

HOUSE OF ASSEMBLY

Thursday, 22 September 2016

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:30 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.

Bills

CONTROLLED SUBSTANCES (YOUTH TREATMENT ORDERS) AMENDMENT BILL

Introduction and First Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:35): Obtained leave and introduced a bill for an act to amend the Controlled Substances Act 1984. Read a first time.

Second Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:35): I move:

That this bill be now read a second time.

I introduce this bill today for an act to amend the Controlled Substances Act 1984, essentially to make provision for drug treatment orders without consent for children. 'Children' in the bill are defined as those under the age of 18 years. In short, the bill will amend our Controlled Substances Act which, as members know, is legislation providing for the prohibition where necessary of production, sale, supply, possession, etc., of certain poisons, drugs and medicines, which we readily acknowledge should continue to be under some protective measure and statutory regulation.

In dealing with drugs of dependence, this bill will allow for the assessment and treatment of persons under the age of 18 years who, when assessed by a court, there is a reasonable likelihood that the child is dependent on one or more controlled drugs, and the child may be a danger to himself or herself and, further, that the child is unlikely to voluntarily seek relevant assessment. If the court is satisfied in those circumstances, they will have power under this bill to provide for the order for treatment and to be detained for that purpose under a formal detention order for the purpose of that treatment being undertaken.

The controlled substances are defined in the Controlled Substances Act. In particular, the regulations make provision for that which is a drug of dependence and, as members would appreciate, these relate to amphetamines and the like. There is a very extensive list in the regulations; I will not go into them. We are talking about drugs that are illicit to the extent that there is some regulatory and prescribed administration available in certain circumstances, but for the purposes of children they are illegal and certainly identified as dangerous drugs that can be highly dependent and addictive.

The other aspects of the bill make provision for the applicant to be either a family member of the child or an officer of the department, the department being defined in this case in respect of child welfare. It is in a state of flux at the moment, but obviously we are dealing with children's protection and welfare in a general sense.

Alternatively, it is a person holding or acting in the Office of the Public Advocate under the Guardianship and Administration Act or a person who satisfies the court that he or she has a proper interest. I have been asked already who that should apply to, and of course that may be a police officer, particularly if a child is at large, that is, homeless and not with their parents or not under the guardianship of the minister of the state. There may be other parties who should make a reasonable application.

In making the orders, the court has to be satisfied, firstly, that there is an addiction (and that relies on medical evidence that there is an addiction) and, secondly, that, as a result of that, having

been assessed to be dependent on one or more controlled drugs, they are a danger to himself or herself and will not voluntarily seek help. That is the ambit we are seeking. Certainly, I do not want to diminish the fact that persons over the age of 18 years who are addicted to illicit drugs, either prescription drugs or alcohol and the like, are not a problem in our community. I totally accept that, but this bill relates only to children and only in the narrow circumstances where there is a Magistrates Court order based on medical evidence of addiction and risk.

The situation around the country is that we already have very significant mental health legislation to deal with the treatment, either in care or outside a facility, around the country and to make provision for mandatory treatment orders where there is a diagnosed mental health condition. Obviously, that relates to psychiatric care, facilities and treatment, sometimes by injection, as I say, in-house or outside of the facility. Around the nation, we have three jurisdictions that have moved not just to mental health disorder protection under this type of regime but also to treatment of alcohol or drugs.

The Northern Territory has a mandatory alcohol treatment model that deals with adults who may be subject to an alcohol mandatory treatment order if they present three or more times within a two-month period as intoxicated in public, and that is a model that deals with alcohol addiction and mandatory treatment. That is not what we are dealing with here, but I think it is important that members be aware that it has been taken up in the special circumstances that may be confronting the Northern Territory.

Secondly, New South Wales has an involuntary drug and alcohol treatment program whereby, under their Drug and Alcohol Treatment Act 2007, a person can be placed in an involuntary drug alcohol treatment program providing for short-term care with an involuntary supervised withdrawal component where it is deemed to be:

...to protect the health and safety of people with severe substance dependence, who have experienced, or are at risk of, serious harm and whose decision making capacity is considered to be compromised due to their substance use.

In that jurisdiction, yes, in limited circumstances there is power to deal with it. In Victoria, there is the Severe Substance Dependence Treatment Act 2010, which allows for:

...a brief period (up to 14 days) of detention and compulsory treatment of people where this is necessary as a matter of urgency to save the person's life or prevent serious damage to their health. It is a last resort treatment option for a very small group of people who, without life-saving intervention, would most likely become permanently disabled or die. The Act is not targeted to people who are capable of making choices about their substance abuse, including refusing treatment.

Members, I do not want to wait for our children who fall foul of addiction to illicit drugs to become homeless, mentally unwell, pregnant in an unwanted way or in prison before we act. We, as legislators, have a responsibility to ensure that we do everything we can for the children who are captured in these circumstances.

I imagine that there would hardly be a person in this room who has not in some way been affected within their family, immediate or extended, their circle of friends or in their community and seen the dire situation, not just for a child but for their family, when that young person is in the grip of addiction. I ask all members to open their eyes, open their minds and open their hearts to the very real human and financial problems that we have in this state dealing with these children.

It is not new law when it comes to those who have a mental health condition. I do not want to wait until our children have a psychosis, a depressive illness or, ultimately, be suicidal before we act in this regard. The human cost alone of trying to treat a young person who has been an addict, who has developed a mental condition, compounds the problem and the lengths to which we need to go to invest in that child to hopefully give them some chance of recovery and for them be able to live a normal life.

I do not think there would be any members in this place who have not had someone in their electorate who is a family member, usually a parent, who pleads with them to try to help find their homeless child, to help deal with a drug addiction, to fight a charge of criminal exposure for their child because they might have stolen property or goods in order to deal with a drug addiction or,

worse still, have a child who has come into a mental health or emergency department in this state because they are already in the grip of that addiction.

Nothing we can do at present—nothing, absolutely nothing—helps them when that child says, 'No, there's nothing wrong with me,' or, 'I won't get treatment. I won't deal with this.' It is criminal if we leave this unattended. I ask members to be serious in their consideration of this bill and not be blinded by what we have in some areas of expertise, this idea that only something that is voluntary will be effective. We have mandatory treatment. We have mandatory counselling. For example, if people want a divorce, if they are married for less than two years we have a mandatory counselling procedure. We have all sorts of mandatory things when we want to deal with a major issue.

In this case, we do not have a remedy for these children. We do not have an answer to those parents—but we must. I ask members to look beyond the situation. During the course of consultation on this matter, after the leader asked me to take on the area of justice for the opposition I convened a drug treatment round table on 27 May this year, ably supported by my colleagues in the parliament, the member for Davenport and our shadow minister for corrections and police, the member for Stuart, and members of their staff. They worked with me and members of my staff to get together people who were going to have a direct interest in making sure that we dealt with this issue.

People in charge of prisons, who have to deal on a daily basis with the problem we have in managing children and adults in our prison system when they enter with a drug addiction, say, 'We have an obligation obviously to keep them safe and secure. We don't necessarily have the time or resources to help them treat their drug addiction, but it is a problem.' We know that, we read it on the front page of the paper. Of course, I have dealt with those who provide services, and I will come to them in a moment. They are struggling with a lack of resources and a lack of capacity to deal with the issue.

I have dealt with people in the court system. I have worked in the court system, and I understand how magistrates and members of the profession have had to work and deal with people who present with drug addiction. Our children in particular, whilst they have an alternative Drug Court procedure to have access to voluntary treatment, are asked, 'Do you want to go to prison or a detention training centre or do you want to tell me that you're going to enter into a voluntary program?'. This is probably not really perceived as voluntary, but they have to struggle with it. The police have to struggle with it on a daily basis, dealing with children, especially if they are at large and homeless, when they come up in front of the law, when they are trying to keep public order and prevent crime. All these people have to work with these areas.

In South Australia, the option you have, even under a voluntary treatment program, is to access a private facility which, on my inquiry, costs something like \$2,000 to \$3,500 a week for an in-house private treatment centre. There is no private health insurance for it. If they are in there for a 12-week period, it is a massive cost and, obviously, it is available to a minuscule number of people who can afford it. I have heard of adults who have taken advances on their superannuation funds to be able to do it. We have a community centre such as Teen Challenge, and some of you will be familiar with that. It is church-supervised. We have a government facility, the Woolshed, which currently has a three-month waiting list just for people to voluntarily go in to have some treatment.

Of course, they do everything they can to make provision while they are in custody in the juvenile services but, as I say, most often it is for a short period of time, and this needs to be addressed inside and outside incarceration. We certainly do not want to hold people in prison or children in a training centre any longer than we have to to ensure that they are treated. We have the national statistics, which we tell everybody. The federal government has money on the table from their task force inquiry into ice. Please, members, consider this carefully. I seek your support.

Debate adjourned on motion of Mr Picton.

POLICE COMPLAINTS BILL

Introduction and First Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:52): Following the wise counsel of the Clerk, I seek leave to introduce this bill in an amended form.

Leave granted.

Ms CHAPMAN: Obtained leave and introduced a bill for an act to provide for the investigation of complaints made in respect of police officers, to make provision in relation to disciplinary proceedings in respect of police officers, to repeal the Police (Complaints and Disciplinary Proceedings) Act 1985, to make related amendments to other acts and for other purposes. Read a first time.

WHISTLEBLOWERS PROTECTION (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:54): Obtained leave and introduced a bill for an act to amend the Whistleblowers Protection Act 1993. Read a first time.

PARLIAMENTARY COMMITTEES (PUBLIC WORKS COMMITTEE) AMENDMENT BILL

Introduction and First Reading

Mr KNOLL (Schubert) (10:55): Obtained leave and introduced a bill for an act to amend the Parliamentary Committees Act 1991. Read a first time.

Second Reading

Mr KNOLL (Schubert) (10:55): I move:

That this bill be now read a second time.

Trust in our profession and in politicians generally has never been lower. Our profession has been damaged by a variety of factors of which a lack of accountability is one. The people think that their government has something to hide, and the unknown engenders responses potentially worse than the reality. What I am trying to suggest here is that telling the truth is a great defence against slander and innuendo. On this side of the house we believe in transparency. It is something embedded in our '2036' document, and will be a key pillar of how we will govern after we win in 2018.

This idea of transparency is something that has been lost in our current government. This government is lax when it comes to proactive disclosure, and indeed comes to the perverse situation where they create more work for themselves hiding information, rather than actually releasing it to the public; indeed, taking down information put up on proactive disclosure after 12 months of it having been up there, for no good reason—and with greater work and effort—other than the fact that they have something to hide.

This is a government that is secretive when it comes to question time. I note, with a little bit of a wry smile, that it is 'question time' as opposed to 'answer time'. In recent days, I think we have seen 28 questions on issues related to child protection, and so far almost nothing in the way of answers. We have a government that is secretive, that reduces the amount of time available for estimates, and when the time made available for estimates is not reduced, we have the absurd situation of government questions which, in one committee I was sitting on, soaked up about 75 to 80 per cent of the time of that committee.

This is what happens when you have a government that is in power for too long, a government that believes itself born to rule. When you have members opposite who have seen nothing else and know nothing else other than government benches, there is a hubris—

Mr Duluk interjecting:

The DEPUTY SPEAKER: Order, Member for Davenport!

Mr KNOLL: —an arrogance, that somehow they know better than the people. They begin to forget that they are accountable and develop an attitude that needs to be questioned. Where they fail to be transparent in themselves it is incumbent upon the parliament to hold them accountable for that, which is why I am introducing today this amendment to the Parliamentary Committees Act. It is a very simple change that seeks to make sure that public-private partnerships get referred to the Public Works Committee.

This might seem like quite a straightforward and simple amendment, but the truth is that we have in South Australia the largest piece of infrastructure ever undertaken by a government in this state not being subject to parliamentary scrutiny. We have a project, in the new Royal Adelaide Hospital, that was supposed to start out at \$1.7 billion, which is now somewhere north of \$2.3 billion and which is almost guaranteed to blow out further than that \$2.3 billion, yet there is no parliamentary committee oversight.

This is something that I think was difficult to envisage when the Parliamentary Committees Act was first established in 1991 because the concept of a public-private partnership was not as advanced as it is today. It is galling, and I think all South Australians would find it disgusting, that projects to the value of \$4 million can go before parliamentary scrutiny, but one that is now at \$2.3 billion does not.

It is quite a simple and straightforward change. The fundamental principle of transparency is what is at stake here, and it would be difficult for the government to find any other rationale besides the fact that they want to continue to hide information from the South Australian people as a reason not to support this bill.

In researching this topic, I came across some excerpts from a speech that was made in this place on 5 May 2011. The speech said this:

I want to talk for a moment about public-private partnerships. This is the disguise Labor is using to break its pledge to the people of South Australia. On this side of the house we do not object in principle to public-private partnerships, but this government did not honestly tell the people of South Australia the details of their rail yards hospital deal before the election... The public sector comparator must be immediately released. The government must present an alternative plan to build the hospital based on a government borrow and build as a standard public work so that we can see which deal is better for the taxpayers. The Premier and the Treasurer must justify why it is necessary that our constituents pay the consortia 15 per cent interest, or more, when we can borrow on their behalf at around five per cent—one-third of the cost.

This is Labor madness. There is no mandate for it. It is a privatisation, plain and simple. The deal must not be signed as planned until the business case against the government borrow and build has been made. This should be done both in the parliament and through the Public Works Committee.

This speech was made by the member for Waite, making it plainly clear that he supports this piece of legislation. I bring this speech to the house's attention because I am imploring the member for Waite to hold true to the ideals which he says he once held and which he was happy to put on the record in *Hansard*, to hold true to those principles and to vote to try to put this piece of legislation through this place.

We will wait and see what the member for Waite does when this does come to a vote. We will see whether or not this is an opportunity for him to do what he says that he does, and that is stand up for what he believes in, and whether he is truly an independent member of this chamber or whether, like many other things in this place that he has sought to do, and that is to sell out everything that he has previously believed in, for the sake of his own advancement and for the sake of his own retirement fund, and against the wishes of the people of his own electorate.

This will not be the last thing that the Liberal Party has to say on the matter of transparency. It is something that we are seeing erode very much with a government that has been in place for far too long, and those on this side of the house will do the will and the work of the people in trying to restore the balance and to restore transparency to the public debate, not only because it is the right thing to do, but because we need to do things on both sides of this chamber that improve the standard and the opinion of people when it comes to our profession. I think that this goes in a very small way towards that, and I look forward to having the support of members on all sides of this chamber to help further that cause.

Debate adjourned on motion of Mr Picton.

MOTOR VEHICLES (NOMINAL DEFENDANT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 May 2016.)

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (11:03): I rise to speak on behalf of the government on this bill, and I am hoping that, along with our position on this bill and the bill which is due to be debated following this, finally we can put to bed the sorry saga of the opposition's handling of the new cycling laws.

This is the latest and sixth iteration of the opposition's position on the new cycling laws: each more poorly researched, tenuously consulted on and fundamentally flawed as the last. It is important to remember the process that we have gone through to get to where we are today. Back in August 2014, more than two years ago, the government convened a citizens' jury in order to address the question of how cyclists and motorists could more safely share the road, given that there is certainly an increasing trend of both forms of transport increasing in our community.

In January 2015, some 20 months ago, the government announced what its position would be in response to the citizens' jury, in particular including two changes to the regulations governing cycling behaviour on our roads and on our road-related areas, about the minimum passing distance and a capacity to cycle on footpaths for adults—indeed, returning to the spirit of the Australian Road Rules, which all states have signed up to and which, until the change in regulation in October 2015, we had made a departure from.

After we made that announcement, we conducted a consultation process, which I understand received 1,600 submissions from members of the South Australian community as well as from interested stakeholder organisations. Support for both measures was in excess of 70 per cent of these submissions. It is important to note that not one of those 1,600 submissions was received from a member of the opposition—clearly, a complete lack of engagement in this issue.

In October 2015, the government's regulations were tabled in parliament, giving effect to these laws. In those 10 months between January, when we announced that these laws would be coming in, and October, when the laws did come into effect, clearly there had been no consideration by the opposition of whether they supported, or otherwise, these new laws. The reason I say that is because of the constantly changing position the Leader of the Opposition and his then transport spokesperson had on this issue.

Immediately after the government announced its intention for these new laws in January, the then transport spokesperson said, 'Yes, the opposition supports these laws.' That was the day after we made that announcement in January 2015. As we got closer to the implementation date in October, on 9 October, the opposition is reported as no longer supporting the laws. So that is position No. 2. Barely two weeks later than that, as we came closer to the date of implementation, the opposition is then reported as, in fact, supporting the government in these laws and supporting the government by virtue of not supporting a disallowance motion in the other place against these regulations.

Then, barely a week later than that, the same transport spokesperson (the member for Mitchell) announces, in fact, that the Liberal Party would be supporting the disallowance motion. So, there we have the first four of six different positions on these cycling laws. Why would you continue changing your position on these laws? Clearly, there has been no debate or discussion in the Liberal party room about how they line up on these laws. Presumably, the leader was not aware of this issue or, if he was aware of this issue, did not believe that members of the South Australian community cycled or needed further and better protections in engaging in that activity.

Presumably, he believed that the people in Dunstan do not engage in this activity. This is surprising because the council which superintends its responsibilities in his electorate, the Council of Norwood Payneham and St Peters, shortly after the introduction of these laws conducted a study and produced a report on how they were being carried out in the community. That report was very supportive of the conduct of both motorists and cyclists when it came to the minimum passing distance as well as the ability to cycle on footpaths. Yet, of course, I am the first to admit that there has been community consternation about what it would mean out on the road and out on the footpath for people cycling under the purview of these new laws.

Certainly, there had been concerns raised at council level, not necessarily by the Local Government Association or, indeed, by councils themselves, but by individual councillors. At that

point in time, the opposition said, 'We are going to conduct our own consultation process,' and they came up with a web-based consultation which, I have to say, unhelpfully misconstrued the laws and presented the community with some incorrect information. Nonetheless, they conducted their consultation and did not publish their results until 30 December 2015.

If you were seeking to bin an unpopular position as an opposition party, you would probably choose the lead-up to New Year's Eve and the midst of the Boxing Day sales, when nobody is really paying attention to political issues, to bin your position on something, and that is exactly what the member for Mitchell and the Liberal opposition did. They announced that, in fact, as a fifth position, they were back with their original position supporting these cycling laws, and then, of course, the sixth and final position is the member for Unley—the current shadow transport spokesperson on behalf of the opposition—with this Motor Vehicles (Nominal Defendant) Amendment Bill.

This bill is based on the belief that there is an enormous problem out in our community leading to a significant number of accidents which are causing uninsured people exposure to high medical bills, which needs assistance from the state, and the assistance from the state should be provided on the basis that we expand the compulsory third-party compensation regime to uninsured cyclists so that they can be claimed against, should they be involved in an accident on footpaths. Unfortunately, there is a significant flaw in the logic behind the member for Unley's bill.

When pushed on talkback radio about whether this was necessary, he conceded, nearly immediately, that there were very few or virtually no serious or significant accidents that were occurring on footpaths. Instead, he and a very small number of other commentators collected themselves around one incident which occurred when one cyclist who was travelling on a footpath did collide with a pedestrian. I am advised by the attending services at that accident that the cyclist stopped, checked if the pedestrian was okay and, according to the advice that I have received, offered to provide details to that pedestrian. The pedestrian, for whatever reason—

Mr Pisoni: You stand by that, do you? You stand by that in the parliament?

The DEPUTY SPEAKER: Order, member for Unley!

The Hon. S.C. MULLIGHAN: You have had the opportunity—

The DEPUTY SPEAKER: Order!

The Hon. S.C. MULLIGHAN: You have had the opportunity to make your weak, tenuous argument.

The DEPUTY SPEAKER: Order! I am on my feet. Sit down.

The Hon. S.C. MULLIGHAN: You have failed.

The DEPUTY SPEAKER: Sit down.

Mr Pisoni: If you are confident, stand by it.

The DEPUTY SPEAKER: Member for Unley, you are called to order.

Mr Pisoni interjecting:

The DEPUTY SPEAKER: Order! You are warned for the first time. I will not have the business of the house disrupted in this fashion. Other members are trying to listen to the debate. You will be given the same protection if you speak. It is unorderly, and you know it, to interject, and it is not orderly to respond. While I am on my feet, minister, you actually get to sit down for a minute. If we are going to continue this, it will have to be in silence while listening to other speakers as they speak. You are on your first warning, member for Unley, and it is only ten past 11 or whatever the time is.

The Hon. S.C. MULLIGHAN: Thank you, Deputy Speaker. The discomfort that the member for Unley is currently experiencing—

The DEPUTY SPEAKER: Order! Back to the nub of the speech, please.

The Hon. S.C. MULLIGHAN: —is due to how tenuous his argument is in this bill. There is no evidence out on the road that there is such a significant problem that motorists should be expected

to foot the bill for what the member for Unley clearly believes is a significant amount of exposure that people are suffering through this lack of coverage. As I said earlier, he was very quick to admit on talkback radio that there are virtually no incidents which would require the extension of this insurance coverage, so that is the logical flaw in the member for Unley's bill.

Let's put that to one side. Let's assume that the member for Unley's first contention, which must have been evident in framing this bill, was that there was a significant exposure to people who were unable to be claimed against. If this was the case, then surely motorists would be bearing a significant burden, a significant additional cost, on top of their compulsory third-party insurance fees, yet that is also something which is denied by the member for Unley in his comments in the media, publicly and in this place in support of his bill. So, because of the logical flaw in the member for Unley's bill, and the fact that the advice to date is there is not sufficient evidence of occurrences out on the road or footpath to require this measure, the government does not support this bill.

Mr PISONI (Unley) (11:14): In closing the debate, I will start by picking up on some of the comments made by the minister. First, the minister was not prepared to unequivocally put on the record that he knows what happened when that pedestrian was hit by the cyclist, who only turned themselves into the police when CCTV footage was identified from a business from across the road and a witness to the accident came forward. I have spoken to the witness, and I can tell you that the witness said the cyclist did not offer—and I am prepared to stand by that, unlike the minister—their details at that time. The cyclist then presented themselves to a police station once the CCTV footage was exposed.

I brought this bill to the parliament because, as with many others in the community, the Liberal Party is concerned about safeguards to ensure that pedestrians have some financial security in the case of an injury if they have been hit by a cyclist who does not stop or who cannot, for whatever reason, be identified. The minister and the current state government are happy for the added risk and cost of allowing unlimited access to the footpath, with no speed limit for bicycles, to be borne by those who may be injured.

We need to be able to share the footpaths in safety and with confidence and not to amend the situation as it currently stands, created once again by this Labor government's sloppy attitude, would be unacceptable and unreasonable. Under the current arrangements, because a bicycle is not an insurable vehicle for CTP purposes, an injured person could incur substantial medical and other expenses and be left totally to their own devices if they were hit by a cyclist who, for whatever reason, chose not to stop and give details.

The minister has, on numerous occasions in debating this on media, said that there are mechanisms in place in order to deal with this situation, but those mechanisms do not deal with the situation when the rider is unidentified. Councils are exempt from being sued or from having any responsibility for somebody being hit by a cyclist who does not stop, or any other incident that may happen on council land, including tripping up on a footpath.

Most cyclists are insured if they are members of bike groups, as many cover insurance, and the vast majority of cyclists take their responsibilities as citizens seriously and do stop and would stop if they were put in this position, but as in any group there are those who feel that they can shun their responsibility. There is no option for those victims who are left with their own medical bills, like that victim we saw on the CCTV footage in Currie Street earlier in the year. The minister's only response has been that it would somehow be a financial insurance cost burden borne by motorists to give pedestrians injured by an unregistered bicycle the same rights as a pedestrian hit by an uninsured motorist.

However, as the figures highlight in my second reading speech, the number of current uninsured vehicle claims lodged as nominal defendant claims is a very small proportion compared with overall claims. The minister also forgets that the vast majority of people who ride bikes pay CTP insurance: they own cars and they pay that insurance already. I think there have been six serious injuries recorded over the last six years, according to the Department of Transport figures, but there is a risk that over time we will see that increase. We do not know how many of those had an insurance mechanism available for those victims, but over time we will expect to see more people as more bicycles are used.

The Department of the Premier and Cabinet's own figures tell us that by 2020 there will be 600,000 using bicycles in South Australia, up from 220,000 in 2013. So we will see a three-fold increase, basically, in the number of people using bicycles, which is a terrific—

The DEPUTY SPEAKER: The member for Unley needs to finish off now, if he can.

Mr PISONI: So I do encourage members to support the bill.

The house divided on the second reading:

Ayes 18
Noes 22
Majority 4

AYES

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

NOES

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

PAIRS

Marshall, S.S.	Bignell, L.W.K.	Pederick, A.S.
Weatherill, J.W.	Speirs, D.	Vlahos, L.A.

Second reading thus negated.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today pupils from St Joseph's School, but not just any St Joseph's school, from St Joseph's Payneham, who are guests of the member for Hartley.

Bills

ROAD TRAFFIC (BICYCLES ON FOOTPATHS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 May 2016.)

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (11:25): Regrettably, it looks like we may run out of our allotted hour before we can conclude the business on this bill, which will deny us the opportunity, as I said in my earlier remarks, to conclude this sorry saga of how the opposition has treated the issue

of the new cycling laws. This is phase 2, the second of the dying breaths of the opposition when it has come to dealing with this important issue. This bill, from the member for Unley, I think has been objectionable to even more stakeholders than the previous one. This is the contention that there needs to be a mandated blanket maximum speed limit for cycling on footpaths.

Given we had such a regrettably short period of time for the previous bill when we were going through some of the history of how these laws came into being and how there had been six different positions from the opposition on whether to support these laws or not, there were some more events that I did not get to canvass, which I will do now. One of them, importantly, was how the Local Government Association and local government have reacted to the ability for all adult cyclists now to avail themselves of cycling on the footpath.

In response to some concerns that some councillors had in a select number of councils, the Local Government Association offered to convene a round table for this issue to be discussed in some detail. It was a round table which was attended by a significant number of people. It was convened by an immediate past president of the Local Government Association. It was attended by the Lord Mayor. It was attended by political representatives. Some of them, I think the member for Unley will realise, were a bit embarrassed about the outcome of the meeting, but we will come to those comments in a minute.

Government agencies were represented there: SAPOL and the transport department. The RAA was there, Bike SA was there, National Seniors Australia was there and also some representatives from the people who convened the citizens' jury in order to provide some context. They discussed how the laws had been operating since their introduction. You will recall that these laws were introduced in October 2015, and this round table, if my memory serves me correctly, was convened in May of this year, so a good six months since the introduction of these new cycling laws.

You will recall that in my previous comments I mentioned that one council, the council of Norwood, Payneham and St Peters, which takes in, among other areas, the electorate of Dunstan, for example, had conducted its own inquiry into how the new cycling laws were performing and how both motorists and cyclists were behaving under the environment of these new laws. Summarising that report, the council found that the laws were operating effectively. It had been the experience of most motorists and cyclists that the minimum passing distances were proving effective and also that the behaviour of cyclists with regard to cycling on footpaths had been responsible.

Cyclists were not doing the wrong thing, particularly in busy areas—busy parts of The Parade, for example—and riding through cafe dining precincts and so forth. They were availing themselves of the footpath where they felt it was necessary to do so for their safety or other related reasons. It was a similar discussion, I am advised, at the LGA round table to countenance these laws.

Ms Chapman: Do you want to seek leave?

The Hon. S.C. MULLIGHAN: I am happy to come back and do this next week.

The DEPUTY SPEAKER: Is it alright if I call the shots? Hang on, just a moment. Is it alright if I ask that question?

Ms Chapman interjecting:

The DEPUTY SPEAKER: We are indicating to him to do that. Just as you asked, we were indicating it was time to do that. So, minister, you are seeking leave to continue your remarks?

The Hon. S.C. MULLIGHAN: Yes.

Leaved granted; debate adjourned.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: I advise members of the presence in the gallery today of students from East Marden Primary School, who are guests of the member for Hartley. We welcome them to parliament today. We hope they have a wonderful time as they walk around. They are taking part in the Festival of Music tomorrow night. Good luck tomorrow night, East Marden Primary School.

*Motions***OAKLANDS PARK RAIL CROSSING**

Mr WINGARD (Mitchell) (11:31): I move:

That this house urges the Weatherill Labor government to prioritise the grade separation of the Seaford railway line where it meets Diagonal and Morphett roads at Oaklands Park, in order to—

- (a) improve traffic congestion for residents living in the southern suburbs;
- (b) provide efficient access for emergency services vehicles;
- (c) support economic activity in the Westfield Marion precinct; and
- (d) support the SA Aquatic and Leisure Centre as a venue for state, national and international events.

I rise today to move this motion and I will get straight on with business. Oaklands crossing is a major issue in my area, and I support this motion very much. I begin by asking the Minister for Transport and Infrastructure to come clean and answer the question that people of South Australia, the people in my community—the people who live, work and play in this region—want answered. What engineering designs does the government have for fixing the Oaklands crossing problem and will he outline the cost that will be involved?

These are the questions I have been constantly asking since I entered this place but the government has failed to give me any answers. It is clear after 14 years that this state Labor government has no plan for fixing Oaklands crossing. It is debated regularly in our community as to how long the Oaklands intersection has been an issue in the local area. I have had some people tell me that it has been on the radar for more than 60 years.

What we do know is that congestion has increased exponentially in the past decade, with the doubling in size of the Westfield Marion shopping complex, the building of the new state aquatic centre, the growth of the Marion Cultural Centre, plus the expansion of the medical precinct around the GP Plus, Red Cross blood bank, Centrelink, Medicare, and Service SA. I hear members opposite scoff about the issue being in this area for 60 years. It would be great if they came out and spoke to a couple of local people. In fact, the old MATS plan had the government of the day buying back property to help fix this project.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr WINGARD: Again, the Minister for Transport and Infrastructure scoffs at this and he has been down to the area fleetingly once. It is a bit of an embarrassment. I ask on behalf of my community and the state again: where is the government with the solution today? What work has the government done through DPTI over the past 10 years? Where are the costings and the engineering reports? What is the plan? A few pretty pictures are a sign that after 14 years the government clearly has no plan to fix Oaklands crossing. My community has lost faith in this government because all they have served up is a lot of talk, a lot of spin, but they have no costings, no engineers' drawings—the government has no plan.

Let me stress that this is the work of government. This is what they have thousands of staff in departments like the Department of Planning, Transport and Infrastructure there to do, to sink their teeth into. They have engineers, planners and architects alike. As the local member and a member of the opposition, I do not have direct access to these resources. I have two sensational staff and a trainee who work tirelessly, but none of us are engineers, and I cannot direct DPTI to do this work. That is the job of the Minister for Transport and Infrastructure.

I ask him again to show these detailed engineers' drawings and the costings to everyone so that we know what the options are to fix this problem. I note with great interest that my ongoing Fix Oaklands crossing campaign, which has been going for almost two years, has forced the minister to instruct DPTI staff to set up at Westfield Marion over the next three days, showing off some artist's impressions of an overpass or an underpass at the intersection. After 14 years, all the state Labor government has produced with all its resources at its disposal are a few 'artists' impressions'—nothing to scale, no whole-of-region concepts, no costings. Clearly, the minister has dropped the ball

on this project. Back in 2012, the artistic pictures were of an overpass and now they are pictures of an underpass—

Members interjecting:

The DEPUTY SPEAKER: Order, on my right!

Mr WINGARD: —and still, I stress, there were no costings and no detail of cost. Which one will cost more, the overpass or the underpass? Which will be done more quickly, the overpass or the underpass? How will the various versions impact the whole of the community? The minister has no answers.

We have had a win in recent times with the federal member for Boothby, Nicolle Flint, and the Turnbull federal government committing \$40 million to the project at the recent election. This is the first amount of cash assigned to the project ever. The state government had the opportunity to commit funds to the project in the most recent state budget, which they put off until after the federal election, but the Minister for Transport, the Treasurer and the Premier failed to do so. The minister was quoted as saying that this project was a medium-term project but that it will be escalated if the federal government put some funds forward. Well, the federal Liberal Government did, but the minister did not live up to his end of the bargain.

Remember that it is the state government that has control of the state purse strings and the state government that makes the decisions. The member for Elder also said in the media that she wanted funding for this project for the last state budget. It did not happen. In fact, I note that the member for Elder has not really mentioned this project much at all in our local community, and it borders the boundaries that I share in the seat of Mitchell with hers of Elder.

Going back through the *Hansard* records, I note that the member for Elder has spoken about the Oaklands crossing twice in parliament, once fleetingly, again, in her maiden speech. The member for Bright has spoken about this issue three times and worked with me tirelessly at different community forums as well. I checked my record and I have spoken on this issue 12 times since I joined this house.

It was an interesting twist in recent weeks after the state Labor government failed to commit any funds to this project in the state budget. The Premier and the state Labor government have been out claiming that they have a plan to fund the project. They claim that they have saved \$150 million on the Northern Connector project—the bulk of which came from the federal government—and that they would like to flick that money across to the Oaklands project. They have stated that the Oaklands project will cost \$190 million, so they claim that the \$40 million election commitment from the Turnbull federal government, plus the extra \$150 million, will get this project done.

Does that not raise some questions? Where did the \$190 million figure come from? I have been asking for details for years and I have not received anything. Has the government given detailed costings to the federal government? I do not think so. The state government has put a price on the project, but they have not done any costings. How do you put a price on a project without doing any costings or getting any engineering drawings done? That makes no sense and, in fact, it is embarrassing to the minister.

Panicked, the government is holding listening posts at Marion, as I mentioned, over the next three days. They have released some artist's impressions of what the overpass and underpass might look like. These could be drawn up in a couple of hours by someone using a simple computer graphics program. There are no costs and no engineering reports. After 14 years, this government has no plan to fix Oaklands crossing. In 2012, there were pictures of an overpass. These were at the cost of \$2 million. Now there are pictures of an underpass. Again, where are the costings and where are the engineers' drawings? Where are the plans and the figures to outline how this will be done?

I note the two pictures the government is displaying at the shopping centre today. The overpass is a rehash of the old drawing from 2012 and the underpass is just something they have dodged up that says 'artistic impression'. There is no science to the drawings they are displaying. The government has claimed that they have saved \$150 million from the reduction in cost of the Northern Connector under current market prices and that they want that to be used on Oaklands.

Again, on the figures they have released, they will not show the savings they have made. In fact, they have not released any figures.

It has also raised questions in my community about the 2012 price the government put on the Oaklands overpass. They are claiming that they are saving \$150 million on the Northern Connector because the cost of putting on a project now is cheaper. Back in 2012, the cost they had on the Oaklands project was \$100 million, but today it has gone up to \$190 million, so the Northern Connector project has come down and the Oaklands project has gone up. Will the government just come forward and show the figures to the community so that we can see what is going on? It really is quite unbelievable.

What we need is a plan. We need a vision, and we need the government to start working on that immediately. They have had 14 years and they have not delivered. A couple of pencil drawings that can be done on a computer in a couple of hours is not a solution, and money has not been budgeted, has not been put forward. Not one cent of the state budget was allocated towards this project, and the member for Elder knows it.

I will keep pushing the government to get the department to come up with a holistic plan, one that is costed and one that better links the community together. I will continue to fight, and give the government an opportunity to put forward what its plans are, but it needs to do it and it needs to do it quickly. I fear this will not be a quick fix. I know how important this is to our community, and I will keep putting pressure on the government until we get a proper solution. South Australia deserves a whole-of-community solution that fixes the Oaklands crossing problem, one that can be costed and have full engineered drawings fitted around it.

My community has been supportive of finding a solution, and they have joined my campaign to fix Oaklands crossing. I have had listening posts in the community every month for the past 12 months, and I have often been joined by the member for Bright as well as the federal member for Boothby, Nicolle Flint. I have held transport forums, as well as a specific one focused on the Oaklands issue in my area. With that I have formed a group of 'Oaklands champions', who have been incredibly supportive of the campaign that we have run.

They have joined us at these community meetings, they have stood at listening posts and they have explained to people the problem that we have. A few of them are here with us today—David Woodfield, Gillian Bell and Ron Leak—and a number of others who could not be here today have been highly supportive: Ross LeCornu, Judy Watkins, Frank McCorry, Brenton Martin, Matt Richards, Judy Morphett, Karen Beins, Peter Brown, Jim Davidson, Robert and Maureen Amos, Bruce Roberts, John Young, Mos and Diana Matters, and Amanda and David Tovell. I thank them for their support, as well as all the others who have joined our campaign to get this problem fixed.

We know it is something that the government has shelved, has talked a lot about but has not delivered on. It does not have a plan to fix this problem. A few months after I started my campaign the council also joined in with the campaign to add weight to the cause, which was greatly appreciated. I mentioned the information we have been trying to get from government, and I have been trying incredibly hard to get this information. I have put in FOIs and I have written requests to the minister, but it has been like drawing teeth—probably harder—to get any of this information out of the government. Everyone wants to know what the cost is, what the plans are, what the best solution is, but the government has no plan.

In September 2015, I submitted a freedom of information application requesting access to planning documents and traffic modelling around the Oaklands crossing. After several months I received access to several traffic surveys dating back to 1985, but was denied access to a further 10 of the 20 documents. I appealed the decision and took the request to the Ombudsman in December last year. During that process it became clear that the government did not disclose all the relevant documents, and was forced to go back to the drawing board and disclose all relevant documents. The second search returned 73 documents and over 5,300 pages of information.

You can imagine how pleased I was to have finally got this information, despite the long and drawn out process I had to go through. I was amazed, though, when I received the information because it was sent to me on a CD-ROM from the Department of Planning, Transport and Infrastructure. Unbelievably, just a few months before they had removed all the CD-ROM drives from

our office—as they had done right across the board—so we received the information on CD but they had taken all the CD-ROM drives out of the offices so we could not read the information. That does make people chuckle.

After locating an external hard drive, it was even more disappointing to find out that the majority of the document was either blank pages, redacted information or thousands of pages of raw data that made absolutely no sense. So 5,300 pages, and more than 4,000 pages—in fact more than four and a half thousand pages—were redacted information, blank pages or raw data. It is quite unbelievable and very disappointing to all and sundry. Many people in my community have concerns that the state government is playing politics, and that is a clear example.

When this campaign was starting to take off, and when the government realised it was an issue, it started to do robocalls into the area—well, you would think into the local community. The government's robocalls (automatic phone calls) that were going from the Premier to people, you would think, in and around the area—or potentially even just within South Australia, because we know it is an extended issue—went to Tasmania, Victoria and Queensland. Again, this is a government playing politics and missing the mark—desperate measures for desperate times. It was embarrassing and we are still trying to find out who funded that project because a lot of calls were made to very distant parts of the nation.

Mr Duluk interjecting:

The DEPUTY SPEAKER: Order, the member for Davenport!

Mr WINGARD: We are also aware, though, that this project goes beyond the local community, and I have tried to stress this to the minister a number of times. Within the local area we have a number of clubs and organisations. We know that this precinct is growing dramatically. We have the growing and expanding Westfield Marion complex, we have plenty of services like Centrelink, Service SA, Medicare, the blood bank and GPS Plus, just to name a few, but we also have the state aquatic centre.

When we speak to people in and around this area, it is not just the local community that is impacted by this; it is a number of other sporting clubs and organisations and people who come from far and wide to use this central hub service centre—and the crossing is a big detractor. I was speaking to a family the other day who do diving at the state aquatic centre. Their son actually schedules his training outside the peak times at the Oaklands crossing interchange because he knows the stress it puts on his family.

I can go on—and there are more points that need to be made—but I know that others want to speak on this issue. I want to see a solution to this issue, but my community, sadly, is saying to me that they can see that after 14 years this state Labor government has no engineers' reports or costings for this project. After 14 years, the government has no plans. They talk the talk, but they do not walk the walk and they must start delivering.

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (11:46): I move an amendment to the motion:

Remove all words after 'That this house' and before '(a)' insert:

1. Notes that the Coalition election commitment of \$40 million would not appropriately fund the necessary upgrade required for Oaklands crossing;
2. Supports the Weatherill government proposal to redirect the savings from the Northern Connector project to properly fund and deliver a genuine solution for Oaklands Crossing; and
3. Calls on the commonwealth government to support the Weatherill government proposal and immediately commit to redirecting its share of savings in order to—

The DEPUTY SPEAKER: Are you going to speak to your amendment?

The Hon. S.C. MULLIGHAN: Yes, thank you. Well, what a dreadful contribution from the member for Mitchell. You could even hear him battling to fill out the 15 minutes so little did he have to contribute on this issue. He filled his contribution up with deliberate mistruths—

Mr Pengilly interjecting:

The DEPUTY SPEAKER: The member for Finniss is called to order.

The Hon. S.C. MULLIGHAN: —on this issue. Let's get the record straight in *Hansard*. This has been—

Mr GARDNER: Point of order, Deputy Speaker.

The DEPUTY SPEAKER: Just a moment, there's a point of order.

Ms Chapman: No, you're not allowed to say that.

The DEPUTY SPEAKER: Order! The deputy leader is interjecting out of her seat and she would not interject anyway, would she?

Ms Chapman: Sorry, I was helping him.

The DEPUTY SPEAKER: You are helping him—just get your hand out of his jacket then.

Mr GARDNER: Standing order 127: the minister breached subsections (1), (2) and (3) in the last 10 seconds of his comments.

The DEPUTY SPEAKER: In essence, I think if we examined what the member for Mitchell had to say, he was impugning motives as well, was he not?

Mr GARDNER: The member for Mitchell never accused the minister of giving deliberate mistruths to this parliament.

The DEPUTY SPEAKER: I do not know. If you reread what he said, it was pretty much in there.

Members interjecting:

The DEPUTY SPEAKER: Order! I am talking to the member for Morialta. I am inclined to listen carefully and ask the minister to be mindful of 127.

The Hon. S.C. MULLIGHAN: I am very aware of how sensitive the member for Morialta and the member for Mitchell are on this issue, but the fact is that what was said by the member for Mitchell, canvassing the history of this issue, was completely incorrect—completely incorrect—and he knows it is incorrect.

Mr Duluk interjecting:

The DEPUTY SPEAKER: Order! The member for Davenport is called to order.

The Hon. S.C. MULLIGHAN: This is how this issue has developed over the previous years. This was an issue which the former member for Mitchell, Alan Sibbons, campaigned on assiduously.

Members interjecting:

The DEPUTY SPEAKER: Stop the clock. Members must be mindful that I am in charge of making sure they all have equal opportunity to speak and are heard in silence. We can do the 'up and down' and 'stop the clock' all morning if you wish. We can be calling people to order and warning people, but it will be in everybody's best interest and the best interest of the business of the house if we could try to progress the debate without loud interjections. Minister.

The Hon. S.C. MULLIGHAN: Thank you, Deputy Speaker. As I was saying, based on that strong advocacy from the then member for Mitchell, the then transport minister made \$2 million available for a study into the Oaklands crossing to develop a solution.

Mr Wingard: Where is it? Show the people.

The Hon. S.C. MULLIGHAN: And the member for Mitchell asks, 'Where is it?'

The DEPUTY SPEAKER: Stop the clock. Minister.

The Hon. S.C. MULLIGHAN: Let's pad out the conspiracy theory of the member for Mitchell. He asked where the report was. Let me be honest: we hid it.

Members interjecting:

The Hon. S.C. MULLIGHAN: We hid it on the internet and we hid it on public display—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —at the council offices at Marion council—

The DEPUTY SPEAKER: Don't respond to interjections.

The Hon. S.C. MULLIGHAN: It was made publicly available in 2012. Now, I understand that that is a little early for the member for Mitchell because, as he has been the first to admit, he did not start paying attention to this issue—as he said earlier in his contribution, he did not become active on this until less than two years ago.

Members interjecting:

The DEPUTY SPEAKER: The house is in your hands. If we are going to have noise, we cannot continue. All I am asking for is some order. If you can assist your members with some order, that would be really welcome. Did you have something to say, member for Morialta?

Mr GARDNER: There is a question of clarification on your ruling, ma'am, because—

The Hon. S.C. Mullighan: It's a point of order or it's not. Which is it? Which standing order?

The DEPUTY SPEAKER: Let me hear what he has to say.

Mr GARDNER: I am answering the Deputy Speaker's question.

The DEPUTY SPEAKER: Just let me hear what you have to say.

Mr GARDNER: There were interjections during the member for Mitchell's speech as well and, while there will be order in the house as we comply with your ruling—

The DEPUTY SPEAKER: I have done my best to maintain order this morning. If the member for Mitchell thought he was being regaled this morning, he would have let me know, I am sure. I have allowed him to say whatever he wanted to say. All I am asking is for you not to interject as much as you are. Minister.

The Hon. S.C. MULLIGHAN: Thank you, Deputy Speaker. As the member for Mitchell himself said, he did not become active on this issue until less than two years ago. That is when he commenced his campaign, many months after he became the local member. That is when he just admitted he commenced his campaign—

Mr Wingard: You didn't read my maiden speech, did you? You didn't read my maiden speech.

The DEPUTY SPEAKER: Member for Mitchell!

The Hon. S.C. MULLIGHAN: —in the second half of 2014.

Mr Wingard interjecting:

The DEPUTY SPEAKER: Member for Mitchell!

The Hon. S.C. MULLIGHAN: We have just heard it out of his own mouth. That is just what he said. Contrast that with the government's efforts in this area—

Mr Wingard interjecting:

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

The Hon. S.C. MULLIGHAN: —funding a study, hiding it in plain view for public consumption and then, when we were putting together our 30-year transport strategy—

Mr Pengilly interjecting:

The DEPUTY SPEAKER: The member for Finniss is warned for the first time.

The Hon. S.C. MULLIGHAN: —including this project as one of the grade separations for rail crossings—

Mr PENGILLY: Point of order, ma'am.

The DEPUTY SPEAKER: Do you have a point of order, member for Finniss?

Mr PENGILLY: I have not heard myself called to order, actually.

The DEPUTY SPEAKER: That is why you should be listening. You cannot hear yourself over your own voice.

Mr PENGILLY: I have not heard it.

The DEPUTY SPEAKER: You were called to order and when you ignored me, I warned you for the first time. It would be mindful for everybody to listen to the member on his feet and not to interject. That is all we are asking for.

The Hon. S.C. MULLIGHAN: Thank you, Deputy Speaker. When, in 2013, we released our 30-year Integrated Transport and Land Use Plan, the Oaklands crossing formed one of the other rail crossings which contributed to the initiatives of grade-separating rail and road crossings in the greater metropolitan area, building on the work that we have done in removing the tram crossing over South Road, the rail crossing at the Port River Expressway and South Road Superway and the ones that are currently underway at the moment by virtue of the Torrens to Torrens Project and the Torrens Junction project. And now—

Dr McFetridge: Federal funding.

The Hon. S.C. MULLIGHAN: And the member for Morphett says, 'Federal funding.'

The DEPUTY SPEAKER: Well, you shouldn't listen. Order!

The Hon. S.C. MULLIGHAN: There was not one dollar of federal funding—

The DEPUTY SPEAKER: Order! You know the standing orders regarding interjections and responding to interjections. Member for Morphett, do you understand that?

Dr McFetridge: Yes, ma'am.

The DEPUTY SPEAKER: Consider yourself chastised.

The Hon. S.C. MULLIGHAN: The assertion that these projects were funded federally is completely wrong. Not one dollar went towards the tram overpass over South Road from the federal government and not one dollar for the Port River Expressway bridges—not one dollar. This is how easy the opposition finds it to provide false information to this chamber. It is just for base political purposes. That is why they engage in providing false information to this chamber. Having outlined that this is a priority for the government—

Mr GARDNER: Point of order.

The DEPUTY SPEAKER: The member for Morialta has a point of order.

Mr GARDNER: Standing order 127: 'false information to this chamber for base political purposes' could not be more 'imputing improper motives' and 'making personal reflections'.

The DEPUTY SPEAKER: As I said earlier, the member for Mitchell had a completely free hand in everything he said. If he had felt that he had not had a free hand, that would be a different story.

Mr GARDNER: The member for Mitchell had no points of order accusing him of imputing improper motives or making personal reflections during his speech. Any point of order should be taken on its merit, surely.

The DEPUTY SPEAKER: I am allowing the minister to continue.

The Hon. S.C. MULLIGHAN: In 2013, having identified this as a priority infrastructure project—with, of course, the caveat (and I will give the member for Mitchell his due credit here) that it was a medium-term as yet unfunded priority—it remained important for the state government to

pursue this infrastructure project as and when we could when funding became available. What other projects were medium-term priorities for the state government that we have been able to bring forward as and when funds have become available? Well, let's just think of a couple: the Northern Connector project, for example, or perhaps the Darlington project. All have been able to be brought forward to be delivered in the short term—

Mr Duluk interjecting:

The DEPUTY SPEAKER: Member for Davenport!

The Hon. S.C. MULLIGHAN: —because we have successfully convinced a federal government to co-invest in these projects. What is our suggestion now to fund this project, to make real a solution that the state Labor government and their local MPs have been pursuing for many years? It is to identify some savings from a state and commonwealth-funded project and deliver it into fixing this issue in the southern suburbs.

All throughout this time, as we have been continually saying that this is a priority, advocating for it to be fixed, and doing the hard work designing it, releasing those designs and now calling on the federal government, at no further cost to itself, to enable the reinvestment of funds to deliver this project, at no point have we had the member for Mitchell or the state opposition say that they support this solution. Even Nicolle Flint, as a first-time candidate in these same southern suburbs who had previously written decrying investment in the metro area, could convince her party to make this an election commitment—not the member for Mitchell; it was not important enough for him.

There was nothing in their 2014 state election campaign, not one dollar, not one commitment, not one plan, not one study—nothing, absolutely nothing even this morning on radio, even today in this chamber not one word of support or commitment. My message to the member for Mitchell is: do what Nicolle Flint is doing—put your shoulder to the wheel, pick up the phone, talk to the federal government and convince them to make the easiest, non-budget-impacting of decisions, and reallocate this funding for this important project.

Mr Pengilly interjecting:

The DEPUTY SPEAKER: Member for Finniss, you're hearing me now, aren't you?

Mr Pengilly: Absolutely, ma'am.

The DEPUTY SPEAKER: Don't move those lips again. Minister.

The Hon. S.C. MULLIGHAN: It is so important for the member for Mitchell that he cannot bring himself to find the time to pick the phone up and make that phone call. It is so important to him, yet he claims he does not have the resources in his office to avail himself of the plans. While he says that there are no plans, he then crows that 5,300 pages of material and information have been released to him. That clearly demonstrates that no work has been done, does it not? Can you think of a more vacuous, tenuous argument put by the member for Mitchell? The challenge to him today is: put up or the alternative.

Mr Pengilly: What's that, Stephen? What is it?

The Hon. S.C. MULLIGHAN: Presumably unparliamentary.

Members interjecting:

The Hon. S.C. MULLIGHAN: It is absolutely easy for everyone sitting on that side of the chamber to get in behind Nicolle Flint and support her efforts to get this crossing upgraded. The money is there, the solution is there, the council is on board, the whole community is on board, except the community's representative sitting over there, the member for Mitchell. It is absolutely unbelievable.

What hollow words does he speak to the community that he represents in the southern suburbs: 'I support this project so much that when it is finally funded, when there is finally a solution, I don't support it.' Unbelievable—absolutely unbelievable. There is only one party playing politics with this issue and that is the opposition. We have done the work, we have found the money, we are ready to invest it and it is only the member for Mitchell and the Leader of the Opposition, and all of

the others on that side of the chamber, who are unprepared to support this project. That is outrageous.

Dr McFETRIDGE (Morphett) (12:00): I rise to oppose the amendment. As a bit of history on the Oaklands crossing, it was on the south-east corner of the electorate of Morphett for the first six years I was there. I have been travelling that crossing for over 20 years now.

Just to remind the current transport minister—and we have had a number in here, and we have seen them come and we have seen them go because they have not been able to produce long-term solutions for long-term problems in South Australia—the first options for the Oaklands crossing were put up many years ago. The member for Mitchell said 60 years ago. I understand that 27 years ago the first proposals were put up by government costing \$1 million. As a candidate, I remember going up against the then transport minister, Patrick Conlon, at public meetings down at Oaklands to discuss the future of the Oaklands crossing.

What did we get? We came up with a brilliant plan for a triangular—about around Diagonal Road, Morphett Road and Prunus Street. It did not solve the problem. It did not provide long-term solutions for long-term problems, and that problem has become worse and worse. If you were to do a cost-benefit analysis (a time and motion study, as they used to call it) of the time, the fuel, the personal time that is used up by the thousands of people in their hundreds of cars, sitting at that crossing every day, 24 hours a day, 365 days a year, waiting for the trains, waiting to get through those lights, waiting to get across that crossing, it would be in the billions of dollars, I am sure.

What we have seen this government do is blame everybody else. Now they want to again shift the priorities, shift the responsibility and shift the blame to the federal government. They have done it every time. They have come out with more and more mistruths, more Labor lies. Let's call it what it is: more Labor lies. That is all we are getting from this government. That is all we have had for 14 years. They are blaming everybody but themselves.

They had rivers of gold when they came into this place; they could have done so much for this state, but what did we see? We saw them blow it. They blew the opportunity just as they have blown the future for South Australia because of their mismanagement. They cannot come in here and try to blame the member for Mitchell, the member for Boothby, the federal government, but what do they do? They try to do that. Why do they do that? Because they know they failed. They know that the budget is in disarray. They know they have no money for the future of South Australia. They have no money for planning for projects like this. So, what do they do? They go and try to shift the responsibility and shift the blame to the federal government.

It is time to stop the blame game because we know where the blame lies: it lies with the state government here. It is the state government's sole responsibility. What was their solution all those years back—2010, I think it was—for this crossing? They came up with a \$4 million plan to move the railway station 300 metres. It complicated the whole future of that crossing by making it more difficult to put an overpass or an underpass there. What have we got? We have a hospital handpass to the federal government again and again and again, whether it is health, education or now transport. 'It is not our fault'.

I need to correct the member for Mitchell on one thing: the correct term for an architectural impression of a drawing is a 'cartoon'. That is what it is. It is a cartoon. We have only had cartoons drawn up by this government. They are treating this as a joke. They are taking South Australians for a terrible ride, down a very rough road to their future, because they are just using the blame game all the time. Every time they get up in here: 'It's not our fault. We didn't do it. It wasn't us. Don't look here.' Where is the Premier? He is down in the nuclear bunker. He is not here facing the royal commission on child abuse. He is not here doing what he should be doing. He is not here supporting the people of South Australia on settling down the traffic issues, the transport issues, the health issues, the budget issues. He is not here. What have we got? We have the second-rate front bench.

I had high hopes for the member for Lee to be a future leader, but after today the jury is back out again. He is not providing any future, any hope or any long-term solution for a long-term problem. What he is doing is dragging out that old cartoon, and I am surprised it is in colour because it probably should be in black and white. We have the transport minister saying, 'It's not our fault, we didn't do

it. Let's get onto the federal government, let's get them to fund it, let's get them to dig us out of a hole again and again.' It is about time they took responsibility.

What did Kevin Scarce, the serving Governor of South Australia, say about this government on Proclamation Day three years ago? He said that there is no ministerial accountability, that the executive ignores the parliament, and he said that the Public Service has been highly politicised. A serving governor said that—that there is no ministerial accountability in this place. We have seen it with child protection, we have seen it with health, and now we are seeing it with transport: 'Don't blame us; blame the federal government. They have the money. We need the money because we are broke; let them get us out of this.'

It is an absolute disgrace that we have had this amendment moved today to once again try to shift the blame because 'the feds don't give us the money, we can't do it, it's not our fault'. Well, it is your fault because those 27 years ago, when it was going to cost \$1 million, we should have done it. Whether it was Liberal or Labor, it should have been done. Moving a railway station 300 metres, putting a bus interchange in there, putting more traffic lights in there and then coming up with a 'triangular-about'—give me a break.

I am no traffic engineer, but let me tell you, having travelled that road day after day and sat in that—I think it would be days and days I have spent sitting at that crossing, along with thousands of other motorists, waiting for a solution. That solution only comes when there is a brief break in the lights, the trains are not going across the crossing, or you are not sitting halfway back to Glenelg in the line-ups there. That relief is not coming.

I do not see any future for this government if they are going to keep going down this path, laying the blame game. You have nothing left to sell, or perhaps you have. Perhaps you are thinking about selling WorkCover; perhaps you are thinking about selling so many other things out there. Who knows? You are selling the farm. You know the worst part, though? Where is the former member for Napier, the honest Michael O'Brien? The current member for Napier is a good bloke. Michael O'Brien told the truth to South Australians—he told the truth. He said that this government, if it was a business, would be insolvent.

They are spending money to pay recurrent expenditure. You cannot do that. They think they have sold the Motor Accident Commission and they are in surplus now. That does not work.

Members interjecting:

The DEPUTY SPEAKER: Order! Member for Morphett, we have a point of order.

The Hon. T.R. KENYON: The member for Morphett does seem to be straying off the topic of the Oaklands crossing into privatisation.

The DEPUTY SPEAKER: He is going to come right back to it. Member for Morphett.

Dr McFETRIDGE: This government really needs to take a long, hard look at itself and see what its long-term legacy is going to be. It is certainly not going to be a crossing at Oaklands, there where it is so badly needed. The minister admitted in his speech that it is a priority that is needed, it is something that has to happen. What do we get from the minister? What do we get from this government? Blame the feds again. I am sick to death of hearing that lame blame game all the time in here. It is not true: this government is getting more money than they have ever had before, and that is indisputable.

This government is just not doing what it was put in place for—I nearly said 'elected', but they did not get the majority of the vote—and that is laying out the future for South Australia. I have regard for the current member for Elder, but she needs to stand up for her constituents and get this crossing fixed now, but not with federal money. If the feds are already putting in \$40 million, put some state money up. You know what? I do not think that state money is there anyway. I feel sorry for the member for Elder because she is between a rock and hard place, trying to move the immovable. You have this massive boulder that is the state debt and the state finances that have been mismanaged by this government for so long.

The only thing that will be happening at the Oaklands crossing in the near future and in the distant future, as far as I can see, until a Liberal government is elected in 2018, is there will be more

stalemates, more traffic delays and more people waiting and wasting their time when they should not be. This could have been fixed many years ago. It should have been fixed when the local member was the transport minister. They had rivers of gold coming into the place, but now all we have are roadblocks.

Ms DIGANCE (Elder) (12:10): I support the amendments to this motion.

Mr Gardner: To say you support the Repat.

Ms DIGANCE: We are talking about the Oaklands crossing.

The DEPUTY SPEAKER: Order! It is unparliamentary to interject and equally unparliamentary to respond. The member for Morialta is called to order, and I remind members of the standing orders, which require that members be heard in silence, and there are several of them.

Ms DIGANCE: I will remind members that we are actually talking about the Oaklands crossing even though we have heard about a number of other topics, such as privatisation and the previous member for Napier. So, thank you for that whole history and storytelling session we have just had. As the member for Elder, my electorate is on the northern side of this particular crossing but, more importantly, I have lived and driven over this crossing for well over 2½ decades, so I actually know and have experienced the changes in this crossing.

The Hon. T.R. Kenyon interjecting:

Ms DIGANCE: Pardon?

The Hon. T.R. Kenyon interjecting:

The DEPUTY SPEAKER: No, order! Sit down. Do I need to remind members again of the standing orders of—

Members interjecting:

The DEPUTY SPEAKER: Everybody. I am talking to everyone in general.

Mr Gardner: They are the ones interjecting.

The DEPUTY SPEAKER: Order! Goodness gracious me! Member for Elder.

Ms DIGANCE: Thank you, Deputy Speaker. I will do my best not to be diverted by other comments. I know this crossing. I have experienced it for a number of years over a number of decades, so I understand what it is that local people are talking about and the grief they have at this crossing.

There are times during the day, not just at peak hour, when this crossing is very congested and you can find yourself waiting for quite some time, but more serious than that are the risks some people will take when they are parked at this crossing. There are times when cars will drive up the back of other cars to try to nudge them across the line. There are times when traffic tries to run the lights and run the rail signals as well, and also when pedestrians actually walk through the closed gates when trains are coming.

I acknowledge that this is a big problem for this particular area, and it is a growing problem as well because we have the Marion shopping centre, which has expanded just recently with more planned and underway. There is also the SA Aquatic and Leisure Centre, which is a very popular and well-known centre not just for that area but for the whole of the state and also interstate, so the traffic is a growing concern. Not for one minute do I not understand what the situation is. I have campaigned on this particular issue for quite some time. I was there when the previous member for Mitchell physically brought out the plans that he had lobbied for, showed them to public groups and had them on public viewing. I was there.

Mr Wingard interjecting:

Ms DIGANCE: He had them. He had indicative costs and plans of how this particular project would go, so I contest the fact that there is a conspiracy theory going on here. This has been considered. It is actually in the government's 30-year plan as well. Things take time. Things need to be prioritised. Not everything can be done at the same time. Testament to that is the fact that there

are so many roadworks happening in South Australia due to this government having a vision and an ability to move things forward.

Thank you to the member for Morphett for his sympathies. I will accept his cards and bouquets of sympathy any day and appreciate them, but heaven help us if we had a Liberal government at the present moment or, in fact, in 2018. I have actually been at some of the public meetings that the member for Mitchell has convened, and we have been at similar events, so I know this for a fact. When pushed and asked what his plan is for this Oaklands crossing, guess what he says? He is just going to campaign.

There is nothing that the opposition has promised for this particular crossing ever—nothing, not a thing, absolute silence. Now, the state government is giving the opposition the chance to support a real solution for this crossing, and I say to you, 'Don't be silent, get on board, get behind this campaign,' to make sure this happens, not just for the local people, but make sure that it happens for the whole of the state and for those who come from interstate to this area as well, so there can be ease of flow of traffic.

So, get on board, stop with the silence, stop with the games. This is not a political issue. This is an issue that needs to be dealt with, and you have the ability to support this project, get on board and get on board now. We have a good and probable solution, but what have we heard from you? Hang on, what have we heard? Ssh, listen! What have we heard? That is what we have heard: nothing, not a thing. Since the candidate for Boothby came out with a bit of a contribution to this particular crossing and then she became the member, we have heard nothing, not a thing.

You know what is more? With this campaign that the member for Mitchell has been running to fix Oaklands crossing, even the people who have been letterboxing and attending these actual forums, do you know what they are saying now? They are saying, 'We're not doing that any more because nothing happens.'

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Unley has something to say?

Mr PISONI: Thank you.

The DEPUTY SPEAKER: No, no, she hasn't finished. I am just waiting for the chamber to return to order.

Ms DIGANCE: But, wait, there's more. I suggest that you now get on board with this campaign and really give the people in this area and the rest of South Australia the opportunity to have a decent crossing at Oaklands crossing. So, today at Marion shopping centre, and tomorrow and the next day—

Members interjecting:

The DEPUTY SPEAKER: Order! Member for Finniss, I need to make sure you are hearing me—member for Finniss.

Mr Pengilly: Hello!

The DEPUTY SPEAKER: You are on a first warning, and we would certainly hate to lose you for question time today. The member for Mitchell has only been called to order. I have been very lenient with the member for Mitchell, but I do ask members to respect the house and to listen in silence to the member on their feet.

Mr Pengilly: Well, we're getting shrieked at.

The DEPUTY SPEAKER: The member for Finniss knows that if I call him to order for the second time—

The Hon. T.R. Kenyon interjecting:

The DEPUTY SPEAKER: Order! I don't need help from the right.

Mr Pederick: He's not in his seat, ma'am.

The DEPUTY SPEAKER: And you are interjecting, and I am not happy with you.

Mr Goldsworthy interjecting:

The DEPUTY SPEAKER: Member for Kavel! The member for Elder has the call.

Ms DIGANCE: Thank you, Deputy Speaker. For those who did not hear it, I will make sure I go through this again. At Marion shopping centre today, tomorrow and Saturday, make sure that everyone knows to get down to the Marion shopping centre and be involved in the DPTI display so you can have your say.

The Hon. T.R. Kenyon interjecting:

Ms DIGANCE: Yes, we're hiding those secret plans down there. Have your say because, you know what? This is the time for people to be engaged; this is the time to make sure this happens. It is time for you to lobby the federal government and to start acting, stop stalling and come together with us, the state government, to fix Oaklands crossing. Your time is now!

The DEPUTY SPEAKER: I am not sure I can protect you, member for Unley, but you can start and we will see how we go.

Mr PISONI (Unley) (12:18): Thank you, I was waiting for the member for Elder to ask us if we want fries with that. I rise to move an amendment to the government's amendment, as follows:

Exclude all words after 'That this house' and replace with:

Supports the upgrade of the Oaklands crossing being a priority for all levels of government in a bipartisan way

It then continues:

to—

- (a) improve traffic congestion for residents living in the southern suburbs;
- (b) provide efficient access for emergency services vehicles;
- (c) support economic activity in the Westfield Marion precinct; and
- (d) support the State Aquatic and Leisure Centre as a venue for state, national and international events.

This is a very important issue and the reason why I want to send a strong message from this parliament is that this is a bipartisan issue and it does not matter who the government is, we want this to happen. The nature of politics is that it is an adversarial business, but this parliament needs to send a strong message to Canberra. I can tell you that Canberra will need a strong message. They will need to know that this is not a political instrument, that this is an important project for the people of Mitchell, the people of Elder, the people of Bright and the people of Morphett, the people who use that crossing every day.

I have met with Paul Fletcher, the federal Minister for Urban Infrastructure, specifically on this issue. I was very pleased that he came to Adelaide to meet with me and with the member for Mitchell and Nicolle Flint, the federal member for Boothby, on this particular issue. Not only did we meet here in Parliament House on this issue but we also met in Nicolle Flint's office and we went down to Oaklands crossing so that the minister could see at firsthand the problems that we have with that intersection.

I know that the minister is very sympathetic to coming up with a solution for the Oaklands crossing. I do not want this to be jeopardised because it can be perceived, or otherwise, that it has been an instrument for political purposes. The reason for my amendment to the government is so that we can stand together as members of the South Australian parliament, acknowledging that we are serious about this and that whoever the government is in 2018 we will be committed; whether it be a Steven Marshall government or a Labor government after 2018, this parliament is committed to getting a solution to Oaklands crossing.

We do not want there to be some unrealistic time frame that will see compromises in this outcome. We want to get the best possible outcome. This is our one and only opportunity—our one and only opportunity—to get this right and not to only fix that crossing but to improve the entire

amenity of the district that surrounds the Oaklands crossing. There is no doubt that this project fits in with the federal government's improving urban cities project. There is no doubt that it is long overdue.

By sending a strong message that, regardless of who the government is in South Australia, whoever the minister talks to, whether it be an opposition member of parliament or whether it be a ministerial member of parliament, this has bipartisan support and there is no political objective here other than to get an outcome to this situation. I think it is fair to say that, regardless of which side of the house you sit on in this place, you are in here for the right reasons, you want to get an outcome, you want to get the best schools, you want to get the best health system, you want to get transport solutions for your constituents.

Politics is how you achieve it. The message that this motion will send to minister Fletcher, helping support his cabinet submission, is that there are no politics in this. The solution is a united outcome from the entire parliament. This is a message coming from 47 representatives of the people in South Australia that this is a solution that we want dealt with, and we want help from the federal government in order to do that.

I urge members of this chamber to support my amended motion so that we can work together. We can work with the member for Elder, we can work with the member for Mitchell, and we can work with their constituents. We can work with the federal government knowing full well that the only outcome we are interested in is an outcome for the people who use that intersection on a regular basis. We are not interested in a political outcome. We are interested in a practical outcome for the people of South Australia.

Mr PICTON (Kaurana) (12:26): I rise to support the original amendment moved by the Minister for Transport because this is a very important project for South Australia and particularly for the southern suburbs. While it is a bit further north than my electorate, people in the south who happen to go around the Marion area certainly know that this is an issue that needs to be addressed. I am very supportive of the fact that this government has a plan to address it, that we have funding available, that we have a plan and that we are going out consulting on this plan with the community.

In fact, at the moment there are people in the Marion shopping centre consulting with people on our proposals to fix this intersection. We have worked out a solution for funding this. Through savings that we have made on other infrastructure projects, we are able to fund the upgrade of this intersection, which will be a substantial improvement for people in the southern suburbs. We are the only party in this house that does have a plan to address this intersection, the only party that does have the funding on the table and the only party that has made a commitment.

There is no commitment from those opposite to upgrade this intersection. There is no funding that they have identified and put on the table. In fact, we have heard some comments from members opposite saying that they do not want the federal government to approve this funding going into this project, that they would rather other state funding were used instead. I think that very much undermines our negotiating position with the commonwealth government to get this approval done. We should all be coming together to ask the federal government to approve this funding, which they have already budgeted for. We have made savings on our Northern Connector project and we would like to see it spent here in South Australia and not go to other states. You would think that that would be something that we would all be able to agree on.

The other point to make is in terms of some of the contributions that have been made in this debate already. The member for Morphett made the comment that we have whittled away rivers of gold in this government, as though the massive number of infrastructure projects that this government has delivered had not occurred, whether it is the duplication of the Southern Expressway, the previous embarrassment of a one-way freeway, whether it is the Northern Connector, the Torrens to Torrens, the Anzac Highway underpass on Main South Road, the Northern Expressway, the Adelaide Oval, the new hospital, the extension of the Lyell McEwin Hospital, or the upgrades to our other hospitals, such as the Flinders Medical Centre.

We have seen a massive amount of infrastructure investment in this state, significantly more than any other government has done before, and we are guaranteeing a minimum level of investment in infrastructure over the next four years, which is almost three times as much as happened under

the previous governments. That is a huge boost to productive infrastructure in this state, but also a huge boost for jobs and for our construction industry.

I think the Oaklands crossing, if we can get this agreement done with the federal government, will be the next step towards making that happen. Full credit needs to go to the member for Elder for her advocacy on this issue. The previous member for Mitchell also advocated strongly on this issue, which saw the plans done, back in 2012, and publicly available for everybody to see. They were publicly available on the website. They were in plain sight on the website for people to see what the plans were, what the costs were. Now that we have the opportunity to fund it, we are going ahead to fund it, and I am absolutely supportive of that.

It is something that is needed for the southern suburbs. We are the government that has the plan—the only party in this house that has a plan—to fix this issue, and luckily we have members like the member for Elder who are campaigning strongly on this issue and have been the ones who have really pushed to see this funding achieved. All of us need to lobby the federal government now to make sure that they agree to our proposal to make this upgrade happen.

The Hon. T.R. KENYON (Newland) (12:30): I rise very briefly to notify the house that the government will be opposing the amendment of the member for Unley. We will be supporting the amendment of the Minister for Transport and Infrastructure. The reasons are very simple. The minister and the government have identified a number of savings from the Northern Connector project that can be made available to the Oaklands crossing project, requiring only the approval of the federal minister.

To their credit, the federal government has identified \$40 million of new money and we congratulate them on that, and we think that, combined with the savings that have been identified by the Minister for Transport and Infrastructure, that will be more than enough to go either over or under the crossing at Oaklands. It is a sensible solution. It requires bipartisan support from those opposite as well as from us on this side of the house.

The member for Unley's amendment tries to absolve the opposition of all responsibility for a solution that exists. It tries to provide some sort of bipartisan support without accepting that there is money available and that there is a solution ready to roll and all it needs is the approval of the federal minister and the support of those opposite. So, we are not prepared to allow them to squirm out of that.

We are not prepared to allow them to get past the fact that the member for Morphett has opposed a bipartisan solution around the identification of savings. He came out and opposed the amendment of the minister which identified very neatly the savings that can be identified and a solution that can be provided and the relative administrative ease with which it can be provided. For those reasons, the government will be opposing the member for Unley's amendment, supporting the Minister for Transport and Infrastructure's amendment.

Mr WINGARD (Mitchell) (12:32): I rise to support the member for Unley's amendment. I point out that my campaign has always been bipartisan and that it is about finding a solution to the problem. We want to make sure that the community and the public are taken on this journey and that it is very clear and transparent as to what is going on, unlike what we just heard there from the member for Newland and the member for Kurna.

The member for Kurna pointed out that in 2012 there was a plan to fund it and it was all done even though it is incredibly hard to find on the internet. The minister would not send me that information. He said the plan was done, yet the member for Newland—

Members interjecting:

The DEPUTY SPEAKER: Order, on my right!

Mr WINGARD: —said the solution is ready to roll. So, the plan is done, the solution is ready to roll, but today they also point out that the department is at the Marion shopping centre talking about whether we have an overpass or an underpass. That is the exact question and clarification that I am looking for. What is the solution? If there is a solution there, can we please have it? Can we please see it with the costings, the engineers' reports? Let's put it forward. They say there is a

solution, but at the same time they say the department is out there consulting with pictures of an underpass and an overpass, and that is the concerning thing.

Ms Digance interjecting:

The DEPUTY SPEAKER: Order!

Mr WINGARD: There is no clarity here. They say there is a solution, but they are out asking, 'Which one of these do you want?' There is no pricing on the solution either. What is the price of the overpass? What is the price of the underpass? The member for Elder could not answer those questions. I know it was embarrassing for her, but we need to get those answers from the minister as well. To the Minister for Transport and Infrastructure, I said very clearly when I started here that the clear question was: what engineering designs does the government have for fixing the Oaklands crossing problem, and will he outline what the costs will be? He prattled on for a long time, and that was lovely, but he gave no answer. There is no plan with engineering plans and costings attached, and that is disappointing and the clarification is not there.

They have a price. They know how much they want to spend (\$190 million), but they do not have plans and they do not have engineering reports or, if they do, they are out searching for more. That is what we need clarified, and we want to do that in a bipartisan way. We want to get the solution, I have no doubt, but we want to see and need clarification for the community. That is what I have been asking for. That is what I want to see, and that is what the community want to see as well.

The minister raised the issue of the work I have done in my community, and the member for Elder raised it too. They both know the work I have done in my community. My community knows the work I have done. The minister mentioned how many times I have talked about this. When I started my campaign, I mentioned this in my maiden speech. I invite him to go and read it and have a good look at it. He will probably want to correct his words because he was a little bit out of line, and that is fine because we need to make sure we get a solution to this.

I want to work with the government. I stress the point that I have been asking for two years for the minister to come and have a look at the situation. Let's talk it through. Let's get all the plans on the table. I have stressed this point over and over again. Together, we need to have a look at this, find the best solution, talk to the community and get the answer. That is what needs to happen—a holistic view of what the solution might be.

This is a community. I know it separates my electorate from that of the member for Elder, but that is totally irrelevant. This is a community. This is a suburb that is divided by this intersection. People are held up there. There are some little solutions, too, that I have talked to the minister about in the immediate term. The member for Elder raised them, and I would love her support to work with us to try to fix these in the short term.

We talk about the crossing being dangerous. When you go to the crossing and you want to cross the road as a pedestrian to get to the train station, if you are coming from the southern side to get to the northern side you can only cross on one side of the road. What that means is that if you are going to catch the train in the morning you have to cross over the train line, cross over the road and then cross back over the train line to get up onto the platform. I know that sounds confusing, but it means that there are pedestrian crossings stopping the cars before the train gets there to enable people to get onto the platform.

Potentially, if we could get another pedestrian crossing on the other side of the road, that would limit the number of pedestrian intersections and the number of times cars are stopped at the traffic lights. These are little things we have explored and things I have asked the minister to explore. He has the department and he is in charge. I would like support from the member for Elder so that we can work this solution in a bipartisan way. That is just a little example, but there are plenty more.

I want to continue to work this in a bipartisan manner and that is why I support the member for Unley's amendment. We need to find a solution and I think the community wants to see what the plans are. They are sick of seeing pretty pictures and pretty diagrams, but not having concrete costings and concrete engineers' reports so they know what the plan will be. I could go on for hours and hours and more, if the Minister for Transport would like me to, but I know that we want to get this to a vote, so I will close my remarks and continue to work hard to fix Oaklands crossing.

The house divided on the amendment to the amendment:

Ayes 13
 Noes 21
 Majority 8

AYES

Bell, T.S.	Gardner, J.A.W.	Griffiths, S.P.
Knoll, S.K.	McFetridge, D.	Pederick, A.S.
Pengilly, M.R.	Pisoni, D.G.	Tarzia, V.A.
Treloar, P.A. (teller)	van Holst Pellekaan, D.C.	Williams, M.R.
Wingard, C.		

NOES

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

PAIRS

Duluk, S.	Wortley, D.	Marshall, S.S.
Weatherill, J.W.	Speirs, D.	Vlahos, L.A.
Whetstone, T.J.	Bignell, L.W.K.	

Mr Pisoni's amendment to the amendment thus negatived; the Hon. S.C. Mullighan's amendment carried; motion as amended carried.

ALZHEIMER'S AUSTRALIA

Dr McFETRIDGE (Morphett) (12:43): I move:

That this house congratulates Alzheimer's Australia on their efforts to create dementia-friendly communities and encourages all members of parliament have their offices accredited as dementia-friendly organisations.

As we know, dementia is an increasing problem in our society and we need to recognise the fact that there are many South Australians who, if not already suffering from dementia, will become sufferers from dementia. Unfortunately, it is a progressive disease; in fact, it is a fatal disease. Not many people actually understand that it is a fatal disease, as the changes that go on in the brain result in the death of dementia sufferers. It is the second leading cause of death in Australia. I certainly did not know that. I do not know how many other members in this place are aware of that.

Today, according to Alzheimer's Australia there are 353,800 Australians living with dementia, including Alzheimer's disease. In the absence of a significant medical breakthrough, that figure is expected to grow to almost 900,000 by 2050. While it is more common in people over 65, people in their 30s, 40s and 50s can get dementia. We need to make sure that we recognise that it is an increasing problem. It is an extremely serious problem and, unfortunately, it is becoming a much more common problem. As members of parliament, as leaders in our communities and as leaders in society, we should do whatever we can to make our communities dementia friendly.

A number of months ago, I distributed to members' pigeonholes a pack from Alzheimer's Australia called 'Creating dementia-friendly communities.' It was a toolkit, containing a number of flyers and brochures. 'Talk to me' is about talking to people about dementia and talking to people whose family members have dementia. Another is 'Five simple steps to maximise your brain health.' We all know the old story: if you do not use it, you lose it. That applies to mental capacity as well as

physical capacity. In the toolkit, you will find 'Introduction to dementia-friendly' and an introduction to the dementia-friendly symbol. We have this dementia-friendly symbol on my office.

My staff have undergone some training and some work with Alzheimer's Australia to make sure my staff understand and, if people come into my office who are showing signs of having some problems with dementia, we are able to assist and recognise that. We are able to understand that we can just take that little bit more time to make their lives a little bit more bearable and to ease them through some of the particular problems they come to see us about. Having that dementia-friendly symbol on businesses around Glenelg is becoming more and more common. We are trying to make the Bay a disability-friendly precinct as well as a dementia-friendly precinct through local businesses.

There are a number of flyers in the toolkit that members have been given. If they do not have the toolkit or cannot remember receiving one, please come and see me. I am more than happy to provide them with another toolkit because this is an increasing issue for all of us. Certainly, many families in our electorates would benefit from our being aware of the need to recognise and respond to people with dementia. The need to create dementia-friendly communities right across the state and right across the nation is something I cannot emphasise enough.

I look forward to members not necessarily contributing to any debate today but certainly contributing towards making South Australia a much more dementia-friendly place by working through the packs that they have been given and working towards further understanding of the pressures that people with dementia are under and the issues they and their families have to cope with. There are some guidelines in the pack about how you can do that. There is some advice. If you want further advice, certainly contact Alzheimer's Australia. They do terrific work.

We do need to make sure we support these groups, not only for their immediate impact but, if you want to be a hardened economic rationalist, for the cost benefit of keeping people out of our hospitals, keeping people healthier, keeping the cost of the health system down through doing something simple like making our offices, our businesses and our communities more dementia friendly. I look forward to members taking up this challenge. If you need some further advice or assistance, come and see me or contact Alzheimer's Australia. They are very friendly people. They are very easy to talk to and are more than willing to assist all of us in doing what we all want to do—that is, make South Australia an even better place to live.

Ms DIGANCE (Elder) (12:49): It is with pleasure that I rise to support the member for Morphett's particularly important motion. Nationally, dementia is the largest known cause of death and disability of older Australians. Its impact on our health system and the demand for services is extraordinary. I think it would be fair to say that probably all of us have been touched by someone with dementia in our families or among our friends or in our local communities, so this motion is very relevant indeed.

By 2050, without a known cure, it is estimated that dementia will cost in excess of \$80 billion for the care of 900,000 Australians predicted to have a diagnosis. Of these, 50,000 will be from South Australia. Communities will face significant challenges from the social cost of dementia as more people across our workforce, schools, businesses and retail are either diagnosed with dementia or become responsible for the care of a relative. I wish to inform the house that dementia-friendly communities is a current priority area within the Ageing portfolio and the work of the Office for the Ageing. It is also a key policy and program initiative of Alzheimer's Australia.

Already the state government, in partnership with Alzheimer's Australia, South Australia, has worked with the cities of Onkaparinga and Port Lincoln to identify opportunities for greater accessibility in a range of settings. Raising community awareness of what is dementia friendly will support people with dementia in relationships with their community, their interactions with others and support for their rights. Understanding and support diminishes judgement and creates an inclusive community.

Dementia-friendly communities focus on creating recreational, residential, retail and business places where the rights of people living with dementia are supported. This includes the right to autonomy in relation to important decisions and to live a higher quality of life with meaning and purpose. I ask every member of parliament to consider their contribution to this initiative. The visibility

of dementia-friendly electorate offices will contribute to the value and respect of people with dementia and will help safeguard their rights.

It is with definite pleasure that I support the member for Morphett in this motion and I commend and congratulate Alzheimer's Australia on their dementia-friendly communities and their work to date and encourage members to be involved.

Ms SANDERSON (Adelaide) (12:51): I rise also to support the motion and I commend the member for Morphett for bringing this to our attention. On Wednesday 29 June, in partnership with Alzheimer's SA and the Adelaide City Council, I hosted a free forum in the city called 'Working together for a dementia-friendly community'. The forum was attended by about 100 people, consisting of those with dementia and their carers, family members, local businesses and interested community people.

We had an excellent panel of guest speakers, including Dr Faizal Ibrahim, the medical director of the Dementia Behaviour Management Advisory Service for Alzheimer's SA, who is also an active researcher in residential aged-care facilities. Also included on the panel were presenters from a carer's point of view, a person with dementia, a business perspective presenter and also specialists working on dementia-friendly environments.

Brett Partington, well-known business owner at Burnside Village, provided an extraordinary insight into caring for his father who was diagnosed with dementia. Through his experience, Brett was able to achieve changes at the Burnside Village to make this a friendly space for dementia sufferers. These changes can be as simple as taking the time to slow down and listen carefully to customers, ensuring the person is recognised at local shops. They visit the bank, the pharmacy, etc., on a regular basis. Dementia sufferers enjoy and feel comfortable shopping where they are known. Brett has gone on to set up a support network on social media called Dementia Downunder, a platform to communicate through an online forum that has been appreciated and acknowledged by carers, families and community members.

This morning, I listened to Ita Buttrose on the radio, who explained about her experience with her father and how many people with dementia like familiarity and shopping at the same shops, and how important it is that the people in those shops are aware that they have dementia or that they can be quite agitated. Apparently, it is quite common for people with dementia to perhaps think that they do not have a lot of money and they worry about money. Ita said that she spoke to the bank manager to explain that to him and that if her father came in looking stressed and concerned about money that he should talk to him for a few minutes in his office and settle him down. She mentioned that at the pharmacy her father regularly visited they had her number so that if her father looked agitated or upset she could be contacted to help.

So, we can as a community do more and I commend the member for Morphett, who has been working with the Jetty Road store holders to make that both a disability and dementia-friendly area. I would promote that to all members. Particularly for me it would be easier to start with places such as Prospect Road or O'Connell Street or Walkerville Terrace, where there is a smaller number. The city is obviously a lot bigger area to cover, but I am sure that we can get there and have safe areas. I believe in Singapore they have an orange wristband that people wear if they have been trained in dementia and understanding the signs of dementia, and know how to treat people with dementia, so that someone with dementia can look out for that orange band and know that they will get the help that is required.

The aim of a dementia-friendly community is that people with dementia are understood, respected and supported, and are confident they can contribute to community life, a community that will be aware of and understand dementia and people with dementia who feel included and involved and have a choice and control over their day-to-day lives. I, too, am encouraging members of parliament to get on board and make their electorates a dementia-friendly community.

Dr McFETRIDGE (Morphett) (12:55): I thank members for their contributions. I reiterate the fact that if members do not recall getting the community toolkit, please come and see me. If I can be of any assistance, let me know. I know that Alzheimer's Australia are more than happy to help members make their offices, their communities and the state dementia-friendly.

Motion carried.

R U OK? DAY

Ms HILDYARD (Reynell) (12:56): I move:

That this house—

- (a) recognises that 8 September 2016 was R U OK? Day and 10 September 2016 was World Suicide Prevention Day;
- (b) acknowledges the importance that both days have in raising awareness about mental health and that the community as a whole must play a role in ensuring that friends, family and co-workers are okay; and
- (c) acknowledges the work of the not-for-profit organisation R U OK? and their contribution towards suicide prevention awareness.

I rise to very briefly speak about R U OK? Day, which was held on 8 September this year. We all know the absolutely tragic statistics on suicide in our South Australian community and the statistics about the number of Australians experiencing mental illness and mental health issues at some point in their life. R U OK? is an organisation and a growing movement that aims to prevent suicide by empowering and encouraging community members to have regular, meaningful conversations with those around them by asking, 'Are you okay?'

R U OK? Day is now a national day of action held in Australia every year to remind us how important it is to support and connect with our friends and family who may be experiencing mental health issues. The R U OK? campaign's work to positively impact on people's willingness to talk with others about their problems and to seek professional help, and to positively reduce the stigma associated with seeking help for mental health issues, is to be commended. The campaign was launched in 2009 as a national day of action, and works to spread the word using both traditional and social media.

I am sure that many of my parliamentary colleagues would have seen some of the work of the organisation, and I know that many participated themselves. As leaders in our community, it is particularly important that we participate and advocate for these actions and events, and that we lead the way towards a closer, more connected community. Importantly, when asking whether friends and family are okay, the campaign advises that we ask, listen without judgement, encourage the person to take action such as seeing a professional, and that we follow up with the person.

The campaign emphasises how important it is to reach out to people who may be struggling, and really connect. These actions are crucial to ensuring that people feel loved, supported and cared for. With the suicide rate in this country tragically increasing—it is now double our devastating road toll—we must do everything we can to ensure that this blight on our society is removed. We need to take care of our communities and ensure that everyone is healthy and well. I know that I and others in this place will take responsibility for doing all that we can to make suicide a thing of the past.

Whilst the day was held on 8 September, I encourage everyone to continue to check in with friends, family and people in our community, and to listen and make sure that everyone is okay. Our community is stronger, healthier and happier when we reach out to others, have meaningful relationships and create deeper connections. I know that we will work together to ensure everyone is understood and listened to.

I leave you with this challenge: on all days, not just on R U OK? Day, will you reconnect with someone you have not spoken to in a long time? Will you reach out to someone who seems to be having a hard time? Will you assure someone that there is no shame in asking for help? I certainly accept this challenge, and I know that many of my fellow parliamentarians will do the same.

Dr McFETRIDGE (Morphett) (12:59): I rise to support the motion. This is a very important motion. Asking people 'Are you okay?' is something that we all should be doing. We should be undertaking mental health first aid courses, if possible.

Two years ago, I was at my old high school, Salisbury High School, for a speech day, and I spoke to the students there about a number of issues. I asked how many of them had done first aid courses and most of their hands went up. I asked how many had given CPR, and I think a couple of

hands went up. I asked how many had done a mental first aid course and not one hand went up, which you would expect, unfortunately. I reminded them that depression and anxiety are huge issues in Australia and that they were probably sitting next to or near somebody who had some anxiety or depression problems.

We need to be aware of that. We need to ask our friends, our family and all those near and dear to us, 'Are you okay?' With those few remarks, I support this motion very strongly and hope that the house does.

Debate adjourned on motion of Ms Sanderson.

Sitting suspended from 13.01 to 14.00.

Parliamentary Procedure

ANSWERS TABLED

The SPEAKER: I direct that the written answer to a question be distributed and printed in *Hansard*.

Ms Chapman: Was that 'a'?

The SPEAKER: An answer.

VISITORS

The SPEAKER: I welcome to parliament today students from East Marden Primary School, who are guests of the member for Hartley, and also students from Saint Ignatius' College, who are guests of the member for Morialta.

The Hon. T.R. Kenyon interjecting:

The SPEAKER: The member for Newland's alma mater, he interjects.

Mr Pisoni interjecting:

The SPEAKER: In response to the member for Unley, I distinctly remember Salisbury East High School being here quite recently.

Mr Pisoni: Salisbury High School, I said—my alma mater.

Members interjecting:

The SPEAKER: I hope Hansard will render the member for Unley's pronunciation correctly.

Ministerial Statement

HOMESTART FINANCE

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: I rise to advise the house of the appointment of global investment bank Moelis & Company to conduct a scoping study into the potential commercialisation of a portion of HomeStart's loan portfolio. The purpose of the study is to determine where the opportunities for commercialisation lie within the portfolio and to provide the state government with a range of options to consider.

Members interjecting:

The Hon. A. KOUTSANTONIS: You are in the Liberal Party, right?

An honourable member: Yes.

The Hon. A. KOUTSANTONIS: Okay, just checking.

Ms Sanderson interjecting:

The SPEAKER: The member for Adelaide is called to order. The minister has been granted leave.

The Hon. A. KOUTSANTONIS: It is 'bouquet', sir. The Department of Treasury and Finance—

The SPEAKER: How do you spell that?

The Hon. A. KOUTSANTONIS: —conducted a thorough, open-market request for tender process in order to engage an appropriately qualified adviser to conduct the study. As the successful tenderer, Moelis & Company brings extensive experience to the scoping study, having advised the UK government on the sale of one of the largest ever portfolios of government-backed mortgage loans.

The commercialisation of a portion of the HomeStart portfolios is not a foregone conclusion. This is a scoping study to determine what the opportunities are so the government has the best advice available to it when considering whether to proceed. The HomeStart portfolio has evolved considerably since its inception in 1989 and now includes a number of loans that may be attractive to the private sector. If the state government proceeds on the basis of the advice from our adviser, HomeStart will continue to fulfil its crucial role of providing finance for those customers who would otherwise have difficulty taking out a mortgage to buy their own home.

The SPEAKER: The Minister for Agriculture, Food and Fisheries.

FRUIT FLY

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) (14:04): Thank you, Mr Speaker. Go the Eagles! I seek leave to make a—

The SPEAKER: You were on the winner last year.

The Hon. L.W.K. BIGNELL: Yes, Westies were too good last year but, this year, I think you will beat Sturt. I seek leave to make a ministerial statement.

Leave granted.

The Hon. L.W.K. BIGNELL: The honourable Leader of the Opposition in the South Australian Legislative Council has released information to South Australia's major newspaper, potentially harming South Australia's exports. The information reference in *The Advertiser* this morning related to South Australia's fruit fly program, in particular details of the outbreak of Mediterranean fruit fly that occurred in and around Clarence Park that was declared in February this year. The provision of this information to the media is irresponsible and could harm our exports, knowing our major export markets routinely monitor international press.

After many years of negotiation, China has only recently recognised our valuable Riverland production as being fruit fly free for nectarine exports. It is actions such as those by the honourable member which can have a disastrous impact in these significant new and existing markets. *The Advertiser* article featured comments from the shadow minister for agriculture, food and fisheries suggesting that the South Australian government's fruit fly monitoring program undertaken by Biosecurity SA has failed to detect and prevent fruit fly outbreaks in metropolitan Adelaide.

The shadow minister was also on radio suggesting that Biosecurity SA does not have adequate funding to properly administer its fruit fly prevention, detection and eradication measures. These statements misrepresent South Australia's enviable fruit fly program and the enormous contribution this government program makes to maintaining South Australia's fruit fly free status. The state government puts in a huge amount of work to uphold this status. More than 7,000 fruit fly traps across our state are serviced and maintained in accordance with nationally agreed protocols. This sees metropolitan and regional inspectors servicing traps on a weekly or fortnightly schedule, depending on the location and time of year.

More than 100,000 fruit fly trap inspections are undertaken each year by our inspectors. The report in *The Advertiser* article is a standard review process, and it quite clearly states that the traps in Area 8 Round 21 were serviced on 18 December 2015, 15 January 2016 and 12 February 2016.

The claim by the shadow minister that the traps were not checked for the whole month of January is clearly wrong. Further to this, cases where individual trapping runs were not able to be completed does not mean the whole grid has not been serviced. The shadow minister needs to actually read the report or ask someone to explain it to him because he does not understand it or the implications of his actions.

I am at a complete loss to understand why the opposition would deliberately put our horticulture industry at risk—

Members interjecting:

The Hon. L.W.K. BIGNELL: I am at a complete loss to understand why the opposition would deliberately put our horticultural industry at risk by spreading misinformation about Biosecurity SA's fruit fly program and threatening South Australia's fruit fly freedom status.

Members interjecting:

The SPEAKER: The minister was given leave. If the opposition does not like what the minister is saying, the remedy is to withdraw leave; it is not to interject persistently.

The Hon. L.W.K. BIGNELL: Thank you, Mr Speaker. This is not a joke. Fruit fly is the world's worst horticultural pest and, apart from lowering production and making fruit inedible, their presence has severe consequences on trade to sensitive markets, both locally and internationally.

South Australia is the only Australian mainland state which is fruit fly free. This status has significant economic benefits for our state. Maintaining our fruit fly freedom status protects the commercial production of fruit, vegetables, wine grapes and almonds in South Australia, particularly in the Riverland and Murraylands. The estimated farmgate value of the state's horticultural produce vulnerable to fruit fly infestations is \$1.1 billion.

It should be noted that our trapping grid is only one measure in the ring of protection allowing South Australia to maintain its fruit fly free status. South Australia commits approximately \$5 million each year to undertake measures, including permanent and random roadblocks into the state, quarantine stations located at key border entry points, arrangements to certify that commercial product enters the state fruit fly free and an extensive community awareness campaign.

As part of the standard review of the response to the metropolitan Mediterranean fruit fly outbreaks, the state government has made significant additional investment in fruit fly surveillance, so casual staff are available to fill every trapping run. The government has also committed an additional \$430,000 each year to allow more traps to be deployed in South Australia's production areas in the Adelaide Hills and Northern Adelaide Plains and is committing funds to trial detector dogs to be used to check passengers and their baggage on flights from Perth, being a risk pathway for Mediterranean fruit fly.

An enormous amount of work has been done by the South Australian government to secure access to sensitive markets in China, and Asia more broadly, to support premium food and wine from our clean environment and export it to the world, which is one of our government's 10 economic priorities.

Reports in the media such as this can only negatively affect our international markets by painting an incorrect picture that South Australia is inadequately protected. This is not the case at all, and a clear message needs to be made that the government's strategies are effective in detecting fruit fly if it is brought into the state and keeping fruit fly out of our valuable production areas, such as the Adelaide Hills, the Riverland and the Northern Adelaide Plains. PIRSA has already had inquiries from the commonwealth government on whether the claims made by the shadow minister—

Mr Marshall interjecting:

The Hon. L.W.K. BIGNELL: I can't believe the opposition leader thinks this is something to laugh about. This is a billion-dollar industry—a billion-dollar industry.

Mr Marshall interjecting:

The Hon. L.W.K. BIGNELL: We are putting more money into this area.

Members interjecting:

The Hon. L.W.K. BIGNELL: We are putting more money into this area.

Ms Chapman interjecting:

The Hon. L.W.K. BIGNELL: The budget has not been slashed—

The SPEAKER: The minister will not respond to interjections because by doing so he puts them on the *Hansard* record.

The Hon. L.W.K. BIGNELL: Thank you—

Members interjecting:

The Hon. L.W.K. BIGNELL: —and, hopefully, their laughter is recorded as well because it is not a laughing matter. PIRSA has already had inquiries from the commonwealth government on whether the claims made by the shadow minister in the media this morning are correct, as they are anticipating queries from international trading partners. We now have to contact these partners to correct the record.

The Liberal Party's political grandstanding in the media and their reckless use of factually incorrect information about Biosecurity SA's fruit fly program and South Australia's fruit fly-free status may have already caused severe reputational damage to our horticultural industry, putting markets at risk and putting jobs at risk. If the opposition leader and the Liberals are serious about growing our state, protecting our brand and building our reputation overseas, he should sack the shadow agriculture minister for the damaging, uninformed comments he continues to make about the South Australian agricultural industry.

Question Time

CHILD PROTECTION

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:12): My question is to the Minister for Education and Child Development. Which of the 31 recommendations made by Margaret Nyland that had previously been made in the DeBelle inquiry, the coronial inquest into the death of Chloe Valentine, the Mullighan inquiry into children in state care and/or the Layton review, is the government choosing to accept?

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) (14:13): There are certain things that I think by now are common knowledge, that is, that there have been a number of these reports over a period of time. Secondly, we have indicated that as a result of the most recent report from Commissioner Margaret Nyland the government is moving to work through the whole 260 recommendations—

Mr Marshall: This is what you said after the Layton report and after the Mullighan report.

The SPEAKER: The Deputy Premier has offered the opposition no provocation, so the leader is not within his rights to be interjecting and I call him to order. Deputy Premier.

The Hon. J.R. RAU: Thank you, Mr Speaker. As I was saying, we are working our way through the recommendations from Margaret Nyland. There are some 260 of them. I think at the present time we have indicated that 38, or thereabouts, are things that we feel we can move on straightaway. Some of them are legislative in nature, and the three bills that we have had in the parliament recently deal with some of those matters—I'm talking here about data sharing, I'm talking here about screening and I'm talking here about the children's commissioner.

Mr Marshall: The Nyland royal commission report sets it out.

The Hon. J.R. RAU: Yes, but if you—

Mr Marshall: So, it's hardly a response to the recommendations.

The Hon. J.R. RAU: Perhaps I can remind the Leader of the Opposition about the data sharing. The data sharing, as I explained yesterday, was legislation that we knew, as a result of talking to Commissioner Nyland—and, I must say, that occurred quite regularly; the Minister for Education and I would catch up with her and say, 'We're looking at seeing if we can actually—'

Mr Marshall: Which other ones have you acted on? That's the only one. There are 260 and all these conversations with the royal commissioner and you've made progress on one.

The SPEAKER: The leader is warned.

The Hon. J.R. RAU: We were fairly clearly of the opinion that there would be a recommendation or recommendations to the effect that there needed to be greater exchange of data between one government agency and another to help us manage risk and to help us evaluate and tailor programs designed to enhance child safety.

Once we received the actual report from Commissioner Nyland, it became evident that that sharing of data would not necessarily only be useful within the state government but it would also be useful for us, for example, if the circumstances were appropriate, to be able to share data with a government of another state or territory, or indeed the commonwealth, and maybe local government or other entities with which we were attempting to work in delivering programs for children. In light of that, there were further amendments put in in order to accommodate the specific recommendations from the commission.

Ms Chapman interjecting:

The SPEAKER: The deputy leader is called to order.

The Hon. J.R. RAU: We have made it clear that there will need to be a further piece of legislation—at least one; it may be more, but certainly one anyway—in the nature of a new child protection act which would put a new legislative framework around child protection. We have indicated that we would be hoping to bring that to the parliament before the end of this year. It is something that we acknowledge will require consultation because there are a number of groups in the community who have a very legitimate and deep interest in these matters. Margaret Nyland, in her report, warned against hasty kneejerk movements in response to her report.

Members interjecting:

The Hon. J.R. RAU: I would expect that towards the end of this year we will be in a position to provide a lot more information to the public and, of course, the opposition about the legislative changes that we think are appropriate to respond to Commissioner Nyland's report and also other changes because many of the things that are recommended in that report are not in and of themselves legislative. Many of them relate to procedures, practices, culture of agencies, training and a whole range of other things.

Members interjecting:

The Hon. J.R. RAU: We are looking at all of them and we will be seeking to provide a comprehensive response to all of them, as I said, hopefully before the end of this year.

Mr Marshall interjecting:

The SPEAKER: I call the members for Hartley and Morphett to order. I warn the deputy leader and the member for Adelaide, and I warn for the second and the final time the members for Morialta and Adelaide and the leader.

CHILD PROTECTION

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:18): My question is to the Minister for Education and Child Development. Why hasn't the government fulfilled its promise prior to the election that it would implement all recommendations from the Debelle inquiry by releasing the unedited transcripts of evidence?

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) (14:18): In relation to the Debelle inquiry, there was, as people might be aware, a two-stage process put in place. If my memory serves me correctly, Mr Debelle said in his report that certain things were not to occur before a certain unnamed event—

Mr Pisoni: And that's all happened. It's all done.

The SPEAKER: The member for Unley is warned a second and last time.

The Hon. J.R. RAU: I am just refreshing members' memories at this stage, Mr Speaker. He said that there were some things that would happen before a certain event and some things that should happen after a certain event. Of course, that event, as we all know, was a prosecution and an end to the litigation about that particular matter. That has now occurred, that has been and gone.

The question then is about the other material. It has come to my attention that the other material does contain elements of information which might tend to identify individuals or victims. We need to be very careful because, as you would recall, Mr Speaker, the Debelle inquiry was provoked by incidents around school activities and school-age children. We are very mindful of the fact that identification, for example, of the school or of teachers, or of other people whose names would tend to identify those individuals could be very damaging and distressing for those young people who were adversely affected and were the subject of the inquiries conducted by Mr Debelle.

At this stage, we have made no final determination as to what will be done about the release or otherwise of that material. I actually have given this some thought, and it turns out to me that this question is how much of the valuable time of legal officers should be spent combing through those pages and examining those pages for obvious and then unobvious—and by 'unobvious' I mean just because a legal officer is reading through a page and sees an identification of a street, or the name of an individual, that legal officer doesn't necessarily know that that individual is an actual direct line to a victim and may tend to identify a victim.

It is for that reason that that has not occurred. The only concern that I have about this matter is that there were children involved in this who were victims in this particular circumstance. The only thing that we could do to make their experience of this worse would be to reveal information publicly which would tend to identify them.

The SPEAKER: Supplementary, the deputy leader.

CHILD PROTECTION

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:22): To the Minister for Child Protection Reform and/or the Attorney-General: how many people, legal officers, have been working on this project of going through the transcript for the last three years which you are now considering to abort?

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) (14:22): At the present time, I am not sure how many are going through it, but I can say that, as I have just explained, it was brought to my attention some time ago that the complexity of releasing this material unedited, for the reasons I have just explained, would be a complex matter. I am happy to make inquiries about exactly where that is up to.

The SPEAKER: A further supplementary, deputy leader.

CHILD PROTECTION

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:22): Given these circumstances, Attorney, could you please indicate to the parliament whether you have checked with Mr Debelle, who of course had approved the release of this and which your government has committed to release, that it now will not occur?

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) (14:23): I have had no conversation with Mr Debelle, but upon the moment

of Mr DeBelle handing his report to the government he became, as they say, *functus officio*. In other words, he was—

Mr Marshall interjecting:

The Hon. J.R. RAU: What was then to happen with his report was a matter for government.

Members interjecting:

The SPEAKER: I am most reluctant to expel under the standing order the leader and the deputy leader, but they have received fair warning. The Treasurer is called to order.

CHILD PROTECTION

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23): Supplementary: when was the Attorney-General going to inform the people of South Australia that he wasn't going to fulfil the promise that had been made that the details of the transcripts would be released?

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) (14:24): All I am saying is that I formed the opinion that they could not be—

Mr van Holst Pellekaan interjecting:

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

The Hon. J.R. RAU: I formed the opinion that they could not be released in an unedited form because there was a serious risk that victims associated with the subject matter of that inquiry might tend to be identified, or in some way further embarrassed or victimised, by the release of that information.

For that reason, I indicated to officers of the Attorney-General's Department that I needed to see whether they could undertake an exercise of removing material which might tend to identify those victims or in some way, in effect, revictimise them. I have already said in my last answer that I am happy to find out where that process is up to and how much additional work would be required to deal with it. The priority here is to make sure that those young people who were the subject matter of that inquiry do not suffer any more than they already have.

ALINTA ENERGY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:25): My question is to the Minister for Mineral Resources and Energy. Treasurer, how much assistance did Alinta request to keep the Northern Power Station open and South Australian electricity prices low?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:25): The two don't correspond, and it is important that I point this out to the house. When a company comes to the South Australian government to talk about assistance, its financial state and where it is at, they need to know that they can come to the South Australian government, speak to ministers and speak to the government confidentially. I am not going to release those details. Those details are Alinta's. They are the ones who came to us. They are the ones who sought assistance. They are in the middle of a share float, and if—

Mr Whetstone: It's taxpayers' money. Whose money?

The Hon. A. KOUTSANTONIS: The shadow trade minister says, 'Whose money?'

Mr Whetstone: Taxpayers' money, isn't it?

The Hon. A. KOUTSANTONIS: Taxpayer money wasn't given—

The SPEAKER: I call the member for Chaffey to order.

The Hon. A. KOUTSANTONIS: —therefore the question of whether or not we make this public is about how we treat businesses who are doing business in South Australia. Do we go public

when they come to us confidentially? It is my very strong view as Treasurer that we do not. If we had given commercial assistance to Alinta, then, yes, absolutely, we should be out there publicly telling the public how much that is, but there would have been dire consequences to this state if we had. There would have been huge consequences if we had.

The moment you pay one generator to operate, the very next phone call you get is from every other generator saying, 'By the way, we're about to shut Torrens Island unless you pay us,' or 'By the way, we won't operate our gas-fired generators unless you pay us as well.' Then we are spiralling downwards with the government paying every single generator to operate, regardless of the market. That would be a disaster for South Australia—an absolute disaster.

That sort of policy is probably why the Leader of the Opposition in the upper house is out actively seeking another Treasury spokesperson to replace the poor old member for Morphett, who has done an exceptional job in his seat—to replace him to bring in some guy who hasn't lived in this state for 20 years—and the Leader of the Opposition doesn't know anything about it. He is in the dark.

Ms CHAPMAN: Point of order: the arrangements in relation to members in the upper house have nothing to do with this issue.

The SPEAKER: I uphold the point of order.

Ms CHAPMAN: Thank you, sir.

ALINTA ENERGY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:27): Supplementary, sir: can the Treasurer inform the house whether the amount sought by Alinta was in fact more or less than the contribution the government was planning to make to the gas industry, which industry experts tell us will have no effect whatsoever on electricity prices?

The SPEAKER: That question is out of order.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:27): I would like to hear, in his subsequent question, who these industry experts are that say it will have absolutely no impact on electricity prices. He has just told the house that industry experts—

Mr van Holst Pellekaan interjecting:

The SPEAKER: I warn the member for Stuart.

The Hon. A. KOUTSANTONIS: —have told him that it won't make a difference. Perhaps he can detail who they are and the body of work. Perhaps he can detail the body of work behind that assumption.

Mr VAN HOLST PELLEKAAN: Point of order.

The SPEAKER: It is best to come to a point of order with clean hands.

Mr VAN HOLST PELLEKAAN: The Treasurer is debating the substance of the question.

The SPEAKER: I will listen carefully to what the Treasurer has to say.

The Hon. A. KOUTSANTONIS: It has been longstanding knowledge in the gas industry that the Leader of the Opposition has a problem with the gas industry in South Australia, given his support for moratoriums and inquiries. This attack on what I think it is a very good plan—

Members interjecting:

The Hon. A. KOUTSANTONIS: I notice the chief ban gas advocate right behind his leader—

Members interjecting:

The Hon. A. KOUTSANTONIS: The plan for us to extract more gas into the South Australian market—

Mr Wingard interjecting:

The SPEAKER: The member for Mitchell is warned.

The Hon. A. KOUTSANTONIS: I tell you what we subsidise: the Leader of the Opposition paying his bills late. We subsidise that.

Members interjecting:

The Hon. A. KOUTSANTONIS: Paid your bills yet?

Members interjecting:

The Hon. A. KOUTSANTONIS: Paid your bills? It's an own goal. Who sends Shared Services the bills? Who sends them the bills?

Members interjecting:

The Hon. A. KOUTSANTONIS: Who sends the bill, Botox boy? You do! Mr Speaker, it is clear to everyone—

Mr Gardner interjecting:

The SPEAKER: The member for Morialta—

Mr Pisoni: How many speeding fines didn't you pay, Tom?

The SPEAKER: The member for Unley can leave the chamber under the sessional order for the next hour.

Mr Pisoni: How many speeding fines didn't you pay?

Members

MEMBER FOR UNLEY, NAMING

The SPEAKER: The member for Unley is named.

The honourable member for Unley having withdrawn from the chamber:

The Hon. J.J. SNELLING: There is no explanation for me to move not be accepted. What would you like me to do, Mr Speaker?

The SPEAKER: The member for Unley had an opportunity to be heard in explanation. He has obviously chosen not to exercise that by leaving the chamber.

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:30): I move:

That the explanation not be accepted.

The SPEAKER: He moves that the explanation not be accepted.

Mr GARDNER: An opportunity to debate this point, sir?

The SPEAKER: No, the member for Unley has forgone it. I will put the motion.

Motion carried.

MEMBER FOR UNLEY, SUSPENSION

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:30): I move:

That the member for Unley be suspended from the sittings of the house for the rest of the day.

Mr WILLIAMS: Point of order, Mr Speaker: I seek a clarification of your ruling. It is my understanding that it is the practice of the house that, when a motion is moved that an explanation not be accepted, that motion is subject to debate in the house. The longstanding history of the house is that these debates—and there has been some discussion in the Standing Orders Committee over this particular point in recent years and I have accumulated a large amount of material which shows that indeed these debates sometimes have gone on for many hours.

The SPEAKER: Yes, indeed.

Mr WILLIAMS: But it has been the custom of the house that the question is subject to debate.

The SPEAKER: I don't think there's any clear law on this. I would like to get on with question time and give the opposition the maximum number of questions. I have put the motion; it has been carried, and now the Leader of Government Business has moved—refresh our memory.

The Hon. J.J. SNELLING: That the member for Unley be suspended from the service of the house for the rest of the day.

Ms Chapman: Why?

The SPEAKER: From the service of the house—because there is a schedule of penalties, mandatory minimum sentencing, on this. Is that seconded?

An honourable member: Yes.

The SPEAKER: It is seconded.

Motion carried.

Ms Chapman: How ridiculous.

The SPEAKER: The deputy leader—

Ms CHAPMAN: I am sorry, I shouldn't have said that on the vote.

The SPEAKER: I am sorry?

Ms CHAPMAN: I apologise for saying that on the vote.

The SPEAKER: I will accept that apology. The Treasurer.

Question Time

ALINTA ENERGY

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:33): A wise decision, sir. The government will not be discussing any company who comes to speak to us about their concerns, other than to say that if the Leader of the Opposition is advocating for a policy of every time someone comes to us seeking assistance we make it public, whether we offer that assistance or not, then I suspect that, if he ever does become fit to be Premier, no South Australian company will ever speak to the government about what their concerns are.

Mr Marshall: Why don't you answer the question instead of waffling on around the place?

The Hon. A. KOUTSANTONIS: I am answering the question. I know the Leader of the Opposition is having a bad day. His backbench and his shadow cabinet are behind his back conspiring to bring people from outside of the parliament, outside of the state, to the poor old member for Morphett, a good and decent man.

Members interjecting:

The SPEAKER: The Treasurer will be seated. I presume the member for Morialta's point of order is that he would like this political biff to cease.

Mr GARDNER: Well, it's debate, and the Treasurer is obstructing by continually doing it.

The SPEAKER: Yes, and he is being subject to a torrent of interjections from the leader, so I would have to act against both of them, and I ask both of them to get on with the business.

Dr McFETRIDGE: I seek leave to make a personal explanation.

The SPEAKER: I didn't notice any reflection on the member for Morphett but, if the member for Morphett would care to approach me, I will assess his request for a personal explanation.

Dr McFETRIDGE: I am happy to, sir.

The Hon. A. KOUTSANTONIS: I meant no offence to the member for Morphet: I'm a fan. I want him to stay, sir. I don't want to see him unceremoniously dumped by those conspiring behind the back of the Leader of the Opposition. He doesn't even know it is happening to him.

The SPEAKER: The member for Morphet just wishes it to be known that he is neither poor nor old. The member for Stuart.

ALINTA ENERGY

Mr VAN HOLST PELLEKAAN (Stuart) (14:35): Supplementary question, Mr Speaker: given that the Treasurer has just told the house the reasons why he would not release this information, why is it that the Ombudsman has said, 'It would not be contrary to the public interest to disclose the document'?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:35): You would have to ask the Ombudsman why he thought that. But, since you are asking me, my very strong view is that, when companies want to speak to the South Australian government about what is occurring on their balance sheets and what is happening to them, they can come to us confidentially and speak to us about these matters without them being talked about in the public.

It is no wonder that this policy shift by the opposition about allowing the information to be made public is live. The conservative members of his party are attempting to retake the financial agenda off this left-wing leader and bring in someone like Craig Kelly. That's why they are doing it, because he has gone so far to the left that they have lost all faith in him whatsoever. I just think the collateral damage is unfair.

The SPEAKER: The member for Morialta.

Mr GARDNER: The first problem under the standing orders then was 98, debate by the Treasurer.

The SPEAKER: I uphold the point of order. Member for Stuart.

ALINTA ENERGY

Mr VAN HOLST PELLEKAAN (Stuart) (14:36): My question is to the Minister for Mineral Resources and Energy. Can the minister explain why it has been necessary for the Ombudsman to twice determine that documents relating to the closure of the Northern Power Station should be released under the Freedom of Information Act by the minister's department, yet the documents have still not been received by the opposition?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:37): I don't know why that is the case. I assume it is because Alinta doesn't want the information released, but I will go back and check. It's their information. Again, I warn the opposition that, if they want to form a government one day—and they claim to be the government of business—then business should be able to come to the government and speak to them about that. If you want to outsource financial responsibility to the Ombudsman, that's a matter for the opposition. But again I say that it is not surprising that the conservative faction of the Liberal Party is seeking to replace and usurp the Leader of the Opposition, because he's so weak and left wing on these issues.

The SPEAKER: Point of order.

Mr GARDNER: Standing orders 98 and 141.

The SPEAKER: Yes, I uphold both of them. Has the Treasurer finished? Member for Stuart.

Parliamentary Procedure

VISITORS

The SPEAKER: Before the member for Stuart asks his question, I would like to welcome to parliament a distinguished former member for Heysen and minister, David Wotton.

The Hon. T.R. Kenyon interjecting:

The SPEAKER: The member for Newland observes that he was crushed in an electoral contest by the former member for Heysen in 1997.

Question Time

ALINTA ENERGY

Mr VAN HOLST PELLEKAAN (Stuart) (14:38): My question is again to the Minister for Mineral Resources and Energy. Given that the minister has claimed that South Australians are at the mercy of a small group of electricity generators acting like a monopoly, why is it that he has allowed the marketplace to become even smaller by refusing to help the Northern Power Station stay operational?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:38): If the policy of the Liberal Party is to fire up a coal-fired—

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: Sensitive, bad day! The kids have been out negotiating with a brand-new treasurer, a brand-new member for Morphett, and they don't like it. I will not pay a generator to operate. The idea of the state government entering into contractual negotiations with electricity generators that are in the private market—that the opposition privatised to a monopoly—and then asking them to come back into the market and paying them to operate is absurd, absolutely absurd.

Members interjecting:

The Hon. A. KOUTSANTONIS: Shop around, Tom; shop around, Josh Frydenberg; shop around, Chris Pyne. The federal government is saying the same thing as well. I have to say that the Leader of the Opposition is yet to release an energy policy. They are yet to release an energy policy. Perhaps Grant Kelley will. Perhaps Grant Kelley and David Ridgway will release an energy policy. Perhaps they will tell us what it is, Mr Speaker. But the shouting and spewing Botox out into the chamber will not change the facts. The opposition has no energy policy. They have announced nothing, but what they are saying now is that we should be subsidising a coal-fired generator.

Mr GARDNER: Point of order.

The SPEAKER: Point of order, member for Morialta.

Mr GARDNER: The Treasurer is again debating, and I put it to you that by continuing to do so he is obstructing as well.

The SPEAKER: Yes, I believe the member for Morialta is correct and I uphold his point of order.

Mr WILLIAMS: Mr Speaker, a point of clarification.

The SPEAKER: I don't like points of clarification. Let's make it a point of order.

Mr WILLIAMS: Well, I am seeking some advice from you, sir. Having named one of the opposition members for, I believe, several transgressions, I am just wondering: how many transgressions are we going to have from the Treasurer before some further action is taken against him?

The SPEAKER: I will listen carefully to what the Treasurer has to say, but I don't believe it is anything as personal or loathsome as the utterances of the member for Unley today. The member for Stuart.

NYRSTAR

Mr VAN HOLST PELLEKAAN (Stuart) (14:41): My question is for the Minister for Regional Development. Has Nyrstar advised the minister that forecast electricity prices will put its operation in Port Pirie in jeopardy even after its current productivity and environmental upgrades are completed, and, if so, what is the government's response? With your leave and that of the house, I will explain.

The SPEAKER: Well, no, you won't because my arrangement with the opposition is to give the opposition many, many extra questions and lots of supplementaries on the trot. We have not had a Dorothy Dixier so far today. The give for that is no explanations, and the member for Stuart is well aware of it. Minister.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:41): A lot of companies come to the South Australian government wanting to talk about the situation that they are in and what we can do to assist. It is fair to say that there has been considerable government support through guarantees made available to Nyrstar's external financiers, which has seen a dramatic redevelopment of the Nyrstar smelter. Again, our policy is very, very simple: we are going to take our procurement, we are going to go out to tender and we want to encourage new competition into this market. Unfortunately, this marketplace is dominated by monopolies, which the opposition privatised our system into.

Members interjecting:

The Hon. A. KOUTSANTONIS: The truth is—and as we have seen in *The Advertiser*, a majority of South Australians know the truth—that we have higher power prices here because of the privatisation of ETSA—

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: Again, attacking South Australians, attacking their views is not going to help you win an election.

Mr GARDNER: Point of order: standing order 98, and I will add 137 this time.

The SPEAKER: I will uphold the first. Treasurer.

The Hon. A. KOUTSANTONIS: Thank you, Mr Speaker. I suppose interjecting is completely in order, is it?

The SPEAKER: No, interjecting is always out of order.

The Hon. A. KOUTSANTONIS: Thank you, sir. A lot of companies come to the South Australian government seeking advice, and we do give them advice and we do give them assistance. With Nyrstar and Arrium, and a number of these other companies that are concerned about monopoly practices of the generators, we are doing what we can to increase competition. What we are doing is we want to incentivise new generation in this state. Renewable energy is a big part of that, and we want to see more of it. We also want to see more gas-fired generation in this state or some other form of dispatchable renewable energy in this state that can offset some of that monopoly behaviour by our generators.

I also think that by extracting more gas out of South Australia and making it available to South Australian consumers first, we get more liquidity in the gas market, which will see gas prices obviously maintained at a lower price here in South Australia. Given that nearly 45 petajoules per year are used for gas generation—and Nyrstar use a considerable amount of gas as well, as do Arrium—this more gas in the system will, of course, lower their costs as well. I note that more gas in the system has been ridiculed by the opposition as not working. I will let Arrium and Nyrstar know that. I also note the disdain in which the gas industry is held by the opposition by the interjections of the Leader of the Opposition.

It is no surprise. This antagonistic view they have towards business is why the Liberal Party is seeking to find someone from outside the parliament to come in and take up the shadow treasury. I wonder what negotiations the Hon. David Ridgway has had with Mr Grant Kelley. What has he offered him?

The SPEAKER: The Treasurer is now digressing from the substance of the question. Member for Stuart.

NYRSTAR

Mr VAN HOLST PELLEKAAN (Stuart) (14:44): A supplementary: given the Treasurer's answer to that last question, what would be the impact upon the state's finances if rising electricity prices led to the need for the state government's underwriting of the Nyrstar redevelopment to be called upon?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:45): I don't think the two are linked, but I will check. I don't think the operational costs of the Nyrstar operation can trigger the guarantee, but I will check. I think it is important to note that what the opposition are basically saying is that the generation market in South Australia has been privatised and monopolised. They monopolised it to try to maximise the sale price. They sabotaged—

The SPEAKER: Point of order.

Mr GARDNER: This is clear debate. It's over and over the same debate, and 137: it's an obstruction.

The SPEAKER: Yes, I uphold the point of order. Treasurer, the Liberal Party has not been in office since March 2002. It is hard to make them the centrepiece of your answer.

The Hon. A. KOUTSANTONIS: I think it's May, sir.

Mr GARDNER: Point of order, sir. Standing order 137 says that, if a member persistently and wilfully refuses to conform to any standing order, the Speaker names the member and reports that offence to the house.

The SPEAKER: Well, thank you for drawing that to my attention.

The Hon. A. KOUTSANTONIS: I will check for the member and get back to him about that. I note that he has not sent me any correspondence seeking that, nor has he sought a briefing on that, so I will go and check.

Mr WILLIAMS: A further supplementary, Mr Speaker.

The SPEAKER: Supplementary, member for MacKillop.

PELICAN POINT POWER STATION

Mr WILLIAMS (MacKillop) (14:46): The Minister for Energy's earlier answer said that the government wishes to get more gas-fired generation capacity in South Australia. Can he explain to the house: is not Pelican Point Power Station gas-fired and why has it been mothballed?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:47): I will ask the private owners of that power-fired generator why they have mothballed it. What we are attempting to do through our procurement is we are going to underwrite a long-term, 10-year contract where we will go out to the market to try to incentivise more generation into South Australia. Our plan has been welcomed by the energy industry, and I note the absence of an alternative plan because the Leader of the Opposition has no policies—not one.

NOARLUNGA AMBULANCE STATION

Ms HILDYARD (Reynell) (14:47): My question is to the Minister for Health. Minister, how will the state government celebrate the opening of the new Noarlunga ambulance station?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:47): Recently, I had the pleasure of joining with the members for Reynell and Kurna to officially open the brand-new Noarlunga ambulance station, the latest station to be delivered by the government. I am happy to tell the house that on 12 September the station became fully operational, allowing our dedicated paramedics to service the southern suburbs from this fantastic, purpose-built facility.

As part of Transforming Health's significant investment in our ambulance service, plans for the new Noarlunga station were supersized to allow for extra staff and operational capacity. In fact,

the \$5.3 million station is the largest in South Australia, designed to meet the health needs of the growing southern communities now and for many years to come. The station will serve as the regional headquarters for the south and will provide an additional 24/7 emergency crew and house up to 13 ambulances and five light-fleet vehicles.

Fifty operational administrative staff work from the building, which includes training and study facilities, a kitchen and crew room, 12 individual restrooms, bike storage and car parking. Located on Beach Road opposite Noarlunga Hospital, the station is perfectly positioned and designed to service a growing community. It reinforces the investment this government has made in building new stations and increasing the number of paramedics and ambulances on the road.

Given how important this new station is to our southern suburbs, to celebrate its opening there will be an open day on Sunday 16 October from 10am to 2pm. The open day will showcase the new facility and include tours of the station, a chance to see inside an ambulance and a sausage sizzle. For the children, there will be face painting and the Ambulance Service's bear mascot, Paramedic Pete. I hope he's a member of the Australian Ambulance Employees Association for his sake.

I invite families who are interested to come along for what I'm sure will be a fantastic event. The new Noarlunga ambulance station, which was an election commitment boosted by investment from Transforming Health, shows this government's commitment to our hardworking paramedics and to the community and the care they provide day after day.

CHILD PROTECTION

Ms SANDERSON (Adelaide) (14:50): My question is to the Minister for Education and Child Development. Why doesn't the contract between the Premier and Cathy Taylor include a performance agreement that obliges interagency collaboration in child protection matters and measures that performance as per recommendation 244 of the Nyland royal commission?

Members interjecting:

The SPEAKER: I don't think the Deputy Premier has offered the leader or the opposition any provocation yet, so I could only respond to the leader by enforcing the sessional order. I wish to hear no more from him. Deputy Premier.

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) (14:51): Thank you very much, Mr Speaker. Yesterday, as the Leader of the Opposition has indicated, he asked me a question without notice about the contract, and I gave some information about that which included that I was not privy to the negotiation, nor had I seen it, but I have good news. Overnight, I asked for some information to be provided to me about the contract. I have not yet seen it, but I'm reliably informed by a reliable source—

The Hon. T.R. Kenyon: Doubly reliable.

The Hon. J.R. RAU: Doubly reliable and if it turns out not to be reliable he will be hearing about it, but I think he is reliable. This source told me that the contract agreement between the Premier and the future chief executive indicates, as I believe all contract agreements between the Premier and chief executives indicate, that it is required that the chief executive sits down in due course with their minister and settles on performance criteria for the forthcoming year. The reason for that is that—

Members interjecting:

The Hon. J.R. RAU: If I could just go on and explain that—

Ms Chapman: It says nothing about this interagency collaboration.

The Hon. J.R. RAU: I'm getting to that point. I'm trying to chop it up into bite-size pieces. What happens is that the contract itself has a bit in it that says—and I will paraphrase this for you—'See this bit later. They are going to chat about it and write it on a separate piece of paper.' That separate piece of paper, which is called the Performance Agreement—

Members interjecting:

The Hon. J.R. RAU: I am trying to be helpful, Mr Speaker.

The Hon. A. Koutsantonis: Is this okay, is it?

The SPEAKER: I call the Treasurer to order for dissent in the Chair's handling of this situation.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: I warn the Treasurer.

FOSTER CARE

Ms SANDERSON (Adelaide) (14:54): My question, again, is to the Minister for Education and Child Development. Will the minister implement an independent panel to consider disputed care concerns and removals of foster children?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:54): Yes, I am in the process of considering such an entity. We are, as you are well aware, working through with various interested parties, including NGOs who offer foster-care services and the foster carers themselves, ways in which we can improve the foster-care system. The only way we will have more carers is to have a better system, and one of the matters that has been raised with me reasonably frequently is exactly that one. So, yes it is under active consideration as are a lot of different ways that we can arrange our processes for foster carers.

Members

MEMBER FOR UNLEY, NAMING

The SPEAKER (14:54): Regarding the member for MacKillop's earlier point of order. I have consulted the Clerk and it seems to me that the question of whether the member's explanation upon being named be accepted can be debated, and I would so rule, but standing orders are clear that suspension from the service of the house cannot be debated—that's just a vote.

The problem we have with the interaction of the sessional orders and the standing orders is that I can remove a member under the sessional orders, and if he or she on his or her way out then engages in loud, further abuse and is named on the way out, they are normally out by the time the naming comes up, and that's the problem.

I have a naming by Speaker Lewis of the member for Unley—a different member for Unley. Speaker Lewis is here. Former Speaker Lewis, welcome to the house. On that occasion, the member for Unley hopped back in and that was open, I suppose, to the current member for Unley today.

Mr Williams: On that occasion, those sessional orders that we now suffer under weren't in vogue.

The SPEAKER: The member for MacKillop's view on the sessional orders is well known. The member for Adelaide.

Question Time

OTHER PERSON GUARDIANSHIP

Ms SANDERSON (Adelaide) (14:56): My question is to the Minister for Education and Child Development. What was the \$475,000 a year for the Other Person Guardianship money announced in the budget for, and please outline how this has been used and how it will be used?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:56): Just for the house's information, Other Person Guardianship is where, after a foster-care arrangement has been entered into for some time, the legal guardianship responsibilities that rest with the minister—myself at present—pass over to the foster carer and that process is, of course, decided by the Youth Court. So, an application is made and considered and passed over.

Members may well be aware that I am very focused on increasing the number of Other Person Guardianship orders as was in the budget last year, and also as is raised in the Margaret Nyland report. This is a way of providing not just actual legal stability for children but a real sense of belonging for the kids. The feedback that we get is that when that occurs there is a sense of, 'Okay, so this really is my family.'

The question is around how we have been spending the money. We have gone through a process of reviewing the way in which we were assessing these orders, and I think the member is aware that there is a gap in doing very many orders at all. I think we have had something like 17 in the last several months, which is a dramatic escalation on previously. That's been as a result not only of the renewed focus on it but also a more streamlined process for consideration.

Having said that, I think we can do more, and part of the consideration with looking at the foster care system is also to look at the way in which Other Person Guardianship works because it is one of the attractions for some foster carers who wish to have a long-term relationship with children, that they might see that as where they will get to. So, we need to make sure that path is relatively straightforward and with all due consideration for the security of the child, that that is a process that's available. I am open for further discussions about the ways in which that occurs.

The SPEAKER: I note the member for Davenport is no longer wearing his colours. Deputy leader.

GILLMAN LAND SALE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:59): My question is to the Minister for Housing and Urban Development. Is the minister aware that only \$10 million is budgeted to be received in the 2016-17 year from the Gillman sale. If he is aware, can he explain whether he has any confidence whatsoever that there will be a settlement of \$45 million to be paid by 1 November which will occur?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:59): I thank the deputy leader for her question. I am aware that in the past few weeks some evidence was given by executives of Renewal SA about the amount of money that was budgeted in either the current or forthcoming financial year.

I am not able to recall off the top of my head what the nature of that evidence was, but I will check it. Suffice to say, there is, on the successful completion of this land transaction, I think the payment of—again off the top of my head—\$45 million which needs to be paid. There is a due date for that transaction approaching in November, I believe it is, and we are hoping that that transaction is concluded successfully.

The SPEAKER: Supplementary, deputy leader.

GILLMAN LAND SALE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:00): Could the minister confirm whether he has had any attendance with, or had any meetings with, any investors for the proposed Gillman settlement, which is to settle in the next five weeks?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:00): I thank the deputy leader for her question. With regard to meetings that would involve me, I would have to check my diary. I don't believe that I have. My understanding is that this transaction is being dealt with at a level between Renewal SA as the agency and the organisation, ACP, which is due to contract for this land in that coming deadline that the deputy leader just referred to.

The SPEAKER: Supplementary.

GILLMAN LAND SALE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:01): Has the Treasurer had any meetings or discussed with any investors proposed investment in the Gillman site to make that settlement of the \$45 million?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:01): I regularly meet with people who want to invest in South Australia. Indeed, I have had meetings today, and I don't reveal those meetings because people want to be able to come and meet with the Treasurer of the state, or other ministers, and be able to have those conversations.

Members interjecting:

The Hon. A. KOUTSANTONIS: And, if I were the Leader of the Opposition, I wouldn't be bringing personal behaviour into anything, if I were you.

Members interjecting:

The SPEAKER: The Treasurer is warned for the second and final time for quarrelling and I remind the leader that he is on two warnings.

HEALTH SERVICES

Mr TARZIA (Hartley) (15:01): My question is to the Minister for Health. Will the minister give the same guarantee to existing QEH clinical services that he gave to services currently delivered at Hampstead Rehab Centre that their designated facilities will be the same, if not better, under Transforming Health?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:02): We have been consulting with clinicians about changes to services. We are about to go back to clinicians with a new proposal that I think will satisfy concerns that have been raised. But, yes, of course, I maintain that commitment.

AUSTRALIAN EVENT AWARDS

The Hon. P. CAICA (Colton) (15:02): My question is to the Minister for Tourism. Minister, how did South Australia fare at the Australian Event Awards?

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) (15:03): I thank the member for Colton for the question. I acknowledge that he was a dual gold medallist at one of our major events, the World Police and Fire Games, in 2007. Tourism is one of our government's top five economic priorities. We have set some very tough targets to reach \$8 billion by 2020 and to employ an extra 10,000 people. We are on track to do that.

The latest figures that came out last week showed a \$608 million improvement in the 12 months to 30 June, which takes that spend up to \$5.95 billion. We have also put an extra 4,000 jobs into the tourism sector. The great thing about the visitor economy is that it looks after the whole state. Forty-two per cent of people who come and visit South Australia get out into our regions, which is terrific.

Last night, I was in the Sunshine Coast for the Australian Event Awards. I was very pleased to get up on behalf of all South Australians and accept the award for the best state or territory when it comes to putting on major events. This award is judged by who puts on the best events and we do it so well, whether it is the Tour Down Under, which attracts—

Ms REDMOND: Point of order, Mr Speaker. It was my understanding that displays in the house were not appropriate—that whilst one can wear clothing of all sorts, one can't use display in the chamber. The minister is currently displaying.

The Hon. L.W.K. BIGNELL: I have made no reference to any display. This is very good news for the people of South Australia, and particularly for regional South Australia—

The SPEAKER: I will watch carefully the relationship between the object on the table and the minister.

The Hon. L.W.K. BIGNELL: I am not sure which object you are referring to.

The SPEAKER: I asked the minister to put all those trophies on the carpet, behind the bench. They are displays, and I uphold—

The Hon. L.W.K. BIGNELL: I will put this year's trophy and last year's trophy down here, and I will put the Tour Down Under trophy over here as well so they are hidden from view.

The SPEAKER: The minister is warned. I uphold the point of order.

The Hon. L.W.K. BIGNELL: The Liberals wouldn't want any display of national recognition and success. They put on their own major event every four years. It's called 'snatching defeat from the jaws of victory'. Political insiders around the world tune in every four years for this major event.

Mr VAN HOLST PELLEKAAN: Point of order.

The SPEAKER: Which point of order is it?

Mr VAN HOLST PELLEKAAN: It is 98, debate, and also—

The SPEAKER: I uphold the point of order.

Mr VAN HOLST PELLEKAAN: —contesting your ruling.

The Hon. L.W.K. BIGNELL: I do want to congratulate everyone who is involved in the tourism sector here, whether they be within government or out there in the regions and putting on all sorts of events, whether it is up at Melrose, in the Fat Tyre event they have up there for mountain bikers, or whether it is the big things like the Clipsal 500 which bring in lots of visitors from around Australia and around the world.

The Tour Down Under, which was named the best sporting event in Australia at the awards last night, brings in 40,000 visitors from interstate and overseas each year who come here purely to watch it. It pumps \$50 million into the state's economy, and 780,000 people get out and watch the race. Mike Turtur came up with this idea in the late nineties, the first race was in 1999, and then our government took it to the next level in 2007 when we got pro tour status—true story.

Members interjecting:

The Hon. L.W.K. BIGNELL: Argue all you want. Before I came into this place I was a cycling journalist. I covered the Olympics and the Tour de France. I reckon I might know a little bit more about cycling than you do.

The SPEAKER: The minister does not know more about cycling than me.

The Hon. L.W.K. BIGNELL: No, but maybe more than those opposite. I would like to point out one person in particular, Sally Heading, who has been with this event from the very first event. She has been running it for the past eight years. The next Tour Down Under will be her last because she is going on to take a job with the Commonwealth Games. I would like to put on the record our appreciation for the great work that Sally has done on this event. We also last night saw the Botanic Gardens Restaurant, headed up by Paul Baker the chef there. He won the Best Product or Service award for a fantastic feast that he put on during Tasting Australia this year in the wonderful Botanic Gardens.

Shane International Events and Entertainment won another one of these wonderful trophies that we cannot display for their work on The Magical Gift of Mother Earth at the 2015 Royal Adelaide Show. There are also a number of other South Australian events in the spotlight as finalists or regional winners, including the Adelaide Commonwealth Bank Day-Night Test; WOMADelaide 2016; the Campbelltown Moonlight Markets; and Illuminart in Port Lincoln. I want to congratulate everyone who played some role in us being recognised last night as the best events state or territory in Australia.

DAIRY CONCESSIONAL LOANS

Mr BELL (Mount Gambier) (15:08): My question is to the Minister for Agriculture, Food and Fisheries. Can the minister inform the house why his department is not recognising water licences and stock as assets for the dairy concessional loan?

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) (15:09): My understanding of this is that because in South Australia we have different rules and treatments of things than they do in some other states, I know that we differ from—

Members interjecting:

The Hon. L.W.K. BIGNELL: We differ from Victoria, for example, but we line up with New South Wales. That is my understanding. But—

Members interjecting:

The SPEAKER: The opposition will cease interjecting. I don't wish to throw anyone else out.

The Hon. L.W.K. BIGNELL: We were the first government in Australia to get behind our dairy farmers, and when Murray Goulburn and Fonterra took the action they did earlier in the year, we were out there within—

Members interjecting:

The SPEAKER: The minister has the call. The minister has offered no provocation. He will be heard in silence.

The Hon. L.W.K. BIGNELL: We were out there within days, offering money for dairy farmers in this state to have counselling around the shock that they had received, as well as making sure that they had access to financial counselling. We have also put in more money since then, and we have put in an extra \$60,000 into a campaign called Do Dairy to remind consumers that we need to be buying the right sort of dairy products, the right sort of milk, and not buying the Coles and Woolies milk, because that is really important. That's a sustainable thing to do because—

Members interjecting:

The SPEAKER: The members on my left will cease interjecting, please.

Mr GARDNER: Point of order, sir. The question was quite clear and limited: how many dairy concessional loans have been approved by the department to date? The minister is all over the place.

The SPEAKER: Minister.

The Hon. A. Koutsantonis: No, it actually wasn't the question. Let's ask the member for Mount Gambier: was that the question?

The SPEAKER: Would the member for Mount Gambier read his question again.

Mr BELL: Can the minister inform the house why his department is not recognising water licences and stock as assets for the dairy concessional loans?

The SPEAKER: The member's question had no relationship whatever to the point of order made by the member for Morialta and it is therefore a bogus point of order.

Mr GARDNER: I apologise, sir.

The Hon. L.W.K. BIGNELL: Dairy farmers have taken a severe blow this year, through no fault of this government or the federal government, and we will continue to work with the federal government on ways that we can get more money out there. We have put in more money to look after the dairy farmers. The federal government has come up with a system, and we will continue to work with the dairy farmers of South Australia to ensure these hardworking people are looked after.

Personal Explanation

PARLIAMENT HOUSE LIFT

Ms REDMOND (Heysen) (15:12): I seek leave to make a personal explanation pursuant to standing order 108.

Leave granted.

Ms REDMOND: Shortly before the lunchbreak today I, along with a number of my colleagues, attempted to attend in the house for a division which had been called. I know that I

certainly left my office immediately the bells began ringing. Because I happened to be wearing exceptionally high heels today, I decided I would come via the lift. I went to the lift straightaway, we pressed the button straightaway and, notwithstanding that, we were unable to get to the chamber on time.

The lift of course shows where it is going, and it went down to the basement, then stopped at the lower ground floor. I have no way of guaranteeing that it was other than a member of the house who was using the lift at that time, but there is a sign beside the lift at each level to say that only members of parliament and table staff should be using the lift while the bells are ringing. The consequence of the situation was that at least four members of the opposition were unable to get to the house before the bells finished and the doors were locked.

I would ask, firstly, that the explanation for our absence from that division be noted. It was the member for Kavel, the member for Adelaide, the member for Bragg and myself who were in that situation. We were all trying to get that lift together. We were all denied the ability to vote on the division. It would not have made a difference to the outcome of the division, but I would ask that, if possible, there perhaps be a reminder to other people who work in the building that the rule about not using the lift when the bells are ringing be strictly adhered to.

The SPEAKER: There is material to that effect in the lifts. It is also possible that members whose offices are on the lower ground floor sought to use the lift; we will never know, but I think it is as well that the member made that explanation so that the true gauge of support for the ayes on that matter be known.

Grievance Debate

ONAM FESTIVAL

Mr WINGARD (Mitchell) (15:15): I rise today to speak about the South Adelaide Malayalee committee who recently held a community event in my community, which I was fortunate enough to attend. They celebrated Onam 2016, which was a wonderful festival, and it was a delight to be a special guest of theirs and to go along and be a part of this festival in my local community. This is a great event and a great group of people who are doing wonderful things south of Adelaide.

This group has predominantly worked north of Adelaide, but a southern Adelaide group is growing. There were a few hundred people along for the festival and it was a great night. I would like to go into some detail about the people who helped put the night on. First, there was a great group of people, including Jimmy Joseph, who was on the finance committee and gave the welcome speech on the night. Father Manu also spoke, as did Mr Suresh Nair, and Shiju Sebastian Chembotty gave the vote of thanks at the end of the night. Nijo Joy was also a coordinator of the event. A number of other people were involved in putting on this festival, and the event was a great success.

I will talk a little bit about Onam and explain to the house what it is all about. It is an ancient festival that has survived into modern times. It is celebrated in Kerala, in South India, on the south-western coast, and it is a beautiful part of the world. The festival of Onam commemorates Vamana avatara of Vishnu and celebrates the subsequent homecoming of the mythical king, Mahabali.

The king actually arrived the night after we had the official ceremonies, where I was fortunate enough to light the lamp, which was a great honour. King Mahabali got up on the stage and spoke, and he was revered by all who were present. It was great to see him and it was a fantastic occasion. The celebrations for this festival begin within a fortnight of the Malayalam new year and go for 10 days. All over the state of Kerala there are festive rituals, traditional cuisine, dance and music to mark the harvest festival.

The migrant community in South Australia in particular has been very keen to continue this culture and this tradition in our local area. I mentioned the lighting of the lamp, which was fantastic. They also performed a number of dances, including a women's dance that was performed in a circle around the lamp. It was explained to me that they celebrate this festival with a floral display on the carpets, known as a pookkalam, and different houses often decorate their carpets with these quite ornate and spectacular floral arrangements.

I mentioned the dancing, which was fantastic. To be there, to witness it and to see the community celebrate, was absolutely outstanding. There were young people and older people as well. I mentioned the women's dance, but to see the kids in particular get up on stage and celebrate and dance was very exciting for all who were there. I was truly blessed to see the smiles on the young children's faces. This community has made sure that their culture is being transferred through the generations in Adelaide.

I must say that the member for Fisher was also there enjoying the festivities and celebrations, and it was wonderful to be there with her, but she did miss the Onam sadya, the feast which I stayed for afterwards—and it was a wonderful feast. The food from the southern part of India is predominantly vegetarian; in fact, all the dishes served up were vegetarian. There were some beautiful banana and coconut dishes, and they use lentils particularly well. It was amazing, the way it was laid out. Traditionally, it is laid out on a big banana leaf, but we enjoyed it on a plastic banana, to symbolise the banana leaf.

There were a number of chefs—I think six chefs, in fact—who spent quite a long time preparing these beautiful meals. It was laid out and served on the imitation banana leaf. There were 26 dishes, if you can believe it, so we got to feast on these 26 dishes and they were absolutely sensational. The only one I skipped was the very, very hot chilli. I was advised to maybe give that one a pass. The food was delicious, and I must commend the chefs who took part in this. To trial the 26 dishes was absolutely outstanding.

Again, I would like to congratulate the South Adelaide Malayalee Community for putting on the Onam festival and, in particular, Nithin Mathai, who invited me along and got me there. Finally, this is also a great opportunity for me to acknowledge Ms Diya Justin, who was presented with a wonderful award for the great work she does in her community. I commend everyone involved.

HAPPY VALLEY BOWLING CLUB

Ms COOK (Fisher) (15:20): I am using my time today to talk about some of the sporting clubs I have had the pleasure of supporting in my electorate. I have been involved in sport all my life, along with many other members in this house, and it really is one of my priorities to support. The people of Fisher have a high degree of enthusiasm for sport and participation as families. Particularly at this time of the year, the passion is really evident. The traditional sports of football, netball, tennis and cricket are well represented from a club point of view, and I thoroughly enjoy attending these clubs regularly to support their participation, as well as attending many local schools to watch their sports there, which also includes soccer.

Firstly, though, I will talk at length about the Happy Valley Bowling Club. I have made many friends at the club and found them a really welcoming and friendly community. They have a great vision and enthusiasm, with a desire to engage in the community across a range of generations. In fact, their vision is not only to be a successful bowling club but also to be a very valuable part of the community by helping to introduce younger people to lawn bowls and building family involvement, plus giving the elderly an activity and a sense of belonging and worth in their latter years.

Over the past couple of years, I have spent time guiding and directing them regarding some funding opportunities and supporting them with their strategic planning. Recently, they have had small grant successes which have enabled the purchase of 16 sets of bowls for use in their highly successful night owls competition and social bowling. Small funding opportunities such as offered by government agencies, including the Office for Recreation and Sport in its Active Club Program, provide great platforms for growth and future development.

The Happy Valley Bowling Club was formed in 1983. It has gradually grown over the years from a small semi-country bowls club into a well-respected and successful metropolitan club, winning many pennant titles along the way. Recent successes are highlighted by the top ladies team, who last year finished minor round premiers in the state premier league. This is the highest level for women's bowling in the state pennant league competition.

Rather dramatic growth started in 2014 when Bill Downing, Bob Beaton and Ian Farrow approached the club board with a vision of conducting come-and-try days. The group wanted to bring young families and the elderly to the club so that the club could grow and the local community could experience the fun of lawn bowls. In 2014 and 2015, around 200 people attended these come-and-

try days. They were so successful that the club was able to start a second evening of night owls, accommodating an extra 120 social bowlers every Thursday night during summer.

Many of these bowlers have now progressed into pennant bowls, allowing the club to increase the number of teams competing on a regular basis. I entered my family in the Thursday night competition last summer and we look forward to playing in it again this coming summer. I am quite confident that none of us, however, is a threat to the pennant competition at this point. Probably our 15 year old is the biggest threat.

The new club president, Ian Farrows, who took over last season from club stalwart, Gibson Atherton, tells me that one of the wonderful things about obtaining a grant for the new bowls is that most of these new bowlers can now practise and play in night owls using the same quality bowls as pennant bowlers. This will help enormously their development, confidence and progression into pennant bowling. He has seen me bowl and I do not think I am included in that description. The addition of these new bowls also helps bowlers attending future come-and-try days to be taught right from the beginning using the best available bowls.

The Happy Valley Bowling Club is now in a position to investigate the possibility of inviting local high schools to bring students along to experience lawn bowls as well, a fabulous intergenerational relationship-building opportunity. They are a huge asset to our community. Thank you so much to the volunteers at the Happy Valley Bowling Club; you do a fantastic job. I look forward to attending the season launch this Sunday and apologise in advance for the first bowl that I have been asked to bowl. Be prepared for the donation for the wrong bias that may be coming your way after such a long break.

I would also like to take this opportunity to congratulate other local performers in recent winter sporting competitions. Congratulations to the Hub Netball Club on a very successful Southern United Netball Association winter season with premierships across a number of senior and junior competitions. In particular, the success of their A grade women continued back to back, with individual success for my dear friend and captain, Kendyl Dunk, who took out the best and fairest for the season, and Brooke Duffield, who took out the runner up.

The Hub were narrowly beaten by a wonderful Clarendon outfit in the Southern Hills A grade grand final, with Clarendon also winning two other finals on the day. Well done to the Reynella Football Club under 16s on their back-to-back undefeated season, and the Happy Valley under 18s who were beaten in the grand final but a great achievement to make it there. Well done.

GOVERNMENT PERFORMANCE

Mr KNOLL (Schubert) (15:25): I rise to talk about the importance of why governments need to keep their promises and to highlight in this instance where they have not and potentially the issues that come with that. At the moment here in South Australia, right at this very minute, the Convention Centre conference is being hosted, an extremely important conference that is being conducted by the people from OurWatch and the Australian Women Against Violence Alliance who, from 19 September until today, 22 September, are having a conference around 'prevalent and preventable', the International Conference on Practice and Policy in the Prevention of Violence against Women and Children.

Laudably, the government is the major sponsor for this event, and congratulations to the government on that. But perhaps the government was too embarrassed to let the conference organisers know that some of the information in their booklet was incorrect. I will go to page 7 where, under general conference information, the people of the conference are being advised that in the event of a medical emergency the nearest public hospital casualty department is at the new Royal Adelaide Hospital at the junction of West Terrace and North Terrace.

Unfortunately for the people who are attending this conference—and quite a number of them are obviously not from South Australia—they need to realise that the government has failed to deliver on that promise to have that hospital ready and open in time for this conference. For those at the conference who are potentially wondering why it is that the new Royal Adelaide Hospital casualty department is not open, like its major sponsor has promised it would be, it is because the government has failed to deliver this hospital on time and on budget.

In July 2007, the government decided to start building the new Royal Adelaide Hospital, at a cost of \$1.7 billion. Some of the first operative dates include technical completion on 19 January this year, with a commercial acceptance date of April 2016. Based on those figures, and on those dates, it would be reasonable for the conference organisers to assume that the hospital would be open and that, even if there were some delay, that that would not necessarily cause a problem. But there have been problems, and there have been many problems, and they start in March 2015 when SA Health decides not to implement EPAS into the old RAH and instead implements a light version at opening with paper records still being required.

Interestingly, in June the Auditor-General highlighted the dangers of implementing EPAS directly into the new RAH, and then we roll on to January 2016 when the first deadline—19 January, which was the first day for technical completion—was missed. Then between 29 January and 10 May the South Australian government issued 12 defect notices, of which at least a couple were acknowledged as valid by the SAHP. In February, we find that the project's independent certifier reports that the hospital is in a distressed state.

On 23 March this year, it emerged that this \$2.3 billion hospital we have just built does not have floors strong enough to hold the paper records that now need to be implemented because instituting EPAS into the hospital is not going to be completed on time. On 4 April this year, the second technical completion deadline is missed. It is potentially at this point that the government should have had a chat with these conference organisers to let them know that they were not going to be able to deliver the hospital as promised.

On 5 April then, the South Australian government issues a major default notice. In April and May, we see two draft cure plans submitted by the builder and SAHP asking for more time in order to be able to rectify defects. In July, we hear media reports about the fact that clinical trials cannot all be housed and subsequently, on 1 September, the government gives us some sort of solution, but again, many, including the AMA, remain extremely sceptical about whether this problem has been solved.

On 1 August, a report commissioned by the department itself reveals that only 80 per cent of pathology delivered at the old RAH will fit into the new hospital. On 25 August, the SA government launched legal action in the Supreme Court against SAHP. It was potentially at this point that the principal sponsors of this conference could have let the organisers know that this information was completely wrong.

We then have the last number of dates that have been missed. On 16 September, this week, the revised technical completion date came and passed, and it now looks as though it will be the middle of next year before this hospital is opened. The South Australian people certainly know that governments need to keep their promises and, for those who are at this conference, I urge them to head east along North Terrace, as opposed to west, in the case of any emergency.

STEM EDUCATION

Ms DIGANCE (Elder) (15:31): It is with great pride and excitement that I speak today about the STEM program announcement in the budget this year. The STEM program, giving focus to a program of science, technology, engineering and mathematics, incorporating chemistry and physics, through offering contemporary facilities combined with cutting-edge teaching and learning approaches, will help prepare students for future jobs in a wide range of industries from health through to defence.

In the budget, we welcomed a spend of \$250 million on building and/or upgrading 139 schools statewide which will give benefit to around 75,000 students. This is set to be one of the biggest investments in school infrastructure in our schools' history. I was particularly delighted when two schools in my electorate were included in this announcement: Forbes Primary School and Hamilton Secondary College. Forbes has received \$1 million and Hamilton \$2.5 million—a wonderful achievement, and a reward for their commitment to learning in this space and the relationship they are building between both schools, connecting primary and secondary school students.

Forbes Primary School, located on four hectares of land in South Plympton, has a long history, having opened in 1952. In the late fifties, at its peak, Forbes Primary School was the largest school of its kind in Australia with over 1,800 students. Today, the school has some students who

are third-generation attendees with a school population of around nearly 300. They have various linguistic, socioeconomic and cultural backgrounds.

With the opening of the Forbes Children's Centre on the site in 2010, there is now an extensive facility that caters for preschool and out-of-school hours care as well as schooling from reception to year 7. The precinct is now a one-stop shop for quality care and education for children and students aged from three months through to 13 years. There are also on offer many high-quality parenting courses and groups.

The other school, Hamilton Secondary College, was established in 1958 as Mitchell Park Boys Technical High School, which became coeducational in 1972. It amalgamated with Glengowrie High School in 1991, and the school was renamed Hamilton Secondary College. The college is a dynamic hub of activity comprising a secondary campus from years 8 to 12 and an adult campus where adults can undertake a wide range of pre-SACE, SACE, certificate, pre-university and vocational courses. Students with disabilities are also catered for with individual programs within the purpose-built disability unit. Hamilton Secondary College participates in the International Space School program and soon will commence work on its Mars project, enabling students to experience life on Mars.

I was delighted, on the day post the budget announcement, to contact the principals of both schools to congratulate them on this wonderful milestone in the life of their schools. Since then, I have attended both schools on different occasions to present the principals with certificates to commemorate this significant event. The ceremony occurred at the schools' respective assemblies where students were excited and engaged by the prospect of what the school would soon have to offer by way of this type of learning with them in the driver's seat, enabling them to experiment, innovate and take risks in a safe learning environment.

In addition to these events was an extra exciting day when a couple of weeks ago the official statewide launch of the STEM program happened at Forbes Primary School, where we were joined by Treasurer Tom Koutsantonis and Minister for Education, Susan Close. After the press conference, the animated and engaging interaction occurred with the students, who were ready to meet with us and show us what they had achieved when they had been encouraged in STEM activities. We witnessed and discussed the activities of robotics, computational programs, research and board games. The children were very enthusiastic and explained and demonstrated what they had heard. They clearly were delighted in their learning—a wonderful achievement.

I know that Forbes Primary School is nominated in round 1, with Hamilton in the second round. Works have already begun at Forbes identifying the appropriate area within the school grounds, and I look forward to that particular precinct being opened in the near future. I congratulate both schools. I know this has been extremely welcome in the community and that there is a lot of anticipation and excitement in the local area as we look forward to the STEM program being developed locally and indeed statewide.

FRACKING

Mr BELL (Mount Gambier) (15:35): I rise to talk about a controversial issue, but one I am quite passionate about. Make no mistake that this Labor government wants to frack the South-East. What is most concerning to me is that the Treasurer and the government will not acknowledge the concerns of the people in the South-East or look at a social licence and the right to operate in the South-East. Fracking has been a very controversial topic in my electorate, and the concerns of the people of the South-East of South Australia need to be taken into consideration.

It was the Liberal Party that committed to an inquiry before the 2014 election, which was subsequently moved by the Greens and supported by the Liberals in the upper house. That was nearly two years ago and the report has not been finalised. The inquiry is ongoing and has received in excess of 175 separate submissions, most of them raising concerns. The Victorian inquiry into fracking received over 1,600 submissions, and people need to note that Victoria is just 28 kilometres from Mount Gambier.

Victoria took that inquiry and has subsequently banned fracking in Victoria. Tasmania has a moratorium on fracking until 2020. The Northern Territory has a moratorium on fracking in the entire

Northern Territory with no expiry date. All these states and the Territory have issues around this, yet we have a Treasurer who will stand there and tell half-truths about fracking, and this is what I want to bring to people's attention.

The Treasurer will say that fracking has been occurring since 1964 in South Australia. That is true; however, in 1964 they used air to frack the rock. These days, they use a process called slickwater fracking, which has only been around since the early 2000s, more prominently around 2005 to 2008. Slickwater fracking is very different from fracking that occurred back in the seventies and eighties because it involves compounds and chemicals that are not readily known. In fact, on page 56 of the Victorian report into fracking, it says:

The exact chemicals used in hydraulic fracturing fluids can be classed as 'commercial in confidence' and not disclosed. ...it is difficult for regulators to assess the risks posed by chemical additives if it is not known what those [additives actually are].

The concerns from the residents of the South-East are as follows—and it is very different from the Cooper Basin—so I stand here not opposing fracking in South Australia but raising concerns from people in the South-East. Those concerns include the threat and contamination of aquifers, the proximity to residents and population base (Mount Gambier is the second largest city in South Australia), the impact on prime agricultural land, the impact on the image of clean and green, and of course the tourism impact. Clearly, there is no social licence to operate in the South-East.

I refer to the working papers for the Pacific Energy Summit 2013, which state that the terms 'social licence' or 'social licence to operate' generally refer to a local community's acceptance or approval of a project, or a company's ongoing presence. It is imperative to achieve this social licence for activities to occur, and I think we can see this in the nuclear debate that is going on in South Australia. The government is prepared to spend millions of dollars on that type of debate to gain a social licence, yet it is prepared to ignore the concerns in the South-East and the people's wishes down there. I quote from the Victorian government, which highlights some of the issues that we face. Premier Dan Andrews stated:

Our farmers produce some of the world's cleanest and freshest food. We won't put that at risk...Victorians have made it clear they don't support fracking and that the health and environmental risks involved outweigh any potential benefits.

Time expired.

GREAT AUSTRALIAN BIGHT OIL EXPLORATION

The Hon. P. CAICA (Colton) (15:41): Many of my constituents are greatly concerned at the proposal for BP to drill for oil in the Great Australian Bight. Their comments to me are that this is a ridiculously risky proposition and that it is crazy to allow for any form of drilling some 400 kilometres off the coast. They are worried that there will be an accident and that if there were, the resultant environmental disaster would be worse than BP's Gulf of Mexico disaster.

They say to me that these waters are amongst the most pristine ocean waters left, amongst the most isolated on the planet, and also the most savage and unforgiving waters, that these waters are home to the most unique intact marine habitat anywhere in the world. They say to me, 'Why? Why would we be even considering such a proposal?' I explained to my constituents that this is a commonwealth approval process in the waters under federal government control. They reply, 'What is your government's position?' My response is that we have yet, to my knowledge, determined a position—something that they say is unsatisfactory. Well, guess what—and it should come as no surprise—I agree with my constituents.

We have the nuclear fuel cycle that was just mentioned—it is a debate, a consultation, a discussion—and I have a view on this particular matter as well. At least under this process, I have an opportunity to engage because of the very public process that has been established. In the absence of any broad debate on this particular matter taking place in South Australia—and I do acknowledge the work of the Wilderness Society in public engagement on this matter—I will reveal my position and hope that it might contribute to a broadening of the debate. I say that it is absolute madness for BP (or any other proponent)—

Ms Chapman interjecting:

The DEPUTY SPEAKER: Order!

The Hon. P. CAICA: —to be allowed to explore and mine—

Ms Chapman interjecting:

The Hon. P. CAICA: —for oil in the GAB. I was a firefighter for almost 20 years, and in that time dealt a bit with risk management.

The DEPUTY SPEAKER: The deputy leader is on one warning.

Ms Chapman interjecting:

The DEPUTY SPEAKER: I don't care.

The Hon. P. CAICA: In dealing with risk, the most important consideration is benefit versus consequence; that is, what are the consequences of taking that risk? What I say is that the risks posed by this project are too great. The impact that a spill would have on our environment, on our wildlife and on every living thing that inhabits this environment is simply too great. I say that the risk to our coastal communities is simply too great. I say that BP's track record—and what better evidence is there than the Gulf of Mexico—should, in itself, warrant NOPSEMA to not approve this project.

Previously, a project like this would have been dealt with by government under the EPBC Act, but now falls under an independent regulator. This is too important a time for the commonwealth to wipe its hands of any responsibility by hiding behind an independent regulator. If a disaster occurs, it will stop with the government. It will also be the people in South Australia who will have seen their livelihoods, and the environment that sustains these livelihoods, lost, saying to us, 'Why didn't you speak up? Why didn't you do something that would have prevented this?' BP's own modelling under the worst case scenario indicates that anywhere across our southern Australian coastline will be and could be impacted, from Western Australia across to Tasmania.

I seek leave to insert into *Hansard* a table of purely statistical data produced by BP that reflects in percentage terms the likelihood of oil reaching locations across Australia should an environmental disaster like the one in the Gulf of Mexico occur.

Leave granted.

Table 5 Stochastic modelling results—summary of moderate shoreline contact: relief well scenario (149 days) with no oil spill response

Shoreline	Season	Probability of moderate shoreline contact	Minimum time before moderate shoreline contact (days)
Albany	Summer	14%	56
	Winter	23%	83
	Transitional	1%	203
Esperance	Summer	29%	39
	Winter	64%	61
	Transitional	7%	164
Great Australian Bight Marine National Park	Summer	20%	44
	Winter	97%	43
	Transitional	8%	183
Ceduna	Summer	17%	46
	Winter	56%	66
	Transitional	37%	29
Elliston to Coffin Bay	Summer	96%	19
	Winter	100%	10
	Transitional	100%	17
Port Lincoln	Summer	91%	37
	Winter	98%	15
	Transitional	100%	28

Shoreline	Season	Probability of moderate shoreline contact	Minimum time before moderate shoreline contact (days)
Yorke Peninsula	Summer	82%	51
	Winter	4%	102
	Transitional	100%	30
Adelaide	Summer	58%	66
	Winter	86%	20
	Transitional	97%	36
Kangaroo Island	Summer	95%	50
	Winter	94%	15
	Transitional	100%	27
Tasmania	Summer	46%	80
	Winter	19%	60
	Transitional	66%	61
Apollo Bay and Wilsons Promontory	Summer	56%	73
	Winter	70%	37
	Transitional	91%	61
New South Wales South Coast	Summer	3%	201
	Winter	41%	48
	Transitional	21%	110

The Hon. P. CAICA: The impact of an oil spill would be devastating for marine life, birds, coastline, fisheries and coastal communities. The risk is just too great. BP modelled a 149-day spill, that being the time it would take to drill a relief well to permanently stop a blowout. Even if BP were capable of capping the well in the 35 days, as it claims, it would still have a high chance of impacting Adelaide, Port Lincoln, Kangaroo Island and elsewhere.

It is important to remember that BP's Deepwater Horizon blowout spilled 800 million litres of oil into the Gulf of Mexico for 87 days. It is also important to remember that the proposed BP sites in the GAB provide a far more difficult scenario than the Gulf of Mexico when it comes to responding to a blowout, for reasons that are obvious. Why is such a project even being considered? It is madness for all the reasons I have mentioned. Scientific evidence shows that existing reserves of fossil fuels cannot be fully utilised. I say: why go looking for more? Focus on renewables.

I acknowledge and recognise that, to date, three coastal councils—Victor Harbor, Kangaroo Island and Yankalilla—have passed motions opposing BP's proposal. I believe it is likely that others will follow. It is time to broaden the debate. South Australians are entitled to be aware of what is being proposed and to have the ability to express their views. We should help this to happen. BP should release publicly its full oil spill modelling and its full oil spill response plans. That will assist in the debate.

Bills

BIOLOGICAL CONTROL (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

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) (15:46): Obtained leave and introduced a bill for an act to amend the Biological Control Act 1986. Read a first time.

Second Reading

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) (15:46): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Biological control is a highly effective tool for controlling pests and weeds that impact on agriculture and the environment by using the pest's natural enemies.

This Amendment Bill clarifies that viruses and sub-viral agents are included within the definition of an organism for the purpose of biological control to manage targeted pests.

The amendments address an issue that has arisen about the classification of viruses and sub-viral agents as living organisms and the possible legal implications this might have for agent and target organism declarations made under the biological control acts.

The *Biological Control Act 1986* (SA) is part of a national scheme of mirror legislation that is based on the Commonwealth's *Biological Control Act 1984*. Uniform legislation was passed by the State and Northern Territory Parliaments to establish a uniform and equitable system applying throughout Australia, to ensure that biological control programs that have been identified as being in the public interest could proceed without interruption by litigation.

The need for the acts was recognised in June 1983, when an injunction was obtained which prevented the release of insects to control Salvation Jane, an important pasture weed. A small group of stakeholders who believed the plant had beneficial qualities obtained the injunction on the grounds of the common law of private nuisance. With the advent of the Acts, biological control was able to proceed on Salvation Jane, which has been very effective in now preventing its dominance in pastures.

The Biological Control Acts were enacted to provide both a means of authorising the release of control agents and an equitable way of resolving a conflict of interests concerning biological control programs with a view to establishing public benefit.

As biological control programs have national implications, the acts establish the Minister of the relevant national council as the Biological Control Authority in each jurisdiction. The South Australian Biological Control Authority is committed to the Minister for Agriculture, Food and Fisheries as the member of the Agriculture Minister's Forum.

The essential elements of the Biological Control Acts are: (i) public opinion concerning a proposed biological activity must be widely canvassed; (ii) depending on the nature of any public comment, an inquiry may be held; and (iii) based on the information available, including the report of a public inquiry, the program may be declared under the Act and biological control agents may then be released. A declared program protects those authorised to conduct the program from any legal action for damages and precludes the opportunity to halt the program by means of a common law injunction.

This Bill will ensure that programs that use viruses or sub-viral agents for biological control of a pest can be conducted using the legal protections provided by the Biological Control Act.

I commend the Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Biological Control Act 1986*

4—Amendment of section 3—Interpretation

This clause substitutes new definitions of *kind* and *organism*, and replaces the term *live organism* with *prescribed organism*. The latter term is wider in meaning, including not only live organisms, but also viruses and sub-viral agents (other than live vaccines or resistant cultivars). *Organism* is redefined to include viruses and sub-viral agents, and the term *kind* is broadened to include species, sub-species and varieties of viruses and sub-viral agents.

5—Amendment of section 4—Biological control

This clause amends section 4 so that it provides that, for the purposes of the Act, organisms of a particular kind will be taken to be controllable by biological means if, and only if, those organisms can be controlled by the release of prescribed organisms (which may be viruses or sub-viral agents) of another kind.

6—Amendment of section 19—Agent organisms

This clause amends section 19 so that viruses and sub-viral agents can be declared to be agent organisms for the purposes of the Act. Action for a declaration can be commenced by a unanimous recommendation being made to the South Australian Biological Control Authority by the Agriculture and Resource Management Council, or by an application under section 20.

7—Amendment of section 20—Agent application

This clause amends section 20 so that an application can be made to the Authority to have viruses and sub-viral agents declared to be agent organisms.

8—Amendment of section 24—Notice of proposed agent organisms

This clause amends section 24 so that if the Council has unanimously recommended to the Authority that viruses or sub-viral agents of a particular kind should be agent organisms, the Authority must publish notices that the Authority is contemplating declaring those organisms to be agent organisms.

9—Amendment of section 28—Emergency declarations

This clause amends section 28 so that the Authority can in an emergency declare viruses or sub-viral agents to be target organisms or agent organisms for the purposes of the Act.

10—Amendment of section 29—Declaration of existing released organisms

This clause amends section 29 so that the Authority can declare viruses and sub-viral agents to be target organisms or agent organisms for the purposes of the Act.

11—Amendment of section 32—Declaration of organisms declared under a relevant law

This clause amends section 32 so that the Authority can declare viruses and sub-viral agents to be target organisms or agent organisms for the purposes of the Act if they have been declared as such under a relevant law (Commonwealth law, the law of another State, or the law of the Northern Territory).

12—Amendment of section 35—No legal proceedings to be instituted in respect of release of agent organisms under a relevant law

This clause amends section 35 so as to prohibit, subject to the section, the commencement or continuance of legal proceedings to prevent the release of viruses or sub-viral agents in accordance with a relevant law, or to recover damages in respect of any loss incurred, or any damage suffered, in this State, another State, or a Territory by reason of the release of such organisms in accordance with a relevant law.

Debate adjourned on motion of Ms Chapman.

RELATIONSHIPS REGISTER BILL

Introduction and First Reading

Ms HILDYARD (Reynell) (15:47): Obtained leave and introduced a bill for an act to make provision for the registration of certain relationships; to make consequential, related and other amendments to the Assisted Reproductive Treatment Act 1988; the Births, Deaths and Marriages Registration Act 1996, the Domestic Partners Property Act 1996, the Equal Opportunity Act 1984; the Family Relationships Act 1975; and the Wills Act 1936. Read a first time.

Second Reading

Ms HILDYARD (Reynell) (15:49): I move:

That this bill be now read a second time.

I am so proud to introduce this bill on behalf of our government. This bill is crucial to ensuring that all South Australians, and so many others, are treated with dignity and respect by our laws, to ensuring that all relationships are respected and to ensuring that we continue to move towards a community that is truly equal—goals that all of us in this house should always strive and aspire to achieve.

South Australia has a strong record of ensuring that relationships of all kinds are given the respect and acceptance they deserve through its laws. We have been a state that has rightly responded to the generations of brave activists who have spoken up for equality. Throughout our recent history we have made a number of changes to our legislation and policy in relation to lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) people, changes that are focused on including all South Australians in all aspects of South Australian community life.

Whilst we have achieved much, more must be done. What we are doing through this bill is part of that great tradition of striving to achieve equality and inclusivity, and it represents a significant

step on the road to finally ending discrimination. In January 2015, our Attorney-General gave the South Australian Law Reform Institute (SALRI) reference to inquire into and report on South Australian laws that discriminated on the grounds of sexual orientation, gender, gender identity and intersex status.

Following their review, SALRI released a number of reports. On 2 June 2016, SALRI released a report, entitled 'Rainbow families: equal recognition of relationships and access to existing laws relating to parentage, assisted reproductive treatment and surrogacy'. The report encapsulated SALRI's review of equal recognition of relationships and parenting rights and surrogacy in South Australia and recommended a number of changes that are indeed well overdue.

On 30 June 2016, SALRI released a report, entitled 'Lawful discrimination: exceptions under the Equal Opportunity Act 1984 to unlawful discrimination on the grounds of gender identity, sexual orientation and intersex status'. Some recommendations made by that report are complex, and consultation will occur to consider those recommendations. However, there are a number of recommendations in that report included in this bill to expedite the removal of discrimination from our legislation.

On 26 July, I was proud that this parliament passed the Statutes Amendment (Gender Identity and Equity) Bill 2016. The bill removed binary notions of sex and gender and amended provisions of South Australia's legislation which previously failed to set out how the law would apply to a person who is intersex or gender diverse. The bill also removed interpretive language in South Australia's legislation that had the potential to discriminate against people based on their relationship status. Today, our parliament is asked to take another important step forward to removing discrimination by passing legislation that will create a formal mechanism to recognise relationships through registration.

This bill, when passed, will create an option for couples in any relationship to more easily demonstrate their status when dealing with various bodies, including government agencies and service providers, in order to have their relationship rightly respected and to access their rights and entitlements. The bill will achieve this through the implementation of the recommendations set out in the SALRI equal recognition of relationships report as they relate to the establishment of a relationships register, amendment of access and eligibility provisions, the rules dealing with surrogacy and the recognition of legal parentage, and the amendment of the Wills Act 1936.

The relationship register, once established, will also ensure that South Australia is in line with the federal government's moves to remove discrimination of unmarried people, whether in heterosexual or non-heterosexual relationships. The commonwealth has amended its Acts Interpretation Act 1901 to define a de facto partner in its legislation to include partners in registered relationships under a prescribed law of a state or territory. This government will work with the commonwealth to have this bill added as a prescribed law once passed by the South Australian parliament.

This bill, once passed, will also bring South Australia into line with other jurisdictions that have relationships registers, including the Australian Capital Territory, New South Wales, Victoria and Tasmania. This bill recognises that people in South Australia choose to enter diverse types of relationships. Unmarried couples, whether in heterosexual or non-heterosexual relationships, will be able to register their relationships, receive a certificate of registration and know that their relationship is respected and recognised here in South Australia.

This register provides an important avenue for all couples to express their commitment to each other in a dignified and legally recognised way. This reform respects the dignity of unmarried couples. It does this by creating a mechanism through which couples can register their relationship with ease, and through this mechanism it will be easier for couples to prove that they are in a genuinely committed relationship. It will make simpler the process of seeking access to entitlements and to asserting their rights as a couple, including in situations of a medical nature.

Couples who choose not to register their relationships will not be disadvantaged, as the provisions regarding de facto relationships will not be altered by this bill. A registered relationship is not, of course, a marriage. Sadly, our South Australian parliament has no constitutional power to

legislate in relation to marriage; however, this bill does recognise the freedom of individuals to choose to enter relationships in diverse forms and provides legal recognition and support for that choice.

I turn now to the key features of the bill. The object of the bill is to provide for the legal recognition of persons in a relationship as a couple, regardless of their sex or gender identity, by registration of the relationship. The Registrar of Births, Deaths and Marriages will administer the register. Registration will be voluntary. A couple must apply to the Registry of Births, Deaths and Marriages to have their relationship registered. This recognises individual autonomy, with partners voluntarily choosing to register their relationship and to be bound by the legislation.

The effect of clauses 8 and 9 is that, on receipt of a valid application and after a 28-day cooling-off period, the registrar must register the relationship. The cooling-off period is designed to ensure that the decision to register a relationship is a considered one. Either party may withdraw his or her application during the cooling-off period. This has similarities with the commonwealth Marriage Act 1968, whereby at least one month's notice must be served before a marriage can be lawfully solemnised.

Clause 13 provides for automatic revocation of registration if one of the parties dies or marries. There is also provision in clause 10 to revoke registration of a relationship in cases where a relationship has broken down. To ensure that registrations are not revoked lightly and to encourage people to think carefully before entering into registered relationships, clause 11 creates a 90-day cooling-off period before a registration can be revoked. This is consistent with the New South Wales Relationships Register framework.

The bill also provides for the potential recognition of interstate registered relationships. Clause 26 provides that regulations may declare that a class of relationships registered or recognised under a corresponding law of another state or territory or another country are 'registered relationships' for the purpose of this act. This will ensure that couples who register their relationship in another jurisdiction and then move to South Australia do not have to reregister their relationship in this state. This will also provide for the automatic recognition of recognised overseas non-heterosexual marriages under South Australian law.

This provision is vital to ensuring that circumstances such as those experienced by the family of Mr David Bulmer-Rizzi upon his tragic death in South Australia can be avoided in the future. In our gallery today is David's husband, Marco, whom I had the absolute pleasure of meeting earlier today. Marco has flown from England to be here for the introduction of this bill. His struggle to ensure that his relationship—his deep love and extraordinary commitment—was given the dignity and respect that it deserved has been a driving force for pushing forward this agenda.

I commend you, Marco. I mourn with you. I thank you for your courage in taking up this fight. I offer my deepest apology for what you went through at the most tragic of times, and in moving this bill I give my absolute respect to your relationship and to the love that you shared with your husband. Together, we will ensure that no-one else will go through what you did. Together, we will ensure that all relationships are respected by our parliaments, by our government structure and, most importantly, by our communities.

This bill also makes a number of consequential amendments to other legislation to ensure that all the recommendations of the SALRI report are captured. Following the passage of this bill, a consequential amendments bill will also be introduced to address references to marriage-like relationships throughout South Australia's legislation and to ensure that, where relevant, those references are amended to take into account persons in registered relationships. It is also intended that the remaining recommendations set out in the SALRI report of 30 June 2016 will be fully considered in due course.

This bill is a crucial and strong step towards removing discrimination against unmarried couples, whether they are in a heterosexual or non-heterosexual relationship. It provides a mechanism for demonstrating their love and shared commitment and facilitates the recognition of such relationships for practical purposes. It also demonstrates our respect for the many diverse relationships in our community and across the globe, and rightly promotes a more inclusive South Australia.

Again, I commend Marco, and I recognise and respect his marriage to the love of his life. I commend the bill to this house and the step that it takes towards equality. I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Object

The object of this measure is to provide for the legal recognition of persons in a relationship as a couple, irrespective of their sex or gender identity, by registration of the relationship.

4—Interpretation

This clause sets out the definitions of words and phrases for the purposes of this measure, including the following:

the *Registrar* is the Registrar of Births, Deaths and Marriages within the meaning of the *Births, Deaths and Marriages Registration Act 1996* (the *BDMR Act*);

a *registered relationship* is a relationship that is registered under this measure.

Part 2—Registered relationships

Division 1—Registration

5—Eligibility for registration

This clause sets out the eligibility requirements for registration of a relationship under this measure and provides that 2 adults who are in a relationship as a couple, irrespective of their sex or gender identity, may apply to the Registrar for registration of their relationship.

A relationship cannot be registered—

- unless at least 1 of the adults resides in South Australia; or
- if—
 - either adult is married; or
 - either adult is already registered under this Act or a corresponding law as being in a registered relationship or a corresponding law registered relationship; or
 - either adult is in a relationship as a couple with another person; or
 - the adults are related by family.

6—Applications for registration

This clause provides for the application procedure for registration. An application for registration of a relationship is to be made in the form approved by the Registrar and must be accompanied by—

- a statutory declaration by each person in the relationship stating the following:
 - that the person wishes to register the relationship;
 - that the person is in a relationship as a couple with the other person;
 - that the person is not married;
 - that the person is not registered under this measure or a corresponding law as being in a relationship or a corresponding law registered relationship;
 - that the person is not in a relationship as a couple with a person other than the other applicant;
 - that the person does or does not reside in South Australia;
 - that the person is not related to the other applicant by family; and
- evidence of the identity and age of each person in the relationship; and

- the fee prescribed by the regulations; and
- any other documents and information prescribed by the regulations.

7—Cooling-off period for registration

This clause provides that the Registrar must not register a relationship before the end of the cooling-off period (being a period ending 28 days after the application is made) for the registration application (which application may be withdrawn at any time during the cooling-off period).

8—Registration of relationships

This clause provides that the Registrar must register a relationship in the Register as soon as practicable after the end of the cooling-off period if—

- the Registrar is satisfied that the relationship may be registered under this Act; and
- the application has not been withdrawn.

9—Commencement of registered relationships

This clause provides that a registered relationship will be taken to commence when the Registrar makes an entry relating to the relationship in the Register, including any particulars required by regulation.

Division 2—End of registered relationships

10—Applications for revocation of registration by parties

This clause provides for an application to be made by 1 or both persons in a registered relationship to the Registrar to revoke the registration of the relationship. The clause sets out the requirements for making such an application.

11—Cooling-off period for revocation applications

This clause provides that the cooling-off period for a revocation application is the period ending 90 days after the application for revocation is made. An application may be withdrawn during this period.

12—Revocation on application by 1 or both persons

This clause provides that the Registrar must revoke the registration of a registered relationship as soon as practicable after the end of the cooling-off period if an application is made under this Division and the Registrar is satisfied that the application has not been withdrawn.

13—End of registered relationships

This clause provides that the registration of a registered relationship is revoked—

- on the death of a person in the relationship;
- on the marriage of a person in the relationship;
- if an application for the revocation of the registration of a relationship has been made under the Division—when the Registrar makes an entry relating to the revocation of the relationship in the Register, including any particulars required by regulation.

14—Void registrations

This clause provides that registration of a relationship is void if—

- when the relationship was registered, registration under this measure was prohibited; or
- the agreement of 1 or both of the persons in the relationship to the registration was obtained by fraud, duress or other improper means; or
- when the relationship was registered, either party was mentally incapable of understanding the nature and effect of the registration.

Part 3—Relationships register

Division 1—Keeping the Register

15—Relationships register

This clause provides that the Registrar must maintain a register of registered relationships (the *Relationships Register*) which—

- must contain the particulars of each registered relationship required under this Act to be included in the Register in a form determined by the Registrar; and

- may contain further information if its inclusion is authorised under the regulations.

The Register may be wholly or partly in the form of a computer data base, in documentary form, or in another form the Registrar considers appropriate.

Division 2—Registrar's powers of inquiry

16—Registrar's powers of inquiry

This clause gives the Registrar power to conduct an inquiry to find out—

- particulars to verify information given for, or in connection with, an application for registration of a relationship or revocation of registration; or
- whether particulars of a registered relationship have been correctly recorded in the Register.

This clause is similar to section 41 of the BDMR Act.

Division 3—Correction of Register

17—Registrar's power to correct Register

This clause allows the Registrar to correct the Register—

- to reflect a finding made on inquiry under the previous Division; or
- to bring the particulars contained in an entry about a registered relationship into conformity with the most reliable information available to the Registrar of the registered relationship.

This clause is similar to section 42 of the BDMR Act.

Division 4—Access to, and certification of, Register entries

18—Access to Register

19—Search of Register

20—Protection of privacy

21—Issue of certificates

Clauses 18 to 21 mirror sections 43 to 46 of the BDMR Act.

22—Falsification of certificate etc

This clause mirrors section 53 of the BDMR Act.

23—Access policies

This clause mirrors section 47 of the BDMR Act.

24—Fees

25—Power to remit fees

Clauses 24 and 25 mirror sections 48 and 49 of the BDMR Act.

Part 4—Recognition of corresponding law registered relationships

26—General requirements for corresponding laws

This clause provides that the regulations may declare that a class of relationships registered or recognised under a corresponding law are *corresponding law registered relationships* for the purposes of this measure.

Without limiting the generality of that statement, the general requirements for a relationship to be registered or formally recognised under a corresponding law are that the relationship—

- must be between 2 adult persons; and
- must have been entered into consensually; and
- must not be between persons who are related by family; and
- must not be entered into by a person who is already married; and
- must not be entered into by a person who is already in a relationship that is registered or formally recognised under that law.

27—Corresponding law registered relationships taken to be registered relationships under this Act

This clause provides that a corresponding law registered relationship, that is not a marriage within the meaning of the *Marriage Act 1961* of the Commonwealth, will be taken to be a registered relationship under this measure, and a person who is in a corresponding law registered relationship may apply to the Registrar for a certificate to that effect.

Part 5—General power of review

28—Review

This clause allows a person who is dissatisfied with a decision of the Registrar made in the performance or purported performance of functions under this measure to apply to the Magistrates Court for a review of the decision. On such a review, the Court may—

- confirm, vary or reverse the Registrar's decision; and
- make consequential and ancillary orders and directions.

Part 6—Miscellaneous

29—False representation

This clause makes it an offence to make a false or misleading representation in an application or document under this Act, knowing it to be false or misleading. The penalty for the offence is a fine of \$1,250.

30—Unauthorised access to or interference with Register

This clause makes it an offence (the penalty for which is a fine of \$10,000 or imprisonment for 2 years) if a person, without lawful authority—

- obtains access to the Register or information contained in the Register; or
- makes, alters or deletes an entry in the Register; or
- interferes with the Register in any other way.

31—Regulations

This clause makes provision for the making of regulations for the purposes of the measure.

Schedule 1—Consequential, related and other amendments

Part 1—Preliminary

1—Amendment provisions

This clause is formal.

Part 2—Amendment of *Assisted Reproductive Treatment Act 1988*

2—Amendment of section 9—Conditions of registration

Section 9 of the principal Act makes provision for the kinds of conditions which must be imposed on the registration of a person authorised to provide assisted reproductive treatment under the principal Act. The first proposed amendment to this section provides for an additional condition of registration prohibiting the person from refusing to provide assisted reproductive treatment to another on the basis only of the other's sexual orientation or gender identity, marital status, or religious beliefs. Currently, a condition of registration prevents the provision of assisted reproductive treatment except where a woman or man is or appears to be infertile. This would be changed by an amendment that provides that such treatment may be provided if it appears to be unlikely that, in the person's circumstances, the person would become pregnant other than by an assisted reproductive treatment. The third proposed amendment achieves gender neutral language.

Part 3—Amendment of *Births, Deaths and Marriages Registration Act 1996*

3—Amendment of section 6—Registrar's functions

The proposed amendments to section 6 are consequential on the enactment of this measure.

Part 4—Amendment of *Domestic Partners Property Act 1996*

4—Amendment of section 3—Interpretation

The amendments proposed to section 3 of the principal Act are consequential on the enactment of this measure and make provision for domestic partners to include persons in a registered relationship.

Part 5—Amendment of *Equal Opportunity Act 1984*

5—Amendment of section 5—Interpretation

The amendments proposed to section 5 of the principal Act are consequential on the enactment of this measure and make provision for domestic partners to include persons in a registered relationship.

6—Amendment of section 29—Criteria for discrimination on ground of sex, gender identity, sexual orientation or intersex status

It is proposed to amend section 29 to prohibit discrimination on the ground of a person's intersex status and substitute binary language for gender neutral language.

7—Amendment of section 30—Discrimination against applicants and employees

8—Amendment of section 31—Discrimination against agents and independent contractors

9—Amendment of section 32—Discrimination against contract workers

10—Amendment of section 33—Discrimination within partnerships

11—Amendment of section 34—Exemptions

12—Amendment of section 35—Discrimination by associations

13—Amendment of section 36—Discrimination by qualifying bodies

14—Amendment of section 37—Discrimination by educational authorities

15—Amendment of section 38—Discrimination by person disposing of an interest in land

16—Amendment of section 39—Discrimination in provision of goods and services

17—Amendment of section 40—Discrimination in relation to accommodation

18—Amendment of section 45—Charities

19—Amendment of section 47—Measures intended to achieve equality

The amendments proposed in clauses 7 to 19 are consequential on the proposed inclusion in section 29 of the protection against discrimination based on a person's intersex status.

20—Insertion of Part 6A

It is proposed to insert a new Part after section 91 of the principal Act.

Part 6A—Practice guidelines

91A—Commissioner may issue practice guidelines

New section 91A makes it clear that the Commissioner may issue practice guidelines (to be published on the Commissioner's website) on any matter relating to the principal Act. In preparing practice guidelines, the Commissioner should consult with persons or bodies that the Commissioner considers represent the areas or persons to whom the practice guidelines will relate.

91B—Effect of practice guidelines

New section 91B clarifies that practice guidelines are not legally binding but a court or the Tribunal may consider evidence of compliance with practice guidelines if relevant to any matter before the court or Tribunal under the principal Act.

Part 6—Amendment of *Family Relationships Act 1975*

21—Amendment of section 10A—Interpretation

This amendment proposes to substitute the definition of *qualifying relationship* that is not substantially different from the current definition but uses language consistent with other proposed amendments.

22—Amendment of section 10C—Rules relating to parentage

This proposed amendment would amend new section 10C(3a) (which commences operation on 23 September 2016) to ensure the use of consistent language.

23—Amendment of section 10F—Interpretation

Part 2B of the principal Act provides for certain surrogacy agreements to be legal. Currently, the scheme envisages that there will be 2 commissioning parents in relation to a surrogacy contract. The proposed amendments to this Part (to be effected by clauses 24 to 27) will, subject to the conditions set out in section 10HA, allow persons in a registered relationship to enter into a recognised surrogacy agreement as commissioning parents and allow for a single person to be considered as a commissioning parent.

24—Amendment of section 10HA—Recognised surrogacy agreements

25—Amendment of section 10HB—Orders as to parents of child born under recognised surrogacy arrangements

26—Amendment of section 10HC—Ability to discharge order

27—Amendment of section 10HD—Court to notify Registrar of Births, Deaths and Marriages

The amendments to these clauses are consequential on the policy that would allow a single person to enter into a recognised surrogacy agreement as a sole commissioning parent.

Part 7—Amendment of *Wills Act 1936*

28—Insertion of section 19A

It is proposed to insert a new section 19A at the beginning of Division 4 of Part 2 of the principal Act dealing with the revocation of wills. It is intended that the action of entering into a registered relationship or revoking a registered relationship will have the effect of revoking a will just as getting married or terminating a marriage has that effect.

19A—Interpretation

New section 19A inserts definitions of *partner* and *registered relationship* for the purposes of the Division.

29—Amendment of section 20—Will to be revoked by certain events

The amendments proposed to section 20 of the principal Act use gender neutral language and provide that the entering into a registered relationship by a person will revoke any will previously made by the person in the same way that getting married revokes a previously made will. However, a will made in contemplation of the registration of a relationship will not be revoked by the commencement of the registered relationship contemplated.

30—Amendment of section 20A—Effect on will of termination of a marriage or registered relationship

31—Amendment of section 22—In what cases wills may be revoked

These proposed amendments are consistent with the amendments proposed to sections 19, 20 and 20A of the principal Act.

Debate adjourned on motion of Ms Chapman.

BIRTHS, DEATHS AND MARRIAGES (GENDER IDENTITY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 21 September 2016.)

The Hon. S.W. KEY (Ashford) (16:01): I would like to contribute to this debate because I think it is really important that we do continue with the social agenda that has been set not only through our Governor at the start of this session of parliament but also through the project that many of us have been involved in for many years with regard to social justice. Very simply, what this bill does is continue the social justice agenda that says that we need to make sure that all South Australians are valued in the same way and that we acknowledge the different relationships we have in our community.

In days gone by, Tasmania was seen as a very, very conservative place. I was a bit surprised, but also pleased, to hear a number of years ago that the end of the world had not happened in Tasmania because different relationships were recognised in our community. One of the things this bill will do, assuming it is passed, is acknowledge the fact that we have different relationships in the community and that people want to be acknowledged as having a significant relationship with another person.

The Tasmanian provisions not only cater for de facto heterosexual relationships but also for same-sex relationships. In light of the fact that equal marriage seems to be something that is into the future, this is also an important acknowledgement for people who do not necessarily want to be married but who would like their relationship registered as a significant relationship.

Years ago, Deputy Speaker, you and I were certainly involved in the process of trying to make sure that this happened and that there were the same rights and responsibilities for people in differing relationships and we ended up with the domestic partners provision. At the time, I must say I was very disappointed, but I actually think that was a very wise move and I stand here today saying that, if we are going to be consistent about recognising the different relationships in the community and the significance of people to each other in domestic relationships then, in hindsight, that was a way forward.

This is the next step on the road, and I commend this bill to the parliament. In doing so, I congratulate the Premier and the assistant minister, the member for Reynell, along with a whole team of people who have helped make this happen, on the fabulous work they have done.

The Hon. T.R. KENYON (Newland) (16:04): I must say that, in a very short space of time, I have given this bill quite a deal of thought. I will start by saying that I cannot begin to understand the way people who are in need of the provisions that this bill will provide, should it become law, are thinking and how they came to that point. It is not a criticism. Their experience is obviously so different from mine that it is impossible for me to get inside their head and understand the way they think and the way they feel. That is probably not surprising: it is difficult for many of us to do that for most of our fellow citizens, I suspect.

I approach it with some sympathy for the position that transgender people are in and the fact that it must be a deeply troubling position, where the physical fact of your being is in conflict with the way that you see the world and you want the world to see you. Given that, I completely understand why this bill has come to this parliament. I have said previously in relation to other bills, and I say again now because it is my approach to this parliament, that I have absolutely no hesitation in saying that I regard that everyone who has brought this bill to the parliament, supports this bill and will vote for it, does so with the best possible intention. I have no quibble with the fact that it is here or the good intentions of those people who bring it, but I do have a number of concerns with the bill and I will be opposing it.

In my ponderings on the bill and the issues behind it, one of the things that has occurred to me is that probably part of the reason people feel the need to change their gender (and, again, it is my best guess because I cannot begin to understand how people have got to this point) is because of society's expectations of people, in my view. I think our role as a society is to accept people as they are, and it is hard for me to go past the physical fact that someone is either male or female and there is very little that can be done to change that. You can undergo surgery, of course, but that surgery cannot instil the full biological functions of a person one way or the other. A female cannot become a fully functioning male and a male cannot become a fully functioning female.

That is at odds with the way those people who seek that see themselves in the world, and I wonder whether they got to that point simply because society has such a way of viewing gender—male and female and what is acceptable as a male and what is unacceptable as a male, and vice versa—that these people feel so out of sorts about their place in the world that the only way they can see to reconcile themselves with the world is as a person of the opposite sex.

I think that is really down to us, and I am, personally, as guilty of this in my view of what gender is and is not and also what it means, from my perspective, to be a man and what it means to be a woman. It is through attitude and through the slightest way of talking to people or treating people that we continually reimpose these gender stereotypes and the way we say people should be.

It seems to me that that is having the cumulative effect of saying that someone might feel that they are so alien to that that they need to change their gender, and I think that is on us. The problem here is not the law. The problem here is the way society is operating, the way people approach other people, including me, but I suspect more than just me. I am not the only one here who might be bailed up on that issue.

I think the challenge for us as a society is not so much a change in the law but a deep change in the way we approach each other, the way we look at each other and the way we accept each other. This bill works around that. In some ways it is the easy way out because it gives us as a society an easy way to get around this problem, which is a more fundamental problem of society than just the laws and the rules of our society.

Coming from that perspective, I must say that I have a couple of concerns with the specifics of the bill, firstly with children under the age of 16. I acknowledge the difficulty that some students and children under 16 are going through in dealing with the way they perceive themselves and the way they walk through this world. I do not seek to underplay the difficulty of that, but they are children. My view on kids, and I have tried to bring this in with my own kids, is that you just have to let them get through their childhood. As they get older, they will sort themselves out, and they can make a number of really serious decisions as they get older and once they reach adulthood.

One of the clauses here allows people over the age of 16 to take part in this process. I have seriously thought about amending that to 18. The technical problem with that, of course, is that we would need to change the medical procedures act, as I understand it, to change access to a medical procedure that already exists and has already been decided on by the parliament. I suspect I will not proceed with an amendment in that area, but I will just highlight again that I think it is incumbent upon us to allow children the space that they need to grow and to come to their own conclusions and then eventually make their decision when they are in a position to do that.

I know there are provisions within the bill for society to assure itself that children are of a sound mind and everything else, but I am firmly of the opinion that they are not. They are children. They need that time before they start taking steps that they may later wish to reverse, or whatever else may go on. I know that some of my children's friends at school are going through the same process. They are working out who they are and where they should be, and I think we should allow them the space to do that without parents or anyone else seeking to impose—in fact, I do not think parents would seek to impose it upon them. We should just pull people up a little bit short and say, 'Just give yourself some time and, when you get there, you can make that decision as an adult.' We say 18 for so many things. I personally think it should be 18. I think it is impractical to make it that at this point.

The second issue of concern to me in the bill will come as no surprise to anyone here. It is the provisions around marriage. As this house would know, I am a supporter of traditional marriage, that marriage is between a man and a woman. That is how I view life. I have voted in this house on this matter before. The provisions in this bill are a de facto way of same-sex marriage, essentially. While that is a debate that the federal parliament may have to have, or a debate that society may have to have in the event we go to a plebiscite, it is an area of federal purview. It always has been, and it should remain that way. Obviously, I say that for my own reasons and from my own view of what marriage is, but I do not think we should be trying to going around that in a de facto way to circumvent that federal law as it currently stands.

I will be asking some questions around residents born outside of Australia because I have not even got to thinking deeply about that, so I just give the parliamentary secretary some notice that I will be asking her about how that came about and, more importantly, why it is necessary. I will also be asking some questions on who has access to information about people's original history. As I told the house not so long ago when speaking on the presumption of parenting bill, a person's history is important.

The fact that they are able to access that history is important but, down the track, it is also important that historians and others are able to, in the fullness of time, access that information, as is currently the case. Given that birth certificates and, in this case, a fundamental part of someone's identity is being sought to be changed, I am keen to make sure that there are adequate safeguards around security and that police and security agencies have access to that data for the purposes of policing and also for security.

I note the use of an old birth certificate to deceive has become an offence, and I think that is a good thing. I would not doubt someone's genuine desire to change their gender and do it for their own reasons, but it is good that it becomes an offence to try to manipulate that change in identity for their own purposes, in anticipation of what I think is unlikely but may happen.

I also approve of the identity protections for children and the limiting of availability of that sort of information for both adults and children down the track, once the change is eventually made, should that be the case. With those words, I indicate to the house that I will be opposing the bill. In the event that the bill passes, I will be seeking to make some changes around some of the clauses.

Ms HILDYARD (Reynell) (16:18): Thank you very much to everybody for their contributions to this debate. It gives me great pleasure to speak today and to close this second reading stage of the debate. This important bill, introduced by our Premier, of which I now have carriage—the Births, Deaths and Marriages (Gender Identity) Amendment Bill—forms an important part of our government's commitment to implementing the recommendations of the South Australian Law Reform Institute's work to eliminate discrimination against our LGBTIQ community. Days in this place when you have the opportunity to help make life better for our fellow community members are the

best ones. This bill does just that, and that is why I am proud to stand before you today and to speak in favour of it.

SALRI has widely consulted our community on the content of this bill, and I hope that it broadly reflects what members of our community affected by it would like to see in our laws. As I have said in moving other bills that have been developed as a result of the work that our government asked SALRI to undertake, the passing of this bill will affect only a small group of South Australians but, for those whom it does affect, the outcome is significant and represents the laying down of another plank in our pathway to eliminating all forms of discrimination against South Australians and particularly against our LGBTIQ brothers and sisters.

In speaking to this bill, I also mention the important work of the Legislative Review Committee of this parliament. On 12 April 2016, the committee released the report of its inquiry into the Sexual Reassignment Repeal Bill 2014. This bill includes recommendations from that report, as well as the SALRI report. The committee was very clear that work had to be done to change the current situation, and I am proud that we have taken swift and decisive action to do just that. I would like to take the time to respond to some of the specific concerns raised during the second reading debate.

Firstly, I think it is very important that the house be made aware that a process already exists for people to have a sex or gender identity reassignment in South Australia. This system of registering is no longer appropriate for the people it impacts and has been the subject of extensive review by SALRI and the Legislative Review Committee of this parliament. Both bodies independently concluded that the current process is very difficult to access and use and requires amendment to ensure the process is more direct, easier to access and better reflects the needs and expectations of people in our community.

Intersex prevalence was also an issue raised in this house during the debate. 'Intersex' is a term for people born with atypical physical sex characteristics. There are many different intersex traits or variations. The World Health Organisation notes that estimating the birth prevalence of intersex is difficult because definitions of intersex differ. Regardless, the World Health Organisation uses estimates of between one in 300, for genital anomalies, to one in 4,500 births, for genital anomalies for which sex assignment is difficult.

Research into the frequency of individuals receiving corrective genital surgery shows that between one and two of every 1,000 live births (or 0.1 to 0.2 per cent) receive such surgery. Complete data specific to South Australia is not collected. However, data is collected by the Pregnancy Outcome Unit of SA Health for instances of children born classified with indeterminate sex, often based on the presence of particular physical sex characteristics). Between 2002 and 2013, nine indeterminate sex births were reported by SA Health.

In Australia, a small number of people have undertaken a process to be legally recognised as neither male nor female. Unfortunately, others in our community who identify similarly, but for various reasons, including legal difficulty or inconsistency across jurisdictions, are not able to be legally recognised as such. In July 2016, the Statutes Amendment (Gender Identity and Equity) Bill 2016 was passed by this South Australia parliament. Amongst other things, this bill inserted the term 'intersex status' into the Acts Interpretation Act, therefore beginning the process of recognising people who identify as intersex.

I would also like to refute some claims made by the honourable member for Schubert. He referenced the American College of Pediatricians, noting their view that human sex is binary and that gender dysphoria is temporary. Although its name makes it sound like a credible professional organisation, in fact the recognised professional organisation for paediatricians in the US is the American Academy of Pediatrics, with over 60,000 members.

By contrast, the American College of Pediatricians has a membership estimated at between 60 to 200 people and has been designated a hate group by the Southern Poverty Law Center, placing it in the same category by them as the Ku Klux Klan. The 36,000-member American Psychiatric Association, which defines mental illnesses through its Diagnostic and Statistical Manual of Mental Disorders, notes that it is important to note that gender nonconformity is not in itself a mental disorder.

An assertion was also made yesterday that the register of births contains only biological facts. Firstly, the register of births, deaths and marriages lists names which are not biological issues. Secondly, there are already multiple times when a birth certificate can change during someone's life. For example, birth certificates can change as people change their names, in the case of adoption or, indeed, when there are changes to sex under the current process. The objects of the Births, Deaths and Marriages Registration Act state that it provides not only for the registration of life events, but also for the collection and dissemination of statistical information. The Australian Government Guidelines on the Recognition of Sex and Gender state:

...the preferred Australian Government approach of collecting and using gender information, with sex only being collected where there is a legitimate need.

Yesterday, this bill was referred to as a 'Trojan Horse' for marriage equality. This bill in no way enables same-sex marriage, as the South Australian parliament does not have the power, sadly, to legislate on this matter. This power is exclusively held by the commonwealth government under the Australian Constitution. Members may wish to refer to the current ability of people to change sex/gender there.

The age of consent for various things does vary across jurisdictions, and even within jurisdictions. For example, the following Australian states legislate the age of consent for sexual interaction as 16 years: the Australian Capital Territory, New South Wales, Northern Territory, Queensland, Victoria and Western Australia. South Australia and Tasmania set the age at 17. In relation to medical consent laws, however, the South Australia (Consent to Medical Treatment and Palliative Care Act 1995) allows children aged 16 and over to make medical decisions independent of their parents and guardians.

The member for Hammond's assertion that people will seek to make this application 'on a whim' is insensitive and, frankly, potentially offensive to the many gender diverse people in our community who face issues. The process proposed to change legally registered sex/gender identity will be found in the Births, Deaths and Marriages Registration Act 1996. Applications would be subject to section 51 of the act, which makes it an offence to make a false or misleading representation in an application or document under the act, which would, of course, include changes of sex or gender identity. The penalty carries a maximum fine of \$1,250.

Further, applicants must provide a statement from a medical practitioner or psychologist that certifies the applicant as having received or currently receiving appropriate clinical treatment in relation to the person's sex or gender identity. *The Good Medical Practice: A Code of Conduct for Doctors in Australia*, published by the Medical Board of Australia, requires doctors to be honest and not misleading when writing reports and certificates and only signing documents they believe to be accurate. The code was endorsed by all Australian, state and territory medical boards, and the Australian Medical Council. It is issued under section 39 of the Health Practitioner Regulation National Law Act 2009. Doctors making false statements risk findings of unprofessional conduct.

I will take a few minutes to talk further through some of the specifics of this bill. As mentioned, one of the major features of this bill is the repeal of the Sex Reassignment Act 1988. The act sets out the process and requirements to enable a person to change their sex on the SA register of births. Currently, before this can be changed the person wishing to do so must seek a recognition certificate from a magistrate. This certificate declares that the person has undergone a reassignment procedure that includes:

A medical or surgical procedure (or a combination of such procedures) to alter the genitals and other sexual characteristics of a person, identified by birth certificates as male or female, so that the person will be identified as a person of the opposite sex and includes, in relation to a child, any such procedure (or combination of procedures) to correct or eliminate ambiguities in the child's sexual characteristics.

The magistrate must also be satisfied that the person believes that their true sex is the sex to which they have been reassigned, and has adopted the lifestyle and has the sexual characteristics of a person of the sex to which the person has been reassigned, and has received proper counselling in relation to their sexual identity.

As many members of the house would know, these are quite significant and often expensive hurdles that people who wish to change their gender must conquer. They are often time consuming and take from a person the authority to make decisions about their own life and identity. It is important

that this house decisively notes that the time of the Sex Reassignment Act is long over. It was well meaning when introduced but ultimately misguided. The act currently includes mechanisms for the minister to approve of hospitals and medical practitioners carrying out sexual reassignment procedures.

I am sure the house can agree that these decisions are best left to medical professionals. Indeed, while in the 1980s it might have been considered landmark legislation, it is now quite odd that a small subset of the medical profession is subject to overview not afforded to the rest. I believe that members of the public would be relieved to hear the decisions about medical treatment are being returned to the profession which is best placed to make them. This bill also amends the Births, Deaths and Marriages Act. The amendments to this act include:

- providing for flexibility to register non-binary births in South Australia;
- enacting a direct application process for adults to change their registered sex and/or gender;
- enacting a process for children to change their registered sex and/or gender with, of course, appropriate safeguards;
- removing the requirement for gender reassignment procedure (medical or surgical) as a prerequisite for registering a change of sex or gender identity;
- allowing a married person to make an application for registration change;
- enacting provisions that prevent a change of sex or gender from eliminating a person's entitlement under a will or trust, unless the will or trust provides otherwise;
- enacting a provision that requires new birth certificates to only show an altered record of sex and/or gender, without a reference to indicate that a change has occurred;
- prohibiting access to a birth certificate showing a person's sex and/or gender before the alteration of the record to anyone other than the person, a child of the person or a prescribed person; and
- prohibiting the use of an old birth certificate that shows a person sex and/or gender before the record was altered.

The first key point to note here is the focus on ensuring a direct process for adults to make their own choices about their registered sex or gender. The current process is clunky and cumbersome and must be reformed. The other point to focus on is the ending of the practice of forced divorce when a married person changes their registered sex.

Sadly, we have not yet achieved marriage equality, and currently a person who changes their gender whilst in a heterosexual marriage must show proof of divorce before they can register their change of sex or gender. The Family Court of Australia has decided that, for the purposes of ascertaining the validity of a marriage under Australian law, the question of whether a person is a man or a woman is to be determined as of the date of the marriage. This bill means that a change in sex or gender would not prevent the marriage from remaining valid. The Law Society, who published their view of this bill this Tuesday, stated:

It is a basic right of human dignity to live a life in accordance with a gender identify you hold. Being forced to be formally classified as the opposite gender to that by which you identify yourself can be traumatic, dehumanising and, obviously, unfair.

The Law Society also made a formal submission around this bill in support of the initiatives included and I thank them for their support. This is not a perfect bill. It does not go far enough for many members of our community. I understand and respect this and I say to those people that this is not the end of this work. I say to them that progress, steps forward, are always a win.

I say to them that the struggles continue and I quote from President Obama's speech at the 2012 Democratic National Convention: 'If you turn away now, if you buy into the cynicism that says that change is impossible, change will not happen.' The changes we make here today will have real and genuine positive impact for members of our LGBTIQ community. I would not stand here today

and advocate for these changes if I did not believe they would make life easier for people who have tragically and wrongly been marginalised and oppressed. I am proud to stand with our Premier and publicly state that we will not allow any members of our community to feel alienated by our laws.

History shows that all progressive change takes time. The changes we are making this year are a result of years of active community members working together to achieve results, step by step. In supporting this bill and commending it to this house, I pay tribute to the work of our LGBTIQ community to achieve this outcome over so many years. I look forward to continuing to progress legislation that supports, empowers and includes all South Australians. I look forward to passing this bill as another step on the road to progress. The fights are not yet won, but each day we edge a little closer. In passing this bill, we continue to move towards a community and legislation that are free of discrimination.

In closing, I place on record my sincere thanks to SALRI for its work on this and the other bills that move us closer to that place and also to Lachlan Cbich and Annetay Henderson-Sapr for their deep commitment to that end and for their extraordinary work and wise counsel on this bill. I again commend the Premier for his resolve to see this and these other bills progressed and pay tribute to his longstanding commitment to standing alongside our LGBTIQ community to end discrimination.

Finally, I extend and place on record my sincere thanks to Rhiannon Newman from my office for her relentless capacity to shine a light on the difficulties and inequities our most marginalised South Australians face and ensure they are afforded equal rights to equally participate in every aspect of community life. Happy 30th, Rhiannon.

The house divided on the second reading:

While the division bells were ringing:

Ms Chapman interjecting:

The SPEAKER: The deputy leader will not disrupt the division.

Ayes 19
 Noes 19
 Majority..... 0

AYES

Bedford, F.E.
 Caica, P.
 Cook, N.F.
 Gee, J.P.
 Key, S.W.
 Picton, C.J.
 Wortley, D.

Bettison, Z.L.
 Chapman, V.A.
 Digance, A.F.C.
 Hildyard, K. (teller)
 Marshall, S.S.
 Rankine, J.M.

Bignell, L.W.K.
 Close, S.E.
 Gardner, J.A.W.
 Hughes, E.J.
 Odenwalder, L.K.
 Redmond, I.M.

NOES

Brock, G.G.
 Griffiths, S.P.
 Koutsantonis, A.
 Pengilly, M.R.
 Snelling, J.J.
 van Holst Pellekaan, D.C.
 Wingard, C.

Duluk, S.
 Kenyon, T.R.
 Mullighan, S.C.
 Piccolo, A.
 Tarzia, V.A.
 Whetstone, T.J.

Goldsworthy, R.M.
 Knoll, S.K.
 Pederick, A.S.
 Rau, J.R.
 Treloar, P.A. (teller)
 Williams, M.R.

The SPEAKER: There being 19 ayes and 19 noes, I give my casting vote with the noes.

Second reading thus negated.

JUDICIAL ADMINISTRATION (AUXILIARY APPOINTMENTS AND POWERS) (QUALIFICATION FOR APPOINTMENT) AMENDMENT BILL*Final Stages*

The Legislative Council agreed to the bill without any amendment.

RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL*Final Stages*

The Legislative Council agreed to the bill with the amendment indicated by the following schedule, to which amendment the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 6, page 3, after line 25—Insert:

(2) Section 97B(7)—after 'section,' insert:

or if any other abandoned property is sold by the landlord,

Consideration in committee.

The Hon. L.W.K. BIGNELL: I move:

That the Legislative Council's amendment be agreed to.

The DEPUTY SPEAKER: I am just asking if there is any opposition.

Mr GARDNER: We encourage the government to accept more amendments from the Legislative Council in future.

Motion carried.

SUMMARY PROCEDURE (ABOLITION OF COMPLAINTS) AMENDMENT BILL*Final Stages*

The Legislative Council agreed to the bill without any amendment.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL*Final Stages*

The Legislative Council agreed to the bill without any amendment.

Mr Duluk interjecting:

The DEPUTY SPEAKER: Order, member for Davenport!

An honourable member: He's been doing it all day.

The DEPUTY SPEAKER: He has. If you had that scarf on I would be using it on you in a most unceremonious fashion.

*Adjournment Debate***STORMWATER MANAGEMENT**

Mr GARDNER (Morialta) (16:44): It is a great pleasure to have the opportunity to speak on an adjournment debate. Tonight, I want to talk about some of the issues confronting some of my residents caused as a result of the floods last week—in particular, those impacted by the extraordinary damage done to Montacute Road. For anybody who has not had the chance to see some of the footage that is quite easily available on the internet of the way that road has been washed away, it is a healthy reminder to anyone of the power of nature over our human constructions.

The DEPUTY SPEAKER: Mother Nature.

Mr GARDNER: The power of Mother Nature, as the Deputy Speaker correctly advises, over our human frailties. The fact is that we, with our human frailties, must do what we can with our ingenuity and our endeavours to look after our community. We have a community of some several hundred people living in Montacute—

Members interjecting:

The DEPUTY SPEAKER: There is a lot of noise on my right.

Mr GARDNER: —Cherryville, Castambul, Marble Hill and surrounding districts who rely very heavily on Montacute Road for their everyday business, their work, their play, their leisure activities and, critically and importantly in the months ahead, their safety. We are probably only a matter of weeks—six to 10 weeks, depending on where the delineation is—from fire danger season.

Members interjecting:

The DEPUTY SPEAKER: Order! There is too much noise in the chamber and I cannot hear a single word the member for Morialta is saying. If you have conversations, take them outside the chamber, please. That means the members to your left as well.

Mr GARDNER: The simple fact is that, with that fire danger season so rapidly approaching, we have a situation where the main arterial road for these communities is currently completely out of action, and the early reports were that it could be out of action for several months. This is a serious concern if a fire were to take place in the Adelaide Hills, for example in the month of November, as we have seen in recent years, of course, last year we saw the Pinery fire in November.

If a fire was to occur south of Marble Hill or Cherryville so that the Norton Summit Road was inaccessible for residents to get out, Montacute Road out of action means we are talking about potentially dozens of cars trying to escape down the Corkscrew Road, a road that everybody would be familiar with from the Tour Down Under cycling race. Members may remember that extraordinary footage of cyclists trying to get around it, but imagine trying to get three or four dozen cars around it an emergency.

Obviously, we want our residents not to be in their homes in the case of a fire. On a catastrophic fire danger day, obviously we want people to have made other arrangements and not be present, but we must prepare for the worst, and preparing for the worst means doing everything we can to ensure that Montacute Road is open in time for the fire danger season. I will go a step further than that.

We have a series of important businesses for Adelaide and South Australia's Christmas season, that is, our cherry growers. These businesses rely on their sales starting on 1 November. They make the overwhelming majority of their profits in those months of November and December, and there are several cherry growers, of course, whose businesses are located on Montacute Road. Those businesses are inaccessible through Montacute Road at the moment, and to get to them, it is a long way around. Of course, it is a long way around up Norton Summit Road, which takes you past a great number of other cherry growers. So, obviously those cherry growers who are living and working in Montacute are very concerned at the moment that they have the opportunity for Montacute Road to be open by 1 November so they can sell their cherries. That is very important for those local businesses.

We understand that, for fire safety reasons in particular, the road must be opened as soon as possible, and for the local economy in Montacute the road must be opened as soon as possible, preferably by 1 November. That then leaves the practical question of: can it be done, how can it be done and who is responsible? This is a council road, it must be said. The Adelaide Hills Council owns the road as a result of a historical anomaly, it seems.

The department relinquished the road to the East Torrens council, which no longer exists, despite the fact that it was an arterial road of a nature that one would expect would normally be in state hands. There are other smaller roads in my electorate—for example, I am thinking of the road that goes along the top of the Morialta Conservation Park picnic area, which goes from a council area up to the entrance to the conservation park's walking trails. That is a state road, yet Montacute Road is not.

So the Adelaide Hills Council does have the legal responsibility for Montacute Road and they understand that, but it is odd that it is a council road. Because of the extraordinary nature of the devastation and the fact that this is an arterial road that is important to service several communities in the Hills in my electorate, it is important for the state government to help out. I spoke to the council's

senior administration on the day after the floods and talked about the challenges they had ahead, and they were assessing the damage at the time.

I wrote to the Minister for Transport last week and was pleased that he got in touch with me on Monday to identify that he had had a look at it, and we started making arrangements for me to talk to some of his officers about it. He also, in the house, made some comments on Tuesday to the extent that, and I quote, 'the government is prepared to assist them where we can'. It is important that they do.

I met with senior engineers and officers from the transport department yesterday morning and had a talk about this and impressed on them the critical importance of finding a solution to get this done as quickly as possible and that there may need to be some state government support. They identified some suggestions, one of which was that there might be a two-stage solution where the road could be temporarily opened, at least with one lane but preferably with two lanes, with a quick job by November or December, but with longer term work to be done after Christmas and into next year in time for next year's floods to ensure that such an event would never again cause the same problem. It would potentially be some expensive work.

They have now agreed to sit down with the council, and that is taking place on Monday. I hope that, with the council and the Department of Transport working together, we can find a solution that gets that road open in time and that will provide the long-term fixes needed to improve the quality of the road. If there needs to be support from the state government, that support should be forthcoming. I look forward to keeping the house apprised of developments on this matter. We will be keeping a very close eye on it.

POLICE NUMBERS

Mr GRIFFITHS (Goyder) (16:51): I wish to make a brief contribution in regard to a petition that was tabled earlier this week, on Tuesday, signed by 1,250 people, seeking an increased police presence in the Moonta, Moonta Bay and Port Hughes community as part of the Goyder electorate and within the Copper Coast area. I have had many discussions with the members of the community who have been pushing rather hard for this. The petition tabled this week builds upon a petition tabled, I believe, in March with about 950 signatures, making a very similar request of the Crown to ensure support for the now closed Moonta police station (which has been closed for about eight years) to be reopened, or to have an increased police presence.

I can say that I am grateful for the fact that I have had regular discussions with senior police officers and explained to them (as have the people involved in collecting signatures for the petition) about the need. We have quoted some examples of some response times which have caused concern in the community, particularly for older members who, often living by themselves, want a quick and rapid response from our police—which they do their absolute best to achieve, but it has been evident to me that there has to be some assistance provided. These are good, law-abiding people who believe in a police presence but they want to make sure that they see them in a more practical way.

In the modern age we live in, people who choose not to obey the law seemingly are in contact with each other via these things that we hold in our hands and put in our pockets all the time, and it allows them to circumvent where police patrols might be. The community I have been talking to wants to see police walking down the streets a bit more often, and police vehicles there, which creates some staffing challenges. The police have been very good in agreeing to do their best to comply with these requests.

For those who are not aware of it, policing on the Copper Coast is controlled by the Kadina station. There is no station in Wallaroo or Moonta any more. In that station, there are probably about 25 officers, who have a variety of responsibilities. They work in shifts, so there is a 24-hour coverage and we have an excellent level of support across the community, but the request that has come from the Moonta area is for this petition to be recognised.

I have contacted minister Malinauskas and he has been good enough to speak to me about it in the Goyder electorate when he was visiting regarding other portfolio responsibilities (probably about a month ago). He has pointed out that police resources issues are the responsibility of the

commissioner. I have written to the commissioner trying to identify if there are any particular trigger points that create the need for a police presence to be permanently located within a township, and I have had some good feedback on that, but it is still a very emotive issue in the community which has resulted in this petition being tabled.

The community is working hard to engender more support for it. I know that there is a desire for a presentation to occur to the District Council of the Copper Coast, hopefully within two weeks, trying to get the council to be supportive. Two elected members of the council and I have met with some of the community people driving this effort, and we have had some rather frank discussions about it. We played the devil's advocate to those who are proposing the need for an improved police presence in the town, about the complications that it represents, but we are still trying to work through the issues.

I commend the community members who have worked very hard to get community support for this. I have seen the effort they have made in putting petition papers in all the businesses that operate within the town, with regular follow-up and ensuring that the petitions always had opportunities for more signatures to be attached. They have collected that and provided a copy to me. They have ensured that the local media is aware of this to make others in the community aware of it.

It is an example, and indeed a very profound example, of no matter what the age of the person—and it is fair to say that the two people I have worked primarily with on this are part of the older members of our community—they are very passionate about what they want and they are not people who easily take no for an answer, nor should the community take no for an answer. They want particular things and if they cannot get them they want to know why, and they want to know the reasons why, and they want to see improvements still occur.

Some ongoing dialogue will occur between community members and police, and local government and myself. I believe very strongly that the police response to this is going to be an assurance that they will be in the town a lot, even though Kadina is only 14 kilometres away from Moonta, to ensure that safety is the paramount issue. This concern stems from an unfortunate series of break-ins that occurred very early in 2016 that caused business holders in the main to be worried about some disreputable people in the community.

That person was apprehended and there have been no further associated problems, but it just goes to show that no matter where you are in regional communities—and metropolitan Adelaide has dealt with this in recent times with the announced reduction in opening hours of 19 police stations across suburban Adelaide—police presence is an important issue. Just like hospitals, which we talk about in this place often, just like schools, which we talk about often in this place, it is part of the social fabric.

I commend the people in the Moonta community who have driven this and thank them for their efforts in ensuring that another 1,250 signatures were attached to the petition presented to the parliament on Tuesday. I look forward to some ongoing negotiations about getting a resolution put in place that will assure all parties, as I believe very strongly also that the police commitment to ensuring safety in the Moonta, Moonta Bay and Port Hughes community is very strong, as I know it is, and they will do their absolute best to make them outstanding communities in the future.

At 16:57 the house adjourned until Tuesday 29 September 2016 at 11:00.

*Answers to Questions***HOUSING IMPROVEMENT ACT**

In reply to **Mr KNOLL (Schubert)** (18 May 2016).

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): I have been advised:

1. On 27 May 2013, a Regulatory Impact Statement regarding the Housing Improvement Bill was prepared and in June 2013, the bill was introduced into this house; however, the bill was not considered before the close of the 52nd session of parliament.