLD MERINO INSIGHT

Ms WORTLEY (Torrens) (15:16): My question is to the Minister for Agriculture, Food and Fisheries. Minister, can you tell us about the new World Merino Insight event coming to South Australia in September?

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) (15:16): I thank the member for Torrens for her question. This is going to be a terrific conference being held here in September, which will coincide with the Royal Adelaide Show so that attendees, who will come from South America, Russia, China, New Zealand, and of course Australia, will be able to get down to the ram sales. They will be able to also take part in some of the field days there, as well as the conference. The theme is 'Global merino unity'.

The conference has been organised by the South Australian Stud Merino Sheep Breeders Association, in conjunction with the World Federation of Merino Breeders. The current President of the World Federation of Merino Breeders is a South Australian, Mr Tom Ashby—

Members interjecting:

The Hon. L.W.K. BIGNELL: You know the story about the Australian cricket jumpers—they are made from South Australian wool, grown in the Southern Flinders Ranges and put together down there by the good people at Silver Fleece at Kilkenny. We know all that, alright? What are you going to wear when you get out there, it's a bit late in the day, and you are the nightwatchman? You are going to put that jumper on. Well, I'm here is the nightwatchman to bring the team home for the next 30 seconds. The South Australian government—

Mr Duluk interjecting:

The Hon. L.W.K. BIGNELL: Yes, Gillespie made 200 in his final test, and he's only about to get dropped after scoring 200.

The government is very pleased to put $25,000 into this conference, which will be terrific. It follows up the release last year of the South Australian government's blueprint for the sheep industry. Of course, that's very important. It is worth $1.8 billion a year, and it goes to the heart of our government's economic priority of agriculture, premium food, wine and fibre being one of the top economic priorities for South Australia.

I was down in the South-East last week, and there were lots of new lambs being born around the place—a great thing to see—and plenty of green pastures. So, thank you very much to all of our wonderful woolgrowers, and we look forward to September and this wonderful conference.

Grievance Debate

CHILD PROTECTION

Mr GARDNER (Morialta) (15:19): I want to reflect on the Premier's performance in question time today, which I thought was an extraordinary example of spin, dissembling and post-hoc justifications. I think that the extraordinary series of commissions, inquiries, coronial inquests and the disturbing betrayals of faith the community has in the government's handling of child protection over the last 14 years have traumatised many in the community. It has led to a series of responses in the parliament today that have really been nothing more than spin, dissembling and post-hoc justifications.

An interim set of recommendations was made by Commissioner Margaret Nyland. It has finally led the government, years and years after everyone else in the community knew that it was in the best interests of South Australia and our vulnerable children, to remove our child protection agency from the education department. It was a social experiment of the Premier's own devising that has failed the people of South Australia and our most vulnerable children.

Ever since the 2011-12 changeover period, when the Premier moved from the education department to the Premier's seat which he now occupies, when he was able to put in place his social experiment, we have seen an extraordinary series of failings of this department, this critical agency, that needs its own focus, that needs its own minister for whom the most important task is to provide that oversight to make sure they are doing their job.

Because it was his idea, it was of his own devising, we have heard the Premier continually justifying it. He called it a retrograde step, when the opposition said in 2013 that if elected to government with the support, as we had, of 53 per cent of the community, we would remove Families SA from the education department. For three years, the Premier has been stridently arguing against it. Then today, when we asked our first question on this important issue about why has it taken so long for the government to recognise this problem, the Premier's response was to blame the opposition. He said that we created the culture, that we created negativity in the community and that the media and the opposition were at fault. What a disgraceful response by this Premier, who single-handedly as Premier was responsible for this misguided step that has been of such detriment and damage to our children.

The Premier was asked today if he stood by his reforms. He said, yes, he did, but they are going to change it anyway, clearly because of the pressure, with the commissioner adding pressure by adding voice to the weight of the principals' organisations. Even the education union and almost all the education commentators have agreed with the opposition's call in 2013 for Families SA to be removed. The Premier was finally forced to make it happen. Even today, he said that he still stood by his initial statements that bringing them together was a good idea. This is a move that the Premier has been forced to make, a move that he does not believe in.

When we asked the Premier when he would establish the commissioner for children and young people, the other reform which was first suggested in 2003 as part of the Layton review 13 years ago, and also committed to by the premier and the government in 2013, and which is still not in existence, he said that the opposition is playing politics. That was his excuse for why that has not happened.

The Premier then said that the other reason there have been delays was that none of the other reviews—Mullighan, Debelle, Layton and the Chloe Valentine coronial inquest and all those catalogues of tragedy and trauma—had suggested that this step was necessary. The Premier does so knowing full well that it is necessary because he created this mega department, this department for education and child protection, where education is unable to get the full power and impact of a minister focused on that and child protection is unable to be the lead agency it deserves to be.

The Premier says that nobody had ever suggested that child protection needed to be removed from the education department before. Mullighan and Layton, of course, were years before the Premier had even put them together. The opposition was calling for this for years. The stakeholder groups were calling for this for years. The government has finally stepped up but does so begrudgingly. The Premier should be apologising for what he has done to this area over the last five years of his leadership.

SEAFORD SOCCER CLUB

Mr PICTON (Kaurna) (15:24): Quite recently, I made a speech to this parliament outlining my support for the Seaford Rangers Football Club in my electorate, the steady growth in participation in this club, as well as the frustrations that I and the club have had in trying to advocate to the City of Onkaparinga in progressing capital upgrade requests for the club. To be honest, I did not think that I would be rising to speak so quickly again about this club, but there has been a tremendous new development for this club since I last spoke.

On 4 June, the Treasurer as well as the Minister for Sport announced that the 2016-17 state budget will include $10 million funding for soccer facilities across Adelaide. This project, in conjunction with the Football Federation of South Australia, will involve the construction of artificial pitches at eight soccer clubs across Adelaide. This is due to heightened interest in grassroots and competitive football clubs, and it will encourage more players, young and old, to benefit from the participation in club sport.

An interest in soccer, we know, continues to grow very quickly in Adelaide and South Australia, particularly as Adelaide United won this year's premiership in front of 50,000 local fans. I am therefore particularly delighted that one of the clubs from the Football Federation that has been chosen to benefit from the upgrades was Seaford Rangers. They will have the benefit of a $1.5 million upgrade as part of that package. The upgrade for Seaford Rangers will include a new artificial pitch, new match-standard lighting and new fencing around that pitch. Potentially, the project will also include upgrades to the change rooms, subject to some support from the council as well.

This investment will be a game-changer for the Rangers and for soccer in southern Adelaide. An artificial pitch, of course, is the equivalent of having three turf pitches since it can be used for so many more matches and training sessions without damage and maintenance, particularly with the match-day support lighting that is to be installed as well. This means that Seaford Rangers can expand its program of senior and junior teams and establish women's teams which will be a fantastic benefit for women in southern Adelaide.

This is a club that also recently, as I have mentioned before, has developed the Summer Sevens program which has been tremendously successful in attracting young people to the sport,

seeing hundreds of young people partake in seven-a-side teams. That will, no doubt, expand under this new funding as well. I congratulate everybody involved in the Rangers who have worked so hard to advocate for their club and grow the participation, particularly of junior players, in the South. Thank you to board members, including Cheryl Sawtell, Greg Wright, Terry Wraight and all the other board members and players at the club for their passion for soccer in southern Adelaide.

The Treasurer's announcement is also great news for another southern soccer team, the South Adelaide Panthers, and I know the member for Reynell also shares in the delight for that since it is just over the border in her electorate. These already have a strong women's team at southern Adelaide, and that will no doubt grow under this funding. Likewise, due to a lack of space, they also have to turn away young people, as Seaford Rangers do, who want to play. That will, no doubt, be addressed with this extra funding.

I also note that I work with dozens of local sporting groups in my electorate and those that closely surround it, and I know that there will be many other sporting groups looking on saying, 'We would like some funding, too.' I am very well aware of that and I will continue to work hard for those clubs to make sure that we progress their funding upgrade requests, many of which are very reasonable and many of which have been advocated for some time.

Another significant priority in the south is to get a soccer pitch at Aldinga as well where there is currently no soccer infrastructure. I look forward to working not only with Seaford and South Adelaide football clubs but also with all the sporting clubs across the South to advocate for improved facilities, particularly those that encourage more women and girls to take part in sport.

COMMUNITY GROUPS

Mr TARZIA (Hartley) (15:29): I rise today to speak about two community groups in South Australia that held functions on the weekend. The first is the Federation of Calabresi of South Australia, which recently organised and presented the second edition of 'Photographic Exhibition and Stories of Calabresi' in SA. After the significant success of their first edition, it was the community's desire to continue this important initiative as a dutiful homage to some of our most prominent pioneers in the community. The exhibition has also been enriched with posters, where you can actually look at some of the most beautiful localities and scenery of Italy, particularly Calabria.

At the present time, the Federation of Calabresi of South Australia is made up of the Calabria Association Inc., Associazione Saint Hilarion Inc., Associazione Madonna di tutte le Grazie di Sinopoli, Associazione Maria Santissima di Crochi, Associazione Madonna delle Grazie di Panduri and also the Associazione Beneficenza Calabrese. Its purpose is to promote a unified image, cooperating and combining many resources in an effort to recover, through stories of pioneers in the community in South Australia, the documentation necessary to create work collecting our ancestors' life memories and also to preserve it for present and future generations.

The federation unites under the same banner the associations mentioned and, through scheduled meetings, allows many of us here in South Australia to keep in touch with our heritage both in Australia and also overseas. I recently attended this function with several members of parliament and it was quite touching. We all know that many migrants in South Australia have enriched every single aspect of South Australian life, ranging from food to sport to arts, and also, I would like to say, to politics, on both sides of the chamber.

I would like to pay special tribute to members of the 2016 federation committee who have done a fantastic job promoting their culture and also putting on this exhibition recently: President, Martino Princi; Vice-President, John Bergamin; Secretary, Domenica Bergamin; Treasurer, Cosmo Monterosso; Public Officer, Vince Muscara; and the Consiglieri, Vince Zito and Jim Circosta. I also pay tribute to the Federation Youth Calabrese, its coordinator, Rosemary Verlardo, its members, Emma Galimi, Peter de Marco, Pat Vozzo, William Galimi, Cosimo Puccini, Peter Peluso, Lorenza Velardo and Rocco Carpentieri and, finally, the array of sponsors who helped on the night.

Seeing some of the stories and photos that were on display was quite a powerful experience. We all know that many migrants have made extreme sacrifices to come to Australia and we are extremely grateful for that. We are also grateful to the federation, which continues to do the great work of highlighting the stories of success through this exhibition. I especially pay tribute to Giuseppe Panuccio, Francesco Alvaro, Alfredo Castafaro, Ilario Mazza, Vincenzo Franze, Ilario Lamberto, Cav.

Vincenzo Papandrea, John Anthony Costa and Pino Galimi who made their personal records available so that we could witness those stories.

I would also like to pay tribute to the Dante Alighieri Society of SA which recently held its Renaissance Banquet Dinner 2016 at the Carrington Function Centre. It was certainly an evening of fun. We were treated to a wonderful atmosphere with great food and company and fantastic music as well. They always do a great job. The Dante Alighieri Society is a worldwide not-for-profit organisation with its headquarters in Rome and is strongly supported by voluntary work. Its aim in our state is to provide a gateway to advance the interests, knowledge and appreciation of Italian language and culture, food, wine, history, art, opera, music, cinema, etc.

I know that other members on this side of the chamber attended and I pay tribute to them, as well as to the committee members for the wonderful work that they do: Beatrice Barbieri, Stefano Bona, Luciana d'Arcangeli, Silvia De Cesare, Natasha Marona, Luigi Masciantonio, Anna Mazzone, Giuliana Otmarich, Ciro Pipolo and Maria Russo. I thank them for all their wonderful work.

ARBOR DAY

The Hon. P. CAICA (Colton) (15:34): Thank you very much, Deputy Speaker, and happy winter solstice day to you. It is all up from here. On Sunday, I was pleased, along with minister Hunter and others, to attend an annual Arbor Day planting event held on the southern bank of the River Torrens in Lockleys. I am sure, Deputy Speaker, that you and many in this chamber would have, as youngsters, participated annually in a planting event recognised then as Arbor Day. I remember throughout my primary school days, along with the entire Henley Primary School student cohort, planting trees, shrubs and ground cover in and around the grounds of my school.

Arbor Day commenced in 1889 when a group of South Australians, with both foresight and concern, gathered in the south Parklands to plant trees. Their motive was to address and highlight that the rapid rate of vegetation loss in South Australia was threatening our state's agricultural sustainability. It was on this particular day that Arbor Day began in South Australia. What the large group did on Sunday, just as our forebears did 127 years ago, was to leave a legacy for future generations to discover the wonders of our natural working environment and to acquire the knowledge, skills and capacity to look after it.

This planting event was a terrific day, with some 4,500 plants and trees and many shrubs and ground covers planted, all native and indigenous to the area. As I mentioned, these 4,500 plants were planted along the stretch of the River Torrens in Lockleys on what is called Pierson Island. I can see you thinking, Deputy Speaker, that there is no island along the River Torrens, but this is an area that is isolated when a large flow occurs down the river. Water goes through the swale and it is called Pierson Island.

This part of Lockleys is not in my electorate. It is the member for West Torrens' area, but I am pleased to say that at this location you can look across the river to Kidman Park, an important part of the Colton electorate. I am pleased that my constituents and visitors to the grassed area opposite the plantings will be able to enjoy the enhanced view and amenity that will result from Sunday's event. I will be even more pleased if and when future plantings occur on the opposite banks in Kidman Park.

Deputy Speaker, you would be aware that some years ago Arbor Day itself was almost extinct except in memory. For the last 10 years, Greening Australia, a magnificent organisation, has held an annual Arbor Day planting event. There is no doubt that Greening Australia in South Australia has been the driving force behind revitalising the Arbor Day tradition, and it has done this through engaging communities and others. Greening Australia has been carrying out planting events along the River Torrens since 2008, and anyone who has visited—and for those who have not, please visit—sections of Breakout Creek you will see firsthand an important long-term project that is restoring habitat to a section of the Torrens which in turn is creating, through this extension, an important wildlife corridor for aquatic plants and animals. I am one who eagerly awaits this restoration program continuing along Breakout Creek to the outlet.

On Greening Australia, I want to thank and congratulate Stuart Collard, the staff and the many volunteers from the organisation for the outstanding work they are doing not only in this

particular area but across South Australia and, indeed, from Greening Australia's perspective, throughout Australia. Greening Australia do this through broad community engagement and collaboration with others. For this recent Arbor Day event, this was by partnering with the City of West Torrens—and I thank Amy and the council staff for their help and coordination—and the Adelaide and Mount Lofty NRM. I thank Kim and Hugh and others for their work and foresight and their commitment to Arbor Day.

Other important partners include the Boeing corporation and its support for the Adelaide Green City project, of course the Rotary Club of West Torrens for providing a barbecue and finally, and importantly, the local community. Of course, Greening Australia in South Australia works closely with the Department of Environment, Water and Natural Resources (DEWNR). In further acknowledging the role of Greening Australia across the nation, it is important to note that, since its establishment in 1982, this organisation has conserved or restored in excess of 350,000 hectares of landscape, established nearly 40 million plants in various forms and engaged over 11,000 landholders.

The work they are doing, from a whole-of-landscape management perspective across Australia, is really quite remarkable. I congratulate Greening Australia on all they do, on the work they are doing and, importantly, on the work that is going to benefit future generations and our landscape. They work also with farmers and others to ensure that it is done properly through a whole-of-landscape perspective. It was a terrific day and long may Arbor Day continue.

FINNISS ELECTORATE

Mr PENGILLY (Finniss) (15:39): I listened with interest to the member for Kaurna earlier, and I would also like to make a contribution today about the winter sports activities that take place in the electorate of Finniss. I think it is worth giving some credit to those who organise and conduct those sports and particularly to recognise those who play and those who go along. I have two leagues in my electorate: the Great Southern league on the Fleurieu and Kangaroo Island Football League and netball league on the island. Great Southern has a netball league as well.

Situated within my particular electorate, I have the football and netball clubs that play at Yankalilla and a great club at Myponga-Sellicks. It is important to note that Myponga and Sellicks really could not exist without one another. They amalgamated some years ago and it has been a great success story, not only on the sports field but also at the school, because half the children who go to Myponga Primary School come up the hill from Sellicks on a daily bus. Indeed, it has certainly brought those two small places together.

I have Mount Compass in my electorate, which is well and truly out there this year on the football field, and Goolwa/Port Elliot, which was combined some years ago after Port Elliot Football Club amalgamated with Goolwa. They were the subject of a number of media stories with the way they were getting successively flogged week after week; however, they have reinvented themselves as Goolwa/Port Elliot. There is also Victor Harbor Football Club, and the associated netball club, and Encounter Bay. I happen to be a sponsor of Yankalilla Football Club and Encounter Bay Football Club. Why am I a sponsor for them? Because they asked me. I will probably get asked by everyone else now, but I also give a few dollars to the Myponga Netball Club.

These clubs exist purely for the opportunity to play sport and be involved in a really healthy manner on particularly Saturday afternoons and in training during the week. To go to football or netball in Great Southern costs you $6 to get in the gate—somewhat different from what you have to pay to go to Adelaide Oval. At these ovals, you can go in, park around the oval, participate, talk to your friends, get cheap food during the day and have a really good day for $6. It is a very cheap day's entertainment for people, and in the country they just love doing it.

I will turn to the island. I am a patron of the Kangaroo Island Football League and follow with interest what happens over there. There are five football and netball clubs in existence: Dudley United, which is a combination of Penneshaw and American River; Kingscote; the Parndana club; Western Districts; and my own home club of Wisanger, of which I am the patron. It cost me a dollar to be that, too, I might add.

It is an enormous credit to the KI Football League that they have been able to keep football going with the reducing numbers. Player numbers are down substantially. Netball is very strong, as

it is in other places, but Great Southern has a bigger population to draw on than the island has, so I really congratulate Andrew Heinrich, the president of the football league, and others involved, without going through them all, that they keep it up.

This year again they have competed in the Mortlock competition at Port Lincoln on the long weekend—for the final time, I understand. They struggled to get a team to go over, and they could not have done that if it were not for the sponsorship of Thomas Foods International, who chartered the aircraft to get them over and back. They played well, but they actually had to borrow players from the West Coast to get through; likewise, Great Southern also plays inter league.

Country football on the long weekend in June is all about competitions in regional areas. It is a great way for everyone to play together. In talking about these sports, I am not forgetting other sports that are played on the Fleurieu—soccer, hockey and other winter sports. We then have equestrian sports, with the hunt clubs and pony clubs.

Time expired.

The DEPUTY SPEAKER: Another day we can look forward to you finishing that off.

EUTHANASIA

The Hon. S.W. KEY (Ashford) (15:45): In April this year, Canada introduced draft legislation on doctor-assisted suicide, which applied to adults suffering incurable illness or disability. Prime Minister Justin Trudeau is quoted as saying on this matter:

> It's a deeply personal issue that affects all of us and our families and all of us individually as we approach the end of our lives…The plan we have put forward is one that respects Canadians' choices while putting in place the kinds of safeguards needed.

Under the law, patients would have a written request for medical assistance and have a designated person to do so if they were unable to. There is a mandatory 15-day waiting period and also an opportunity for the person to change their mind and withdraw the request. Patients would also need to be experiencing enduring and intolerable suffering and death would have to be reasonably foreseeable. Trudeau has also said that other aspects of physician-assisted dying that are not included in the legislation should be put onto the agenda for further consideration.

I also read the findings of the Australian Victorian parliament's Legal and Social Issues Committee. They had a 10-month inquiry into end-of-life choices. The report makes some 49 recommendations covering assisted suicide and protecting doctors who prescribe legal drugs. On page 217, the report states:

> The Committee's recommended framework allows an adult, with capacity, who is at the end of life and has a serious and incurable condition which is causing enduring and unbearable suffering to request assisted dying.

I was also heartened to read in the report:

> It is essential that the patient must be experiencing enduring and unbearable suffering that cannot be relieved in a manner which the patient deems tolerable…in the shift towards patient-centred medicine the Committee believes it is not for others to decide what is and is not tolerable for a patient.

The committee heard from more than 100 witnesses, including doctors, legal experts, terminally ill people and their families. These people all gave evidence to the committee. It is interesting to note that a recent article in *The Age* reported that more than 50 Australian bills have been introduced with regard to assisted suicide and voluntary euthanasia reform since 1993. Sadly, only one has become law, a Northern Territory bill and then act, which as we know was deleted by the federal government.

Looking at this issue, it is interesting that people are considering the need for this assistance. While we value and hope that palliative care is available to everybody, other jurisdictions are actually looking at circumstances where palliative care is not enough.

Bills

STATUTES AMENDMENT (ELECTRICITY AND GAS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 9 June 2016.)

Mr KNOLL (Schubert) (15:49): I rise to make a brief but localised contribution on the Statutes Amendment (Electricity and Gas) Bill 2016. In doing so, I want to focus my attention on a couple of parts. I know when Active Tree Services come to prune in my electorate because it is the point at which I get calls and emails to my office.

I understand that, in this bill, we are seeking to enable electricity entities to prune or remove hazardous trees outside of the currently prohibited buffer zones around powerlines, to allow trimming or removal of trees that may fall onto powerlines but are otherwise outside the buffer zone, and to enable authorised officers to enter land for the purpose of inspection without written consent in prescribed bushfire zones.

Currently, officers are only allowed to enter land with written consent. This provision will still exist for areas outside the bushfire zone areas. There are certainly some changes. Whilst I understand we are considering our final position on this, the community certainly takes a very strong interest in how trees are trimmed in their electorate, especially in tourist-rich areas that inevitably and invariably are visited on the basis that they are picturesque parts of our state.

I understand the need for fire safety. In fact, of any MP in here over the last three years, I think I understand that better than anyone. The fact is my electorate has burnt every summer for the past three years, and we are looking forward to a fire-free summer. We certainly cannot have any situation where trees are at risk of falling onto powerlines or interacting with powerlines in a way that potentially starts fire. We have a lot of sympathy for that but, having said that, it seems, in a variety of ways, that the tree trimming conducted in my electorate in particular is not done appropriately.

The first example I will talk about involves a guy called Bruce. Bruce lives in Angaston and has been part of the Angaston community for a long time. His son Matthew is one of the favourite sons of Angaston. He is a very prominent local footballer. Bruce came up to me at a footy match and said, 'Stephan, I have a truck and a crate on the back of the truck,' and this crate carries livestock—sheep and cattle—around the place.

He says he has a few contracts, but every time he comes back from Eden Valley or Springton and heads into Angaston, basically every few months, when he drives down that track and it has not been trimmed properly, all the lights he is required to have on the corners of his crate get knocked off by trees. He says that, if he does not replace those lights, he gets in trouble and is pulled over by police and road safety authorities. It is frustrating because the government does not provide him with a route on which he can drive that does not do damage to his truck. I have written to the minister, and he sent back a response but, interestingly, the tree trimming that was conducted in that regard has not been sufficient.

I move on now to an interesting example regarding issues with pruning around powerlines. I have a vineyard owner who had lines drooping low into their property. Someone suggested that may be a hazard that would need to be fixed, but the powerlines drooped so low over that portion of the vineyard they could not mechanically harvest that portion or mechanically prune, meaning they actually had to mechanically harvest around it, but on that strip, they essentially had to get out and do everything else by hand.

The answer we got back from SA Power Networks was, 'We don't believe this to be a fire safety risk; therefore, we are not going to do anything about it.' We appealed that decision to the Office of the Technical Regulator, who turned around and said, 'Hang on, you are right.' Subsequently, SA Power Networks have come out and raised the lines. I think, last year for the first year, the vineyard owner was able to mechanically prune their entire vineyard, which was a great result and I think a win for safety. These are two examples, and we have had a good outcome in one and not a great outcome in the other.

There is a woman called Shirley who, again, lives in Angaston. I have known Shirley for a long time. She is a wonderful small business owner who runs a B&B in Angaston and is a solid contributor to our community. She is involved in the show society and lots of community groups within Angaston, but one thing that really frustrates her, and frustrates her to the point of being motivated to write letters, get involved and challenge councils and SA Power Networks, is around the pruning of trees down the main street of Angaston and surrounding areas.

Again, the Barossa, as a tourist destination, relies on being a beautiful, picturesque place in which the landscape melds with the human development that has occurred. Obviously, we are not talking here about a pristine landscape. What we are talking about is a working agrarian landscape that has industrial buildings and residential buildings. Shirley is extremely frustrated by the way that trees are trimmed around powerlines in and around Angaston.

Essentially, not only are trees lopped off for safety but they are butchered in a way that they become ugly eyesores hanging around the Barossa. Quite specifically, I am thinking of Stonewell Road (but it could actually be Light Pass Road at that point), where a group of trees is sitting under a powerline and they have been essentially just hacked in half and then a little bit more lopped off the side so there is a trunk and this weird mangling of branches. It looks like somebody has come along with a big metal Frisbee and just flipped off the top of the trees. It is like a really bad Bart Simpson haircut, and it does detract from the look of the area.

Again, whilst we all understand that fire safety is important, especially in areas where there is a lot of tourism—and in the Barossa we get somewhere between 100,000 and 200,000 tourists a year—it is important that we maintain trees in a way that is in keeping with the importance of the landscape within which those trees sit. I understand that this bill is essentially trying to give greater leeway for Active Tree Services, in this instance, to conduct their tree trimming in a way that is potentially less bureaucratic. By the same token, it will also mean less notification to the locals especially, for instance, where they have to go onto people's properties.

What I would ask in this situation, and what I would plead in this situation, is for there to be an ability for greater oversight and greater input into the way that trees are trimmed, as opposed to just necessarily the process by which notification and consent are given. We are not getting the best outcome that we can. Considering that, off the top of my head, we pay Active Tree Services somewhere between $30 million and $40 million a year to trim trees across the state, I think for that kind of money we are entitled to get a decent outcome.

For all of those residents of the Barossa Valley who have contacted my office over the last couple of years to express their frustration, I am grateful that I have been able to present those frustrations here in parliament. Hopefully, the right people are listening in order that we can get a better outcome and that we can enhance the beautiful Barossa Valley and the tourist attraction that it is.

Mr PEDERICK (Hammond) (15:57): I rise to speak to the Statutes Amendment (Electricity and Gas) Bill 2016. This bill is supposedly to improve the effectiveness and operation of legislation, and it was introduced only in May into this house. It is seeking to address a number of issues relating to electricity and gas in this state, including the safety and technical standards, administrative and legal matters, and a lot of these issues have become apparent over time.

The key measures in the bill indicate that it enables electricity and entities to prune or remove hazardous trees outside the currently prohibited buffer zones around powerlines, which means that it allows trimming or removal of trees that may fall onto powerlines but are outside that buffer zone. It enables authorised officers to enter land for the purpose of inspection without written consent in prescribed bushfire zones. Currently, officers are allowed to enter land only with written consent, and this provision still exists for areas outside the bushfire zone areas.

The bill also grants authorised officers additional investigatory powers, an increase in maximum penalties and expiation notices, and new offences are being introduced. In this bill, prosecutions for noncompliant work are enabled to be brought within three years instead of two years, as noncompliant work is often not identified within two years. It also modifies the privilege for self-incrimination, making information a person may give relating to the safety of electrical installations and equipment inadmissible as evidence, transferring the administration process for approving safety reliability maintenance and technical management plans from ESCOSA to the Technical Regulator.

The bill also establishes a regime for assurances and enforcement orders to avoid legal proceedings ending up in court. It also extends the Technical Regulator or an authorised officer to direct an electrician or gas fitter to rectify defective electrical or gas installation work or equipment if the work was carried out in the last two years. Most of the issues in this bill are not controversial, but

the issue that has been raised by the member for Schubert and others in this place relates to vegetation clearance.

As regional members, it is an issue that is brought home to us quite often. The member for Schubert discussed the role of Active Tree Services in trimming trees under the legislation. Currently, under the legislation's powers and duties relating to infrastructure, entry can be made onto land to conduct surveys. That entry must be made by agreement with the occupier of the land or on the authorisation of the minister. The minister may also authorise an electricity entity to enter and remain on land under this section on conditions the minister considers appropriate.

One thing that is in the act, as we know now, is that if an electricity entity enters land under the authorisation of the minister it must give reasonable notice of the proposed entry on land under this section to the occupier and must minimise the impact of work carried out by the electricity entity on activities of others on the land and must comply with the conditions of the authorisation.

The clearance of vegetation from powerlines and access to properties is the most controversial part of this legislation. I will quote section 55 of the current legislation—Duties in relation to vegetation clearance:

(1) An electricity entity has a duty to take reasonable steps—

(a) to keep vegetation of all kinds clear of public powerlines under the entity's control other than powerlines in relation to which the duty to keep vegetation clear is conferred on a council under a vegetation clearance scheme; and

(b) to keep naturally occurring vegetation clear of private powerlines under the entity's control, in accordance with the principles of vegetation clearance.

(1a) A vegetation clearance scheme may, in accordance with Division 2, confer on a council the duty to take reasonable steps to keep vegetation of all kinds clear of public powerlines that are—

(a) designed to convey electricity at 11 kV or less; and

(b) within both the council's area and an area prescribed by the regulations (a prescribed area); and

(c) not on, above or under private land,

in accordance with the principles of vegetation clearance.

(2) The occupier of private land has (subject to the principles of vegetation clearance) a duty to take reasonable steps to keep vegetation (other than naturally occurring vegetation) clear of any private powerline on the land in accordance with the principles of vegetation clearance.

(3) If vegetation is planted or nurtured near a public powerline contrary to the principles of vegetation clearance, the entity or council that has the duty under this Part to keep vegetation clear of the powerline may remove the vegetation and recover the cost of so doing as a debt from the person by whom the vegetation was planted or nurtured.

(4) If a council or occupier should have, but has not, kept vegetation clear of a powerline under an electricity entity's control in accordance with a duty of the council or occupier under this Part, the electricity entity may carry out the necessary vegetation clearance work (but the entity incurs no liability for failure to carry out such work).

(5) Any costs incurred by an electricity entity in carrying out vegetation clearance work under subsection (4) or repairs to a powerline required as a result of failure by a council or occupier to carry out the duty of the council or occupier under this Part may be recovered as a debt from the council or occupier.

(6) This Part operates to the exclusion of common law duties, and other statutory duties, affecting the clearance of vegetation from a public powerline or a private powerline, and so operates with respect to vegetation clearance work whether the work is carried out by the person having the duty under this Part to keep vegetation clear of the powerline or in pursuance of a delegation or by a contractor or other agent.

Already under the act there are authorised officers' powers and there is a power of entry clause, section 68, and in subsection (1):

(1) An authorised officer may, as reasonably required for the purposes of the enforcement of this Act, enter and remain in any place.

(2) When an authorised officer enters a place under this section, the authorised officer—

(a) may be accompanied by such assistants as the authorised officer considers necessary or appropriate; and

(b) may take any vehicles or equipment the authorised officer considers necessary or appropriate for the functions the authorised officer is to carry out in the place.

(3) An authorised officer may use reasonable force to enter a place under this Part if—

(a) the entry is authorised under a warrant under Part 9; or

(b) the entry is necessary in an emergency.

(4) When entering a place under a warrant or by force in an emergency, an authorised officer may be accompanied by a member of the police force.

In regard to the power to enter for vegetation clearance purposes, under section 57:

(1) An electricity officer for an electricity entity or council officer may, at any reasonable time, enter and remain on land to carry out vegetation clearance work that the entity or council is required or authorised to carry out under this Part.

(2) Subject to this section, if an electricity officer or council officer seeks to enter land under this section, the officer must give not less than 30 days written notice to the occupier of the land—

(a) stating the reason and the date and time of the proposed entry; and

(b) stating the nature of the clearance work to be carried out; and

(c) otherwise complying with the requirements of the regulations.

(2a) Subsection (2) does not apply if the clearance work to be carried out is subject to a vegetation clearance scheme.

(3) If the proposed entry is refused or obstructed, an electricity officer or council officer may obtain a warrant under Part 9 to enter the land.

(4) In an emergency, an electricity officer or council officer may exercise a power of entry under this section—

(a) at any time and without prior notice if it is not practicable to give such notice; and

(b) if necessary in the circumstances, by the use of reasonable force.

(5) When an electricity officer or council officer enters land under this section, the officer—

(a) may be accompanied by such assistants as the officer considers necessary or appropriate; and

(b) may take any vehicles or equipment the officer considers necessary or appropriate for the functions the officer is to carry out on the land.

(6) An electricity officer may not enter a place under a warrant or by force in an emergency unless accompanied by a member of the police force.

(7) When entering a place under a warrant or by force in an emergency, a council officer may be accompanied by a member of the police force.

I would have thought with all those current sections and subsections in the legislation that pretty well everything was covered already as far as the entering onto land is concerned. There are emergency powers that can be invoked, and certainly warrants can be invoked and people can be accompanied by a member of the police force. The most contentious issue is the regulations in respect of vegetation clearance, and this is section 58 in the current act:

(1) The Governor may, after consulting with the Minister responsible for the administration of the Environment Protection Act 1993, make regulations dealing with the clearance of vegetation from, or the planting or nurturing of vegetation near, public or private powerlines.

(2) Without limiting the generality of subsection (1), the regulations may—

(a) authorise the making of agreements between electricity entities and occupiers of land with respect to vegetation clearance work around powerlines on, above or under the land; and

(b) provide to owners or occupiers of land a right to object to a Minister or other specified person or body against proposed vegetation clearance work by electricity entities or councils around powerlines on, above or under the land, and provide for the consideration and determination of such objections; and

(c) provide for a process under which vegetation clearance schemes with respect to public powerlines within council areas but not within the prescribed areas are negotiated, from time to time, between electricity entities and councils; and

(d) provide for the granting of exemptions from the principles of vegetation clearance; and

(e) make provisions of a savings or transitional nature; and

(f) fix a penalty not exceeding $5,000 for contravention of a regulation.

This is where the biggest issues come up in a rural electorate and, certainly, in bushfire zones, and I wish to note that Langhorne Creek in my electorate is rated as a bushfire zone. It is where I have had several complaints about the issue of tree trimming and notices not being given appropriately.

The Active team moves in and starts trimming trees. It seems to me that the trimming that happens in country areas compared with city areas is substantially different. They seem to want to give something like a five-year clearance to the growth of the trees, so they are actually slashed very low—

Mr van Holst Pellekaan: A number one.

Mr PEDERICK: Yes, they are given a number one, essentially. Yet, in urban areas, there are powerlines amongst the trees. Where is the equity in that? The tree trimming crews move in, when an owner of a property does not want those trees trimmed down at the main road in front of their property, especially in the case of a vineyard.

One of my local vineyards was the main proponent of a complaint against tree trimming. They are axing these trees, as the member for Stuart indicated, with a number one and it just takes away from the whole appearance of the property. Then the property owners and their staff have huge arguments with the Active tree trimming staff and it can get a bit ugly. In fact I have heard that some of the language can get quite colourful, quite unparliamentary. That is a huge issue that needs to be managed.

Also, as has been indicated, there is an issue with the nature of how trees are trimmed in accordance with the regulation. You will see a tree trimmed down to the level that it supposedly has to be due to the regulation on three-quarters of the tree, but then you will see these great limbs sticking out on the other side. It just disgraceful. You can have rows and rows of these trees where it would be quite sensible, and it would not be very hard, for the tree trimming crew to trim these trees appropriately to tidy them up.

At times I have had to get people out from SA Power Networks to assist with constituents who have had these issues. Not everyone is aware of this section in the act where you can authorise the making of agreements between electricity entities and occupiers of land with respect to vegetation clearance work around powerlines on, above or under the land. Many people need to be aware of this section, especially if they have not so much a boutique property but a property that they want to show off, for example if they want to attract people in the Langhorne Creek area to their cellar door.

Yet, you see the chainsaws come in and trim these trees under the powerlines down to about a metre and a half high, and it would take five or six years minimum for those trees to reach the powerline. It is just ridiculous. The problem we have is that all of a sudden this work has commenced. For whatever reason, the notice of entry has not been put in the appropriate place. It might have just been placed on a post down at the gate. It gets ugly, as I indicated earlier, where people just end up having a major argument about the process. Especially in the country, trimming of trees is done on what I believe is a three-year rotation, but it looks like they trim them hard enough to last for over five years before they will grow to be anywhere near a threat.

I repeat the member for Schubert's comments: we do not need bushfires and we do not need bushfire risk, but we also need to be sensible about the look of the country. As I said, there seems to be an inequity between what happens in the country areas—and they are not so far out, as Langhorne Creek is not that far out of the city—and what happens in the city. The beauty of it is that when people are made aware (usually, sadly, after the trees have been trimmed) that they can negotiate their own arrangements. They can negotiate arrangements that can be checked, and they

can make an arrangement to trim those trees every year, and that becomes a far better arrangement. They still have to be the required distance from the lines, and I acknowledge all that.

Coming from the rural area, I have known sadly too many people with machinery operating close to powerlines and it has cost them their life. Some very good operators, who have just been probably a bit tired or a bit exhausted trying to get over some country or shift some grain with an auger, sadly have got close enough to a powerline to arc and it has cost them their life or the life of one of their family or one of their workers with them. Certainly, coming from the country, we understand these risks and we do not want the risk of fire, but there needs to be some humanity about how this is managed.

I am sure that the Active Tree Services guys are doing their job. I am not sure if they employ many arborists, but it becomes an issue because there is conflict out there on the land. As has been said here before, there is a $30 million plus contract that goes to these people that we all pay for through our power providers. Power is getting dearer by the minute, especially when we see what has happened with the effect of policy in this state and we see our coalmine at Leigh Creek shut down just so that we can import electricity from Loy Yang in Victoria from brown coal base load power there, but that is Victoria's gain and our pain. I think that is madness, but I just put that out there.

I urge the minister to look at this and the right of entry. I do not think it is too hard, especially in these cycles of tree trimming and even in bushfire areas, for South Australian Power Networks and Active to have proper plans in place. They would have to have proper plans in place because they have their timed runs throughout the country. Surely, they have operational plans so that they know when to be in certain areas at certain times, when they have done the trimming in the past and where they need to be trimmed in the future. It should not be that hard.

There are bureaucracies behind all this. Surely, it is not impossible to give people notice for the right of entry for 30 days. I certainly believe that, under the current Electricity Act, there are plenty of clauses that allow for entry onto land to get the appropriate outcomes.

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) (16:19): I am happy to sum up. I am going to rely on instinct. There is a scene in one of the *Star Wars* films (I cannot remember which one it was) where they take off from the little planetoid and they are heading up to blow up the Death Star. As they are flying along, this voice (I think it is Obi-Wan Kenobi, from memory) comes in Luke's ear and says, 'Use the force, Luke,' and he turns off his instruments and just uses the force. That is what I am doing now.

Can I just say that I did not hear all the contributions; I am sure they were all very good. I do understand the member for Hammond's concern about people in rural parts of the state who are at significant risk from fire and also have some concerns about incursions on their properties and other things of that nature. I am sure that everybody notes his comments. As for any other speakers, I of course thank them for their contributions. I commend this excellent piece of work to the house.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr VAN HOLST PELLEKAAN: Clause 4 is a pretty straightforward clause that talks about standards relating to the design of electrical installations, not just the actual installation itself. Have there been problems with designs? Can you give some examples of where there have been faults with designs as opposed to the actual work done and the installation or the maintenance that provide the need for this?

The Hon. A. KOUTSANTONIS: I am advised in response to your question that there have been schematics for exit lights, for example, that have been put in the wrong place or not put up at all, so they are not compliant. That is the type of remedy we are looking for.

Mr VAN HOLST PELLEKAAN: Minister, would it not be the case that the design would be approved before the installation or the building or the development would actually take place?

The Hon. A. KOUTSANTONIS: Proof of design would be compliant. The electrician might have done the appropriate thing and followed the design to the letter, but the engineer who designed the schematics for the layout has provided noncompliant drawings to the electrician, and the electrician has carried it out, I am advised, and despite it being as instructed it is not compliant.

Mr VAN HOLST PELLEKAAN: Who would adjudicate in that situation? Say there is an accident or a fire or some damaging event down the track, who would adjudicate in hindsight to say that it was the design that was at fault, or the installation or the maintenance that was at fault, or perhaps the body that gave the approval for the design?

The Hon. A. KOUTSANTONIS: I am advised it would be the Office of the Technical Regulator.

Clause passed.

Clause 5 passed.

Clause 6.

Mr VAN HOLST PELLEKAAN: I am really just looking for an explanation of clause 6 because I am struggling to understand it. It might just be that I need some help here. Essentially, new section 10(3) of clause 6 provides:

> …a natural person is not required to give information under this section if the information would tend to incriminate the person of an offence.

Then right below it section 10(4) provides:

> If a natural person is required to give information under this section 30 relating to the safety of electricity infrastructure—

then that information may not be used to incriminate the person. I do not understand, and it might be because I am not legally trained, but why does one part say that a person would not be required to give the information if it might incriminate them and the next bit says, 'If they are required to give that information'? How does that work?

The Hon. A. KOUTSANTONIS: I am not legally trained so please do not scoff too much, deputy leader. I understand that modified privilege means that, if we require someone to give us information on other works that they have done that have not been compliant, they cannot be prosecuted for it because we required them to give that information. Now, obviously they do not incriminate themselves. So if we require them to give information, as I understand it, we cannot then prosecute them.

Mr VAN HOLST PELLEKAAN: If it is known in advance or if they claim that providing that information might tend to incriminate them then they still cannot be forced to provide it?

The Hon. A. KOUTSANTONIS: We can compel them but we cannot prosecute them. We can compel them to tell us where the other faulty pieces of work they may have been instructed to do are so we can go about repairing them to mitigate fire risk and hazard, but they cannot be prosecuted for it.

Clause passed.

Clauses 7 to 10 passed.

Clause 11.

Mr VAN HOLST PELLEKAAN: This is one of the bits that I foreshadowed in my second reading speech that the opposition is extremely concerned about. This clause is about the ability for officers or authorised people to enter private property for the purpose of inspection within bushfire

zones. Essentially, what the bill does is it changes from previously having to give written notice to making it that they do not have to give written notice.

Under the bill, they would not have to give written notice to enter private property in bushfire zones purely for the purpose of inspection, so nothing to do with an emergency, nothing to do with doing any work but just purely to have a look. It seems to me to be a situation under which there would be time to give notice and I cannot see any reason that the government would actually want to change this. Can the minister explain why the government seeks to require this?

The Hon. A. KOUTSANTONIS: Yes. Members opposite have raised concerns in relation to the amendments to section 48 of the Electricity Act. This will take a bit of time for me to read into *Hansard*, so please be patient. The amendments are intended to enable an electricity officer appointed by an electricity entity to enter onto private land in a bushfire risk area at any reasonable time and without prior notice for the purpose of inspecting infrastructure owned by the electricity entity.

The proposed amendment is intended for the purposes of inspection only. If that inspection indicates that vegetation requires clearance for safety reasons, then the occupier of the property will be contacted and given 30 days' notice of the work, as is currently required under the act. Members opposite should note that SA Power Networks currently has the power to enter property at any time to inspect a customer's electricity installation.

This amendment was requested by South Australian Power Networks to enable it to inspect its infrastructure—overhead powerlines, in the main—crossing land in a bushfire risk area, and to assess vegetation growth which may be too close to power lines in the pre-summer months before an order is made under the Fire and Emergency Services Act 2005 to fix the annual fire danger season. In its submission in requesting this amendment, SAPN noted that it is 'committed to operating a safe electricity distribution network. Managing the risk of bushfire is a very important part of this commitment.' South Australian Power Networks states that there is an urgent need to have flexible regulatory arrangements for pre-summer infrastructure and vegetation inspection in bushfire districts, as these areas are subjected to heightened risk during the bushfire season.

SAPN—that is, South Australian Power Networks—raise several factors in support of more flexible regulatory arrangements for pre-summer inspection and clearance work: firstly, the practical limitations of identifying and delivering notices to landowners and occupiers in rural areas where most of the work occurs. Infrastructure inspection work has low impact on the land and is usually undertaken on foot or in low-impact vehicles which carry SAPN signage, although I understand the member raised some issues about the degradation of land through trampling, so I am cognisant of that.

They also go on to say there is an opportunity during these inspections to identify potential hazards, including hazardous trees which may fall onto powerlines. SAPN has a limited window of opportunity to enter onto land each year to undertake vegetation clearance to avoid potentially catastrophic outcomes during the bushfire season. SAPN must wait for the land to be sufficiently dry from the winter rains to gain access but also take into account the growth of new vegetation in the spring season.

This 'window' has become more limited in recent times due to the bringing forward of the bushfire season as land becomes drier earlier in the year. To illustrate, the end of winter rains occur in August/September, and the fire danger season has usually been fixed at 1 December. However, in recent times, the fire danger season has been brought forward from 1 December to 1 November, which allows SAPN far less time to enter upon land and access pruning requirements.

Due to the shrinking opportunity to perform this necessary pruning, SAPN wishes to eliminate the requirement to contact property owners or occupiers when it enters onto land to conduct inspections of its infrastructure and surrounding vegetation. SAPN wishes to streamline the process to contact the owner or occupier only where there would be vegetation pruning required. This will allow more time for the negotiation of vegetation clearance issues with landowners. I think, to summarise, their submission to us is the greater call here for inspection rather than works, although I take the opposition's point that that can be intrusive.

SAPN notes that significant time is spent attempting to locate owners of properties as there is increased turnover of land being leased to primary producers and that this time could be better spent inspecting infrastructure and land to access clearance requirements. SAPN also advises that, if it employs additional employees during the season to address a vegetation clearance issue, those employment and other costs may be passed through to all customers in South Australia, some of whom are already experiencing financial difficulty with meeting high-energy costs.

Where vegetation clearance work is not completed by the time the bushfire season is upon us, the power line in question is placed on a disconnection list. This means that it is important to the property owner or occupier, and the surrounding community, that every effort be made to allow timely access to power line easement corridors to allow for inspection of power lines and ascertain vegetation clearance requirements. SAPN advises that a powerline on the disconnection list may be needed to be disconnected on days of extreme or catastrophic bushfire risk with potentially adverse consequences to both the property owner or occupier and the community supplied by that powerline.

It is also noted that the honourable member for Bragg, Ms Chapman—happy birthday by the way—in quoting from the 2014-15 Annual Report of the Office of the Technical Regulator to support her argument that this data shows that it is not reasonable to permit SAPN to enter upon private property at a reasonable time and without notice, specifically makes mention of the fire starts reported by ElectraNet Transmission assets in 2013-14 as none and in 2014-15 as one. With respect, I am advised this is not the most salient data to refer to in relation to this issue. I am saying, 'with respect'—

Ms Chapman interjecting:

The CHAIR: Order, member for Bragg!

The Hon. A. KOUTSANTONIS: We are having a polite conversation on her birthday. It is okay. The more relevant data is for fire starts reported by South Australian Power Networks in relation to the distribution network system. The figure for that in 2014-15 was 50.

Mr VAN HOLST PELLEKAAN: I appreciate your getting that information from SAPN. I would suggest that, given the shrinking amount of time that is necessary, it might actually help SAPN and other authorities to be more organised. They could send the written notification out well in advance. They do not need to give only the minimum amount of written notice. They could send a letter six months early saying, 'We plan to come and inspect your property at this time.'

I also put on the record that the overwhelming majority of property owners accept that these inspections are important and that they are necessary. They just want to know who is on the land. I ask the minister: are there examples of where giving this written notice in advance for the purpose of inspections has caused difficulty for SAPN?

The Hon. A. KOUTSANTONIS: I have to say that I am very sympathetic to the opposition's argument about access to private property. I am.

Ms Chapman: Without notice.

The Hon. A. KOUTSANTONIS: Without notice. I think the shadow minister said in his remarks, 'Why can't we just give a blanket six months' notice, saying that people within these easements—

Mr van Holst Pellekaan: As an example.

The Hon. A. KOUTSANTONIS: As an example, yes. I think that is a very reasonable compromise that we could probably come to, but I want to give SAPN as much flexibility as possible. This is the Technical Regulator's reasoning and I think from our perspective, given the royal commission into the bushfires in Victoria.

As inspections are done, work becomes apparent. Putting out a work program well in advance about what you are going to do relies on very accurate inspections. Sometimes, that work can change depending on the nature of fires, the level of rain and the terrain you are in. What SAPN are attempting to do is they want to be spending less time on notification and more time on inspections. In between there somewhere is a compromise that we have to reach with the opposition about privacy and about land access issues. It always comes down to land access issues between the opposition and me.

There can be a happy medium here. Given that SAPN already have the right to enter people's land to inspect their own assets, as I stated earlier, vegetation clearance near powerlines is a sensible compromise. Are there examples? Given that the last one I just read out to you showed that there were 50 fire starts in 2014-15 alone, it shows you how difficult it is for SAPN to keep up with the body of work of locating fire starts through their own infrastructure.

I think that should be alarming to all of us, given the nature of the Sampson Flat fire and the new way in which we have to deal with new farming techniques and the way that broadacre land is drying out a lot faster. We have seen very fast grass fires driven by wind accelerate across the plains, and we need to be able to get in there and inspect land quickly. Between the houses, I undertake to get more information for the opposition about relevant day-to-day examples, and hopefully I can make SAPN available to the opposition to give you a much more detailed briefing.

All I can do is assure the opposition, despite our differences, that there is no conspiracy here. We have the recommendations of the royal commission. SAPN have a regulatory obligation to make sure that they trim and minimise the risk that they are exposed to and that we are exposed to as a government on behalf of our community. We have a royal commission that has made some very important findings that they want us to implement.

We have gone to SAPN and asked their advice on what powers they think they need. They have made submissions to us, and we are attempting to enact them. The friction here is about property rights. I think we can find an appropriate compromise. I think the example that the shadow minister mentioned is a good one; that is, at the end of the fire season a general notice is put in papers across the state saying that SAPN will be doing inspections in these areas. They cannot tell you the time and day, but there will be a program of work being done.

I think there is something we can look at there, but if the opposition is going to dig in its heels and say to the government, 'No, no, we want the landowner to be contacted in advance and told exactly the time and date someone will be arriving,' I think that would be unworkable. When I say 'unworkable', we could probably make it work, but we would do a lot less work, fewer inspections and a lot less remediation. I am not trying to be difficult. I do want to find a compromise, because it is largely your constituents who are impacted by this, and I want to try to get it right.

Mr VAN HOLST PELLEKAAN: Thanks, minister, I appreciate that. I say again that the opposition and the landholders are not looking for fewer inspections; they are just looking for notice. I appreciate that you have said that you are willing to work constructively on that, and I certainly will too. I think something like the example about advance notice would be very productive, to say with months of notice (whatever the right number is) that in this area they will be doing inspections in this particular week, so that all the landholders know that during this one week SAPN plans to come into their area.

I would like to make one very important point. The minister talked about notice to do the work. This part of the bill is very clearly about inspections only and not about doing the work. It actually says that for the purposes of inspection 'in any other case', so other than inspection, the officers still need to provide the written notice. That is where I am coming from. This is not the urgent part. The inspection is not where they believe there is imminent danger. It is about sensible maintenance, and the inspection could easily be preplanned without giving too much extra administrative hassle or cost to SAPN. I appreciate the fact that we can work on that between the houses.

Ms CHAPMAN: I am pleased to hear the minister's indication that he will look at this matter because it does cause concern, and a number of speakers have made that perfectly clear. It is extraordinary to me that we are about to deal with another bill in this house that prohibits the owner of the property going in and even asking a tenant if they can go onto a property without notice.

I make the observation that we have a situation here where, for the convenience of SA Power Networks, which does not want to advise if they going to be traversing a property, they give reasonable notice, and they are seeking to be relieved of that obligation. It is too much paperwork, it takes too much time. There have been 50 incidents in the year of fighting, the minister says, quite possibly because they are busy filling out forms or giving notice to people. Well, I just do not accept that. I think that is totally erroneous, and I do not accept it at all. What I ask is if the inspections occur,

as is proposed, without notice and there is a loss of stock or an interference with stock, how does the minister expect that is going to be compensated or attended to?

The Hon. A. KOUTSANTONIS: There are general provisions of compensation in the act already for any damage that they might do.

Ms Chapman: How do they know?

The CHAIR: Order!

The Hon. A. KOUTSANTONIS: How do they know? Landowners, in my experience, know their land like the back of their hand and they know when work has been done on their land, especially where the powerlines are. If there has been loss or damage done, there are compensation measures already in the bill. I would also say that there are consequences of the work not being done in there being a catastrophic bushfire on that land with a loss of life, loss of stock, loss of agricultural land, loss of livelihood, loss of income. We are not attempting to make people's lives worse here, we are trying to protect people.

Again, I am attempting to restrain myself and work cooperatively with the opposition on this, but I do not think inflammatory language is necessary. I think what we are attempting to do here is we have a royal commission. Weather conditions are changing and changing dramatically. The fire season is coming upon us faster than it usually is. Members opposite know the bush better than we do, they know the country areas better than we do, they know that there is a drying occurring. You saw Barnaby Joyce last night talking about the general drying. Weather conditions are changing. There are more bushfire events that are becoming more dangerous.

What we are attempting to do here is minimise that risk while not just leaving people in the country in the dark through high danger bushfire days. The more work we can do trimming trees and clearing infrastructure around these lines, the more likely we are to maintain services in regional areas. There is no conspiracy here. We are attempting to do the right thing by regional South Australians, so I am happy for the member to be satisfied between the houses.

I will just say this: a landlord having the right to inspect a tenant is not the same as SAPN wanting to inspect its infrastructure on someone else's land because of a bushfire risk. It is completely different. We are not talking about landlords just turning up whenever they see fit to go and walk through the house when someone has a lease to occupy. We are talking about infrastructure that can kill people. We are talking about human life, loss of stock, productivity, bushfires. Without wanting to ramp up this debate, we live in the driest state on the driest continent in the world. We are more at risk of bushfires than other communities and they have devastating impacts. What we are trying to do is minimise that risk.

The CHAIR: The member for Bragg has a final question?

Ms CHAPMAN: This is my second.

The CHAIR: No, you said, 'How do they know?' and I counted that as a question. Move along.

Ms CHAPMAN: Sorry?

The CHAIR: You did. You said, 'How do they know?' and that was a question, so this is your third question. If you have another question, I will think about it.

Ms CHAPMAN: Well, can I just clarify this? I have asked one question.

The CHAIR: Then you were sitting down and said, 'How do they know?' and the minister had to answer that, so this is really your third question, but we will see if we can accommodate you after the member for Hammond has asked his three questions because he is keen to ask questions, too.

Ms CHAPMAN: In respect of the request for entry at present where there is infrastructure traversing the private landowner's property, of which not all property needs to be cleared because it can go across gullies and does not actually get anywhere near timber, so that is usually known to the local contractor or operator as to what needs to be done and whose property needs regular trimming under it, etc. I would like to have some data on the number of inspections that are done by

ElectraNet because I think they have the contract to do all this, and for the work to be done for trimming of vegetation. I mentioned in the second reading that I had not seen from the Victorian commission a recommendation of entry without consent, but I indicated that if it did exist I would like to know why it has taken some years for that to be implemented if it is such an important matter.

I would like the minister to understand that bushfire seasons also close earlier when there are early spring rains. Instead of opening, say, in the beginning of May, they can open in the beginning of April if there is plenty of green pasture around. That is modified according to the advice that is given, obviously, as to the safety to be able to commence cold burns, etc.

Is the minister expecting that there will be inspections by any other agency entering a property for these purposes, such as the native vegetation officer or some other instrumentality that would be responsible for bushfire management? If not, was there any recommendation in the Victorian commission, from which this has apparently emanated, that suggests that, or is it only for electricity workers?

The Hon. A. KOUTSANTONIS: My advice is that it is just for SA Power Networks. If SA Power Networks were to sell their assets and someone were to purchase them, they would be the new authorised officers. But, to the best of my knowledge—

Mr van Holst Pellekaan: ElectraNet?

The Hon. A. KOUTSANTONIS: ElectraNet? These are SAPN's assets. They are the ones with the responsibility, not ElectraNet. It is the other way round. I understand that SA Power Networks does it for ElectraNet, rather than the other way round, as mentioned by the deputy leader. No, this is not a government conspiracy to have native vegetation or DEWNR officers walking onto land and making other discoveries that may be breaches of other acts. This is simply about protecting people from bushfire risk.

I just say again that I share the opposition's hesitation about allowing people onto private property to undertake inspections without notice. I do share their concerns, but they are outweighed by the benefit. The benefit is the public good, the public value. The public value here is that we are protecting people's lives. We are protecting infrastructure.

As much as we debate power prices and power infrastructure and privatisation versus public ownership, it is such an essential utility that you only realise how important it is to people when it is gone. I can tell you that I remember, I think it was two years ago down in Goolwa, when there was a high bushfire risk day—

Mr van Holst Pellekaan: Four years ago.

The Hon. A. KOUTSANTONIS: Was it four years ago? We had to shut down powerlines because of the high winds—

Mr Pederick: And my phone started ringing.

The Hon. A. KOUTSANTONIS: The member for Hammond's phone started ringing because it was a hotspot of activity for tourists. People were out buying ice-creams or fish and chips or were out enjoying the weather, enjoying the day, and we had to shut down power and it was a massive cost to local businesses down there.

Mr van Holst Pellekaan interjecting:

The Hon. A. KOUTSANTONIS: Was it? I think that probably was not intentional. Probably something else had occurred. I know what the member is saying. I understand her concerns but, if she were in my position, I suspect she would be doing exactly the same thing.

Mr PEDERICK: I just wonder whether we are having a bit of a *Back to the Future* moment here. It is certainly my experience in the last 15 to 20-plus years that we have had far more work with inspecting of lines with helicopters.

Ms Chapman: And drones.

Mr PEDERICK: Drones. Your local newspapers advise which areas the helicopter will be patrolling. It is a very efficient way of inspecting powerlines. I have seen it. They get low enough that

You could just about grab the landing skids on the bottom of the helicopter while they inspected the insulators connected to your house. My concern is whether this is a cost-saving measure that SA Power Networks are instigating. It seems to me that using the helicopters has been extremely efficient.

The Hon. A. KOUTSANTONIS: Remember that whatever works they do are passed on to us through a regulated return, I am advised. But, yes, I think the member is right. There is an opportunity for us to use drones. There is an opportunity for us to use unmanned equipment by the roadside. That will occur once we start getting the appropriate CASA approvals in place and having a regulatory framework around the use of drones and the way we can do all this—absolutely.

I agree with him, but cost savings are good. Doing it cheaper with the same amount of work is better because in the end we all pay. If SAPN have found a way to do the same amount of work for less money, we should congratulate them on it, not criticise them for it. If helicopters are more expensive, and I suspect that they are, they should not be using them. They should be using the cheaper option because the cheaper option keeps power prices down.

Mr PEDERICK: It becomes quite unfeasible in a range of circumstances. Certainly, on the Far West Coast, especially in a crop situation, you would start damaging crops from the end of July on entry. From the Murraylands and further south, you start damaging crops severely after entry from late August. I understand the point about costs. We are all paying a fortune for power in this state. Either now or between the houses, could the minister bring back an analysis of why there certainly appears to me to be a push back from using what has been, in my mind, a very efficient practice, although I do not know about the cost, of using helicopters to check out lines right up to houses on single wire returns, for instance.

Back in the ETSA days, when there was conflict, one day I was involved in one: an electricity truck was sitting out in the middle of a paddock on a wet day churning up the paddock. It just creates angst. Using the helicopters certainly has been a very efficient way as they can cover many kilometres of line and inspect the insulators right there from the helicopter. I would appreciate some sort of cost-benefit analysis of that compared to a crew running around on the ground doing far fewer kilometres. I also acknowledge the hourly cost of running a helicopter, so I would appreciate some data at some stage in regard to the comparison.

The Hon. A. KOUTSANTONIS: I undertake to do that for the member. Oh, for the glory days when we owned ETSA and I could instruct them or tell them how to do these things, but it was not me who got rid of it.

The CHAIR: Another question, member for Hammond.

Ms Chapman interjecting:

The CHAIR: Order! The member for Hammond has the call and he has a question.

Mr PEDERICK: Thank you. It might be more of a comment, but the minister—

The CHAIR: Well—

Mr PEDERICK: Well, I will ask a question.

The CHAIR: Excellent.

Mr PEDERICK: The minister indicated that, even with the situation now, the inspection cost is passed back onto government and if he can—

The Hon. A. Koutsantonis: To the consumers.

Mr PEDERICK: To the trimmers?

The Hon. A. Koutsantonis: To the consumers.

Mr PEDERICK: The consumers, sorry. It comes back to consumers, so I reiterate that I would be very keen to see the cost comparison because I certainly believe that it is very efficient doing it with helicopters.

Clause passed.

Clause 12.

The CHAIR: Member for Bragg, you have a question about the heading of part 5.

Ms CHAPMAN: In relation to powers, other than the police with a warrant, or in an emergency or to rescue an animal under the RSPCA act, who else can enter your property without permission?

The Hon. A. KOUTSANTONIS: A meter reader, retail companies reading meters, gas readers, and SA Water can do so as well.

Ms CHAPMAN: On the basis that if it is for meter readers, where the meter is usually adjacent to the boundary from the footpath in the metropolitan area or on the side of the dwelling if there is a shed or dwelling on the property for reading, apart from that there is no other person who is able to conduct inspections. Do you agree?

The Hon. A. KOUTSANTONIS: Other than utilities, police and, as I understand it, fire. Other than electricity utilities, our gas utilities and our water utilities, yes, you must need some form of judicial approval, I am advised.

Ms Chapman: Or consent.

The Hon. A. KOUTSANTONIS: Obviously. Access to private property is a consensual arrangement. Let's take this to the extreme. I will give an extreme example to show how this argument can be manipulated any which way anyone wants. Is it reasonable to say to an SA Water meter reader who sees a burst pipe on their side of the meter, yet on private property, that they cannot go and deal with that immediately if they see that without the express permission of the landowner? No, but we are talking about access to private property. These arguments can be made on many levels, and I think it can get a bit ridiculous.

Ms CHAPMAN: During the second reading, I raised this issue and I would like an answer between the houses. On how many occasions has there been a request to access private property for the purpose of inspection and the application has been rejected?

The Hon. A. KOUTSANTONIS: Sorry, just to clarify, are you talking about electricity officers or are you talking about SAPN?

Ms CHAPMAN: I am talking about authorised officers.

The Hon. A. KOUTSANTONIS: I will get that between the houses, but generally it is a measure to save time and cost.

Clause passed.

Clause 13.

Mr VAN HOLST PELLEKAAN: This clause talks about getting an arborist report so that trees outside the buffer zone as determined by regulations, if the arborist recommends it, can be dealt with. I think everybody would accept that that is a pretty sensible principle. If a tall tree or something like that poses a risk, then it has to go. What assessment has been made by SAPN, the government or others involved in this, for this need, and what cost do they think it is likely to incur to do the arborist reports and the extra trimming as a result of the arborist inspections and reports?

The Hon. A. KOUTSANTONIS: This could be a bit of a detailed answer as well, and I apologise to the house. SAPN are given an envelope with which to do tree trimming. In order to protect trees, we ask that they do an arborist report. The arborist report obviously has a cost, which is part of the entire amount. If they were not required to do that arborist report, I think the general consensus in the community would be that SAPN saw their powerlines as much more valuable than a tree.

All the trees would be gone and you would see places like St Peters, dare I say Burnside and, dare I say, some of the leafier parts of South Australia barren because SAPN could save a fortune on maintenance and work by just chopping down trees at random. The arborist report is a limiting mechanism within the scope of their regulatory balloon, I suppose, of numbers that they can

spend on this sort of thing. That is the advice I have. I think it is a good measure to protect trees, and it is also a measure that makes SAPN think very carefully about which trees they do remove.

Mr VAN HOLST PELLEKAAN: I do not doubt the value of the arborist report. It seems sensible that you cannot just let them, outside the buffer zone, go and cut anything they want. My question is: has any assessment been done by the government of the cost of this, with the cost being the arborists' inspections, the arborists' reports and then the cost of dealing with the trees that are recommended to be felled?

The reason this is an incredibly important issue is twofold. At the 2015 AER sequence of work to do the five-year planning for electricity prices, vegetation clearance was a very important issue. SAPN asked for a certain amount of money and the regulator, partly on advice of the government, allowed them less money for this. However, a change in legislation allows SAPN to go back to the regulator and ask for an increase in the remuneration it receives.

While we are in the relatively early stages of a five-year setting, anything that is agreed by our parliament in this legislation opens the door for SAPN to go back to the regulator and say, 'Parliament has changed the rules. We will incur more costs, so we want more revenue—thanks,' if that is what they are inclined to do. That is a reason for asking the question, so I think it is beholden upon the government to have some estimate of what this change in regulation might cost.

I understand it would be impossible to come down to cents per kilowatt hour, but has the government done any assessment at all about what this might end up costing the consumer before the next five-year price inquiry?

The Hon. A. KOUTSANTONIS: It is very difficult to say because things change over a five-year period: rainfall changes, climate conditions change and, given global warming is a real threat to our environment, it is very difficult for us to understand growth rates through trees. The advice I have is that the clearance of hazardous trees is not expected to lead to a significant increase in the overall cost of vegetation clearance. It is possible that electricity entities will wish to recover the cost for an application to the AER, but the benefit of the proposal is that it will substantially reduce the risk of bushfires and that clearly outweighs the cost of removing hazardous trees.

Mr VAN HOLST PELLEKAAN: This is my last question on this clause. This question refers to the very last bit of section 55AA(1), the bit that is in parenthesis at the bottom of that clause, where it talks about these rights that we have been discussing about getting an arborist inspection report and going to clear vegetation if the report recommends it. The clause very clearly says, 'but SAPN does not have to do that'.

Given the logic for this, which I think we all support, is that if there are trees that have the potential to cause danger they need to be dealt with, that makes good sense. However, it then says, 'but they don't have to deal with them if they don't want to'. So they require an arborist report to be allowed to do the vegetation clearance outside the buffer zone, but if they get an arborist report that recommends clearing that vegetation outside the buffer zone they do not have to do it. How does that gel with all of this being about actually preventing bushfires?

The Hon. A. KOUTSANTONIS: I am advised that, if we had not included that clause, SAPN would have had a requirement to then clear trees—

Mr VAN HOLST PELLEKAAN: That the arborist recommended?

The Hon. A. KOUTSANTONIS: —that the arborist recommended, and that would dramatically increase their insurance costs, which they would pass on to consumers, which would have a dramatic impact on power prices. The advice I have is that, given the Ash Wednesday event and the recommendations of the indemnification of ETSA, this is a way of managing that cost and their insurance levels. If we had a requirement that they must clear these trees and they do not, obviously, their cost of insurance to make sure they are covered for a bushfire event would be dramatic, and they would go to the AER and have those costs passed on to consumers. This clause is designed to mitigate that risk to consumers.

Mr VAN HOLST PELLEKAAN: Minister, I understand what you have said, but they would only be obliged to cut down the trees that the arborist recommended. So, it would not be any tree everywhere, just—

The Hon. A. KOUTSANTONIS: But, if they do not, it is okay. If they were compelled to, they would have to insure against not having cleared all of those trees for a period, if there is a bushfire event.

Mr VAN HOLST PELLEKAAN: But, if the arborist has recommended that they do it to reduce the chance of a bushfire, should they not then be compelled to cut that tree down? SAPN goes to the arborist and says, 'I would like you to have a look at these trees in this area.' The arborist says, 'Yes, they are actually a risk. They should go.' Should SAPN not be compelled to cut those trees down, and would SAPN not be liable anyway, coming to your point about insurance premiums, if they were advised that a tree should be cut down, and they still did not do it?

The Hon. A. KOUTSANTONIS: It is more in the absence of the tree that they missed, the one there is no arborist report on at all, that causes the fire. We are giving them every opportunity to go out and minimise risk, but they are going to miss things. Let's be very clear about this: there is nothing that any of us can do in this house that will make a bushfire completely improbable. We minimise risk.

By having these amendments, we lower the insurance costs on SAPN, which therefore lower the costs to consumers. An arborist looks at the health of the tree and its ability to lose limbs and otherwise. Sometimes they are missed, and the one tree that the arborist does not have a report on could cause a fire. You are asking, 'Are they liable?' No, if they were liable, they would have to insure against it. If they insured against it, they could go to the regulator, and the regulator would pass those costs on to us.

Mr VAN HOLST PELLEKAAN: Just to be really clear, because this is very important, it is the government's intent with this that SAPN would not be liable if they did not ask for reports on particular trees. If there were trees there that they did not think of or skipped, and they did not get a report on them, they would not be liable, but, if they did get an inspection, they did get a report and it was recommended, it is the intent of this bill that they definitely should deal with that vegetation and address that issue, as recommended by the arborist.

The Hon. A. KOUTSANTONIS: No, even then, they are not liable.

Clause passed.

Clause 14 passed.

Clause 15.

Mr VAN HOLST PELLEKAAN: This is hopefully a quick, easy question on this increase in fines. The maximum fines go from $5,000 to $10,000. The $50,000 stays the same, and the expiation notice goes from $315 to $1,000. With regard to the maximum fines, who has the authority to decide, when there has been an infringement, whether the maximum or some lower fine is actually used?

The Hon. A. KOUTSANTONIS: I am advised that they would be prosecuted, and a court would determine the fine.

Mr VAN HOLST PELLEKAAN: This question is on clause 15(2) with regard to the temporary disconnection of electricity supply to a premises. Right now, as I understand it, if work is done on a property, the electricity needs to be disconnected so that the work can be done. SAPN has to come and disconnect the power supply. The electrician or other contractors come and do that work. When they have done that work, SAPN has to come back and reconnect the supply.

I can understand that it would be attractive to smooth out that process and allow the contractor to do the disconnection and the connection before and after the work is done, so I get that bit. When I spoke with SAPN, they said that they were very concerned about this because they are worried about liability. Essentially, they are responsible in the bigger picture for the supply of electricity to the house. The contractor comes along and disconnects and connects again, and if it is not done properly they feel a little bit exposed.

The issues we were talking about previously, about arborists and vegetation, are things the government has done because SAPN have requested it. This is an area, at least to the opposition (and it may or may not be the same with the government) where SAPN have said, 'Actually, we don't

want this. We would prefer to keep that responsibility.' They have said that it is for safety reasons and liability reasons. It might be because they prefer to do the work as well and that they prefer the income that comes with the work. There might be a significant commercial component in the advice they have given to the opposition. Minister, would you share with the house what advice you had from SAPN on this particular issue and how the government decided to proceed this way?

The Hon. A. KOUTSANTONIS: We raised it with them, and they raised no concerns with the government. If they are telling you something different, I am very concerned about what SAPN are saying to the opposition and what they are saying to the government, and I will raise it with Mr Stobbe immediately.

There have been provisions in the Electricity Act for 10 years that allow third-party meter providers to install a smart meter—10 years. It is now a nationally agreed policy to develop a market in this area. You might remember that in the last parliament, before the last election I moved an amendment that the opposition supported to stop the ability of the minister to roll out smart meters so that we could create a competitive market. No-one would enter the market if I had the ability to tell everyone what meter they were buying. I removed that power from the minister to try to create a competitive market, and now we are seeing it.

AGL are rolling out smart meters at no cost. Origin are about to begin doing the same. People can start getting smart meters, and the next step is time-of-use metering. These are important reforms we need to move towards. Make no mistake, I say to the opposition and the house, that we are getting in the middle of a boxing ring with three people who are slugging it out in a battle to the death: SAPN and the large retailers who will all make arguments to us about who should have the right on meters.

Mr van Holst Pellekaan interjecting:

The Hon. A. KOUTSANTONIS: Origin, Alinta, Momentum, Energy Australia.—you name it, whoever, three, four, five. We need to be very clear about this. If we give monopoly power to one or another over this, there are serious consequences for consumers.

This amendment simply clarifies the position to make it quite clear that a meter can be disconnected prior to a reconnection, and this will avoid workers attempting to replace the meter while it is alive or energised. That is basically for safety reasons. Allowing metering providers to install replaced meters is not expected to affect electrical safety. Why? I am advised that AGL, Origin and SAPN usually hire the same contractor to do the same work anyway.

Regardless of whether the work is carried out on behalf of an electricity entity, or a metering provider, the actual work of installing or replacing a meter must be carried out by qualified people—for example, licensed electricians, or people specifically trained in the installation and replacement of meters. Where work is performed on behalf of the meter provider, the contractor performing the work will be required to issue a certificate of compliance after they have completed the work.

In the unlikely event that their work is faulty—and this can occur with SAPN because this is all outsourced of course—it is possible from the certificates of compliance to ascertain and to trace to people who did this and performed that work. This is an important reform. I have to say that I have heard the opposition talk about demand management; if they are serious about it, this is the clause they need.

Clause passed.

Clause 16.

Mr VAN HOLST PELLEKAAN: Minister, hopefully this is very straightforward. Does this clause do anything other than increase fees and fines? Are there any other powers or responsibilities included in this, or is this just purely about the dollars?

The Hon. A. KOUTSANTONIS: Apparently, it is just about the dollars.

Clause passed.

Clause 17.

Mr VAN HOLST PELLEKAAN: Minister, this question is about clauses 17 and 18, so that will save us a little bit of time. Has the government sought feedback from associations representing electrical contractors, plumbers, builders, etc., about clauses 17 and 18, and, if so, what was their feedback?

The Hon. A. KOUTSANTONIS: I understand that the plumbing association and the national electrical contractors association are supportive.

Mr VAN HOLST PELLEKAAN: So, all the feedback you received was supportive. There was nobody who opposed it?

The Hon. A. KOUTSANTONIS: That is the advice I have.

Clause passed.

Clauses 18 to 22 passed.

Clause 23.

Mr VAN HOLST PELLEKAAN: This is a point of clarification, minister. The definition of electrical equipment includes home appliances, the really straightforward things like kettles, toasters and whatever else. My reading of this clause is that if there is a fire or some sort of prescribed incident, it is not really quite relevant because the authorities who dealt with it will do their reporting. However, this clause provides that if anybody is electrocuted, then they need to report. That makes great sense for the serious incidents (no problem at all), but if somebody zaps themselves with their faulty kettle or toaster, as unfortunately can happen—and let's hope everybody has RCDs in their houses to protect themselves, family, children, visitors, etc.—am I to understand, as I think this says to me, that even if somebody zaps themselves at home with their home appliance they must report it?

The Hon. A. KOUTSANTONIS: Yes, and for very good reason. Being zapped by your toaster could be a sign of something that is about to degrade and become worse. It is important to let people know through an education program that you should not be zapped by your toaster, you should not be zapped by your hairdryer, you should not be zapped by your TV or by your electric heater. You should not be feeling anything from this equipment, other than the purpose for which they are intended.

Let's be very clear about this: there are a lot of unnecessary deaths in households because of old faulty equipment. We need to know what it is and warn people. There could be other problems. For example, if your toaster is zapping you, why is there not an automatic shutdown occurring through the system? Is there some sort of faulty installation we do not know about? So, yes, we want to know about it.

Mr VAN HOLST PELLEKAAN: Given that, what is the government's intention with regard to community education so that the average householder knows that they are liable for a $5,000 fine if they do not report that they got zapped by their faulty toaster?

The Hon. A. KOUTSANTONIS: First and foremost, that presupposes that we would prosecute them for not telling us. If, for example, and I will speculate, children were killed by playing with faulty equipment that had zapped parents, and they knew about it, and those children unnecessarily died because parents had not reported or done something with that equipment, yes, they would be liable. If a judge decided to impose a fine on them, they could.

Remember, this is not about us being big brother; this is about us trying to save people's lives. So, yes, there should be a requirement for people to report goods that are faulty. There could be warranty issues, there could be other issues, and we want to know what they are. That is our job. That is why we have the Office of the Technical Regulator. If we did not have this I suspect the question would be, 'Why don't we have this?'

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: Yes, toasters. Toasters can kill people.

Mr VAN HOLST PELLEKAAN: The question was: what public education program is the government going to embark upon so that they know about this new legislation, so that they know that they are liable for up to a $5,000 fine? I think it would be very fair that the households of South Australia are advised that, if they do not report that they zap themselves—that is a colloquial term but that something like that happened with regard to a household appliance—they deserve to know that they are liable potentially, if the government prosecuted, for up to a $5,000 fine. How is the government going to make sure that households know about this new liability?

The Hon. A. KOUTSANTONIS: Obviously we inform the trades. The trades do work. They are informed about it. There is our website, our magazine. People can find out through home shows where we have a presence sometimes when we go out and talk about safety. Let's be clear. This is not a revenue measure. We cannot expiate this notice where we can issue expiation notices. This must be imposed by a court from my advice.

We cannot expiate this, we cannot expiate this notice, so it is not like a police officer issuing a fine and then you would be able to expiate it and not go through the court process. If the government decides to prosecute, you would have to have very good reasons. It would go to the appropriate DPP, or whatever the process is, and they will make a decision and then a court would oppose the fine. The reason we have those penalties in place is not to frighten mums and dads but to protect them, and I think this is a bit cute by the opposition by half.

Mr VAN HOLST PELLEKAAN: I disagree entirely, minister. I think it is perfectly fair that the government advises South Australians of this new obligation. It does it in lots of other ways. It is not cute at all. I think people deserve to know. Householders who do not read *Hansard*, householders who may not get a tradesman come regularly, householders who do not go to trade shows and do not jump on government websites deserve to know that there is a new potential liability for what we would all accept, unfortunately, should not be but is an occurrence that happens in some households occasionally. So, it is not trying to be cute at all, just trying to understand if the government intends to let South Australians know about this.

The Hon. A. KOUTSANTONIS: So, what the opposition is asking me to do is embark on a massive government advertising campaign. When we do advertising campaigns, they say it is a waste of taxpayers' money. Now it is, 'What are you going to do to promote this to the community?' I will tell you what we will do. I will allocate a whole heap of money in the budget process for us to go out and advertise all our measures in the budget—

Members interjecting:

The CHAIR: Order!

The Hon. A. KOUTSANTONIS: —and talk about this proposal. It is a good exercise. There might be TV ads, maybe ads in the newspaper. We will give pamphlets to our local members of parliament to go out and distribute. I think this is all about a preventative measure. This is not about attempting to hide anything. We are in the parliament, we are openly debating these things. There are no secret votes, there are no secret bills, there are no secret laws. There are many things on our statutes that many South Australians would not be aware of. There are many policies the opposition have that almost no-one is aware of, but we do what we can through the auspices and the portals we have already in place. There is no trick here. I understand what the opposition is attempting to do. They are attempting to say that we are about to slug people if they do not ring up and report getting zapped by the toaster for $5,000. That is not true. We cannot do that, only a court can.

Mr VAN HOLST PELLEKAAN: I did not say anything like that.

The CHAIR: Order!

Mr VAN HOLST PELLEKAAN: I said nothing like that and I did not suggest you embark upon an expensive campaign.

The Hon. A. Koutsantonis interjecting:

The CHAIR: Order!

Mr VAN HOLST PELLEKAAN: You were, and you are very defensive on this and that concerns me.

The CHAIR: Order! You have had four questions. Is there anything anybody else wants to ask?

Mr VAN HOLST PELLEKAAN: So, my last point is that—

The CHAIR: Well, you are up to four.

Mr VAN HOLST PELLEKAAN: —the opposition did not suggest any of those things, did not even query the validity or the sensibility of the measure, just purely asked what the government intended to do, and we have the answer.

Clause passed.

Clauses 24 to 26 passed.

Clause 27.

Ms CHAPMAN: I just want to refer to the new powers and obligations of authorised officers. At least there are several clauses on this. Minister, whilst there has been some conversation about the access to property for the purposes of bushfire management—and I think my position is pretty clear—for the pruning work to be done, having a process where it is less than 30 days where you can have the arborist model to deal with this extra zone—no problem.

I do not actually have a problem with that. I do have a problem, and I continue to have a problem with access to property without notice and without consent for inspection purposes. I do not accept that and, so far, nothing you have said convinces me that it is justified. In relation to the authorised officers, my first question is: under the Electricity Act, how many authorised officers are there? Similarly, how many are there under the Gas Act?

The Hon. A. KOUTSANTONIS: Ten under the Electricity Act, I am advised, and four under the Gas Act.

Ms CHAPMAN: With their new-found powers, starting in clause 27, which relates to the opportunity to issue enforcement notices, is there any proposed increase in the number of authorised officers under either act? And, if so, how many?

The Hon. A. KOUTSANTONIS: I am advised that there will be no increase to the numbers.

Clause passed.

Clause 28.

Mr VAN HOLST PELLEKAAN: This clause deals with authorised officers being able to access vehicles as well as places. In our conversation—and I cannot remember whether it was on the record or above board between us when we were making our second reading speeches—you said that there are examples of why this is necessary. Could you please share some of those examples?

The Hon. A. KOUTSANTONIS: It is pretty simple. We have no secrets, member for Stuart. I am one of your biggest champions. I think you have a big bright future in this place.

The CHAIR: Yes, it's true. Carry on.

The Hon. A. KOUTSANTONIS: He sat up all straight. He liked that. The reason we want this power is that there have been events, fires, that have been publicised. The electricians who have carried out the work have attended, removed their work and put it in their vans and we have been unable to then access that and prosecute. Or there may have been a complaint made of faulty workmanship that could be in breach of compliance and the OTR has been contacted.

When we arrive, the van is out the front. The circuitry work or whatever work has been done has been removed, and we have no way of proving that the work was faulty. That is why we want to have the power to open vans and inspect cars: to gain evidence. I know it sounds draconian and I know it sounds excessive, but I cannot tell you the risks in place with faulty workmanship. We saw it in Queensland with the Pink Batts. You have seen it—

Ms Chapman interjecting:

The Hon. A. KOUTSANTONIS: It's true.

Ms Chapman interjecting:

The CHAIR: Order!

The Hon. A. KOUTSANTONIS: Faulty work—

Ms Chapman interjecting:

The CHAIR: Order, member for Bragg.

The Hon. A. KOUTSANTONIS: Exactly. That is why the OTR wants to be able to inspect the work. In the event of a fire or some damage that has been done, if they are going there to inspect the work and see what has occurred and if the tradesmen who conducted the work are removing it, or they have removed it when we get there, or we see them leaving, or we were told that they were there half an hour ago and we find them, then we want to open their vans and have a look and get the evidence out.

That is my advice on why we want to do it. It is not because we want to kick down doors. The OTR is not armed and it is not exactly the most intimidating unit, but it carries out a very important role. I accept the Deputy Leader of the Opposition's concern for a poor small business owner, with the government being able to compel them to open their van and having the power to inspect their van. I can only imagine—

Mr van Holst Pellekaan interjecting:

The Hon. A. KOUTSANTONIS: Exactly. I can understand the stress that would cause. I hate to use this expression, but I am going to use it: if you have done nothing wrong, you have nothing to worry about.

Mr VAN HOLST PELLEKAAN: Minister, why can the OTR not rely upon the police to do this inspection of private property?

The Hon. A. KOUTSANTONIS: First of all, the police triage all calls. I will give you a hypothetical scenario, remembering that this is the real world and not the world where everyone arrives on time all the time. There is a fire and police attend. People are rescued and taken out and the fire is put out and the area is sealed. It is 12 hours later—

Mr van Holst Pellekaan interjecting:

The CHAIR: Order!

The Hon. A. KOUTSANTONIS: The police leave. Remember that the police do not stay there forever. They have important work to do and so they leave. The OTR gets there in the morning and there is a van out the front with an electrician who is pulling all the wiring out—

Mr VAN HOLST PELLEKAAN: This is the next morning?

The CHAIR: Order!

The Hon. A. KOUTSANTONIS: The next morning, next week, whenever it is that it is reported to the OTR. They turn up and all the wiring has been removed. Let's say it is not a fire; let's say there has been a complaint and the OTR has reason to believe that this entity has done faulty work previously and they want to inspect the premises. The people who have done the work know that the OTR is on its way with its flashing orange lights. They arrive there and the tradesman is packing up. We cannot open their vans to get out the faulty wiring or the substandard copper or substandard switches. We cannot prosecute, and they get away with it and do it again somewhere else.

The next time we cannot be there and a fire is caused and someone gets hurt. That is why we want to do it. Can we call the police? As the police triage these things, OTR is not going to call 000 or call the police attendance line. We have no power to keep them there. They can leave. Once they leave, they can go somewhere and we are not going to follow them. This is all about being sensible in the real world.

We get there and say, 'Open the van. I'm instructing you under this section of the act to open it.' If they refuse to, that is grounds for us to take it to the court afterwards and say, 'We believe that this operator, this electrician did this work. They removed it. We attended. We caught them on the premises. They wouldn't open their van. The work was missing. We issued them a lawful order and they didn't open.' That is what they were attempting to do. However, I understand your concerns because small business owners have enough red tape as it is without the government kicking in their doors, but this will be used on very rare occasions.

Mr VAN HOLST PELLEKAAN: Would the OTR have the power to stop moving vehicles under this clause?

The Hon. A. KOUTSANTONIS: We do not have that power. I suspect we do not have the power to pull cars over in traffic, but I will check between the houses and let you know.

Ms CHAPMAN: While we are on cars, I ask this question because in the second reading speech you made to the house you said, on page 1:

> Authorised officers are granted further powers under the Acts, including the power to stop and inspect vehicles, to require infrastructure, installations…

and so on. We will come back to that in a minute, under clause 29. However, on the vehicle itself, just so I understand it, whilst we are adding in not just the premises but a vehicle as well for the reasons you say are necessary, let's go back to the authorised officers themselves. Do they have any training and, if so, what is it? Do they carry a weapon of any kind?

The Hon. A. KOUTSANTONIS: They are experts in their field, whether it is gas or electricity but, no, they do not carry weapons and, no, they are not trained in combat or any other form of personal security. They are electricians and engineers who understand the appropriate works that should be put in place. They are like any other government inspectorate, whether it is a mines inspector or a health inspector. The OTR is no different. The power to stop, I imagine, is to stop someone from leaving, but I will check if we can pull someone over in traffic, which I think is a different question.

Ms CHAPMAN: It says it includes the power to stop and inspect vehicles and that is why I specifically suggested that because that is a little unusual. It is obviously when we have authorised officers and there are lots of situations, such as health inspectors going into restaurants to check that the kitchen is clean, that there are no cockroaches and that the toilet rolls are changed, all those things. They have certain powers of access and inspection. They give notices, and they give advice, cautions, etc. They can report matters which may result in there being prosecutions if there has been a failure to comply—in that instance, with health standards.

The stopping of a motor vehicle, to the best of my knowledge, is available only to a police officer, and in certain circumstances they can do it without cause. Obviously, in emergency situations there are certain emergency services that have the power to put up roadblocks, etc. I have not seen this in what I would call the 'inspector's regime', that is, the people who are there, in this instance, to deal with the safe installation and operation of gas and electrical supplies and, obviously, the equipment that goes with that for the purpose of offering that service.

The Hon. A. KOUTSANTONIS: There is a slight nuance here between the police and the OTR. If I can be so bold as to say that when I say that our intention in the legislation, and I completely understand if you say that the intent does not match the clause—

Ms Chapman: Or what you say.

The Hon. A. KOUTSANTONIS: What I say? When we say 'stop a vehicle', we mean, 'Don't leave this site. Don't put the vehicle into motion. Open the door.' If they decide to do so, we are not authorised to detain them, unlike the police. We cannot arrest people. We cannot stop them.

Mr van Holst Pellekaan: You can call the police.

The Hon. A. KOUTSANTONIS: We will call the police, but that would have an impact and a bearing in a later consideration in another place if that person decided not to, given that the officer is legally authorised to do so.

Ms CHAPMAN: I will come to this in new section 69, general powers, under subparagraph (i) 'give directions with respect to the stopping or movement of a vehicle'. There is a consequence further on in the act which attracts a very significant fine by breaching a direction by an authorised officer, so there is a punitive response to disobeying that, 'Stop that vehicle, let me have a look in your boot,' any of these things can attract a noncompliance penalty through that process.

In any event, you have answered the next issue; that is, there is no power to actually physically stop the vehicle or the person. However, if they do and they take possession of it, of course, under the rest of the provisions, under subclause (2) they have all sorts of powers to keep it basically for as long as they like. It is fairly extensive and it certainly has been extended, but I will come back to that when we deal with clause 29.

The Hon. A. KOUTSANTONIS: The member is absolutely right. They do have extensive powers and for good reason. The good reason is that there are people out there who should not be working as electricians or should not be working as gasfitters. They should not be conducting this work. They are a menace and they are dangerous and they should be stopped. The reason we have the OTR and the good works that they do is to protect South Australians. Sometimes, you need to have punitive measures in place for people who continually disobey the standards we expect in installation in our homes and in our businesses because the public value making people safe. That is what the public would expect of us.

I will pose the question this way. If I asked the average South Australian if they thought the Office of the Technical Regulator should have the power to inspect an electrician's van if they conducted work at a house that had burnt down, I think most South Australians would say, 'Yes, of course they should.' Should the Office of the Technical Regulator have the power to stop that van from leaving a site where there was a fire, if all the incriminating evidence has been removed? Should they have the power to stop that van? I think most South Australians would say, 'Yes, they should.' I think they should, absolutely. I think I would win this debate with you in public. Probably not in the Law Society, but out with the punters I think I would win this argument.

I think if I went one step further and said, 'Do you think that if an electrician and his or her van left the site of a burnt house and took the wiring with them there should be a fine in place for not obeying the orders of the OTR?' South Australians would overwhelmingly agree with me that they should, and I think the majority of members opposite agree with me also.

Clause passed.

Clause 29.

Ms CHAPMAN: This is the replacement section 69, which obviously gives much more extensive powers to these authorised officers. I would have to say that on viewing the current section 69 it is very extensive already, and frankly I think it is enough. The minister has suggested that it is necessary to be able to deal with vehicles. You say that is necessary. Personally, I do not see that as necessary. I think it is reasonable, as the power already is there, to be able to investigate if there have been certain standards, qualifications, calls for identification, particulars of qualifications, all those. That is quite normal and necessary, and I do not have an issue with that.

I can even live with the authorised officers issuing these notices giving an obligation, which I assume at the moment the actual Technical Regulator themselves has to issue, so you are delegating that responsibility to them. They are on site. They see that there has been a deficiency in a certain standard and they can issue that notice. They can already investigate all the suspected interferences or electrical accidents, all those things. They take that information away, and they presumably refer it to the police if they think there has been a breach of the law, and obviously back to their boss, the OTR, to consider whether a fine is to be issued for breach under the particular acts we are talking about. They have very extensive powers now.

What I was not quite sure of was why it is necessary, apart from an identification, which I think is already provided under 'investigate a suspected electrical accident' and 'examine and test', to give them now a capacity to require them to say who they are and require them to attend for interview and answer questions. With due respect, minister, that is not the role of the authorised officer. They are not to be the interrogation team.

You chaps can roll your eyes as much as you like over there, but the reality is that this is not the role of an authorised officer. An authorised officer, obviously for the safety reasons in the act (and I support those), has a role, but where there has been an identified problem in whichever of these categories already under section 69, they are matters which I suggest should go to the police. It is not acceptable that these people become authorised to do anything other than what they are currently doing.

If there is a persuasive case, as I say, to allow them to issue enforcement notices, that is probably sensible. I do not disagree with that, but these people are not here to stop, search, interrogate, demand, question and the like. That is a process which should be lawfully applied by the people who are legally trained to do it, and they are police officers.

The Hon. A. KOUTSANTONIS: First and foremost, I apologise to the deputy leader if anyone rolled their eyes at her. That is completely inappropriate. That is inappropriate behaviour for the deputy leader, especially on her birthday. Secondly, I think I may have inadvertently given the house information that is not correct. The OTR does have the power to expiate some notices.

Mr van Holst Pellekaan interjecting:

The Hon. A. KOUTSANTONIS: Under this clause. I was talking about a previous clause. I do not want there to be any confusion in the house. In terms of the ability for the OTR to question people and attend simply to ask technical questions, remember that it will be the OTR that will be the prosecuting agents, not the police. But I suppose your question is: are they appropriately trained to interrogate people? I think we would be asking technical questions about work being done, not asking them to incriminate themselves.

They obviously have representation in place. What we are attempting to do is have the experts in the field ask the technical questions about work being done and, if they feel there has been a deliberate case to answer, the prosecutions will emanate from the OTR. They are the prosecuting body. They are the ones who will recommend prosecutions, not the police. These are not necessarily criminal acts.

Ms Chapman: Yes, they are. They are $20,000 offences.

The Hon. A. KOUTSANTONIS: Some, yes, but this is the OTR making the assessments about whether they should prosecute because they are the ones who have the knowledge about whether there have been breaches. I suppose, between the houses, if the opposition has amendments they want me to consider to satisfy themselves that we are not exceeding what you may think good legal principles are, I am happy to consider them.

Ms CHAPMAN: In the absence of there being any specific need to increase beyond what is in section 69—I hear what you are saying on vehicles. I do not agree with it, but it seems clear that you are intent on doing it. But to actually have an obligation added in here under the new section 69, which is:

> A person who—
>
> (a) having been asked a question under this section, does not answer the question to the best of his or her knowledge, information and belief; or
>
> (b) refuses or fails to comply with a requirement or direction...or
>
> (c) being the person in charge of a place or vehicle subject to an inspection...

These can all result in being guilty of an offence and a $20,000 fine. Whilst I appreciate that the authorised officer will go back to the head office and give a report to the OTR and say, 'This is the situation. He was difficult. He wouldn't answer questions,' and so on, it may be a matter on which the OTR makes a determination about whether or not proceedings are issued in the District Court or one of the other courts I think they are now allocated to: the Administrative and Disciplinary Division of the District Court. I am not quite sure why it is not going to SACAT; that is what we have that court for, but in any event he is going to be making that determination, not the authorised officer.

At this stage, what you are doing is expanding section 69 quite comprehensively to enable there to be an interrogation. There are some exemptions under self-incrimination, which is the usual clause. It usually goes too far in my view, but essentially it does allow for the obligation to answer,

and if there is information that is received in those circumstances, there can be restrictions on its access to be able to be used in other proceedings. I hear all that. To me, it is the wrong way around, but it is common in this government's approach to these matters.

I cannot see at this stage a justification for an extension of power of the authorised officers. As I say, I can see that you are fixed on extending it to a vehicle. I think we have no chance of stopping a vehicle, but what you are saying is that you want the authorised officer to be able to walk out into the street and say, 'I want to have a look in the back of your van.' If they do not, then of course they can be subject to a fine, let alone any other prosecution for flogging a copper wire out of the front garden of someone's house or whatever else they might have done.

I personally see this whole bill as one which is all about these authorised officers. The issue about cutting down trees or accessing property for inspection is really only a minor part of this bill. This is a serious cranking up of authorised officers' powers. Apparently there is not going to be any more of them, but whatever extra training they are going to get, who knows. I expect that will come at a cost.

Secondly, it is a consolidation of area of responsibility. I see that there are two regulators in this field: one is the Technical Regulator and the other is the ESCOSA commissioner. They have different roles and I appreciate there is some adjustment on changing of those roles. I am not going to hold the house up with the detail on that because I think the shadow minister has covered that.

These bills come in to us replete with opportunity or expectation that there is going to be a new army of enforcers in these departments. That is exactly what they are and every time we have this fight. In principle, we say that the enforcement of breaches of the law or of standards and obligations in relation to that ought to be with police officers. You can certainly have authorised officers to collate material and I do not have a problem with that, but they do not need all these powers. Next thing, they will be asking for a pay rise.

The CHAIR: Was that a question?

The Hon. A. KOUTSANTONIS: It is a very good question.

Sitting extended beyond 18:00 on motion of Hon. A. Koutsantonis.

The Hon. A. KOUTSANTONIS: First and foremost, this is a dramatic shift in policy by the opposition as announced by the deputy leader. The powers that she claims are unprecedented already exist for the Environment Protection Authority, not police officers. The only new clause that is not in other statutes for other similar bodies is 'require a person, by written notice served on the person, to attend at a specified time and place'. The rest of the powers we want to give the OTR are the same powers that the EPA has.

If I am to surmise this correctly, what the opposition is saying is that the shadow attorney-general and deputy leader are not going to accept these provisions. Therefore, there would be a massive reworking of the Environment Protection Act as well if they were to win office in 2018, dramatically weakening our environmental protection powers. Given the statements made by the shadow minister about Clovelly Park, that will be very interesting to those—

Mr van Holst Pellekaan interjecting:

The Hon. A. KOUTSANTONIS: Not the member for Stuart, the deputy leader—residents there and, of course, other areas that she has agitated upon with pollution. Are these powers new? Do they exist in other statutes? Yes. As I said, I am prepared to compromise with the opposition, but to say that these powers are extraordinary and not already in practice is simply not accurate. I am not sure whether the deputy leader was aware that the EPA had similar provisions in its act to compel people to do these sorts of things.

Ms Chapman interjecting:

The CHAIR: Order, member for Bragg!

Ms Chapman interjecting:

The CHAIR: Order!

The Hon. A. KOUTSANTONIS: Did you? I apologise then.

The CHAIR: Deputy leader.

The Hon. A. KOUTSANTONIS: It's all very friendly.

The CHAIR: It is not, and the Chair is not very happy if we are going to keep having these interjections and asides.

The Hon. A. KOUTSANTONIS: It's all part of the cut and thrust.

The CHAIR: No, it's not. It is 6 o'clock and everyone has better things to do.

The Hon. A. KOUTSANTONIS: The beauty and majesty of democracy.

The CHAIR: Let's just move on.

The Hon. A. KOUTSANTONIS: So I do not agree with her and, yes, I do want these officers to have these powers. Yes, I do want these fines in place. Yes, I think they are very, very important. Why? People's lives are at stake. Again, I do not mean to frustrate the opposition, other than to say that the government considers these to be important powers and we would very much like the opposition's support in the other place. I am prepared to consider a compromise to proposed section 69(1)(l), which provides 'require a person, by written notice served on the person, to attend at a specified time and place'.

If the opposition can come up with some other way in which we can require people to attend the OTR and have discussions about the work they have carried out, I am up for it, but these powers are not unique to the OTR. These powers are quite common in inspectorates such as health, but mainly EPA, which is where the OTR have got these requirements from. I think we are really arguing about not very much. These powers are not unprecedented. We are not tearing up the Magna Carta, we are not kicking over people's personal rights: we are trying to protect people and we are doing so in a way we think is appropriate and fair.

Mr VAN HOLST PELLEKAAN: Minister, am I to understand from all of this debate that the government and the regulator believe that the authorised officers need this extra power because it is inefficient or there would not be enough time or police might be busy with other jobs, so they cannot rely upon the police to do exactly what they would want at this point in time? That may well be for a range of very good reasons, but they want this power for the authorised officers because they cannot rely upon the police but, if the person in question does not follow the directions of the authorised officer, the authorised officer will call the police.

The Hon. A. KOUTSANTONIS: We are talking about a lot of hypotheticals here but, yes, we do believe they need these powers. Why? Because of long, hard experiences of dealing day-to-day with people who, quite frankly, are recalcitrant, do not change their behaviour and put South Australians at risk.

If someone does not attend at a time and place, we are not going to call the police and have them arrested: we are going to take it to the courts and seek to have it enforced there and have the court interpret whether or not they should attend or whether or not they have a case to answer. This is all about building a case to protect people by getting people who are doing dodgy work, putting people at risk, out of the industry.

Yes, there is a deterring impact here and so there should be because I can tell you, as a father of two girls, my biggest nightmare is a fire in the house and I cannot get to the girls. I have seen far too many reports from the OTR of cases of neglect, poor workmanship or poor installation of equipment that has led to unnecessary fire, risk and sometimes death.

So, is the deterrent large? Yes, it is. Are the fines large? Absolutely, you bet they are. Do we want to stop this work? Yes, we do. I really would like the opposition's cooperation on this but, at the same time, I have a great deal of respect for the Deputy Leader of the Opposition. She is a well-respected lawyer in this city and state and, if she has views about how we obtain this information—I do not think police are the appropriate avenue—there must be a compromise we can reach between the houses.

Clause passed.

Clauses 30 to 38 passed.

Clause 39.

Mr VAN HOLST PELLEKAAN: Minister, this is about the expiation notices which are introduced throughout the bill. It says that the people who could give an expiation notice are:

(a) any authorised officer authorised in writing by the Technical Regulator;

(b) any electricity officer authorised in writing by the Technical Regulator.

These are the 10 that you referred to before, in terms of authorised officers on the electricity side. Is there any intention to increase the number of authorised officers?

The Hon. A. KOUTSANTONIS: No.

Clause passed.

Clauses 40 to 48 passed.

Clause 49.

Ms CHAPMAN: Can the minister just explain to me why it is necessary to have the minister's power to require information or documents? We have the regulators, we have the authorised officers, so why do you need it?

The Hon. A. KOUTSANTONIS: Why should I miss out? I will find out. I am advised the provision as presently worded may make it difficult for the minister to require gas entities to provide all the information that is needed in the event of gas rationing. The amendments will enable the minister to require particular information to be provided, not only in response to particular requests but also from time to time or on an ongoing basis. The minister will be able to ask in advance for reports on the quantity of gas available on each day. It is a strategic reason.

Clause passed.

Remaining clauses (50 to 78) and title passed.

Third Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (18:05): I move:

That this bill be now read a third time.

Mr VAN HOLST PELLEKAAN (Stuart) (18:05): I just have a very brief third reading speech. Let me just wind up by saying that the opposition understands and is supportive in principle of making South Australia a safer place. There is no doubt about that whatsoever. The opposition also values the work of the OTR towards that, and has no hesitation about supporting the government in that in principle.

We are very cautious about anything that might increase the cost to consumers. We are also very cautious about anything that might unfairly or unnecessarily diminish people's existing rights. The issues that we have dealt with in the most detail have been those that did not exist before about access to land and access to vehicles, and extra authorities given to authorised officers. Those are issues that we take very seriously. I expect we will take up the minister's offer to come back with some amendments on those areas. We will do that between the houses and see how debate proceeds in the other place.

The last thing I would like to say is that all the questions that were asked by the opposition during the committee stage were about the clauses directly relating to electricity. It is not because we did not think about the gas or that we do not value the same principles with regard to the gas. It is because the part of the bill relating to gas is very similar to that relating to electricity. Given that most of our concerns are about the principles, there was no need to go through and ask twice as many questions or the same questions all over again.

The key difference that I picked up in my reading between the electricity part of the bill and the gas part of the bill was with regard to rationing and the provision of information to the regulator and to the government at times of gas rationing. As I said in my second reading speech, I think that that is actually quite a fair principle. When you are in a difficult situation for whatever reason, and you are down to the gas rationing stage, everybody in a position of responsibility needs access to as much information as possible.

With that, I conclude my remarks. I thank the minister's advisers, who are always friendly, available and willing to advise me. I also thank, as always, my staff member Mr Chris Hanna, who does an outstanding job supporting me in these matters.

Bill read a third time and passed.

STATUTES AMENDMENT (YOUTH COURT) BILL

Final Stages

The Legislative Council insists on its amendments to which the House of Assembly has agreed.

RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS NO 2) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 18:10 the house adjourned until Wednesday 22 June 2016 at 11:00.

Answers to Questions

OTHER PERSON GUARDIANSHIP

176 Ms SANDERSON (Adelaide) (25 September 2015). In relation to the Other Person Guardian, can the minister outline plans, strategies and time frames for implementing the front-line expansion?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills): I have been advised:

The review of the current program is in progress. Extensive consultation has been undertaken with internal and external stakeholders to identify the main areas of improvement. Current Other Person Guardians were given the opportunity to provide feedback via a survey and their responses are being considered as part of the review process.

To promote the program, five information sessions were organised in early March for potential Other Person Guardians. An Other Person Guardianship information brochure has also been developed and made available for carers.

The development of new procedures and work instructions is in progress. Improvements in the process will include information about how carers can register their interest for OPG, time lines for each step in the process and ongoing communication with all parties involved.

Once the new model is implemented, information sessions about OPG will be periodically organised for carers and the potential for carers to apply for consideration for OPG will be part of each child's annual review.

Implementation of the revised model will be completed by the end of 2016.

Increases in OPG are expected while the new model is being development and implemented. In 2014-15, eleven (11) other person guardianship orders were granted. During the current financial year, fourteen (14) new other person guardianship orders have been granted to date.

Estimates Replies

TRANSPORT INFRASTRUCTURE

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (23 July 2015). (Estimates Committee A)

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development): I have been provided with the following advice:

The financial accounting treatment of the relocation of water infrastructure in the Torrens to Torrens project remains the same.

As such, and in accordance with Australian Accounting Standard AASB 116 'Property, Plant and Equipment', these costs have been treated as capital expenditure by DPTI.

This treatment was discussed with, and endorsed by (subject to final audit), the Auditor-General's team responsible for auditing the financial statements of DPTI.

TRANSPORT INFRASTRUCTURE

In reply to **Mr WINGARD (Mitchell)** (23 July 2015). (Estimates Committee A)

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development): I have been provided with the following advice:

No payments have been made to Laing O'Rourke for its maintenance budget.