

## HOUSE OF ASSEMBLY

Tuesday, 16 May 2017

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 11:01 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*

#### **LIQUOR LICENSING (LIQUOR REVIEW) AMENDMENT BILL**

##### *Second Reading*

Adjourned debate on second reading.

(Continued from 29 March 2017.)

**Mr DULUK (Davenport) (11:03):** I rise to speak on the Liquor Licensing (Liquor Review) Amendment Bill 2017. I advise that I am not the lead speaker, but I want to say a few words and put on the record that it is nearly two years since the minister first announced his intention to review the Liquor Licensing Act. At no point over the last two years have the government provided a clear justification for this process. They have not addressed any clear problems. To my mind, they are not providing any reform that will boost industry or protect our community and, by making some changes within the existing act, they do very little to improve the legislative framework.

By way of a bit of history, about two years ago the Attorney appointed Tim Anderson QC to review the current legislation. At that time, there was certainly nothing certain about the government's intention, and it is fair to say that there was a fair amount of confusion and concern from those in the industry. To his credit, Mr Anderson QC did a very good job with the review, and there is no doubt that the stakeholders had ample opportunity to engage in that process. Mr Anderson brought his report to government back in June 2016 with about 129 recommendations.

The government has accepted most of those recommendations but, upon receiving the recommendations in the middle of 2016, the government certainly took its time providing a response to the review. Once again, that led to broad speculation and uncertainty about what measures might be imposed in the final draft bill, and there was a sense of fear that the government was not listening to the relevant stakeholders. That is certainly nothing new in anything we see from this Labor government.

The final bill before us today increases complexity, drastically increases liability and obligation and seeks to contain or restrict trading through massive fees, obligations and red tape. Is that not the hallmark of this government? Red tape is what they do best, ensuring that small businesses, mum-and-dad businesses, cannot get on with the job of what they do best. That is what this government love to do. Then, when it all fails, they blame someone else: they blame the federal government, they blame us on this side, they blame hardworking employers and at times they even blame employees, but they certainly never look at themselves for the mess they create in so many areas.

We have new licence categories, which in my view, and in the view of those on this side of the house, will be largely unworkable. The bill seeks to give South Australian police additional powers, and that exposes venues to significant risk. For me, some of the really big issues in the bill relate to the draft licensing fees that have been proposed. I will say that the licensing fees will ultimately be determined by regulation, as will the structure. The government needs to go back and look at those licence fees and the structure to ensure that the regulations that are finally drawn up are not burdensome red tape on industry.

There has been a lot of proposed change in the licence fees, as I have talked about, and new classes of licences are being created. The model recommended by Mr Anderson QC essentially

sees outrageous increases in fees and services on small businesses, on mum-and-dad hoteliers and on bottle shop operators. These fees are nothing more than a tax grab. They are another tax on South Australian businesses. They are nothing more than a tax and they should only ever be seen in that way.

If we look at my own community and some of the licensed venues in my community, Belair Fine Wines, a beautiful bottle shop (which at the moment has a wonderful gin range available for people to purchase), currently pays fees of \$771 per year. The proposed fees are \$4,000 per year. The Cellarbrations bottle shop at Blackwood, which is a great sponsor of the Blackwood Football Club, currently pays fees of \$771 per year; they will go up to \$4,000. The Belair Hotel—one of the biggest employers in my electorate in terms of a hospitality venue—currently has fees of \$771; they will go up to \$2,000.

The Duck Inn in Coromandel Valley currently pays fees of \$771; they will go up to \$2,000. The Edinburgh Hotel—the iconic Ed Hotel—currently pays fees of \$771; they will go up to \$1,500. The Flagstaff Hotel, which is a quintessential suburban pub serving many patrons, currently pays licensing fees of \$3,525; they will go up to \$12,000, which is a huge increase. The Torrens Arms Hotel currently pays licensing fees of \$771; they will go up to \$2,000. In just my own electorate we are seeing a huge increase in fees that are essentially a tax for a business to do nothing more tomorrow than it is doing today—that is, providing jobs for South Australians, providing entertainment and hospitality for South Australians and providing a venue for people to enjoy themselves.

So many of these venues—our pubs and our bottle shops—actually pour a lot of money back into our communities. They are the sponsors of our local footy clubs, cricket clubs and netball clubs, and a lot of community organisations receive a lot of support from these community assets. With these licence fee increases, the bottom line will need to be absorbed. These increasing fees will need to be absorbed, and if they cannot be absorbed, ultimately they will be passed on to the community and the patrons of those venues.

Another big concern to me, in terms of the licence fees, is a huge increase in fees that we are seeing in relation to about 35 live music venues across South Australia. For those 35 venues the combined fee increases are about \$150,000 a year. Those increases apply to so many of the iconic music venues in South Australia, such as the Exeter Hotel, the Austral hotel, the Lion hotel, the Governor Hindmarsh—one of the biggest live music venues in South Australia—the Jade and the Tonsley Hotel. They are all seeing increases in their fees.

Live music venues are critical as places and as hubs that develop live music, that develop budding artists and that provide an avenue for Australian music talent. Essentially, these fees and regulations coming in with respect to these hotels will, I think, over time erode their ability to be fantastic live music venues and erode their ability to be places where people want to go, to spend and to be entertained.

So, there are a huge number of issues within this bill. I believe industry has a right to be concerned about the government's intentions in relation to this. I know the Liberal opposition has proposed several amendments in regard to trading hours. Currently, the government wants to restrict trading between 3am and 8am. Of course, we have huge concerns with the annual licence fees as well, and we will be looking to seek some amendments and clarifications in that regard.

The changes to the 3am to 8am trading period are really an increase of the lockout laws we see at the moment. I would argue that we should not be seeing restrictions in this regard. In terms of our entertainment precinct around Hindley Street and through the Casino, which of course is exempt in so much legislation at the moment anyway, South Australia and Adelaide—any vibrant city needs an opportunity for there to be a nightspot where people can enjoy themselves and where people can have a drink, have a dance and enjoy their friends at almost any time of day or night. We do not want to live in a restrictive society where the Attorney-General decides what time you can have a drink and what you can drink. Otherwise, we will all just be drinking sauvignon blanc—not that there is anything wrong with drinking sauvignon blanc, but there are so many more wonderful things to taste as well.

We want to give people choice in South Australia. We want young people to stay in this state to ensure that it remains a vibrant place and a place where people want to stay, ultimately work, raise

their family and spend their retirement. In terms of this tinkering with this liquor licensing bill, a lot of it goes—in my mind—to the nanny state provisions that this government loves to put in. It loves to tell people what to do and how to do it, and at every opportunity that it has—in almost every bit of legislation that it opens up and seeks to amend—it seeks to impose the arm of the state. This is another one of these bills.

As I said, we will be moving some amendments to the bill. To my mind, the most concerning part about this whole piece of legislation is of course the tax grab—the tax grab from South Australian businesses. Those tax grabs should really be reviewed, and moderation should be the order of the day when it comes to anything to do with liquor licensing reviews.

**Mr ODENWALDER (Little Para) (11:14):** I rise today to support the passage of the Liquor Licensing (Liquor Review) Amendment Bill 2017. The bill represents the cornerstone of the new liquor licensing system that aims to remove red tape, improve public safety and promote the vibrancy that our state has come to enjoy. I do not think anyone here, except perhaps the member for Davenport, would argue that some of the recent changes to small bars legislation, for instance, have been nothing but a boon for this state, particularly the CBD. I look forward to seeing those things examined in the future, in terms of rolling them out into the suburbs.

On 2 October 2015, the government announced the first full-scale review of South Australia's liquor licensing laws in almost 20 years. A discussion paper was released that focused on the key themes, with members of the public being encouraged to make submissions until January 2016. This was followed by the government appointing, in November 2015, former Supreme Court justice Tim Anderson QC to undertake a comprehensive review of South Australia's liquor licensing regime.

Importantly, this was the first review of its kind in almost 20 years. During the process, Mr Anderson considered 89 submissions and met with approximately 60 groups of people from a broad cross-section of the community, including members of the hospitality industry, councils, health organisations, live music groups and retailers. On 6 July 2016, Mr Anderson released his findings to the government and made 129 recommendations, the majority of which were recommended either in part or in full.

From November 2016 to January of this year, further consultation on the draft bill was undertaken in order to ensure that the proposed reforms met the expectations of the community and the industry. Perhaps the most significant reform is the introduction of a new licensing class system, which allows for a much greater level of flexibility in business models and for business types that did not fall under any specific category of licence under the existing system. For example, if certain types of licences are obtained, there will be no requirement to serve meals with alcohol.

One of the government's priorities in drafting these amendments was to reduce red tape for licensees. A web-based digital portal will be created to allow for applications to be conveniently lodged and to speed up the approval process. The requirement to lodge formal objections to applications will also be replaced by a written submissions process and rights of review will be limited to certain situations.

Happily, restrictions will also be removed on the sale of liquor on Sundays and certain public holidays, such as Good Friday, Christmas Day, New Year's Eve and New Year's Day, in line with modern views about the consumption of liquor on these occasions. It is also anticipated that the process of applying for licences will be made significantly more efficient and that much of the red tape that previously existed will be removed.

A large part of this is replacing the previous needs test, which was largely focused on competition between outlets, with a test based on community interest. This new test will focus on minimising alcohol-related harm, while also preventing the proliferation of liquor outlets. However, the most important factor that the licensing authority will consider is whether the application is in the public interest, and ensuring that the granting of the application will not detract from the safety and wellbeing of the community.

As a former police officer, I am also strongly supportive of the measures that the government has proposed in relation to the supply and consumption of liquor by minors. This is an issue that is, sadly, becoming more prevalent in our modern society and it is a commonplace practice for minors

to attend events and parties where liquor has been purchased by parents. New section 110A in the bill acts as a deterrent to this secondary supply of alcohol and will bring South Australia in line with other jurisdictions.

As a result of these changes, a maximum penalty of \$10,000 can be imposed on a person who supplies liquor to a minor, and the minor will also be liable to a penalty of up to \$2,500. These amendments will go a long way to combating the type of behaviour that can lead to young people suffering from serious harm.

Finally, proposed new section 44A will introduce a mandatory three-hour break in trade for late-night premises between the hours of 3am and 8am. This will expand the current lockout provisions, which have had impacts on crime statistics and hospital admissions in the early hours of the morning. I can only see that this will be of further benefit to protecting the community from alcohol-fuelled violence.

With those few words, I commend the passage of the bill to the house and I look forward to the implementation of this new system of liquor licensing.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:18):** I rise to speak on the Liquor Licensing (Liquor Review) Amendment Bill 2017. I indicate that the opposition will be presenting three amendments to the bill, but otherwise will be accepting the bill before us. As has been pointed out, on 29 March this year the Attorney-General introduced the bill to amend our liquor licensing regime under the current act of 1997.

May I say at the outset that we accept that the sale and distribution of alcohol, the general management of its consumption, and indeed its production, need to be regulated in South Australia. On our side of the house we accept that alcohol, drugs and dynamite are all in the category where there needs to be some restriction on their access to the public, in particular to minors, and a regulatory regime needs to apply.

This is a bit like fishing licences: as soon as you introduce a licensing scheme you introduce some complications. You include some and you exclude others, and there is always a level of tension between those who have the exclusive privilege of producing, distributing or selling a restricted item and those who do not. It is fair to say that whilst we in South Australia have moved from the very restrictive sale of alcohol through our public house provisions, increasing access to the opportunity to purchase liquor outside of a public house—into supermarkets, bottle shops and other venues—has attracted the need to review how this operates and, again, who gets in and who gets kept out and what rules are to apply.

Since the passage of the Liquor Licensing Act 1977, our current regime of law, there has been some significant expectation in the general community and a change of personnel involved in the actual industry, so, not unreasonably, the government appointed the Hon. Tim Anderson QC to conduct a review in respect of our existing liquor laws. That review, dated 29 June 2016, which had been sought back in late 2015, included very substantial recommendations. As I recall, there are about 129 of them, and they are substantial.

It is fair to say that the government has accepted a significant number. It has excluded some and, as is typical of the Attorney-General, the Attorney-General has modified, in his quirky way, some of the recommendations—some of which are reasonable and some of which are not. The government ultimately published a draft bill in late 2016 with draft guidelines in respect of community impact assessments, given that it was going to change the process by which liquor licence applications could be made. That is not unreasonable, and when the government does undertake a review there needs to be consultation with the industry, its nominated associations and representatives, so that there can be a very clear understanding of who is asking for what and why and an ability to hear both sides of the argument.

The crushing deficiency in this process is not the length of time, because some would argue that that has been almost too long. Nevertheless, it is fair to say that even the draft bill, which had amendments added after that consultation and the government's final bill, which is before us, has had a very long gestation period. What I think is completely unacceptable during this process is that one of the key players involved in the management of liquor licensing, its enforcement, and, in

particular, the protection of the community, either in restricting their consumption of it or too much of it, is South Australia Police.

What concerned me throughout this exercise was that the government decided that they would receive the submission from SAPOL as advice to the government and, therefore, it was protected under cabinet and, therefore, it was not made public. If ever there was an agency that ought to have a view, ought to have an opportunity to have a view, and where other relevant stakeholders have an opportunity to know what they think, what they are relying on and what they are recommending in respect of the licensing of alcohol, it is South Australia Police.

However, the government chose, until very recently, to keep the submission secret. Ultimately, the Commissioner of Police provided evidence to the Budget and Finance Committee of this parliament. On 20 February 2017, the police commissioner made it abundantly clear that he had no issue with the contents of his report being disclosed and made public and that the only reason it was kept secret was that it was at the behest of the government.

After the evidence was given, guess what happened? The Attorney-General made the submission public. After it was identified that the government had kept the submission secret and had refused to let anybody see it, after the police said, 'Well, it's not up to us,' after the government was pressed and asked if it had any objection to it being released, it said no and finally gave up.

I find the whole process secretive, unnecessary and highly obstructive to the considered debate and the consideration of other stakeholders to properly review and hopefully improve the licensing system in this state. It is disgusting behaviour. It is disgraceful, particularly when the government's key objective in relation to the reforms that it is ultimately presenting to us relate to the safety and protection of children in that under-age drinking category.

I think it is important that we hear from the police about how they are going to deal with the secondary sale of alcohol to minors. I think it is important that we hear from the police their view as to how the current procedures are working—the lockout laws and other initiatives that the government has brought in and that this parliament has approved. We need to know that and other stakeholders need to know that.

It is unacceptable conduct that, after nearly 16 years of this government, they still practise this juvenile and obstructive process of trying to keep documents out of the public realm, which not only should be there but should have been there right from the start. Notwithstanding that, I thank South Australia Police for their submission. Ultimately, when we were able to read it, it helped those of us in this parliament who were expected to make a contribution.

In terms of the other stakeholders—and there has been a significant number of them—I want to point out a very significant change in the process for the application of licences, the public consultation and the tests that are to apply. The Local Government Association put submissions to the government that a number of their councils, on behalf of their ratepayers, felt unfairly excluded. To a degree, the government listened to some of that contribution—clearly not all of it—and made some modification.

The Australian Hotels Association also has a very significant interest in respect of its clients and members, including hotels, which of course are either very big organisations or very small businesses, such as a husband and wife team that might operate a hotel, across to very substantial holdings by corporate and/or individuals. It is an industry that is also very involved in the legislative regulation of gaming and gambling. It is also an area of strict control by the statutes and regulations. So, clearly, they have a vested interest.

They have made a number of submissions, and I will place on the record my appreciation of their forensic assessment of this bill and their highlighting a number of areas that are of concern. One area in which they fought assiduously was the protection of their staff from random breath-testing. This was apparently designed to support the protection of staff, presumably against the patrons of the hotel, from being drunk and disorderly while at work and from needing to be randomly breath-tested.

I do not think there is any evidence to support that; nevertheless, the AHA took the view that this was completely unnecessary. They presented a campaign publicly and for the benefit of other

stakeholders, and the random alcohol and drug testing of staff was abandoned and ultimately did not see the light of day in the final bill. They were not so successful on a number of other initiatives that they felt were unreasonable; one of them relates to the massive proposed increase in the licensing fees.

As other speakers have said, in reality what we are getting here—as is usual with the government—is a backdoor way of propping up their budget with a massive increase in money. I am going to refer to that shortly. A number of other stakeholders came to us to present in respect of the opportunity for extended sale arrangements for liquor in supermarkets. I think it is fair to say that all members would have received submissions from members of that industry who felt that they were in a responsible position. They were able to provide sufficient protection to have expanded opportunities for the sale of alcohol in facilities within premises in supermarkets.

Mr Anderson and the government were not as forthcoming in accepting that. I think, at this point, there has not been an appetite in the general public for the need of it. From our perspective on this side of the house, there are opportunities for there still to be the sale of alcohol from supermarket facilities, as obviously they have separate entrances and so on. However, whilst the industry put powerful submissions to us, we accept what is currently in this bill to deal with that issue.

In general, the government claims the broad measures of this bill are designed to reduce red tape for new and existing licensees in the liquor supply market, increase efficiency in the regulation of liquor licensing in this state and enhance measures for safe drinking, including the enforcement of offences under the act. In respect of the first objective, there has been some streamlining of the number of licences and the nature of those that can be issued under the new law. It is fair to say that there had been a proliferation of different types of licences where food is sold or not sold, or within certain premises and the like.

It is also fair to say that there had been a rambling list that was really quite complex and needed to be streamlined. I would not go as far as to say that they have reduced red tape. I think they have supplanted one shorter list with a highly regulated regime. I do not think they have actually achieved that, but they have at least streamlined the different types of licence numbers that are available in the liquor supply market.

In respect of increasing the efficiency in the regulation, let me say this: that is yet to be seen. We have a number of regulations under this statute that currently applies, and the government, as usual, does not show us the new regulations before we debate the bill, so we do not know whether their regulatory process is going to be any better. I suspect that, because they say that they have not yet decided on what the fee structure is going to be and that they are going to consult with the industry on that, in fact the truth of it is that they do not want to disclose that, and they do not want us to know about that before we debate this principal bill that is to provide a new umbrella under which the regulatory process will sit.

Finally, the Attorney claims that it is to enhance measures of safe drinking, including for the enforcement of offences under the act. In this regard, I do want to say something. The Attorney claimed on 19 April this year that, in his view, under this bill liquor law reform was going to help combat teenage binge drinking. He said that there are going to be expiation fees of between \$250 and \$500 for individual offences. Then, if people are actually going to be prosecuted, the fines go up and are in the thousands of dollars. 'What I am hoping is not so much that we get a whole bunch of prosecutions but that we get this behaviour stopping,' he said.

I do not accept that for one moment. I do not see that the increase in the expiation fees is anything other than a further tax grab by the government. I will come to that in a short while, because it is all very well to suggest that high penalties for breaches of the law act as a deterrent, but the truth is they clearly have not to date. When I come to the prosecutions in this area, I think the parliament will see that that is just another tissue of fantasy presented by the Attorney in the hope that he will be given some public accolade for clamping down on under-age drinking.

We have some strict laws already to deal with this, which I suggest are not being utilised to the best advantage. If you want any contemporary example, consider what has happened in Mount Gambier in the last couple of days, where we now have a teenager charged in respect of a death arising out of some brawl in Mount Gambier. All too often we hear of coward punches, and we

hear of disputes that obviously result in injury and sometimes death where there has been excessive consumption of alcohol and/or drugs.

The government's history in relation to this needs to be viewed in light of their agencies as well. Firstly, in respect of the use of false IDs for young people, the criminal law makes provision for the use of personal identification information to be an offence in the event that someone uses a false identity. I do not think there would be anyone in this house who is not aware that it is common for someone who applies to enter a licensed premises, who is clearly under the age of 18 years, to deliberately use a false paper or a false identification for the purposes of accessing that facility. They might have their older brother or sister's identification card or a false document of a person who does not exist. They use an identification that is clearly not of themselves, or, if it is, it contains false information about their age. They use that for the purposes of presenting it, when asked, on entering a licensed premises.

One of the difficulties that operators of licensed premises have is how they then deal with a reasonable belief that the person presenting the ID is in fact not the person accurately described on that. When I raised this issue some years ago with the previous attorney-general (now our Speaker), when we dealt with the Criminal Law Consolidation Act in respect of the use of false identities under our identity theft laws, he made it very clear that the law was going to be passed that if somebody assumed a false identity, or pretended to have particular qualifications to make a false pretext, it would be a criminal offence and that the misuse of that personal identification information—whether the person on the document was living or dead—would also constitute an offence and carry significant penalties. Imprisonment for up to three years is now ingrained in our criminal law to ensure that people do not use false IDs.

At that time, he also introduced a provision that stated that this whole area of law was not to apply to people under the age of 18 years. They were specifically excluded. At the time, I recall there was one particular late-night venue outlet that had a particular attraction for young people who were supposedly over the age 18. There were many public concerns and complaints raised in regard to those premises allowing entry to people under the age of 18 years using false IDs.

Those premises no longer exist, but at the time it raised great concerns for parents who were trying to track down their children, and it obviously raised concerns for the police because a number of young people as young as 14 years of age were entering those premises. But still the government insisted that the criminal law should not be attracted to punish persons under 18. From that time on, that has prevailed in the 10 or so years since.

We have at least said to the government, 'Well, you really do need to deal with this question of what is happening in hotels or licensed premises, not just in increased penalties and punishments and so on to the proprietors and operators but also to a young person who has been declared by the law not to be eligible to purchase or consume alcohol and they are clearly doing so.' Sadly, we are still seeing the legacy of this government's failure to deal with that hard issue. Nobody wants to punish children and nobody wants to bring them into a criminal system. At the very least, if they are going to pretend that the licensing law will be crafted in a way that will minimise teenage drinking and, as the Attorney says, combat teenage binge drinking, then do not come in here with that waffle if they are not prepared to exercise it.

Let me turn to what the situation has been in respect of young people who are drinking under-age. There has been significant change to the offences relating to how one can be charged, whether that charge can be expedited, how they can be prosecuted otherwise and the massive extra fines that apply to anyone who sells or provides liquor to a minor. We do not have an issue with that, but what we do say is that somewhere sometime this issue has to be looked at and that we need to consider under-age drinking. It is still an offence for someone who is under-age to consume alcohol, and I think that should be made clear.

In respect of the data, I was disturbed to read in a report from SAPOL, which kindly gave us a briefing on the bill, the number of under-age persons who had obtained alcohol in a hotel or consumed alcohol in a public place, which were both criminal offences of a minor. In 2016, guess how many were prosecuted? Four. In 2015, guess how many were prosecuted? Four.

I find that disturbing, and I think other members should find it disturbing, because somewhere along the line, whilst there is a repeated focus, as there should be, on those who provide alcohol, responsible adults who have the privilege of the manufacture, sale and distribution of alcohol need to take it on the chin if they break the law. I have no issue with that.

However, somewhere along the line we have to deal with this under-age consumption, which we clearly see at the end of the day not presenting as prosecutions in respect of the consumption in a hotel or a public place but, in fact, translating into more serious offences in respect of conduct, usually towards others, and sometimes resulting in harm or death of themselves or others. It has not been addressed and it is high time that it was.

The government has told us that the lockout laws will stay, and we have debated those issues at some length here in parliament. Certainly, on our side at that time, we were not overexcited about the likelihood of their being successful. Quite frankly, when we read the final South Australian police submission when it came out of the closet of secrecy, it also told us that a diminution in the number of disturbances in public areas outside licensed premises had not been related to the lockout laws.

Nevertheless, the government said, 'We'll give this a crack.' It still does not apply to the Casino, and I think that is utterly absurd. I find it bizarre that people who walk out of the Casino, a 24-hour facility that sells alcohol, in some drunken stupor are treated differently from those who leave a public licensed premises. So, the police report does not provide us with any great comfort, in my view, that we are dealing with the teenage binge drinking problem by having it there—but it is still there and we are not going to interfere with it.

Let me come then to the three areas that on our side we find inexplicable and without merit or in need of some protection. The first is that we propose to remove the provision for a three-hour no-trading period. This is a curious addition proposed by the government, to the extent that in some way it is going to reduce the problems we have in relation to excessive alcohol consumption or even under-age consumption by making someone close their premises between 5 o'clock or 6 o'clock and 8 o'clock in the morning or whatever.

Essentially, Mr Anderson recommended a period of time in the morning and some discussion was had about whether the particular premises could choose during which three-hour block they would not sell alcohol. There does not seem to be any restriction on their staying open; they can sell biscuits, muesli or something else, but they cannot sell alcohol. You can have a cup of tea, or you can have an orange juice or whatever.

However, here comes the first quirky little addition of the Attorney: he decides that 9 o'clock in the morning is not night-time and that therefore we need to have a fixed period concluding at 8am. When did he become the expert on how to control teenage drinking by time-out restrictions for the sale of alcohol? There is just no basis for this that we can see to justify it and, again, rather than our trying to tinker around with this absurd little quirky addition by the Attorney, in our view it should go completely.

It reminds me of the debate we had in this house that attempted to deal with deaths of young people on our roads by restricting them from driving their motor vehicles between midnight and, I think, 5am. The argument went something like this: that if you stopped young people driving in that time you would reduce the deaths on the road.

Some amendments were made to say that if you were on your way to or coming home from employment and you had some certificate to say that you were finishing your job at McDonald's or Kentucky Fried Chicken, or whatever, you could have some leniency. There were some exceptions where you could have a relative in the car. You could drive your sister home, but not your girlfriend. I do not know why a sister's life is any less valuable than a girlfriend's, but we went through that. There were also provisions for emergencies and, I think, for attending sports practice or something of that nature.

Yet, when the data came out, it was clear that most deaths of young people on the road actually occur between 9pm and midnight. We asked the question: why are you not restricting the driving of young people from 9pm to midnight, if those are the killer three hours? The answer was: well, that would not be acceptable. We have to fit in with what the public wants.



This is what happens. You massage something into something else that becomes completely useless. Now we have a situation where country kids cannot drive around between midnight and 5am on their P-plates. Nobody in the government gives a toss about them, about how difficult it is for them to get around and have to drive within those hours. They do not have any access to public transport, and if they do it is once a year. We end up with a piece of legislation that is so corrupted by convenience, because they are trying to look good, that it becomes almost useless. I say that with respect to the three-hour no-trade rule that the Attorney, in his own peculiar, quirky way, is presenting as some antidote in the armoury of protection of young people.

The second area relates to the proposal that we will have a register of licensees who have in some way been disciplined or suspended or the like. We have a blacklist, and this was presented as a sort of name and shame list, I suppose. It is not unique to the law. There are some circumstances where people commit criminal offences. They go on a register and it is accessible; sometimes it is on a website. It remains there indefinitely, particularly for child sexual offences.

There are times when we have been asked to support that type of approach, to have a blacklist, as an effective way of attempting to deal with people who do not do the right thing in the supply of liquor, supplying to someone they should not be providing to, whether because they are under-age or because they are inebriated. If there are people out there who have the privilege of having a licence to manufacture, supply or sell alcohol to the general community—and they are a privileged group; they are a restricted group; they have to jump through a number of hoops to get that opportunity—and they break the law, then, yes, they should be prosecuted.

Over here, we have a whole regime under the commissioner of licensing, Mr Soulio, who also has a team (all government funded), to make sure that when people do breach the rules and are culpable, in addition to being prosecuted they can also have that privilege taken away—their licence can be suspended. It can be completely discharged. They can be removed from the right to operate in this space at all. Every year, I ask our commissioner for liquor licensing at estimates how many people in the last year he has shut down or suspended the licence of because of a breach in their obligations in respect of their licence. Every year it comes back a big fat zero.

If there are bad people out there in the industry, which is highly regulated, which is within the complete purview and on the watch of the government, and on which a lot of money is spent, then why are these bad people not being identified, prosecuted if appropriate, and having their licences taken away or suspended? The government just wants to turn a blind eye to that, and it does two things: first, it means that we have a whole waste of money in respect of a licensing regime. It sends a very poor message out to the general public, and it does not recognise and reward the efforts of those licensees. Whether they are running a restaurant, a hotel, a bar or a pop-up space during a festival, it sends a bad message to all the good ones that they will be acknowledged and that bad people in their industry will be cut out. That is the problem.

In addition to that, I think the liquor licensing authority spends a lot of time dealing with the low-hanging fruit. They are not the first agency that I have criticised for this. They seem to turn a blind eye to the big events and the big issues, and they pick off at the low-hanging fruit, some poor bunny, some poor local footy club out in the middle of nowhere that might allow alcohol to be sold at five minutes past the authorised hour, or not let a local police station know that they are serving alcohol for the local footy club wind-up. That is the problem. There are other agencies that do that as well. I could start on a whole list, but I will leave the EPA for another day.

From our perspective, there is no justification for having this register sitting there. As stakeholders have pointed out, if a licensee has had a black mark put against their name and they have remedied it, or they have ensured that if a staff member was not doing the right thing they have been removed and replaced with someone who is going to do the right thing and comply with the job, there is no opportunity for them to get off the list. I find the whole process superficial and demeaning when they have a whole capacity sitting over here which they could exercise. This is the cheap, easy option which we so often find the government taking rather than addressing the real issue.

The third area which we say is utterly unconscionable is that the government received, in the Anderson report, a new set of rules that should apply to the setting of the licence fees for the new level of licences that are now going to be under the operation of this bill and, largely, they still reflect

a level of risk. I am completely at a loss as to how that works, to be honest, but it seems to be a situation where a hotel that has a bottle shop is a lot riskier than someone who buys their alcohol in a restaurant and that somehow or other that should be reflected in the amount of the licence fee that they pay.

Looking at the current regime of licence fees, which are relatively modest in the scheme of things, there is already some variation and it seems to relate to fees that ultimately apply to what turnover they might have and what benefit they might get from alcohol sales. This does not seem to reflect other revenues that might be coming into these premises, that is, if hotels also have gaming facilities, (whereas a restaurant may not have another avenue) of which they also, incidentally, pay very high regulatory fees to have the privilege and exclusivity of being able to have poker machines.

What is so offensive about the government deciding that they will accept Mr Anderson's recommendation and change the formula upon which the licence fees will be set, is that they do nothing to identify what that is going to be. Unsurprisingly, when this is thrown on the industry, they say, 'We don't know what it's going to be, but if it's going to be the same as Mr Anderson has recommended, then we are going to be paying hundreds of thousands of dollars more in our licence fees and we still don't know who it's going to apply to and how it's going to apply.'

The government says, 'Look, don't worry. We're going to consult with the industry about how that's going to work. We'll sit down and have a chat with them and we'll discuss what that might be.' It may be something lesser. Who knows? It could be more. But what was highlighted by the stakeholders—in particular, the AHA did a lot of work on this, but I also recently had a submission from the South Australian wine industry—is that they too are very concerned about this.

Just forget about this concept that suddenly we are only talking about, in the liquor industry world, some very rich hoteliers. The fact is that we have a kaleidoscope of an enormous variety of people who have the right to sell alcohol in restricted circumstances, and they are very big business across the very small operators. Some sell certain alcohol and not others and, obviously, the turnover and revenue from these are very different, but the cost increase is also of concern to the South Australian wine industry.

They claim, for example, that the new fee for the liquor production and sales licence would be between \$375 and \$750, which is an increase of between 338 per cent and 676 per cent. The wholesale liquor merchant licence, currently \$771 per annum, will be between \$375 and \$750. The restaurant and catering licence will be between \$250 and \$500, which is a 225 to 450 per cent increase, and the residential licence will be between \$375 and \$500, a 338 per cent to 450 per cent increase.

I do not need to perhaps identify the very public number of outlets in respect of hotels that provide music as part of the feature of their establishment, along with the sale of alcohol, food and other beverages, but you only have to look at the papers and the press on this to see that something as small as the Udaberri outlet currently has a fee of \$111 as at 1 July 2016, and if it progresses as per the Anderson inquiry, it would be \$1,500, which is a 1,389 per cent increase. How is that fair?

How is it acceptable that the government expects us to pass a law where that may be the maximum but we are not allowed to know what it is going to be, that we will massage that through the industry and we will do some deals and discuss with them how we are going to progress that? They might give some relief to some of the small groups. I see that on the same assessment another small outlet, Casablaba—quite popular; I have even had a drink there myself—goes from a licence fee of \$771 to \$6,050. That is a 5,279 per cent increase. How is that justified?

When you read *The Advertiser* or see these things advertised or read the submissions that have been put to you, you might say, 'If the South Eastern Hotel in Mount Gambier has a fee increase of \$2,754 to \$7,000, who gives a toss?' Well, I do, and people in Mount Gambier do because they will be the ones paying for the increased cost of what they buy from the hotel. I am sure the member for Mount Gambier will be concerned about that.

The government seems to have no conscience in bringing in a piece of legislation with a rider that says, 'Just trust us. We'll nut this out and it will all be fine.' I do not accept that for one moment and neither should you. Therefore, we will be moving an amendment to provide that any

regulation that introduces a new regime for licensing fees must not have any other area of regulation in it.

The reason for that amendment is to enable us as a parliament to challenge the determination of the government, if it is ultimately unacceptable and unconscionable in respect of the fee regime, so that we have some capacity to deal with it. We do not want the government, as is their usual practice, to put the unsavoury bits of regulation in with a whole lot of other regulation that is necessary for the proper implementation of a new law which is largely appropriate.

We are facing a situation where the whole lot will fail under our challenge in respect of regulation fees that currently operate here in the parliament. In other words, we cannot peel off a bit of that and say, 'Look, 90 per cent of this is okay, but this 10 per cent in relation to fees is unacceptable.' We have no power to do that. This amendment from us will introduce a statutory restriction in respect of a regulation that imposes a new licensing fee arrangement, which will therefore be challengeable, independently of other regulation.

In conclusion, I thank the stakeholders who have worked very hard to put in very important submissions. There were a great number of them both in the consultation process with Mr Anderson's review and subsequently on the amendment. I thank those who voiced their concerns publicly because it is important that people do speak up, especially if they are representing a group in the community who are about to be smashed by something from the government. Some people do not speak up.

Some people feel compelled to remain silent, which is why we keep fighting all the time in this parliament to enable people to be able to go public after three months when governments do not act on whistleblowers' claims in respect of incompetent government or governance. We will continue to fight for that because too many people in our community are crushed into silence by this government where they hold the purse strings, they are the employer or they are the party that gives the contracts to a community that is very heavily dependent on government money and regulation.

However, some of our stakeholders are brave and they are prepared to speak up for their members, and good on them because that is exactly what their job is. I thank them for that. I wish to thank SAPOL and the SAPOL commissioner, who did provide a briefing on the practical implementation of the licensing laws. I thank them also for their submission, although at that time they were compelled to keep their lips sealed on the release of their submission.

I also thank commissioner Soulio and members of his staff, as well as advisers in relation to the Attorney-General's office. They were prompt in their provision of briefings, which is always appreciated. After all, their job is to make sure we are convinced of the benefits of these pieces of legislation, but I thank them for their courteous and prompt attention to those matters. With that, I indicate that we will introduce those amendments.

#### *Parliamentary Procedure*

### **VISITORS**

**The DEPUTY SPEAKER:** I welcome to the public gallery today what looks like almost all of Woodcroft College, but there must be some people left at home minding the school, who are guests of the member for Fisher. We do hope that you have had a good time at parliament this morning and that you go home tonight and happily tell your parents how exciting it has been here.

#### *Bills*

### **LIQUOR LICENSING (LIQUOR REVIEW) AMENDMENT BILL**

#### *Second Reading*

Debate resumed.

**Ms COOK (Fisher) (12:08):** I would also like to acknowledge students from Woodcroft College who are in the gallery today. I have, in fact, had the privilege and pleasure of having a child at Woodcroft College, and I know that the quality of the education you are getting is outstanding.

I rise today to speak in support of the Liquor Licensing (Liquor Review) Amendment Bill 2017. The bill is designed to reduce red tape for new and existing liquor licensees, to increase the efficiency in the regulation of liquor and to enhance community safety through the promotion of a safe drinking culture. As a caveat, I would say that this is not the only method we can use to promote a safe drinking culture, of course, and I will talk a little bit about that in a moment. The reforms in this legislation include:

- removing the restrictions on the sale of liquor on Sundays, Christmas Day, Good Friday, New Year's Eve and New Year's Day;
- introducing an automatic extension for trading on New Year's Eve until 2am on New Year's Day;
- removing requirements for designated areas within licensed premises;
- removing the obligation for meals from some new classes of licences;
- introducing a portfolio of notifications in relation to the fit and proper assessment for members of a committee of management of a club; and
- removing restrictions in relation to the sharing of licensed premises.

The aims are important and I commend them. What I will focus on in my speech today is the issue of the secondary supply of liquor to minors.

As members in this place would be aware, I have been through the experience of losing a child as a consequence of behaviours associated with under-age drinking. My son was 17½ at the time that he lost his life. He was a very tall, mature young man. He was heading towards adulthood at a rapid rate. At that age, young men do tend to start drinking and experimenting with alcohol. Many would argue that their brains are not ready to make some decisions even without the effects of alcohol, so with the effects of alcohol decision-making is clearly impaired to a greater degree.

In summary of the events leading up to my son losing his life, he played football that day and was invited to a house party with his friends. The party was being hosted in a private residence, which certainly puts a burden of responsibility upon the owners of the house and it did in this case. The owners of this house were absolutely committed and fabulous parents and put in place some measures that they felt would improve the safety of the people attending that night, including placing some other young adults on the door to check to make sure that only people invited were coming in. They put a degree of responsibility upon their daughter whose birthday party it was.

There was a sense of fun and excitement that night and my son, along with his friends, had alcohol in his possession. I believe there was about a carton of beer between four or five young men, so it would have amounted to four or five drinks each that night. Of course, there were varying degrees of alcohol being drunk by a number of people at that party, so there were clearly some very intoxicated people.

The events of the night ensued where some aggression and fights broke out between people who did not know each other so well. As alcohol affects people's capacity to control their behaviours, it escalated and a fight broke out and rolled out into the street. My son was hit once only. The result was a combination of the location of that punch and the fact that he had had three or four drinks and was relaxed. It was a similar injury to that which cost Phil Hughes his life—a ruptured artery in the neck.

Following that, obviously, I have spent many, many hours trying to work out why that happens. You think that there has to be a reason for such awful things, but sometimes there is just no good reason for it to happen and it is a combination of a whole range of actions that lead to such terrible consequences, including decision-making, a lack of understanding of the consequences of your actions and a lack of understanding around the laws and what you can do to protect people who come into your home.

Finding no decent justification for such a horrible thing—the worst thing ever in my life—I found that under-age drinking is in fact a very complex problem, as is the violence associated with it. A number of contributing factors lead to it, which means we have to absorb a raft of measures into

our community to prevent this from happening. This ongoing review of liquor licensing, the ongoing setting of laws around alcohol and supply, contributes to us managing what is an extremely complex social challenge today, that is, under-age drinking.

It is great news that surveys such as Mission Australia's commissioned youth survey show us that the vast majority of kids do not drink. In fact, I think the number is something like 75 per cent of young people who completed the last survey—aged between 12 and 17, and it would be skewed in that the younger kids would say that they are not drinking—had not even tried alcohol. That is great news, but along with that there are 25 per cent who are clearly drinking under-age. So, we need to nurture a culture of communication and cooperation between the community, young people, educators and families that supports clarity around how to best support young people transitioning to adulthood to make safe choices around alcohol, drugs and other behaviours.

We want parents to be sure about the laws that are in place. We do not want confusion: we want them to understand what they can do to help their kids make safe and informed choices. Education, of course, is the key to that, and we have teachers, health workers, community workers and legal officers in this place who say we must educate our kids and our families. We do not want to drive under-age drinking underground. It is important that we make laws that are enforceable and practical in terms of the community and how families can work together to make decisions and be safe.

We do not want kids drinking in parks; we do not want them drinking in public spaces. We do not want kids or young adults drinking to an extent where they are unwell and not getting the help they need. Of course, it is okay for people in families to make rules such as, 'There is no alcohol in our house for people who are not 18.' It is okay to make those rules. There is a diverse range of families in our community, and we have to have agile legislation that allows for decisions to be made that are appropriate for every family. We need a structure that allows for communication and no fear of punitive measures, which are obviously going to be difficult to enforce and which also make no sense to the people they are given to.

We have an obligation to set legislation that is clear. Young people are hardwired to experiment and take risk. We want parents to have a broad range of strategies available to them to keep their kids and their circle of friends safe. What are our expectations of each other in the community? We have to be clear about that. Do we have to legislate to ensure the level of decency where one parent has to inform another parent that there will be alcohol permitted at a party? What is the expectation? I think these are conversations that have to happen.

I am not sure that legislating it is a must and the way to go. I think it is more about community education, but it is an important matter that we need to discuss. We also need to put on the table that parents should be encouraged to have that conversation with other parents, to provide information to the other family such as, 'Yes, there is going to be alcohol. Your young person will perhaps need to have consent to come and drink alcohol or bring alcohol into our house.' Again, it is education, it is workshops and it is how we talk as a community and develop this level of trust.

I am really concerned about things like formal afterparties. There is this trend that we are seeing towards pop-up, warehouse-style parties that are being moved out of the home into a warehouse. People are saying, 'We are not going to have this happening in our house, but it is going to be happening in a warehouse,' and security guards are used. I saw a story about it on the weekend and it is really concerning.

I heard a statement by a school linked to it. Obviously, they are making a professional external public comment that these things that happen on the weekend are not the responsibility of the school. Yes, it is the responsibility of the parents and community to educate but, honestly, the school would know that this reflects on the school community as a whole. We need to encourage parents and schools to seek that type of education and support.

I know schools now that insist on this type of education before kids can pick up their formal tickets. Last night, Henley High School had an education session for their school community where 400 people attended. They recognise that very notion that, 'You have to get educated and you need to be informed to be safe at our formal.' Of course, I spruik the programs delivered by the Sammy D Foundation. I was one of the people who did the research into and the development of the programs.

I believe in the programs. I will never give up supporting that work in my son's name. It is the reason I am here.

I also support other fantastic work being done in this space such as that of Encounter Youth in the area of schoolies, or of the amazing Professor Alison Hutton of Flinders University. She is now a professor at the University of Newcastle, New South Wales. Her work revolves around young people and health promotion and harm minimisation. The philosophy underpinning her work is that by involving youth in the decisions about their behaviour and life choices, they will feel supported and safe in the choices that can impact on their health and behaviour.

Alison works with a lot of other non-government organisations that I have mentioned just now, including St John Ambulance Australia. She has published, and she has done work on schoolies and outdoor music festivals about creating safe and supportive environments for young people in their health care. Alison is the president on the board of the Association for the Wellbeing of Children in Healthcare, which is a not-for-profit organisation advocating for the rights of children, and she has been highly commended for her work in schoolies, also receiving a South Australian Safe Communities Award. On Friday night, I was at the SA Nursing and Midwifery Excellence Awards, and she received an award for innovation in clinical research.

This is about empowering young people to be involved in that decision-making process. The Woodcroft College students who are in the gallery are going to be involved in that as they move on through school, which is fantastic. We rightly try to direct more resources into the volatile and highly dangerous area of the ice epidemic. The volatility of that drug, the power of that drug and the way it can change your life so terribly, so negatively, is terrifying, but we cannot take our eyes off the fact that one of the biggest social problems that we have is caused by alcohol, which is a legal drug.

I move on now to finish off talking about the legislation and the review of the liquor licensing laws by former Supreme Court justice, Tim Anderson, who recommended to adopt legislation for the secondary supply of liquor to minors, particularly in relation to residential premises, and strengthen the regulation of minors consuming liquor and adults supplying liquor at high-risk afterparties or events. The government accepted the recommendation. There is a demonstrated problem with secondary supply to minors at schoolies-type events and formals. This is a serious public safety issue.

In addition to the provisions relating to the sale or supply of liquor to minors on licensed premises, the bill proposes to tighten the laws in relation to the supply of liquor to minors in other places through proposed new section 110A. Under the proposed new laws, the supply of liquor to a minor, and the consumption or possession of liquor by a minor, will be an offence unless it is a gratuitous supply occurring in a prescribed place and under certain conditions. There are also other changes proposed in the bill aimed at strengthening the regulation in relation to under-age drinking, which are consistent with the government's response to the liquor licensing review by Mr Anderson.

The bill makes offences in relation to the sale and supply of liquor to minors on licensed premises subject to a fine. The bill also provides for a minors noncompliance register, which would identify a licensee who has been guilty of an offence involving the unlawful sale or supply of liquor to a minor. I certainly would like to know if there are venues that are not being responsible in terms of following this up. I take on board what the Deputy Leader of the Opposition was talking about in relation to the small number of people who are arrested, fined or charged under certain acts, and we need to do better.

The bill also allows for the seizure of false or fraudulent evidence or age documents. The use of fake IDs can be tempting for young people in terms of their being able to access and enter clubs and licensed premises. They are easily available in this digital age. Allowing the seizure of the fake documents ensures that the minors do not do what we call bar hopping. Once they are ejected from a venue or not allowed to enter a venue because of the presentation of a fake ID, they will be unable to head down the road to the next bar and continue to engage in the unsafe use of alcohol.

This review has been necessary. Whilst making the system more streamlined, it will go a long way to help protect our young people from dangerous drinking practices. It is an ongoing piece of work. This will not do it in isolation but along with supportive, effective and engaging community

education programs. Our future is one in which lives are saved if we build this all together. I commend the bill to the house.

**Mr GARDNER (Morialta) (12:26):** It is with some pleasure that I rise to talk about in particular the secondary supply of alcohol aspects of this bill. In terms of the remainder of the bill, I note and endorse the comments of the deputy leader in which she set out the opposition's position—mostly endorsing the bill with some amendments.

In relation to secondary supply of alcohol to minors, I appreciate the passion brought by the member for Fisher; however, I note that if there had been such passion and interest on the part of any other member of the government over the last seven years, then secondary supply of alcohol legislation would have been supported in 2011 when I brought it to this parliament six years ago, and when I subsequently presented it two further times. The minister for health at the time, John Hill of the Labor Party, was scathing in his appraisal of the suggestion, making passive-aggressive comments about whether I should be polling my electorate.

This is an issue that was brought to me by constituents. The impact of excessive alcohol use by teenagers is an issue that I had observed in my own personal life prior to that. Not all of them are going to receive damage, but many of them do. Extraordinary damage can be wrought on young lives by the use of alcohol prior to the development of the brain of a teenager. There is the increased likelihood of susceptibility to alcoholism as a chronic condition, the increased danger of falling prey to brain damage, anxiety and depression, and the injuries that can come from alcohol use at a young age are disproportionately excessive in minors.

The culture of drinking in our community needs to be addressed. Secondary supply of alcohol laws are not a golden bullet. They are not going to fix the problem just like that, but they are a key ingredient in the remedy that has been missing from South Australia and that every other state has now pursued. Even Western Australia in the last few years has pursued it. When I introduced this legislation in 2011, it was South Australia and Western Australia; now it is just South Australia.

I am glad that the member for Playford agreed—I think on our third go—and while the government was not going to support the bill in 2014, they referred it to a committee for consideration. The Attorney-General subsequently included secondary supply of alcohol measures in the terms of reference for the Anderson review, for which I am also grateful on behalf of the community, who have been very concerned about this. There have been thousands of signatures on petitions presented to this parliament and hundreds of emails from parents across South Australia and from members of school councils.

The secondary supply of alcohol law measures are critical because they give parents that opportunity to say no to their child when their child goes to them saying, 'Look, I need to take some alcohol to this party; everyone else is doing it.' When this legislation is passed, parents will now have the opportunity to say, 'No, I am not going to give you a sixpack of UDLs. I am not going to give you a sixpack of beer because it is against the law.' Under the proposals which I brought to the parliament six years ago, and which the member for Heysen and subsequently the member for Dunstan, as leaders of the opposition, took to the election, parents had the opportunity to introduce alcohol to their children in their own time and in a way that was suitable for their families.

But the question must be asked—and it is the question I have been asking for six years and I am pleased that the government has finally come on board to understand this—why should any adult be able to give alcohol to a child without even the knowledge or the permission of their parents? This legislation resolves that question in the statement: they should not be able to. Parents must be able to have the opportunity to identify this.

Of course, there are complexities with the policing and management of this but, as a statement of principle, we have laws far harder to police on the statute book and I am pleased that the government has finally come on board—six years late—with this recommendation. We understand how the teenage brain works more than we ever have before.

I want to particularly identify some thanks to people who have worked very hard for this legislation and who have brought it to fore for the public. When I first presented this, my scientific

support was particularly based on the work by Professor Ian Hickie, Australian Medical Research Fellow of the Brain and Mind Research Institute of the University of Sydney.

I remember that a number of members of parliament—the member for Ashford, the Deputy Leader and the Hon. Tammy Franks—came to a session I ran in this house prior to the second time that we presented the bill. It was supported by Professor Paul Dillon, by the head of Pembroke School and by Professor Michael Baigent of Flinders University, who were able to present on this. Hundreds of members of the community collected signatures on petitions and spoke to their school councils and spoke to members of parliament.

This is not a golden bullet, but it will help to change the drinking culture. It will help parents who want to have some level of opportunity to introduce alcohol to their children in their time and at a time that is appropriate for their families, because we know that every year that the introduction of alcohol can be delayed reduces the risk of some of those extraordinarily bad consequences I spoke of earlier. With the amendments that the opposition is proposing on other aspects of the bill, I lend my support to the bill.

**Mr BELL (Mount Gambier) (12:32):** I rise to make a couple of brief points on the Liquor Licensing (Liquor Review) Amendment Bill 2017. I congratulate the government on appointing the Hon. Tim Anderson QC to conduct the review, dated 29 June 2016, including some 129 recommendations. The bill is designed to reduce red tape for new and existing licences in the liquor supply market, increase efficiency in the regulation of liquor licensing in this state and enhance measures for safe drinking, including the enforcement of offences under the act.

In relation to the reduction of red tape, there will be the removal of restrictions on the sale of liquor on Sundays, Christmas Day, Good Friday, New Year's Eve and New Year's Day; the introduction of an automatic extension for trading on New Year's Eve until 2am on New Year's Day; the removal of a requirement for designated areas within licensed premises; the removal of the obligation for meals for some new classes of licences; the introduction of a process of notifications in relation to the fit and proper assessment for members of a committee of management of a club; and the removal of restrictions in relation to the sharing of licensed premises.

Having been a restaurant owner for a couple of years back in early 2000 and 2001, many of those issues that are sought to be addressed through this bill I can relate to personally. I commend the government for taking steps to streamline and cut red tape because many seem archaic and also time-consuming when you are trying to run a business with a large number of staff and other complexities going on at the time.

In terms of increasing efficiency, the streamlining of classes of licences will reduce the number of classes. I think that is a very good thing. I remember driving to Adelaide on numerous occasions because we had a three-tiered restaurant and wanted the bottom tier to have an entertainment capacity. Sitting down in front of the commissioner, with many of the opponents of that, including the Hotels Association, it struck me as peculiar that the protectionism coming in at that time made it very difficult for younger people entering the market to provide a venue where entertainment could be provided.

The issue I have with the bill that I certainly could not see myself supporting is the proposed increase in liquor licence fees. I give the example of the South Eastern Hotel in Mount Gambier, whose fee will go from \$2,754 up to \$7,000—a \$4,246 increase per annum. In fact, look at the benefit that I believe hotels provide to people, predominantly front bars, and men and mental health. I see time and time again the strong bonds that can be created in terms of men coming in and talking about their day, their issues, their stresses, yet I see a continual increase in fees, a disincentive for hotels to operate profitably, a squeezing out of the market.

I was reading the Australian Hotels Association's response to the proposed changes, and I believe it was Ian Horne who wrote a couple of very good paragraphs. He said:

South Australia is faced with an economic climate of high unemployment, high and rapidly escalating electricity costs, power insecurity and a stagnant population growth. An additional imposition of massive and baseless liquor licence fees will further restrict businesses' ability to survive, to financially support related industries such as premium wine and food and live music, and will simply send them the message that they are seen by government as nothing more than cash cows.



He continued:

The South Australian hotel industry contributes enormously to the state's economic wellbeing. Any measure which impacts the industry by even as little as 5 per cent will affect jobs. Pulling hundreds of thousands of dollars out of [the industry] will affect jobs and related industries.

That is the part I have a major issue with in this bill, the huge increase in fees. In fact, I would like to see a reduction in fees and people being encouraged to participate in a socially responsible way, at a front bar talking with their mates, getting out into the community instead of some people retreating to their residence and—if they live alone or have no-one else to talk to—not being able to afford the opportunities that a front bar can provide. I have seen it firsthand on many, many occasions.

In the regional areas, it is often said that if you want to get business done there are two places to go: one is the front bar of the local hotel and the other is the golf club. My golf is pretty ordinary, and that might be to do with the amount of time I spend in the front bar of the pub, I do not know, but I do see a wide range of wonderful community people in our venues, and I think they are the backbone of our communities, salt-of-the-earth type people.

The areas that I think really do need some further attention and some amendments to be put in place are a three-hour period when trade is not permitted, between 3am and 8am. Anderson's recommendation No. 15 states:

It is a mandatory condition of a licence that licenced premises...be closed for a minimum of three continuous hours between 3.00am and 9.00am.

Alternatively, the premises could remain open for those three hours but not sell liquor.

The government accepted this recommendation in part by drafting new section 44A. This restricts trade between 3am and 8am for a three-hour period. The government claims that up to 9am is not night trade, but this is to effectively require no alcohol sales after 5am rather than 6am, if you do your maths. The Late Night Venue Association raises this as a key concern for their members and considers that, if there is to be a three-hour break rule, they should be able to set the times.

I have talked about the annual licence fees, and that is something that is of grave concern to me and my constituents in the South-East. The third point is the register of licensees. Anderson's recommendation No. 95 is that the government:

Legislate to require that offences relating to the sale of liquor to minors are strict liability offences with offending licensees recorded in a register and the details published on the CBS website.

The government has accepted this recommendation and inserts section 135A into the bill to publish the names of certain licensees on the CBS website who have been convicted of an offence against this act. These details will be removed after five years from the date of conviction. The AHA strongly opposes this blacklist, claiming that the licensee has already been penalised and, further, if they have taken reasonable steps to remedy the problem, i.e., terminate the employee responsible or implement new policies, they should not be penalised further.

With those final remarks, we support the Liquor Licensing (Liquor Review) Amendment Bill with some reservations over those amendments. However, I put on the record that I strongly oppose the annual licence fees; in fact, I would like to see the government do that in reverse and lower the fees so that the benefits of the hotel industry can be enjoyed by more.

**The Hon. T.R. KENYON (Newland) (12:42):** I will make just a few comments. I will hold myself to the area of the small bars, an area of changes to the licensing system that were introduced a couple of years ago, to give my perspective and support of that particular area. I think they have been particularly successful. They have added a level of character to the CBD area that was not previously there.

It was not that long ago that, when my relatives and friends from interstate came to town, I would be scratching my head trying to work out what I was going to do with them. Part of the reason that I am now scratching my head is that I am wondering how I am going to fit it all in when the same relatives and friends come over because of the CBD. My relatives are Kenyons, they are drinkers, so we are able to go around to a few of the bars, which I have certainly found have added something to the city and made it a much more interesting place.

I have particularly enjoyed the proliferation of good whisky that is now available. Some of those bars that have specialised in whiskys have been enjoyable. Previously, when I was younger, I might have spent \$100 drinking a very large number of cheap whiskys, whereas I now find myself spending a similar amount on two, three or four whiskys of much higher quality. I wake up feeling better the next day and I have a much more enjoyable time.

I have very much enjoyed the emergence of these bars—but it is not all about me. They have also made a reasonable contribution to the economy, and I have seen some interesting statistics. There have been 106 applications for premises of this type. Eighty-two venue licences are currently active and a further 11 are being assessed as we speak.

The number of licences being surrendered is very small; that is, about four or five licences have been surrendered, which says that they tend to be successful and that they are, on the whole, ongoing. This is good because it means they are profitable and are employing people. In fact, the report released in 2015 estimated that, on average, each venue is responsible for 12 direct jobs and an estimated \$1 million contribution to the state's gross state product (GSP) per venue. The estimate in 2015, from Renewal SA, was that small venue licences had generated an estimated 728 jobs and \$49.3 million in economic activity.

With 82 venues now in existence and a further six applications currently being considered, calculations would indicate that a total of close to 1,000 direct jobs are being created just by the small venue licences and well over \$70 million, you would think, in terms of GSP contributions. That is an excellent contribution from what was a comparatively small legislative change, but it was enough to really change the way that people are able to enjoy the CBD.

I notice there were some suggestions that the small venues could be widened to areas outside the CBD. That would certainly have my support. I think there are certain areas of the state that would benefit from having these licences available. For instance, I think the very beautiful City of Port Lincoln would be an ideal location for some of these things and I think the lovely City of Mount Gambier would be another place where they would have an impact and add a bit to the character. Obviously, they grew from country towns, so a pub there is an important part of life, but they are also sophisticated cities in their own right. A smaller offering or a different offering would probably go down very well in those areas. I think Mount Gambier, in particular, is trying to increase its university population of young people, who are ideal candidates for this sort of bar.

There are some suburbs that would also do well from an expansion. For instance, in the historic area of Tea Tree Gully in my electorate of Newland it would be useful. Perhaps some areas like The Parade or some tourist areas like Glenelg may be considered. There are certainly areas where in due course, and with appropriate consideration, I would support the expansion, should that ever happen. With that, I will cease my contribution and commend the bill to the house.

**Mr VAN HOLST PELLEKAAN (Stuart) (12:47):** This bill is incredibly important, and I take liquor licensing very seriously. I listened to the deputy leader's contribution as our lead speaker and, as always, she covered the issues extremely well. I will not go back over all of those things, other than to say that I support her and our team's position.

I would like to put on the record my appreciation of the member for Morialta, who, for as long as he and I have been in parliament (since 2010), has been a very strong advocate within our party room to ensure that the Liberal opposition is very well aware of the issues with regard to the impact of alcohol upon young people. It is something he takes very seriously. I know he will always have that on his mind throughout his parliamentary career and will be working hard to try to protect young people. As is so often the case, young people need protection from things about which they are not yet fully educated. I do not want to be patronising in that way, but it is just a fact. He is a leader among us on that issue.

Liquor licensing laws are incredibly important for a whole range of reasons. We are talking about a massively important part of our economy. A massive contribution to gross state product comes through businesses directly and indirectly connected to the production or the sale of alcohol, from high-quality malting barley all the way through to hospitality outlets, small pubs in the country, small bars in the city, the Casino, or wherever it happens to be, and it is very important for that reason

and very important for many other reasons as well, including, of course, the fact that they are an important part of our social fabric.

I know there are people out there who think, 'Look, leave us alone. Let us do whatever we want to do. I'm responsible. Go and chase some real criminals,' all the way through to people who say, 'Nobody should ever consume alcohol. It is unnecessary and we should ban it.' They are the extremes. I am sure all of us in this parliament are in between those two extremes. The government, whether it is Liberal or Labor, has a tough job to try to lead debate and lawmaking in that way. The opposition takes our responsibility to contribute to that task extremely seriously.

Unlike the member for Newland's experience, who quite understandably contributed to this debate from a consumer's perspective, while I am quite happily a moderate consumer of alcohol, my experience is far more from the other side of the business. I started my working life connected to alcohol as a bouncer in a pub in inner city Toronto when I was 18. It was a place called the Brunswick Beer Hall. It was a massive place, maybe a bit smaller than a basketball court. It had rows and rows of tables and chairs—small, round tables and four chairs at each table—and there might have been 100 of them. The norm was to order a round tray of beer that was two feet or more wide and held 30 glasses of beer.

The laws in Ontario at the time were such that you were not allowed to serve lots of beer all at once unless it came in lots of small glasses, so people would buy a tray of 30 glasses and sit there. I was one of about 10 bouncers who worked there. Many of them were much bigger than me, and I can tell you that we were needed. I was very glad to be a member of 10 rather than be there on my own.

We go from that, which today we would all consider to be completely outrageous and irresponsible service of alcohol, all the way through to fine dining—not that I have been involved in that necessarily. People are apparently extremely knowledgeable about what they are eating and drinking and they take it very seriously. Hopefully, they do not consume too much. There are these areas and myriad others in between.

I have been a licensee at four different establishments. Two of them had pokies as well. Think of a place like Marla, where one of the conditions of the liquor licence was that you were not allowed to sell takeaway alcohol to anybody who was coming from or going to the APY lands. Every single person who went through that establishment who wanted to buy takeaway alcohol had to sign a form and state their name and address and state that they were not going to or coming from the APY lands. While that was at the request of the local Aboriginal community, it was not only Aboriginal people who were wrapped up in that; everybody was wrapped up in that. There were many non-Aboriginal people who caused grief in that establishment with regard to the irresponsible consumption of alcohol.

It is a complicated business and we need different rules that work in different places in different ways, and of course they need to improve over time. My greatest concern with regard to liquor licensing, which has not been covered already by the deputy leader, is the impact upon small rural and outback community events. They are very often genuine one-offs or they are one-offs in the sense that they are annual. They occur regularly but a new licence is required each time.

One example would be rodeos. There are five in the electorate of Stuart. They are extraordinarily important community events. Anywhere from 1,000 to 3,000 people attend them. I would say quite openly that if there were 1,000 to 3,000 people coming from all over the countryside to attend any event for fun, even if zero alcohol were involved, unfortunately, there would very likely still be some antisocial behaviour. That is just how it is. So, to blame the presence of alcohol is naive. To say that alcohol would not contribute to it at all would also be naive.

My point is that these volunteer organisations raise anywhere between \$5,000 and \$30,000 per event, which all goes back into the local community. It is all farmed back into the local community for very positive service delivery, which would not otherwise happen if it was left to the government to provide. It goes back into the bowls club, the senior citizens club, the football club, the netball club, the cricket club, the primary school, the kindergarten, the CFS—whoever it happens to be. In one case, those funds support a small community general store that cannot survive on its own. One of

the rodeos significantly contributes financially to that store every year so that that store can still be there, in what would otherwise be an unprofitable way, supporting and serving the local community.

I am not suggesting that those people need an easy ride or that the liquor service should be slack in these situations, but I am well aware of situations where volunteer organisations which apply for liquor licences, and which are personally responsible for overseeing the service of the alcohol, are treated poorly. They are definitely treated poorly by the liquor gambling commission office in Adelaide which considers them, I suspect, as just another bit of administration that they have to deal with, and often they do not get the support they deserve. That is just one example.

Another example is of a well-known local farming family—not poor, not rich—many members of the family in the community who contribute enormously. When they were trying to organise a 21<sup>st</sup> birthday party they did the right thing. They wanted to get a liquor licence because they were going to be serving alcohol to the guests—obviously, only the guests over 18—and they understood that they needed to get the application in at least three weeks out from the event. They got their application in about two or 2½ months out from the event, but they were still refused any response to their application until days before the event.

By definition, if the minimum time before the event in which to apply is three weeks then clearly the office can process the application within three weeks. People go to the trouble of putting in an application well in advance so they will know if it is successful or unsuccessful or if there are any special conditions, or anything like that that they need to comply with, yet they are kept waiting until the very last minute. You might have 50 or 100 people invited to come to the local footy club for a 21<sup>st</sup> birthday party and it is all on track, but the office has refused to give them confirmation of whether or not the event is going ahead. That is unreasonable, it is unhelpful and it is stressful to the people who go out of their way to responsibly organise an event.

They are just two examples of matters that are important; and these are incredibly important events within small rural communities. That is not to say that you cannot have fun without a drink or anything like that, but anybody who thinks you can have a 21<sup>st</sup> birthday party without a drink, in 99.9 per cent of cases, is kidding themselves; and anybody who thinks they can run a rodeo without a few beers is kidding themselves.

Whether people like it or not—and I am not suggesting the government feels this way—it is part of what we do in Australia, so let's have some rules that allow us to do it responsibly. Let's have some rules that allow us to do it in a fun, enjoyable and mature way, but let's not make it more difficult than it needs to be, especially for volunteers who try to contribute responsibly. I seek leave to continue my remarks.

*Sitting suspended from 12:59 to 14:00.*

*Bills*

**INDUSTRIAL HEMP BILL**

*Assent*

His Excellency the Governor assented to the bill.

*Parliamentary Procedure*

**ANSWERS TABLED**

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

*Ministerial Statement*

**CHINA TRADE AND AFL MISSION**

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

Leave granted.

**The Hon. J.W. WEATHERILL:** I have just returned from my sixth visit to our Chinese sister state, Shandong Province, leading a trade mission to South Australia's largest export market. It was an important time to visit Jinan, Shandong's capital, to establish a relationship with the new political leaders, who were appointed in March. This mission, led by myself and the Minister for Investment and Trade, was designed to build on our existing 31-year relationship and seek new opportunities to boost exports and create jobs. The wider delegation covered a much wider footprint in China, also visiting Guangzhou, Qingdao, Yantai, Shanxi, Suzhou, Shanghai and Hong Kong.

Last year, South Australia exported \$2.2 billion worth of goods to China, but there is room for much more growth. While in Shandong, I met with our trade and investment delegation—182 business delegates, representing 124 businesses and organisations. Among them were many who had attended previous missions. This year, we explored opportunities in 10 well-defined industry sectors: trade, wine, investment, education and training, research and development, water, culture, health and ageing, agribusiness and culture. Each business stream is supported by the state government to assist with program planning, business matching and in-country introductions.

At my meetings with the newly appointed Shandong party secretary and Governor, we discussed their role in the Chinese government's belt and road policy and opportunities to accelerate investment and trade. I can report that the new Shandong leadership is focused, determined and ambitious. The new party secretary and Governor gave their personal commitment to continue to prioritise the South Australian-Shandong relationship as their principal international collaboration, and they will be working to identify strategic joint projects in the coming months.

We are also expecting the second most senior leader of Shandong Province, Governor Gong, to lead a return visit to South Australia in September this year. During this mission, a total of 33 memorandums of understanding were signed or witnessed, and I can report a range of other achievements, specifically:

- opening a new and expanded office in Jinan to provide a focal point for South Australia's growing trade relationship with Shandong Province;
- announcing a joint laboratory in terrestrial and marine biotechnology products between the Shandong Academy of Sciences and Flinders University;
- reaching an agreement between the South Australian and Shandong governments to strengthen the delivery of vocational education and training within the province;
- formalising a range of collaborations between the South Australian Health and Medical Research Institute and the University of South Australia with Chinese company TusHoldings and Tsinghua University. These are designed to attract investment in innovation, biomedical and health industries in high-tech sectors;
- establishing two new subcommittees for our High-Level Working Group: environmental protection and science and technology;
- hosting our South Australia Club luncheon in Shanghai with high net-worth investors to emphasise that we are open to investment and offer a growing number of investment-ready projects; and
- holding numerous meetings with individual investors and businesses, details of which are commercial-in-confidence.

A highlight for me was appointing six new student ambassadors from China to come to Adelaide as part of our StudyAdelaide Student Ambassador campaign. This program to raise awareness of our city as a study destination is going from strength to strength. This year's campaign achieved more than 150 million viewerships and attracted an amazing 7,400 applications, well over three times more than the previous year. Our education strategy is working. Last year, we had more than 14,000 international Chinese students come to South Australia, an increase of 10.9 per cent on the previous year.

Of course, the other focus of the visit was the historic first AFL match in Shanghai. What the Port Adelaide Football Club has achieved by organising this game in Shanghai cannot be overstated.

One of the biggest challenges for South Australian companies doing business in China can be a lack of awareness of Adelaide or South Australia when compared with the better known cities of Melbourne and Sydney.

The football game helped to significantly raise our profile in this most important of Chinese cities. The thousands of Port Adelaide fans in Shanghai, together with strong South Australian brand messaging during the game, put South Australia in the spotlight, with the game covered by local and international media and broadcast live on Chinese TV.

The Port Adelaide Football Club signed two significant deals while in Shanghai, one a major sponsorship deal with MJK and the other an MOU with the University of South Australia and two sports science institutions in China. This strategic collaboration will open up opportunities to develop world-leading sports science research for all parties through teaching, education and placement opportunities.

At the game, all levels of Chinese government were represented, along with organisers of many sports seeking to understand how to run commercial sporting events. I met with the Assistant Minister for Sport for the whole of China, as well as the Vice Mayor of Shanghai. These meetings reinforced our commitment to sports diplomacy as a valuable way to build cross-cultural understanding and broaden our connections with China.

The local mayor of the Yangpu region in which the stadium was located will visit Adelaide next month with a delegation to learn more about sports-related commercial services with Adelaide Oval authorities. This China mission has exceeded all expectations and I congratulate everyone involved.

**The SPEAKER:** That was a remarkably unprovocative ministerial statement, yet the following people are called to order for interjecting during it: the members for Hammond, Morialta, Mount Gambier and Finniss and the leader and deputy leader.

*Parliamentary Procedure*

**PAPERS**

The following papers were laid on the table:

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

South Australian Commercial Gulf St Vincent Prawn Fishery Management Plan—Report  
April 2017

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

Local Council By-Laws—

City of West Torrens—

- No. 1—Permits and Penalties
- No. 2—Local Government Land
- No. 3—Roads
- No. 4—Moveable Signs
- No. 5—Dogs

*Parliamentary Committees*

**PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND  
COMPENSATION: 67 IS THE NEW 40**

**The Hon. S.W. KEY (Ashford) (14:11):** I bring up the 27<sup>th</sup> report of the committee, entitled '67 is the new 40: inquiry into work health and safety and workers compensation issues associated with people working longer'.

Report received and ordered to be published.

*Ministerial Statement***OAKDEN MENTAL HEALTH FACILITY**

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:12):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. L.A. VLAHOS:** I rise to update the house on the ongoing government response to the Chief Psychiatrist's report into the Oakden older persons mental health facility. The Chief Psychiatrist's report uncovered shocking examples of systemic elder abuse at Oakden dating back to 2001. Underpinning the abuse was the entrenched culture of cover-up identified in the Oakden report which the government is determined to end. We have a zero tolerance approach to further elder abuse, and underpinning the abuse was the entrenched culture.

I wish to update the house on steps that have been recently undertaken to enforce these standards. I wish to inform the house that a staff member working at the Oakden facility has been suspended. The matter was immediately referred to SAPOL following an allegation of abuse reported to the new clinical head of unit on Saturday 13 May. The removal of the staff member related to an alleged incident witnessed by a family member of another patient on Tuesday 9 May that was not reported until Saturday 13 May.

This takes the current number of people suspended from the workplace to 10, pending further investigation. In addition, one person has resigned and one person has been terminated. These figures will likely continue to change in accordance with the status of investigations by SA Health, AHPRA, SAPOL and the commonwealth Australian Aged Care Quality Agency. Given the number of staff issues uncovered subsequent to the Oakden report, outside legal counsel has been engaged to assist, and we need to act swiftly and effectively to deal with the safety concerns.

I have written to AHPRA to request that they expedite their investigations and, as I have said previously, I expect any worker with allegations of violence or abuse against them to be stood down immediately until matters are properly dealt with. Further, I have asked the SA Health chief executive, Vickie Kaminski, to thoroughly investigate claims by family in the media yesterday that an Oakden staff member previously accused of assault remains employed. Whilst I am advised that this matter had been investigated previously, I have instructed a review of any previous investigations so that I can be satisfied that they were conducted properly. I will report to the families affected and the house when information becomes available.

I completely understand the anger and despair of the families, and a number of measures have been put in place to support them. The Premier and I have met with a number of family members of residents of the Oakden facility. There is an existing hotline for families to contact regarding any concerns they have about their loved ones. To date, 21 calls have been received on this line. I reiterate to the families my offer and the Premier's offer to continue to discuss their family's concerns and situation with me.

A new team of senior clinicians has been installed at Oakden to oversee the closure of the Makk and McLeay wards and the transfer of residents to the Northgate site and other appropriate facilities. These senior clinicians, led by the new Clinical Head of Unit, Dr Duncan McKellar, are working closely with residents and their families to ensure the move to the new facilities is as smooth as possible. I have been advised that the service has contacted 20 families to date in relation to the transition, with more meetings to follow.

Along with the implementation of the six recommendations contained in the Chief Psychiatrist's report, a number of other measures have been put in place to review what went wrong at Oakden. The state government has given notice to expand the terms of reference for the elder abuse joint committee to consider the Oakden review. This will include addressing issues raised by the Hon. Kelly Vincent MLC in relation to the selection and screening of staff in the aged-care sector. I intend to appoint an external expert to oversee the implementation of the government's response to the Oakden report.

The South Australian government also welcomes the commonwealth Senate inquiry into the Australian Aged Care Quality Agency and the accreditation process. This comes on top of the review by the commonwealth agency, announced by the federal aged-care minister, the Hon. Ken Wyatt MP. Clearly, the accreditation system is failing the people it is designed to protect, given that Oakden received full accreditation from the commonwealth agency as recently as March 2016 through to 2019.

What occurred at Oakden over a protracted period of time is completely unacceptable, and its discovery has provoked a national debate on the state of aged-care standards across our country. I reiterate my apology and the government's apology to the residents and families of the Oakden site, past and present. What occurred should not have happened, and the South Australian government is dedicated to ensuring this cannot occur again.

In closing, I want to reassure the South Australian public that I will disclose all important information regarding Oakden. From the outset, I have been transparent in releasing relevant documentation, including the Chief Psychiatrist's disturbing report, as I am determined to ensure that this will never happen again.

*Members interjecting:*

**The SPEAKER:** I call to order the members for Schubert and Stuart for interjecting during that ministerial statement. I warn the members for Hammond, Schubert and the deputy leader for continuing to interject, and I warn for the second and final time the deputy leader for interjecting.

*Parliamentary Procedure*

#### VISITORS

**The SPEAKER:** I welcome to parliament today members of the Aldgate Combined Probus Club, who are guests of the member for Heysen, and I also welcome Nazareth College, who are guests of mine.

*Question Time*

#### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18):** My question is to the Minister for Health. What steps did the minister take following the chemotherapy underdosing bungle to ensure all reportable deaths are promptly referred to the Coroner for full investigation?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:18):** Under the act, it is the medical practitioner's responsibility to ensure that any deaths that are notifiable are notified to the Coroner and also to provide an opinion as to the cause of death. My understanding is that the way the process works is that medical practitioners will sometimes liaise directly with the Coroner's office if they are unsure about whether or not a death should be referred to the Coroner to get advice.

Indeed, all our medical practitioners' obligations are very, very clear by the department, what their obligations are. There is a manual or handbook provided, which points out the steps and it makes very, very clear to medical practitioners what their responsibilities are under the Coroners Act. If there are any circumstances where a medical practitioner has not followed the appropriate processes, and not followed his or her obligations under the act, then that is obviously something that we would be very keen to investigate.

With regard to the chemotherapy issue, again, it would have been the responsibility of the medical practitioner who was treating the relevant patient who died to ensure that that was appropriately referred to the Coroner.

#### STROKE SERVICE

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20):** Supplementary: can the minister update the house as to whether he has made any inquiries as to why both the recent reportable deaths of stroke victims at the Royal Adelaide Hospital were not reported to the Coroner in full in accordance with the answer that he has just provided to the house?



**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:20):** Yes, I have, and I am seeking answers whether it is in fact the case that medical practitioners have not fulfilled their obligations under the Coroner's Act, and I would view very, very dimly if any medical practitioner hadn't fulfilled their obligations. I am getting advice back. Obviously, the Coroner has made some remarks about referrals of matters, but this obviously rests with the medical practitioner who is treating the patient to make the appropriate referral to the Coroner. Not all deaths in our hospitals are referred to the Coroner. They are referred if—

*Mr Marshall interjecting:*

**The Hon. J.J. SNELLING:** There are certain circumstances where a matter should be referred to the Coroner and, as I say, often medical practitioners will liaise directly with the Coroner's office to get advice about whether or not a matter needs to be referred. But, as I say, I am getting some advice back from my department about whether there were any deaths that should have been reported and, if that is the case, and deaths weren't appropriately reported to the Coroner, then that is a matter which will be dealt with appropriately.

#### WOMEN'S AND CHILDREN'S HOSPITAL

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:21):** Supplementary: in light of the Minister for Health's inquiry in relation to these deaths, has he made inquiries as to why eight infant deaths at the Women's and Children's Hospital, reported in last year's Coroner's report, were not reported and why they weren't reported?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:21):** Yes, I have, and I have had that matter reported and my department has been working very closely with the Coroner's office about that particular matter. I don't have the information at hand but, yes, that certainly is a matter that has been reported appropriately with me and has been dealt with appropriately.

#### WOMEN'S AND CHILDREN'S HOSPITAL

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:22):** Supplementary: when does the minister expect to receive a report, and can he report to the parliament as to why those eight babies' deaths were not reported?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:22):** Sure. It's not that I am waiting for a report; it's just that I don't have it to hand, and I am more than happy to see what information I can and what is appropriate for me to provide to the parliament.

#### STROKE SERVICE

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:22):** My question is to the Minister for Health. Did SA Health assess the capacity of the Royal Adelaide Hospital's neurointerventional radiologists before centralising stroke services in March as part of Transforming Health?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:22):** It is important to note that this matter has nothing to do with the reforms we have made with regard to stroke services; they are completely separate issues. Interventional neuroradiology is a highly specialised procedure; in fact, not only are there not many people in South Australia who are credentialed to do the procedure but there are not many people in all of Australia who are credentialed. It involves inserting a wire, for want of a better word, into the brain of a patient in order to clear out a block. It's a procedure I have seen done with patients suffering heart attacks, but not something I have ever seen done on a stroke patient, and I don't think members would be surprised to understand that inserting anything into a patient's brain is extremely dangerous and not something which is undertaken lightly.

The circumstances where it is undertaken are where the usual treatment for stroke, using the clot-dissolving drugs, has failed, and it's only under those circumstances that this procedure is undertaken, and even then it is not necessarily, I understand, in all cases. It is a relatively rare

procedure which is undertaken. At the moment, there are two doctors who are credentialed at the Royal Adelaide Hospital to perform the procedure.

My understanding is that there is some disagreement among clinicians about what are the appropriate qualifications a clinician needs, a doctor needs, in order to undertake this procedure, that it is not a clear-cut matter with regard to who should be allowed to do it. There is some disagreement among clinicians about the sorts of qualifications and how qualified a person should be, given how relatively rare it is compared to other procedures that we do in our health system and the highly dangerous nature of the procedure.

Certainly, I have impressed upon the department the importance of having more appropriately credentialed doctors able to perform this procedure. I think there can be little doubt that only having two to cover a roster, given that strokes present at all times of the day or night, is insufficient. My understanding is that the department is addressing that matter to see how quickly we can get some additional doctors appropriately credentialed and able to do this procedure as soon as possible, because there is no doubt that only having two able to do it is not sufficient to cover a roster.

### STROKE SERVICE

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:26):** Supplementary: is it true that the services in this particular area, this neurointerventional radiology service for stroke patients, are only offered at the Royal Adelaide Hospital—they are providing the entire statewide service now? If that is the case, how long has that been the situation?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:26):** I will check that. Yes, my understanding is that that is so, although there is a doctor at Flinders Medical Centre, who I understand is able to do the procedure, but that procedure would normally be done in a centralised model and absolutely, given that the procedure is highly specialised and relatively rare—it is not a frequent occurrence—you need doctors who are doing the procedure to be doing it all the time. To put it bluntly, you don't want someone sticking a wire into your brain if it's something that they only do every now and then, almost as a sideline.

This has to be something which is centralised and which is done by clinicians who do it the minimum number of times for them to be able to retain their skills. It would certainly, I think, be highly unwise for a procedure like that to be offered at more than one site. Perhaps if there were sufficient demand for it, it could be two, but my feeling would be that it would only be appropriate for it to be offered at one site, given the highly specialised nature of it. I would consider that entirely appropriate, in fact. I think it would probably be reckless to try to undertake it at any more sites than that.

### STROKE SERVICE

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:27):** How long have we only had two clinicians covering this service for the entire state?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:27):** I would need to check. I don't have that information but, as I said, with regard to how many clinicians are credentialed, there is some disagreement among clinicians about what qualifications and experience are required of a clinician to be able to undertake this particular procedure. It is, as I say, highly specialised. They are very risky procedures. Anyone here would understand that sticking a wire into the blood vessels in your brain, if it goes badly, would have catastrophic results.

You only want someone doing that if they have all the qualifications that are appropriate for someone to undertake that procedure. Not only that, you also want them doing it as frequently as possible so that they have the necessary skills. It is not something you would want to be done on you by a clinician if that clinician only performed that particular procedure on an 'every now and then' basis. It is something that you would expect them to be doing as frequently as possible, given the relatively small number of times this procedure is done.

As I say, there is some disagreement. There is not a uniform view about what qualifications a clinician requires in order to be credentialed appropriately to provide this particular procedure. I certainly take the point that two people doing this is not sufficient. I should also point out that there

is in fact no-one in the private sector who does this. This is not a procedure that is done in the private sector at all, it has been pointed out to me, because of the high-risk nature of it.

### STROKE SERVICE

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:29):** The minister in his answer suggested that two people wouldn't be sufficient to cover the statewide service 24 hours a day, 365 days a year. How many clinicians would be adequate to provide this statewide service and when will those clinicians be in place?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:30):** As soon as possible, but I point out there's not a very large number of clinicians in Australia who have the skills and the qualifications to do this procedure. You can't just pull someone straight out of medical school and train them up in order to do this procedure. This takes many, many years of study, and there are not many people in all of Australia who are qualified to do this particular procedure.

It doesn't need to be many more than two. We don't need dozens of people, nor would it be appropriate or safe to have dozens of clinicians who are in a position to do this, but certainly I take the point that we do need more clinicians—

*Mr Goldsworthy interjecting:*

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

**The Hon. J.J. SNELLING:** He's been at it all day, sir.

**Mr Marshall:** How many should we have?

**The Hon. J.J. SNELLING:** We don't need dozens of clinicians to be able to do it, but we do need a few more who are able to do it. It's not something that will happen overnight because of the length of time that it takes to train a clinician to be able to do this and because of the fact that there is not—

**Mr Marshall:** Has Tasmania got more than South Australia?

**The SPEAKER:** The leader is warned.

**The Hon. J.J. SNELLING:** —a large number of clinicians around Australia who are able to provide this service.

**Mr Wingard:** How many people have to die for you to act?

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

### ROYAL ADELAIDE HOSPITAL

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:31):** My question is to the Minister for Health. Given that clinicians at the Royal Adelaide Hospital estimate that 20 to 30 per cent less (or fewer) outpatient activities—

**The SPEAKER:** I am getting somewhere.

**Mr MARSHALL:** —will be delivered at the new Royal Adelaide Hospital compared with the current site, where will the balance of outpatient activity that cannot be delivered at the new Royal Adelaide Hospital be delivered?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:32):** My advice is that 90 per cent of the current outpatient activity at the Royal Adelaide Hospital will be accommodated and is able to be accommodated at the new Royal Adelaide Hospital. There will be some outpatient activity which will be provided elsewhere.

*Mr Whetstone interjecting:*

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

**The Hon. J.J. SNELLING:** Roughly 10 per cent of outpatient activity will be provided elsewhere. We are looking at and working with our clinicians on what the options are with that, but we have existing health sites all around metropolitan Adelaide. We have to remember that—

*Mr Pisoni interjecting:*

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

**The Hon. J.J. SNELLING:** —people coming into the Royal Adelaide Hospital for outpatient appointments will be coming from not only all over metropolitan Adelaide but all over the state. The Royal Adelaide Hospital is not necessarily going to be the most convenient or appropriate place for those outpatient appointments to occur.

With regard to outpatients, I am pretty sure I have spoken to this issue in question time before but, just to reiterate, we are asking our clinicians to provide outpatient service in a way that is actually centred on the patient, in a way that is convenient for the patient. Anyone going to an outpatient appointment at the Royal Adelaide Hospital at the moment will know it's a nightmare. It's very, very hard to find your way. It could be anywhere on a sprawling campus. It can be very—

*Mr Pisoni interjecting:*

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

*Mr Goldsworthy interjecting:*

**The SPEAKER:** The member for Kavel is warned. He will not amplify his out of order remarks by cupping his hand.

**The Hon. J.J. SNELLING:** The old Royal Adelaide Hospital is inadequate and this side of the house has been arguing that it's inadequate for the last 10 years. It's the Liberal Party and the Leader of the Opposition who have been in complete denial about the need for a new hospital. We have never made a secret of the fact that the old Royal Adelaide Hospital is inadequate to provide a modern health service.

**The SPEAKER:** Point of order.

**The Hon. J.J. SNELLING:** It has been the opposition that's been in denial on this issue.

**The SPEAKER:** The minister will be seated. I imagine the member for Unley is as concerned by the Leader of the Opposition's repeated interjections as I am.

**Mr PISONI:** I didn't actually hear those, sir.

*Members interjecting:*

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

*Members interjecting:*

**The SPEAKER:** I am listening to a point of order from the member for Unley. He has my full attention.

**Mr PISONI:** I was asking if you could bring the minister back to the substance of the question and stop debating, sir.

**The SPEAKER:** Well, it was a bit of argy-bargy on both sides. I thought both sides were enjoying it. Minister.

**The Hon. J.J. SNELLING:** Indeed, Mr Speaker. We make no apologies for the fact that, for the last 10 years on this side of the house, we have been arguing consistently that the old Royal Adelaide Hospital does not live up to the standards—

*Members interjecting:*

**The Hon. J.J. SNELLING:** The infrastructure there does not live up to the standards required of a modern health system. It has been the opposition that has been in denial on this particular issue.

*Mr Marshall interjecting:*

**The Hon. J.J. SNELLING:** The Leader of the Opposition can scream all he likes. I know he has night sweats about this particular issue because he knows how popular the new Royal Adelaide Hospital is going to be when he has to present to the South Australian voters in March next year, despite the fact that this side of the house has been arguing against it.

**Mr VAN HOLST PELLEKAAN:** Point of order: 98, Mr Speaker.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The Treasurer is called to order. I uphold the point of order. Is the minister finished?

**The Hon. J.J. SNELLING:** No, Mr Speaker. To go to an outpatient appointment at the old Royal Adelaide Hospital required traversing a large campus to try to find where to go. At the new Royal Adelaide Hospital, all outpatient clinics are consolidated, and we make no apology for that, because that is what is going to be most convenient for patients presenting to the new Royal Adelaide Hospital for their outpatient appointments.

*Mr Knoll interjecting:*

**The Hon. J.J. SNELLING:** We are doing it because it's good for patients. On this side of the house we are actually interested in the patients who present to the hospital, rather than just sticking up for a few small interests. The Liberal Party just doesn't get it. It doesn't get health in this state, it is not interested in health care in this state.

**The SPEAKER:** Alas, the member's time has expired. I might have warned the member for Schubert, but I had a lovely weekend in his electorate, so I have decided not to.

**Mr Knoll:** Did Freeling win anything?

**The SPEAKER:** I don't think they did, no—no grade, neither firsts, nor reserves, nor under 17s.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:37):** My question is to the Minister for Mental Health. Is the Oakden staff member, whom the minister today described as being previously accused of assault and who remains employed, the same staff member whom Alma Krecu publicly announced yesterday she had observed and reported many times as a risk to residents? If so, can she tell the house whether this staff member was ever suspended?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:38):** As I stated in my ministerial statement, and as I have stated previously, I expect any worker with allegations of violence or abuse against them to be stood down immediately until matters are properly dealt with. Further, I have asked the SA Health chief executive, Vickie Kaminski, to thoroughly investigate claims made by family members in the media yesterday that an Oakden staff member previously accused of assault remains employed.

Whilst I am advised that this matter has been previously investigated, I have instructed a review of any previous investigations so that I can be satisfied that they were conducted properly. I will report back to families affected and the house when more information becomes available.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:38):** A supplementary: when the Minister for Mental Health had been advised that this worker's conduct had previously been investigated, and noting that she has now asked for a review of the review, did the minister receive any information as to what the allegations were and what action was taken?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:39):** As this is a review that is ongoing, until I have the precise facts from the family, by SA Health with an incident report, I will rely on that information to come forward. I think it is best that the investigation takes place, and for the families concerned it will be investigated

rigorously. I will not tolerate SA Health or any employees saying they have investigated something and something not to be done.

#### **PORT ADELAIDE FOOTBALL CLUB, CHINA STRATEGY**

**The Hon. J.M. RANKINE (Wright) (14:39):** My question is to the Premier. Can the Premier outline the benefits of Port Adelaide's China engagement strategy for South Australia, and is he aware of any alternative approaches?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:40):** I thank the honourable member for her question. It was a privilege to be in Shanghai to witness history on Sunday. Port Adelaide played the first AFL match for premiership points outside of Australasia—the first major sports league anywhere in the world, in fact, to play for premiership points on Chinese soil. So, NBA, NRL, you name it—nobody has been able to break into the Chinese market.

From Queen Street, Alberton, to Shanghai, it's an extraordinary achievement. One we observed and I pinched because I thought it was funny, the furthest that the Port Adelaide Football Club had travelled pre-1997 was probably Elizabeth. So, it's an extraordinary achievement to be all the way over there in Shanghai. Port Adelaide, of course, returned with much more than four premiership points. The club picked up a host of new sponsors and laid the groundwork for a long-term commitment in China.

I should also note that the seeds for this were sown in my office by Andrew Hunter when he designed our sports diplomacy strategy. Sadly for me, he was pinched by the Port Adelaide Football Club and has gone from strength to strength. He has been really an architect of their strategy. Securing extraordinary sponsorships, managing to persuade Mr Koch to really take on an extraordinary ambition to break into China, and persuading the AFL to come with him was an extraordinary risk but a massive return for not only the AFL but also the Port Adelaide Football Club.

What it has done is put South Australia's brand front and centre. This was the largest television audience of an AFL match in the history of the sport. What they were looking at was a ground festooned with images of South Australia: on the ground, our brand, and 'Study in Adelaide, invest in Adelaide', around the course of the ground. It is very hard to break into the international marketplace, and with this one event we have achieved an extraordinary amount.

It is not everyone who thinks this is a good idea. I note the member for Chaffey has decided to advance his own observations about this event, talking down the prospect of the Port Adelaide Football Club going to China—

**Mr Whetstone:** Read the *Hansard*, Jay.

**The Hon. J.W. WEATHERILL:** I did read the *Hansard*. I read the Leader of the Opposition's mealy-mouthed defence. When he was asked about it, the Leader of the Opposition said, 'He's only asking questions.' Well, just have the courage to come out and say you think it's a bad idea, rather than just say, 'He's only asking questions.'

**Mr Marshall:** He didn't say that. You're embarrassing yourself again. He didn't even say that.

**The Hon. J.W. WEATHERILL:** No, that's what you said in defending him: 'only asking questions'.

**Mr VAN HOLST PELLEKAAN:** Point of order, sir: the Premier's comments have nothing to do with the question he was asked.

**The SPEAKER:** The Premier is provoking the opposition. I will listen carefully to his remarks and hope they join up with the question.

**The Hon. J.W. WEATHERILL:** The alternative approach to international engagement is that laid out by the Leader of the Opposition, where he is going to return to bricks and mortar trade offices. The Hartley review looked into this and said that the better approach was to embed our offices with Austrade, getting more bang for the buck, and we are getting the results on the board.

In 2015-16, the value of exports was up by 4 per cent; export volumes were up by 11.3 per cent; wine, fruit and vegetables, seafood, education services and tourism were up. The 200

or so South Australian businesses there value these trade missions. Rather than being talked down by the Leader of the Opposition as junkets, they value the support we give them and they achieve extraordinary things for themselves and for the South Australian people.

*Members interjecting:*

**The SPEAKER:** The leader is warned for the second and final time, and the member for Chaffey is warned. Deputy leader.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:44):** My question again is to the Minister for Mental Health. When the minister was advised that the matter referring to the Oakden staff member previously accused of assault had been previously investigated, and before instructing that there be another review of that investigation, did you inquire as to what the outcome of that investigation was?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:45):** As I stated earlier today, I have made my expectations very clear to the CE of SA Health, that any claims by families are to be investigated. But the claims that came forward yesterday in the media, that an Oakden staff member previously accused of assault remains employed, was news that I had not previously been made aware of. Whilst I am advised that this matter had been investigated previously, I have instructed, as I stated before, a review of a previous investigation so I can be satisfied that they were conducted properly. I have said, and I will reiterate that to the house now, that I will report back to the families affected and the house when more information becomes available.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:45):** Supplementary: given the minister's statement, and I quote, that 'no Oakden worker who poses a risk to clients or consumers or residents at that site are to return to the workplace', has the minister instructed the department to suspend this worker pending this further review?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:46):** As I have stated, there are HR processes in play and an investigation of this matter in play. When I am able to give the house more information, I will willingly come back and give that information to the house.

*Mr Goldsworthy interjecting:*

**The SPEAKER:** The member for Kavel is warned for the second and final time. Ejection is nigh.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:46):** Given the existing ministerial directive on human resources in respect of the suspension of workers under these allegations, why won't the minister now direct the chief executive to suspend this worker pending the further review?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:47):** It is my expectation that the CE of Health will undertake to ascertain whether the investigation was undertaken properly in the first place. If there was never an investigation, I will then make sure that all the proper HR courses of action are undertaken. I look forward to speaking with the family concerned very shortly about this matter, but I can reassure the general public in South Australia that I understand their anger and despair and that we are putting in place matters and procedures to ensure that this does not occur again at Oakden.

*Mr Tarzia interjecting:*

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

**OAKDEN MENTAL HEALTH FACILITY**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:48):** My question is to the Minister for Mental Health. Did the minister give an undertaking to Mr Stewart Johnston that the families of Oakden victims would be informed before any suspended worker returned to Oakden?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:48):** The Premier and I have met with a number of families who have come forward who have had bad experiences with their loved ones at Oakden. I have had a number of meetings with people in this time and space and remain open to talking to the families of people affected by the Oakden story. What we do know is that we are in regular contact with some of the family members about these issues ongoing and that we will continue to brief the parliament and those family members on a regular basis.

*Members interjecting:*

**The SPEAKER:** The Treasurer is warned and so is the member for Mitchell.

**OAKDEN MENTAL HEALTH FACILITY**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:49):** My question is to the Minister for Mental Health. Of the 12 employees who were under a suspension which then reduced to eight, and you have advised the house today are now back to 10, how many of the families of those victims were informed of the suspension of those workers?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:49):** I know the CE of NALHN is regularly meeting with the family members. Those meetings are occurring every day and I know the new head of the unit is meeting with families every day. As this information shifts as the investigations go forward, I have undertaken to update the house on a regular basis. I have informed the house today of one resignation and one dismissal. As soon as information comes to hand to me, I will update the house on a daily basis on this matter as fresh information becomes available.

*Mr van Holst Pellekaan interjecting:*

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

**OAKDEN MENTAL HEALTH FACILITY**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:50):** A further question to the Minister for Mental Health: what confidence then can the families of Oakden victims have in anything the minister now says, given that her directives have been ignored, the worker is still employed, there is no information about what other families have been informed and, according to Mr Stewart Johnston, there has been the complete shutdown of communication from the minister's office, contrary to her promise?

**The Hon. J.J. SNELLING:** Point of order: this is just debate and nothing else. The question contains a series of assertions which are up for debate. The question was pure debate and I ask you to rule it out of order.

**The SPEAKER:** The question is highly rhetorical; whether it is out of order I will determine upon seeing it in printed form if the deputy leader will bring it to me. Meanwhile, we shall go to the member for Kaurna.

**NOARLUNGA HOSPITAL**

**Mr PICTON (Kaurna) (14:51):** Thank you, Mr Speaker. My question is to the Minister for Health. How will the recently completed infrastructure at Noarlunga Hospital improve health services in Adelaide's southern suburbs?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:51):** I thank the member for Kaurna for the question and acknowledge his keen interest in Noarlunga Hospital and—

*Members interjecting:*



**The Hon. J.J. SNELLING:** —not only the member for Kaurua but the members for Mawson, Reynell and the member for Fisher as well, who certainly, unlike members opposite who are screaming out, do actually take a strong interest in public health policy in this state.

I was excited to be at Noarlunga Hospital on 5 May, with the member for Fisher and the member for Reynell, to celebrate the completion of the government's \$12 million infrastructure investment there. This follows nearly a year and a half of capital works that have transformed Noarlunga Hospital into a dedicated elective day and 23-hour surgery hub for our southern suburbs.

The members and I were lucky to have some of the doctors, nurses and allied health staff at Noarlunga provide us with a tour of the new facilities. This includes the new day surgery unit, which will see the number of elective surgery procedures currently provided there nearly double, meaning more elective surgery and shorter wait times for the southern suburbs. The two new state-of-the-art operating theatres and the first stage recovery area mean that Noarlunga now has a total of six procedural areas, with four theatres dedicated to day and 23-hour surgery and two dedicated to scopes. We have also seen an increase from eight to 12 chairs in the second stage recovery area.

The member for Reynell was so excited about the upgrade to Noarlunga Hospital that I hear she was back for another tour at the Noarlunga open day, which was held on Saturday. I understand the member for Kaurua, who also takes a great interest, attended Saturday's open day as well. Around 600 local community members attended the Noarlunga Hospital open day and their feedback was very positive. For example, comments received on feedback forms included, 'Great to see the new additions—good to know we still have these facilities in the south,' and, 'The hospital looks great—good improvement. Glad our money has been well spent.'

The open day included tours of the hospital and its brand-new facilities and provided the local community with a glimpse of how the hospital works on a normal day. Families were able to see inside an ambulance and children enjoyed the face painting and balloon animals, and of course the sausage sizzle, as always, was a big hit with the community.

The completion of the works at Noarlunga also includes the new and improved renal dialysis unit, as well as a new dedicated space for children in the emergency department, which is very important in making young children feel comfortable when they are receiving treatment and protecting them from the sometimes confronting sights that can be seen in the adult emergency department space. The new paediatric space is part of Noarlunga's community emergency department, which will continue to be staffed by doctors and nurses and provide emergency care to the local community, including paediatric emergency care 24 hours a day, seven days a week.

Mental health inpatient services for the southern suburbs will continue to be provided at Noarlunga Hospital, and the hospital will continue to provide outpatient services as well as subacute inpatient services, with a focus on older people. An increase in chairs in Noarlunga Hospital's day infusion suite is planned, from three to nine chairs, ensuring more cancer treatment for southern suburbs residents closer to home. Some members of the local community have expressed relief, and in fact pleasant surprise, to learn that not only is Noarlunga Hospital and its emergency department open for business but that it has been significantly upgraded.

Indeed, last Saturday's open day showed them that the dangerous and irresponsible comments made by some members of this place and some others in our community are just not true. These people should stop spreading misinformation that could put members of our southern community at risk. Noarlunga Hospital will continue to provide modern and world-class health care, and the people of the southern suburbs can be confident that they will continue to receive the care they deserve.

**The SPEAKER:** I call the Minister for Health to order for that straying into debate at the end of the answer, which of course is the best place to do it.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:55):** A further supplementary to the Minister for Mental Health: what confidence can the families of the Oakden victims have in anything the minister says when her directives, that a person under investigation be suspended and, to use her words, not returned to the workplace, are ignored?

**An honourable member:** That's an assertion.

**The SPEAKER:** No, I don't think that's the form of the question we agreed on, and I will have to rule it out of order because it contains the same vice as the previous question. If the deputy leader approaches the chair, we will try again.

### **RAILWAY CROSSING SAFETY STRATEGY**

**Ms HILDYARD (Reynell) (14:56):** My question is to the Minister for Transport and Infrastructure. Can the minister update the house on the state government's Railway Crossing Safety Strategy?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:56):** I thank the member for Reynell for her question and ongoing interest in this matter. As members may be aware, on behalf of the South Australian government I recently released the Railway Crossing Safety Strategy, a document put in place to reduce the hundreds of near misses reported at road and pedestrian crossings across South Australia. Too often, level crossing accidents occur across our metropolitan passenger train lines, our tramlines and in regional areas across the freight lines.

Our train and tram drivers regularly encounter instances of pedestrians, cyclists and cars dangerously crossing level crossings, putting themselves as well as the train or tram drivers, the commuters and the public at risk. I am advised that in a five-year period across all rail crossings across the breadth of South Australia there were 741 near misses, 14 collisions fortunately involving no injury, but unfortunately 15 collisions causing injury and four deaths across that period. Along with the state's road safety strategy, Towards Zero Together, this rail safety strategy looks at ways to manage railway crossings safely and identifies ways to reduce risks across our network.

An ultimate way of dealing with these issues is to grade separate them. We have done a lot of this work, particularly on the Port River Expressway with the current Torrens to Torrens project getting rid of the level crossing on South Road for the Outer Harbor train line, and getting rid of the level crossing at Park Terrace and also Gibson Street in Bowden with the Torrens Junction project. There is also the grade separation for pedestrians and cyclists at the Goodwood Junction project with the Mike Turtur path and, of course, the tram overpass at South Road.

I am pleased to advise the house that the first part of an initial \$12 million investment in the safety strategy will see five metropolitan railway pedestrian crossings and nine rural road level crossings upgraded. The state government is investing \$2½ million to install automatic gates at pedestrian crossings in the member for Reynell's electorate at Christie Downs, and also at Brighton and Hove, to significantly improve safety.

Managing and improving the large number of crossings across our state does pose a challenge, with more than 700 crossings, most of them in regional areas. As part of this strategy, we have also identified five passive pedestrian crossings, which currently pose safety risks, to be closed, with pedestrians directed to nearby safer alternatives. By removing these level crossings, as well as the upgrades that I just mentioned, we will significantly improve safety and reduce the likelihood of injuries and even deaths.

I am also pleased to say that, further to these upgrades and a small number of closures, signage, line marking and other upgrades at 154 level crossings will be made across rural areas. This reflects that the majority of our crossings are in regional areas, as I mentioned. Although train services may be less frequent in those areas, statistics show that the majority of incidents are occurring on freight lines in regional South Australia.

There will also be seven rural road crossing upgrades in the Mid North, the Flinders Ranges, at Callington, Currency Creek, Murray Bridge and Nairne. This investment will allow for the installation of important safety measures such as boom gates, lights and bells, extra signage and line marking. The strategy also identifies level crossings which should be removed. Of course, we have spoken at some length about the Oaklands crossing upgrade, but of course there are other locations in the metropolitan area, including at Ovingham, Seaton and Salisbury, which ideally would be upgraded.

*Parliamentary Procedure***VISITORS**

**The SPEAKER:** I welcome to parliament today the member for the federal division of Hindmarsh, Steve Georganas.

*Question Time***OAKDEN MENTAL HEALTH FACILITY**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:00):** A question to the Minister for Mental Health: has the minister obtained the advice from the CEO of SA Health, that she told the house that she would seek, into the investigation by a private sector law firm into the staff at Oakden and, if so, can she explain the rationale for this approach?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:01):** I'm happy to inform the house, and the house would be aware, that MinterEllison has been engaged to provide additional support and to expedite investigations into care and concern complaints and HR matters on the Oakden site. That will assist us in expediting these cases and ensure that procedural fairness is followed but at the same time, for the family members and loved ones who have been residents of Oakden who have had matters investigated, that these matters will be expedited as fast as possible by this government.

**OAKDEN MENTAL HEALTH FACILITY**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:01):** Supplementary to the Minister for Mental Health: did the chief executive of NALHN or SA Health consult with the minister before engaging MinterEllison for this investigation?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:02):** I had discussions with both of those employees, but it was a matter about which I do not want to jeopardise any investigations that are currently underway to ensure that people are given the opportunity to go through the normal procedural states that they have to go through, but this additional legal support will allow us to facilitate the completion of these matters. As I updated the house today, one person has been dismissed and one person has resigned.

*Members interjecting:*

**The SPEAKER:** The Premier is called to order and the member for Unley is warned for the very last time, as is the member for Mitchell.

**OAKDEN MENTAL HEALTH FACILITY**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:03):** Further supplementary, if I may, to the Minister for Mental Health: did the chief executive or the head of NALHN or the minister obtain the Attorney-General's approval to instruct private solicitors in respect of this assistance that you are seeking to go outside the Crown Solicitor's Office?

**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) (15:03):** The question of people stepping outside the normal public sector arrangements in respect of the obtaining of legal advice is a matter that's dealt with by a certain protocol. That is something which sits within the Attorney-General's Department, and I would need to seek advice about that matter to ascertain—

*Members interjecting:*

**The Hon. J.R. RAU:** Well, as members might appreciate—

*Mr Tarzia interjecting:*

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

**The Hon. J.R. RAU:** As members might appreciate, the Attorney-General's Department deals with a great many matters, some of which involve requests for various agencies to have external legal providers for a range of reasons. I think that's the sort of question, if we want a helpful answer, that I should seek advice from the department, and I will.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:04):** A further question to the Minister for Mental Health: how many individuals are currently under investigation or assisted in the investigation by MinterEllison?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:04):** I am not going to comment about individual investigations in this house, but I will comment on outcomes once they have been reached and, as I have said today, one person has been dismissed and one person has resigned. I will continue to update the house at every opportunity about the HR matters as we proceed, moving forward, to ensure that all these matters are brought to a conclusion as quickly as possible to boost the confidence of family members that the matters of their loved ones are being dealt with.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:05):** Supplementary: how much is the private sector law firm conducting this investigation and/or assistance going to cost and, if the minister doesn't know, is there a budget for this item?

**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) (15:05):** The cost of the provision of legal services by an external legal provider is something which, as the deputy leader would be aware, generally is a matter that is dealt with at the end of the process because they are—

**Mr Tarzia:** Jeez!

**The SPEAKER:** The member for Hartley will not blaspheme even in abbreviated form. He is warned for a second and final time.

**The Hon. J.R. RAU:** To the extent that those numbers are presently known, I will seek advice from the Attorney-General's Department.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:06):** A further supplementary to the Minister for Mental Health: notwithstanding that the costs of this investigation aren't known at this point, did the minister consider directing that those resources be applied towards crown law actually doing the investigation, or weren't you consulted on that issue?

**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) (15:06):** I think I explained previously that there are a range of circumstances in which the ordinary course of events, which is the crown advising the government, is departed from, and there are a range of reasons why that should occur. Given that that decision-making is, in part at least, a matter for the Crown Solicitor, the appropriate place for those questions to be directed is through the Crown Solicitor's Office. I am happy to take the questions. I am happy to refer them on to the—

*Mr Marshall interjecting:*

**The Hon. J.R. RAU:** I don't personally deal with the decisions that are made, obviously, by the Crown Solicitor and not by me, and I imagine that there are a great many of them being put forward or determined one way or another by the Crown Solicitor all the time. This is the ordinary course of business for government.

*Mr Marshall interjecting:*

**The Hon. J.R. RAU:** There may well be.

*Members interjecting:*

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

**The Hon. J.R. RAU:** I would be happy to take one question at a time. But, as I am saying, what happens—if people are interested in the answer, I would be happy to share it with you—is that the situation is that from time to time there are circumstances in which, as I was explaining, it is useful, appropriate or necessary for a third-party legal adviser, somebody who is not part and parcel of government, to provide assistance to government. There can be many reasons for that.

**Mr Marshall:** But what is the reason in this case?

**The Hon. J.R. RAU:** I am going to stick with the question that has actually been asked of me because since I have been attempting to answer the first question the Leader of the Opposition has fired off five or six other questions which are tangentially connected with the first. I am attempting to answer the first.

**Mr Marshall:** What a lot of rubbish!

**The Hon. J.R. RAU:** So, what I will be doing—

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

**The Hon. J.R. RAU:** There you are. What I will be doing now is getting the crown to have a look at this series of questions from the deputy leader and asking them to provide me with information which will enable me to assist the house by answering those to the best of our ability.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:10):** Supplementary: does the Attorney-General currently have no knowledge of the investigation appointment of MinterEllison or any budget approval for their investigation?

**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) (15:10):** The only knowledge I have of it is knowledge that I have acquired in the course of the revisiting of this topic in this place consistently over the last couple weeks. If the question you are asking is: did at some point in time a proposition come to me saying, 'Will you permit the Minister for Mental Health to do this or will you not?', no. That doesn't get escalated onto my desk. This is the sort of thing I am trying to explain.

*Members interjecting:*

**The Hon. J.R. RAU:** My goodness, you are humorous.

*Members interjecting:*

**The SPEAKER:** The member for Chaffey is warned for the second and the last time.

**The Hon. J.R. RAU:** I think it was actually the member for Schubert throwing his voice, Mr Speaker. In any event, the Crown Solicitor receives routinely many requests for external legal provision of services, and those requests are dealt with on their merits as and when they arise, and they are dealt with administratively, pursuant to the circular that applies to these things, by the Crown Solicitor.

That is not a matter that requires me to be involved. It is a matter that the Crown Solicitor does as part of their job, and for that reason I do not have a running tally of how many for how much and to whom in respect of those applications but, to the extent that I can obtain that information from the Crown Solicitor in order to answer the questions that have been asked, I will seek to do so.

#### MODBURY HOSPITAL

**Ms BEDFORD (Florey) (15:12):** My question is to the Minister for Health. Can the minister explain to the house the difference between an ICU team and a medical emergency team, why

Modbury Hospital is expected to work with a different model or standard from other metropolitan hospitals and whether high-risk chest pain patients are still only one call away from a transfer between Modbury and the Lyell McEwin health service?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:12):** In most of our hospitals, there is a team available to respond to patients who are deteriorating very quickly and who require an emergency response. So, there is an in-house team, normally, that responds to those events.

*Mr Marshall interjecting:*

**The Hon. J.J. SNELLING:** When the decision was made not to continue having an ICU at Modbury Hospital, a MET team was created to respond to declining patients at Modbury Hospital and that has been in place for some time—I think, a year or so. That MET team has been utilised very rarely. It doesn't happen very often that there are patients who require the service of that team, and it has been difficult in fact to find clinicians who are actually prepared to be on it because it is so underutilised, so it has been—

*Mr Marshall interjecting:*

**The Hon. J.J. SNELLING:** Mr Speaker, point of order: the opposition receive 50 questions or more, yet the Leader of the Opposition, without any provocation from me, is barking at me while I attempt to provide a very reasonable response to the member for Florey. I think the member for Florey deserves some respect.

**The SPEAKER:** The Leader of the Opposition is on two warnings. I have given him latitude because he is the Leader of the Opposition and under my dispensation is entitled to behave a lot worse than other members of the opposition; that is to say, he gets more latitude because of his office.

**The Hon. J.J. SNELLING:** So, it has been difficult to appropriately staff that MET team at Modbury Hospital. In fact, it has even been difficult to find locums who are prepared to do it because the service is so underused at Modbury Hospital. Obviously, we do need to have senior clinicians at Modbury Hospital for the occasions—and it is occasions—where you do have a deteriorating patient who needs a senior doctor to be able to take over the case and intervene.

We have been working with our senior clinicians in the emergency department at Modbury Hospital—these are consultants at Modbury Hospital—to provide that service. We are continuing to do that and I am hopeful that that will be how we resolve this matter. But it is not a good use of resources, nor is it actually possible because we just can't find staff to do it, to have senior intensivists, basically, just sitting around essentially doing nothing most of the time for the odd time that we do have a deteriorating patient at Modbury Hospital.

We are hopeful that we can work with our senior emergency department physicians—and the Modbury Hospital emergency department is specialist led—to agree to provide this service to the rest of the hospital.

#### MODBURY HOSPITAL

**Ms BEDFORD (Florey) (15:16):** Supplementary: can the minister give the house an indication of when the extended short stay unit will then be in place at Modbury Hospital?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:16):** We are dealing with that through the budget process.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:16):** A further question to the Attorney-General: when the Attorney-General makes the inquiry in respect of the terms of reference and/or conditions set for the instruction to the private legal firm, will he identify whether any of the resources sought are to support an investigation by ICAC?

**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) (15:17):** I am thinking about the answer to that question because, unlike the first question to which I do know the answer, the second question presumes—

*Mr van Holst Pellekaan interjecting:*

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

**The Hon. J.R. RAU:** —that the process in respect of those matters is the same. In respect of the first matter, I understand exactly how that is dealt with in the sense that there is a—

*An honourable member interjecting:*

**The Hon. J.R. RAU:** I said 'how', not the answers; I am telling you how. I understand how it is done because there is a circular which applies within government. That circular is known to all people within government and it sets out the grounds on which you may or may not seek to be given permission to go elsewhere.

In respect of the second matter, I am not in a position to say to the house for certain one way or another whether the rules, inasmuch as they might have application to an inquiry by another body, are the same or different. For that reason, I will simply take the question on notice.

#### OAKDEN MENTAL HEALTH FACILITY

**Mr DULUK (Davenport) (15:18):** My question is to the Minister for Mental Health. How many current residents of Makk, McLeay and Clements have extreme behavioural and psychological symptoms of dementia such that they will need to be cared for in a specialist tier 7 BPSD facility?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:18):** We know that the new head clinician, Dr Duncan McKellar, is currently assessing all the residents of the Oakden site, and at this point of time I think 20 people have been spoken to, with their families, about their future care and placement. We do know that some people's medical conditions and their condition, because of the very nature of them being in an older person mental health facility, can fluctuate. His assessment is ongoing and I would have to seek his advice about that clinical information.

*Grievance Debate*

#### MAIN SOUTH ROAD

**Mr PENGILLY (Finniss) (15:19):** Members in this place may recall that two or three weeks ago I raised, on the floor of this house, the matter of Main South Road and its condition. Since that time, I have met with a couple of people and had some discussions with them and I have been lobbied pretty heavily by the Main South Road action group and the Aldinga Bay Business and Tourism Association. Unbeknownst to me, they have been out and got a petition together in relation to the upgrade of Main South Road from Seaford through to Aldinga and then down to Sellicks Beach. They went out on six occasions, and I have in front of me a petition with 3,322 signatures on it—not to be discounted lightly.

*An honourable member interjecting:*

**Mr PENGILLY:** You can get up in a minute, minister, and have a crack. It is a very, very big issue. Indeed, only a week or so ago we had a meeting of the Sellicks Area Residents Association, and it came up during the course of the meeting there. It was pushed pretty hard by people down there. The petition they have put forward calls for the state government of South Australia to upgrade Main South Road alongside Aldinga Bay; however, following numerous accidents and the recent death of a young father and critical injuries to another person, together with the knowledge the road is a known blackspot, policed often, the road needs to be made into a four-lane carriageway.

It is not going to go away. It is a very, very hot issue down that neck of the woods. The government has seen fit to neglect it and not to do anything about it, and at the moment it is the major issue for that community. In due course, I will present this to the Minister for Transport and have some discussions with him and bring it well and truly to the fore for some attention. I have no doubt whatsoever that the member for Mawson may suddenly get very interested in it—and, quite frankly, he would damn well want to because he has not done anything about it in the past. He has

had that section of road down there in his electorate since 2006, as the current member for Kaurna has had it adjacent to his electorate since he came into this place three years ago. It would be nice if they both took part, quite frankly, but we will work on that.

As I said, this issue is not going to go away. The people want it to get on and they want something to happen. They are very active in the media, and they will be out there pushing the case for the upgrade of this road. From a personal point of view, I use the road often because of my travels, and I will be using it again on Friday morning when I have to go down to the Yankalilla district. It is ongoing. As I said before, there is a copious amount of traffic that uses that road.

It is not a good road, and the government is doing \$11 million worth of upgrades. The Main South Road action group is quite determined that what is going to take place there is not the answer, with the roundabout and other bits and pieces that are going on with that. That project did go through the Public Works Committee and is scheduled to start being put into place in October this year, I believe, after winter and into early spring. They are of the view that putting in the roundabout will only add to the accident statistics, and they have given me some good reasons why the roundabout, with trucks coming through from the Southern Fleurieu and from the Sellicks Beach quarry, etc., just will not work.

I will take that up, through the minister, with Department of Transport officers, and through the Public Works Committee, to see whether we can get some more answers. The community down there wants to see some action on the project and they want to know what is going to happen. As I said, they are not going to go away, so I look forward to hearing some sort of announcement from the government; otherwise, I think their lives are going to be made extremely miserable.

#### **INTERNATIONAL DAY AGAINST HOMOPHOBIA, TRANSPHOBIA AND BIPHOBIA**

**Ms HILDYARD (Reynell) (15:24):** I rise to speak in support of International Day Against Homophobia, Transphobia and Biphobia, an important day tomorrow to support young LGBTIQ people. This is a day for schools, workplaces and our broader community to celebrate and embrace diversity and to commit to take steps together to stamp out discrimination.

It is a tragic reality that we still do not have full equality for LGBTIQ people in Australia. We know that 75 per cent of LGBTIQ young people experience some form of discrimination, 61 per cent face verbal abuse and 19 per cent experience physical violence. Unfortunately, we see that online and in person, meaning that, sadly, there are spaces in our community where our young people feel unsafe and unable to be themselves.

This discrimination has awful and sometimes tragic consequences for these young people. Some 24.4 per cent of lesbian, gay and bisexual people and 36.2 per cent of trans Australians experience depression, compared with 6.8 per cent of our general population. These harrowing statistics show what impact this discrimination has on our LGBTIQ community and how desperately we need to act to make our young people, and indeed all Australians, safe. Acting against discrimination is something we are all able and empowered to do, and it is incumbent upon each of us as community leaders to act, to do what we can to reduce these terrible statistics and to include all young people in all aspects of community life.

Our South Australian Labor government has rightly taken many steps to welcome LGBTIQ people and to make our society safer and more inclusive. With the support of many from this side and many from the other side of this chamber, I was honoured last year to lead through this house the passage of a number of pieces of legislation focused on making our South Australian community one that is truly inclusive, equal and welcoming.

Our Births, Deaths and Marriages Registration (Gender Identity) Amendment Bill makes it easier for South Australians to change their gender on their birth certificate. This removes the requirement of an application to a magistrate, making it an easier process, telling those whose identity is not reflected on their birth certificate that they should have that choice and not have to apply to a court to make that decision for them.

The Relationships Register Bill now legally recognises in South Australia same-sex couples who are married overseas and enables all South Australians to register their relationship. The EOA Act has also been amended to enforce protections for this recognition. This has removed a



significant impediment to equality. We have also passed the Statutes Amendment (Surrogacy Eligibility) Bill so that people have fair access to reproductive treatment, and we have amended the Family Relationships Act so that non-heterosexual couples have access to lawful surrogacy arrangements.

With the Statutes Amendment (Gender Identity and Equity) Bill, we changed the language used in South Australian law and, in doing so, removed gender bias in all state legislation. Under the Adoption Act, couples in a marriage-like relationship can adopt, removing barriers relating to sex and gender identity. Through the passage of the parentage presumption bill, which I worked on but which was led by the Hon. Tammy Franks in the upper house and others in this house, parents like Elise Duffield and Sally Amazon could celebrate Mother's Day last Sunday as legally recognised mums of their beautiful son, Tadgh.

Importantly, our Premier, Jay Weatherill, apologised to LGBTIQ people who were previously discriminated against under our state's laws, recognising that all people should have the same opportunities and freedoms under our legislation.

These are all bills for which I and others advocated in this house and which the Minister for the Environment in the upper house, Ian Hunter, also led and advocated. We did so to ensure that all members of our community are fairly and equally treated under our law. It is right that on this day we reflect on our progress to date, but most importantly reflect on the ongoing need to support members of our LGBTIQ community.

Today, I call on everyone to speak up and challenge homophobic, biphobic and transphobic language and behaviour and, in doing so, encourage others to find their own voice and to feel safe to similarly challenge such behaviour. As we mark IDAHOBIT day tomorrow and beyond, I encourage all members to learn more about the experiences of LGBTIQ people and how we can better include all people in local community life and beyond.

Importantly, I encourage all members to celebrate diversity tomorrow and beyond by wearing rainbow, by running or attending a fundraiser, by sharing the hashtag #IDAHOBIT or the phrase 'I stand with my LGBTIQ mates', or by doing whatever you can to learn more, to understand and to include. I am heartened that people throughout South Australia will be sharing this message and demonstrating acceptance and welcome for all LGBTIQ people. I am particularly heartened and inspired that a number of schools across our state, including Wirreanda Secondary School and Christies Beach High School in my own community, will be marking the day in very special ways and recommitting to ensuring their schools are ones that are safe spaces and that accept and understand all.

## GENERATIONS IN JAZZ

**Mr BELL (Mount Gambier) (15:29):** I rise to speak about Generations in Jazz, which was held from 5 to 7 May in Mount Gambier, and some words from Jeff Kennett, and I am going to read a fair bit from his speech:

You have got one of the most magnificent assets in the country. And most people don't know it exists. Well God damn me. Such a waste.

He drove from Melbourne to Mount Gambier on Friday afternoon and had the most extraordinary experience he had had in years. He hears a lot of criticism about some of our youth from time to time, but when he saw the 4,723 young people all joined together by their love of music and jazz, all with instruments playing, unlike a normal concert, they were all happy, they were all talking with each other and playing as bands. From Jeff Kennett:

I didn't see any wearing head phones and ear pieces and focusing on their iPhones or whatever it may be, so they were communicating [through music]. It was just a magnificently wholesome event and then of course the quality of the music, the quality of the guests that had been brought from around Australia and overseas it was just extraordinary. I just don't understand why an event that is so incredibly good and has been going for 30 years does not attract greater attention around Australia. It is a magnificent asset for Mount Gambier. If I had been Premier of Victoria I would have tried to pinch it for Victoria. But having said that I also recognise that it is well suited for Mount Gambier and one of the whole reasons that it is there...

is that the young people can focus on their music. It was so good that Jeff Kennett said:

It was so good that I rang up your Premier the next day and...suggested...that he and his government financially support the Generations in Jazz Festival every year. They have certainly helped establish the James Morrison Academy...

but they do not financially donate or support the festival itself. He continued:

This thing has grown over 30 years because of volunteerism. As I say, a magnificent asset for Mount Gambier but a bigger asset for South Australia. And nothing...at all that I saw—in the Adelaide *Advertiser*—what is the matter with you lot over there.

There was not a single article promoting this wonderful event, yet it is happy to focus on other events of a negative nature. Jeff Kennett continued:

The real value is the reputation it brings to Mount Gambier and to South Australia. And the South Australian government don't promote it. They don't use it, in the way I would have used it to promote it throughout Australia. This is an extraordinary event. I mean there are others in the world that are similar, invariably smaller [but] there is probably no [other] event in the world with so many [young people] actually attend and play [music]. James Morrison himself went to the first holding of the Generations in Jazz 30 years ago and I think he has only missed one since. So here you have a world player who gives his time to encourage [young people] to advance their musical skills and I have always thought that music is the greatest communicator in the world. I just don't understand how you can have such an extraordinary asset in your community and outside of Mount Gambier the world is silent.

No one in government or positions in authority do any more than perhaps attend as opposed to become promoters of it. I mean, I don't want to go back to last century when I was in office here, but I was an advocate for good things, I was an advocate for grand prix, art, music [so on and so on] but it was at the top of government. It was not down the line, but there is no excitement, there is no buzz in supporting...this festival outside Mount Gambier. I am certainly and I have said to James Morrison and I have said to the organisers of the event that I will do anything I can to build up to next year's to see if we can get better coverage. I don't think that is difficult. I think for instance the Premier ought to invite the senior Art journalist from every major paper in Australia to the [event] as his guests. I think he has to make sure that he gets the event televised.

Can you imagine the concert on Saturday night was one of the most electric I have seen anywhere in the world. In an audience made up of 4,500 young people plus another 1,500 so the marquee was full. That is vibrant television, that is exciting television. But outside of those who are involved in it where are the champions of music, where are the champions of Mount Gambier—

apart from the local member—

**The DEPUTY SPEAKER:** And me.

**Mr BELL:** —and the member for Florey, of course—

where are the champions of South Australia. I tell you what if it had been in Victoria, this Festival would be among the top four of five activities artistic or sport that we held.

The town is alive. The event is supported by so many volunteers. It has been going for 30 years [and yet] I had never heard of it until they talked to me about it last year. I'm not totally deaf and blind to what is happening in Australia. But most people outside of Mount Gambier would not know it is on.

I go to my original statement: what a goddamn shame. What a waste.

**The DEPUTY SPEAKER:** You can ask a question on major events status tomorrow.

#### **NATIONAL VOLUNTEER WEEK**

**The Hon. A. PICCOLO (Light) (15:34):** As members would know, last week was National Volunteer Week when we not only showcased work undertaken by volunteers but also celebrated their work. I would like today to take a few moments to talk about a couple of volunteer-based events I attended over the weekend that also showed the diversity of volunteering and how our communities are enriched by different volunteering groups in our communities.

On Saturday, I was fortunate enough to be invited to join members of the Gawler River Pony Club for the official opening of the water jump. The club has been in existence for about 69 years, and I am pretty sure that they celebrate their 70<sup>th</sup> year next year. They have members ranging from seven years to 60 years old. They take on members from beginners, who want to learn how to ride a horse and undertake various activities, to very experienced riders as well.

This group of volunteers provides young people and also adults with the opportunity to learn horsemanship and riding, etc. It is one of the many organisations in our community that, if it were not

for the work of volunteers, we would not have those opportunities for our young people and others in the community. The club is actually 59 years old, not 69 years; it was formed in 1958.

They make a huge contribution towards not only recreational opportunities in our community but also a lot of skills involved in riding horses. Children also learn about animal welfare and are taught how to look after their animals as well, so there are a whole range of benefits for our young people being involved in community organisations like the Gawler River Pony Club and I wish them well. They are currently located at Clifford Road at Hillier.

The other event I attended shortly after the Gawler River Pony Club event was the celebration at the Quan Am Tu Temple on Symes Road at Waterloo Corner, which was previously located on Angle Vale Road at Hillier but has recently relocated. The temple is a Buddhist temple, and they celebrated the birthday of Buddha, which is a celebration I have attended previously at the temple when it was located in my electorate. I have maintained a good working relationship with the management committee members there and also with the people who attend the temple.

It is quite obvious that this is another one of those activities in our community that is run by volunteers. The whole management committee and the people who put the event together are volunteers who work really hard together as a community, and it is incredible what they achieve when they band together. I would like to congratulate all the people involved with the Quan Am Tu Temple on putting on this great event. They hold a number of major significant events throughout the year celebrating various events and individuals involved in Buddhist philosophy.

Later in the afternoon, I attended the Gawler Community Volunteers Art and Health Exhibition. This is a new exhibition that has been arranged by volunteers who are members of the Gawler Health Advisory Committee, the Gawler Health Foundation and other volunteers in the community. The purpose of the exhibition is to enable community groups and organisations in the electorate to paint or prepare a work of art that in some way conveys the meaning and significance of their community organisation.

The Country Women's Association did a work of art about their work, as did the Gawler cycling group. We also had a number of schools involved, as was the Willo's Men's Shed. In total, I think around 30 applications or 30 works of art were displayed that showed the depth and breadth of the various community organisations. There was also a people's choice award for the artwork. The artwork showcased not only our volunteers but also how broad our community involvement is. On Sunday, there was another major event coordinated by volunteers, and in particular I would like to congratulate Renee Platt, who ran the Gawler Mother's Day Classic. Over 800 people walked or ran and raised over \$18,000 for breast cancer research.

#### **HARTLEY ELECTORATE**

**Mr TARZIA (Hartley) (15:39):** I rise today to recognise a number of community events I have had the privilege of attending in recent times, to recognise the hard work of volunteers and service groups in the community in my electorate, as well as to showcase a number of important causes. I had the pleasure of joining the Eastern Adelaide Domestic Violence Service for the launch of their new domestic violence education centre. It is a community project that provides education and support to women and children experiencing domestic and family violence.

I want to acknowledge, firstly, the Eastern Adelaide Domestic Violence Service for their tireless work in our community. We cannot thank them enough for the work they do every day in combating domestic violence in our community and also helping to bring those who have been affected by domestic violence out from under it. I wish to thank them and wish them every success in that project, which has the potential to do wonderful things for our community.

Another great event I was fortunate enough to attend was the Italian Community Volunteer Awards 2017 held on 9 May and hosted by the Comitato Assistenza Agli Italiani group in South Australia, or CO.AS.IT SA, as they are otherwise known. 'Give happy, live happy' was the theme for this year's National Volunteer Week. The event was certainly a great success and a number of members attended. I would like to acknowledge the exceptional way the group celebrated and recognised the hardworking volunteers within the Italian community in South Australia. I, too,

take the opportunity to thank all those people who continue day in, day out, to freely give their time for the benefit of the South Australian community.

I wish to specifically recognise the team at CO.AS.IT for putting on such a great event, including Carlo Tropiano. I also wish to recognise Mrs Franca Antonello, former president of CO.AS.IT, who was awarded life membership at the event. Mrs Antonello's achievements to date and service to the community are certainly admirable, to say the least. Mrs Antonello's career, I am informed, began in 1979 in her role as a community development officer with the Thebarton council. She played a vital role in leading the development of the multicultural dementia respite program with Domiciliary Care, Thebarton Mensa and, in conjunction with COTA, organised the first Italian seniors lunch.

Mrs Antonello has also worked alongside Italian regional clubs in providing many activities for aged members. She is also commended for being part of the Multicultural Communities Council Aged Care Committee, in which she was involved in establishing Ethnic Link Services. She also played a vital role in the development of the Italian meals service, where she was elected as chair and held the position for seven years. The list of accolades and achievements goes on. It is a very well-deserved award.

I would also like to acknowledge Mr Eddie Maio, recipient of the Youth Volunteer Award for 2017. He volunteers with PISA. He has assisted in delivering meals to the elderly and is known for his caring ways and dedication to helping the community. I would also like to thank and commend the 2017 Volunteer of the Year Award, which went to Mrs Genoveffa Paradiso for her outstanding contribution to the Italian community. She has been volunteering for Bene Aged Care for many years, and she still volunteers weekly for church service at the Italian Village and dedicates her time to assisting at the Catholic service for residents.

I would also like to touch briefly on the Sikh Society of South Australia's annual Vaisakhi dinner, which I attended recently and which took place at the Sicilia Club. We all know that the Sikh community in South Australia is an enthusiastic group and that they do a wonderful job of showcasing and sharing their traditions and culture with us in South Australia. Their annual dinner was a great success and a wonderful opportunity to embrace the cultural diversity in South Australia. I would like to thank the Sikh Society of South Australia and also the volunteers and all the acts and performances, and the people who took part in those, who made the evening such a great success.

Recently, I also had the pleasure of attending the Young Druze Professionals graduation. This year was their 22<sup>nd</sup> annual graduation night in association with the Australian Unitarian Druze Community Inc. I would particularly like to thank the chairperson of the SA Young Druze Professionals, Mr Saad Naddaf, and Mr Akram Bou Diab, chairperson of the Australian Druze Community, for all their ongoing hard work. I especially congratulate all the secondary and tertiary graduates. Many congratulations to those students who have graduated from university and high school. It is a truly excellent achievement and I wish them all the very best for their future endeavours.

### **APY LANDS, COUNTRY CABINET**

**Mr HUGHES (Giles) (15:44):** Last week, I touched upon the cabinet visit to the APY lands and said that a number of issues stood out on that visit and a number of lasting memories. One of the tangible things that was done during the visit was the announcement of the delivery of seven new customised ambulances for the APY lands. As people can imagine, given the state of the roads in the APY lands, vehicles do take a hammering. The seven new ambulances will, for a time, certainly fill a very important gap.

One of the real standout memories was to be taken to Cave Hill just outside Amata. I feel very honoured and privileged in relation to this memory, and it is something that I have not shared on Facebook. I am not sure whether many people in this chamber have actually been to this site. While we were being led there, we were told that there was some rock art at Cave Hill. When I got there, I saw what was on offer. It was literally mind-blowing to think that that cave had been used for rock art and other purposes for, they estimate, over 2,000 years.

The artwork is stunning, and I saw how proud the people in the area are of this amazing attribute. It is a credit to all involved—the custodians of that area and the National Museum—that the cave will be replicated at the National Museum with that artwork there. That will happen later this

year. If anybody gets the opportunity to visit, it will be easier to visit the National Museum than to visit the site outside Amata. It will be well worth your while to see what is on offer and what an amazing part of our heritage in South Australia it is. It forms part of that very extensive Seven Sisters dreaming trail through the Northern Territory into South Australia and elsewhere.

I am one of those people—and I am certainly not alone in South Australia—who had never visited the APY lands before I was elected. It is a different world and it is a world with its own challenges. There have clearly been tangible improvements over the years. Once upon a time, the police were based at Marla and not physically present on the lands, apart from when they were visiting and staying overnight, so it is now great to see a number of police stations on the lands.

The Trade Training Centre at Umuwa is a fantastic facility and one that the APY lands should be proud of. I have to say that it was the initiative of a previous federal Labor government. I think it was one of those sad things that, with the Abbott government, that trade training centre funding was cut. I have been to a number of these trade training centres now, a number of schools, plus the one at Umuwa, and they are fantastic facilities. The quality, and the ability to provide trade training at schools, has improved as a result. One of the other perennial issues on the APY lands is the quality of food and its availability and price. That has also undergone a marked improvement as a result of a collaborative effort.

A number of other things are happening, which are worth reflecting upon, including the major work that is now going on to improve some of the road network in the lands. That is something that is greatly overdue and warmly welcomed. It is especially warmly welcomed because there does seem to be a genuine effort to employ Anangu on that particular project. It is something we should be ever vigilant about to ensure that commitments are met when it comes to the employment of Anangu on the lands. There are some improvements going on, but there is clearly a lot more to be done.

#### *Bills*

### **LIQUOR LICENSING (LIQUOR REVIEW) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading (resumed on motion).

**Mr VAN HOLST PELLEKAAN (Stuart) (15:50):** I rise to resume my speech. The issues I am choosing to raise are not the only relevant issues with regard to liquor licensing or this bill; they have been ably covered by our deputy leader and other speakers.

I am choosing to talk particularly about issues that affect country and regional areas, and the next one I want to address is in regard to bottle shops, and there is an example in my electorate of Port Augusta, but no doubt this occurs in many other places. We have many people come to Port Augusta from the north of the state during summertime. They come and stay, and they enjoy a more comfortable climate than they would have in their own homes. With those visitors come some difficulties—certainly not with all of them but with some—in regard to antisocial behaviour, a lot of which is linked to alcohol. We have an issue whereby bottle shops opening from 9 o'clock in the morning are well patronised by people who, in my opinion, should not be drinking at 9 o'clock in the morning.

Simultaneously, we have tourists travelling through, mostly in caravans, who are looking to leave Port Augusta and travel to their next destination. Maybe they are going to another town, or maybe they are not going to another town for a few days, but they want to stock up and get some groceries and other provisions, and that may well include a bottle of wine, a carton of beer or something like that. We have a mix of patrons wanting, for a range of reasons, to access bottle shops relatively early in the morning long before the pub is open, and that is a challenge that needs to be addressed. I do not plan to go into that in any more detail here, but it is a very difficult issue because there are good reasons for those bottle shops to be open at those times of day; of course, with that come some problems.

Another issue I want to deal with, which affects not only regional areas, certainly has come up in my personal experience as a licensee and also with businesses that operate in my electorate now—that is, the difficulty of staff in licensed premises dealing with barring orders. Quite regularly,

information (names, photographs and things like that) is provided to licensed establishments that the staff are meant to look at so that they recognise somebody who is barred if they walk through the door. It could be for a wide range of reasons—it could be to do with the consumption of alcohol and it could be to do with gaming as well.

It is pretty impractical for a staff member, who may be full-time or part-time, to keep a list of names and photographs behind the bar, in the kitchen, in the office or somewhere like that, and know when one of those people walks through the door, when one of those people may well be one of 100 or several hundred who walk through the door that day. It is a big task for the staff member or the managers to deal with. I understand that it is not as if they lose their job instantly if they do not recognise that person, but I would say that it is a very difficult request of management and staff under those circumstances.

Another issue I would like to discuss, and this is on a very positive note, relates to BYO licences for small regional food producers who also occasionally offer meals prepared on their premises, and this is reasonably common in the southern Flinders Ranges. I would not say for a second that everybody is doing it—far from it.

You find that in many parts of the state people are creating a business, usually on a small farm, where they are producing local, homegrown, typically very environmentally responsible clean organic produce. Their main business is selling produce as ingredients, selling wholesale, but occasionally they like to use those ingredients and provide a meal for people to taste on their property.

This issue was brought to me originally by Mrs Jackie O'Reilly. Dave and Jackie O'Reilly run O'Reilly's orchards, right next to the Wirrabara Forest in the Southern Flinders Ranges. I could list 20 other people running food-based businesses closely linked to tourism in this region, but Jackie was the first person to bring this to me. She said, 'We don't want to serve alcohol, but what we do want, on those few occasions where we are producing a meal for people which includes our ingredients so they can get to know how good our ingredients are and how they can be used, is we would like them to be able to bring along a beer or a wine or something like that so they can enjoy it.'

They are not looking to sell the beer or the wine: they just want them to be able to bring it along. As it currently stands, they would be required to get a BYO licence every single time and, of course, the application fee for the BYO licence would make that small event cost prohibitive. These people only do this once a week or once a month and then maybe not for a few months. There is no real system to it; it is just when the opportunity presents itself. It is not the core of their business and it is not the money-making part of their business, but it is an important ancillary that supports the money-making part of the business.

I took this up on behalf of Mrs O'Reilly. I even had a private member's bill produced, and I thank parliamentary counsel for their support with that. It was never actually used because the bill we are talking about and the public consultation surpassed my putting a private member's bill in place, but I did also write to the Attorney-General on 22 September explaining the situation, saying that surely it must be possible for these people not to have to get a separate BYO licence every time. The Attorney wrote back to me on 11 October. I will read a short excerpt from his letter in response to mine, which says:

It is anticipated that a BYO permit will be introduced as part of the revised legislation following notification to the Licensing Authority, this permit is likely to be granted for a period of three years, subject to an initial application fee and renewal fees.

I am very grateful to the government and the minister for including that in this bill. I do not shy away from the fact that, as the deputy leader has explained, there are many other issues to be dealt with but, let me say that, as the member for Stuart on behalf of my constituents particularly in the Southern Flinders Ranges, I am grateful that this change has been made.

It was common sense. It was not something I was actually unaware of until the issue was brought to me. It is great common sense that that change be made and I think it is a very positive outcome. It really is right on the edge of the service of alcohol. It is not core. It is not what these people are trying to do. It is just a way of supporting and essentially marketing their food-producing business.

Let me just finish by saying that liquor licensing, in my opinion, must be as light a touch as possible on the businesses that serve liquor one way or another—allowing service through BYO or with a restaurant licence or hotel licence or a takeaway licence. It needs to provide safety to patrons. It even needs to provide safety to people who are not patrons, other people on the road, for example, who may come into contact with someone who has been a patron.

We must provide that safety, but it has to be done in a way that is as light a touch as possible both with regard to regulations and with regard to cost to the businesses that are actually operating because, as I stated at the very beginning of my remarks, before question time, these businesses contribute enormously to our economy and they are massively important employers, very importantly providing very flexible employment, which is often not available in other industries. They need to be supported, and one way to support them is to impose as light a restriction on them as possible.

**Mr KNOLL (Schubert) (15:59):** I rise, too, to speak to the Liquor Licensing (Liquor Review) Amendment Bill, a bill that has been a long time coming since the Attorney announced Tim Anderson QC's review, which I think would have been in late 2015. It was interesting timing for that review, given that a review into the late night code of practice was undertaken concurrently, but came, went and was finalised well before this review was finished. Interestingly, it has been about nine or 10 months since Tim Anderson's review was completed, but here we are. The hope certainly was that the Attorney, taking his time, would get the bill right. Unfortunately, in a number of instances, that is probably not the case.

There is some good work in parts of the bill. Certainly, the aim of the bill in attempting to reduce red tape for liquor licence holders is admirable. In some instances, I think that that is going to result in less red tape, but we will be asking questions on some other areas where I believe the bill will actually increase red tape. That is not to suggest that we are not going to support some of these measures, but we will potentially ask questions around how we can seek to minimise the increase of that red tape through the administration of this.

As the member for Schubert, otherwise known as the member for wine, depending on how you look at my electorate, somewhere between 40 per cent and 70 per cent of my electorate is based around the manufacture, sale, consumption and promotion of alcohol, so this bill can represent a great boon to my electorate, but it can also be a great risk to my electorate. In coming at this, I have tried to balance the views I have around community safety, which is an extremely important measure, against people's personal liberties and freedoms and the idea that wine, beer, spirits and alcohol are not the same as other illicit substances. Alcohol is not tobacco, in that moderate consumption can actually be a good thing. Alcohol is not marijuana. Alcohol is not amphetamines, ice or any other illicit substance.

A number of contributions have sought to paint alcohol as in the same class of substance as these others, and that simply is not the case. Whether it is DrinkWise or the Harvard Medical School, there are so many sources that suggest that the moderate consumption of alcohol is certainly okay and in some cases can actually be positive, in conjunction with a healthy lifestyle. This shows that this substance should be treated differently from other drugs and, in the way we seek to regulate it, we should recognise those differences.

In my electorate, it boils down to seeking to do what is right on behalf of the community from a safety standpoint, understanding that there are risks with alcohol consumption but not stifling a successful advanced manufacturing industry that is critically important to South Australia. In fact, it seems quite odd that a government that would seek to champion Penfolds, Henschke and all the big names in wine on its trip to China would at the same time seek to stifle the marketing ability of these companies here in South Australia. I find that quite frustrating, disingenuous and hypocritical, but that is a different matter for a different day.

Another thing I would like to say first and foremost is that risky drinking of alcohol is actually falling. We know this from a 2013 Australian Institute of Health and Welfare study. I quote from the 2013 National Drug Strategy Household Survey report, which states:

A lower proportion of Australians aged 14 and older consumed alcohol in risky quantities in 2013 compared to 2010—the proportion of lifetime risky drinkers and single occasion risky drinkers declined.

We know that the proportion of people aged 14 and older choosing to abstain from alcohol has risen from 19.9 per cent to 22 per cent. This was influenced by an increase in young people aged between 12 and 17 abstaining from alcohol, increasing from 64 per cent to 71 per cent. The ABS also has statistics that show that the overall apparent rate of consumption of alcohol in Australia is falling. Again, these are 2013-14 statistics from the ABS. The statistics show that a total of 10.63 litres of pure alcohol per person was consumed in 2009, and in 2014 that figure was down to 9.71 per cent.

We are talking here about a roughly 10 per cent decrease in the overall per capita consumption of alcohol. I state that because it shows that the current settings are having the effect of reducing consumption of alcohol and risky consumption of alcohol, so this idea that we need to go farther and harder does not stand up with the macro evidence. Regardless of that, I think there are specific instances that we need to deal with, and certainly some of the things within this bill may be able to help address those.

I am very glad that the government reversed its idiotic position to try to have a .00 blood alcohol level for the hospitality industry. That would make a criminal of every single sommelier, every single cellar-door hand in my electorate who pops an expensive bottle of wine that has a cork (wines with corks are generally the most expensive). It would make it illegal for them to test the thing before they give it to their customers. That is completely unworkable and completely ridiculous, and I am glad that the government saw sense and pulled it out. I do not understand why it is okay to drive a car under .05 but not okay to pour a glass of wine; that is beyond me. However, that said, it is out and I think that is a good thing.

There are some good points in this bill, especially in relation to the new category of production licence; I think there are some good things about the rights that are going to be conferred upon that licence. There are some potentially good changes around the limited licensing scheme, and I want to tease out what 'low risk' and 'a low risk event' mean. Certainly, as someone who has had to put in a heap of applications every time I want to have a little shindig, being able to notify of an event rather than having to potentially go back and forth with CBS is potentially a good thing.

There is a great unknown when it comes to the community impact test and how those assessment guidelines are going to turn out. Again, this is where red tape could be vastly increased or vastly decreased, especially when we are talking about the fact that there are a number of licences now where the needs test has not been applied that, if there were no objections to the application, would have been quietly able to go through. Now, basically every single licence is going to have to have a community impact test, and that is red tape.

Also, the things that a community impact test is going to have to consider are quite broad and wideranging and will probably lead to there needing to be a professional service provided so that applicants can complete their applications. We need to address that in the way this bill is administered. As one of the objects of this bill is to reduce red tape, we should try to find a way for the community impact test not to be a huge burden upon licensees.

There are some serious questions in relation to how we transition the licences. Notwithstanding what is in the second reading speech, I think there is some important stuff around how we are going to fit the square peg of a special circumstances licence into the round holes of the other new licence categories. However, again, we will tease that out in committee.

There are three things we will seek to change as part of this bill. The first is that we will seek to abolish the three-hour restraint of trade rule that has been inserted here. Notwithstanding that the final wording and the final 3am until 8am as opposed to 3am until 9am window is slightly different from what Tim Anderson QC sought to do, we think the government has presented no evidence as to why we need further restraint around late-night trading. In fact, when it comes to late-night trading more generally, we see that the government has been caught out not telling the truth when it comes to whether or not the existing lockout is effective.

In fact, after much consternation and much FOI'ing, after much harassing by journalists at *The Advertiser*, we finally got the truth in regard to what is going on. We found that the government has been caught out doctoring the report into the lockout laws to basically reverse the final outcome. In an email sent between a working group looking into the report, they asked to make some key



changes, and dot point 6 says, 'further softened the language around causation as agreed at the meeting, so that the report does not say that the code has had little effect'.

Basically, the original draft of the report said that the late night code of practice had little effect. Essentially, we want to change it so that it does not say that. The original draft submission by SAPOL on the late night code of practice said this:

Overall, it is difficult to determine the effectiveness of the Late Night Code in reducing offending behaviour using the existing data. Because police statistics are affected by many factors, the fact that a strong decline in late night offending behaviour in the CBD compared with the metropolitan area has not been observed does not mean that this has not occurred.

In other words, even though the evidence says that there was as big a drop in metropolitan Adelaide as there was in the CBD post that late night code of practice coming into effect, that does not mean that there has not been an effect which basically says, 'Just ignore the evidence because it doesn't suit the outcome we wanted.' The next sentence states:

However, there is no evidence to indicate that the Late Night Code has resulted in a strong decrease in late night alcohol-related offending behaviour.

Essentially, what the draft said before it was doctored was that the late night code of practice does not work. What has happened then is that the government has not sought to show its red face, to accept the fact that there is no evidence for further tightening of the lockout, but has gone and further tightened the lockout. No evidence has been presented to us that there is an issue. We have inquired about this on a number of occasions. When the deputy leader and I have sought to get to the bottom of the issue, the only response we have had is, 'Yes, well, I can provide you with a couple of anecdotal examples.' I am sorry, but that is not good enough.

If we are seeking to make Adelaide a less vibrant city and seeking to take away the freedoms and liberties of young South Australians who simply want to do the right thing and go out and responsibly enjoy themselves, then we should put some evidence on the table. That has not happened. This is why we will be seeking to knock out this restraint of trade rule, because it is nothing more than the Attorney-General trying to tell young South Australians how to live their lives.

On this side of the house, we want to stick up for young people. We want to stick up for a vibrant city, because vibrancy is not about lights on the side of a street: vibrancy is about helping a night-time economy to grow and flourish and be responsible. It is not about punishing the many because of the mistakes of the very few. The vast majority of young people who go out on a weekend do so responsibly and enjoy themselves, and we should be sticking up for them. We should punish those who deserve to be punished, not everybody.

The government has also gone some way to help provide more opportunities for the police to be able to manage public precincts. We have passed new laws in relation to declared public precincts, and we think that is a much better way to manage this process. The fact that that bill has been passed makes it even more marginal that we need to go down a restraint of trade path. That is why we will be opposing this measure.

We are also concerned about the licence fee structure. Whether it is increasing the emergency services levy and preying on the goodwill of South Australians, rather than properly funding emergency services, or whether it is cost-shifting the natural resources management levy to again take on the goodwill of country South Australia in relation to wanting to keep their natural environment safe, there are so many areas in which this Labor government sees a tax and only sees ways to increase it. Again, no evidence whatsoever has been put forward to suggest that increasing fees is anything other than a tax grab.

Again, on this side of the house, we will do what we can to try to be much more transparent in relation to how these fees are set. We will be seeking to have those regulations put into a separate set of regulations so that we can move a disallowance if the government tries to jack up the fees too high. We can do that separately from the rest of the regulations so that we do not hold up the proper operation of these changes. The subsequent regulations to do that are to come, but we need to make sure that there is proper scrutiny around licensing fees because life is difficult out there. Existing liquor licences have unprecedented levels of competition.

The suburban pub, which for generations has been a backbone, a centre and a hub for social activity, especially in rural towns, is seeing unprecedented levels of competition from those who choose to stay at home, from restaurants, from cafes and, in my electorate, from cellar doors, which have morphed from places where you can simply try a couple of tipples of wine to places that offer food and a complete hospitality package. We need to make sure that those businesses can stay competitive because they employ a huge number of South Australians.

We need a tax regime that helps to make our businesses competitive so that they can grow, reinvest and employ more South Australians. On this side of the house, we know that smaller increases in taxation are the best way to help business thrive, strive and create new jobs for South Australians. There are some serious questions that need to be answered during the passage of this bill because there are some serious concerns around the implementation of this act going forward, and always with these things the devil is very much in the detail.

We have questions to ask around how special circumstances licences are going to be administered, and there are some concerns from industry around that. There are some concerns about how the community interest test is going to be applied, and some of the licensees who have recently gone through applications have talked about what the process has meant to them. There are concerns around why, for instance, conciliation has apparently been wiped completely from the act. The government needs to confirm why they believe that the model they are putting in place will lead to a reduction of red tape overall and a reduction in the time it takes to process these licences.

There are questions around appeal rights and how one of the main stated aims of this bill, in relation to moving from an objection-based system to a submission-based system, restricting where councils can intervene in a liquor licensing court, is going to result in lower disputation when a vexatious competitor can still appeal a decision of the liquor licensing court. That appeal mechanism still exists. Also, if we have got rid of conciliation, have we got rid of the one spot where a decision could have been made prior to going to a full hearing?

I have questions in relation to the supply of liquor to minors. It is a position our party supports, but it is one that bears some close scrutiny to ensure that it is in operation properly, to make sure that we do not turn into a criminal every single parent who believes that it is better to encourage their young, under-age children to stay at home and have parties at home so that they can keep an eye on them and keep them safe and that we do not essentially push every single parent into saying, 'Well, I am not having the party at my house,' and every single parent in the friendship group does that, so the kids do not stay at home anymore and run off to the local park where there is no supervision and no regulation. We need to make sure that this has the effect of reducing risky behaviour and not simply making a criminal of every single parent who tries to keep an eye on their child.

There are questions especially around how vigorously this is going to be enforced. Are we going to see police go through parties and review the permission slips to ensure that the red tape is all up-to-date by the parents and then take those individual permission slips and breath-test every child to see that, if they had permission to drink two drinks, there are only two in their system, or whether they had been allowed to have a couple more, and how it is intended the parents will be able to police this measure? There is a long way to go to try to improve what is otherwise a bill that has some merit so that we can make sure that we get the balance right between community safety and freedom, liberty and the right of South Australians to enjoy themselves with moderate consumption of alcohol.

Time expired.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (16:19):** I thank those who contributed to the debate. I think there are some points of common ground here, and I thought I would start on that because it is always nice to start in the sunlit uplands. The common ground is that everybody here accepts that alcohol is part of our culture and part of normal life, unless of course you are hoping to live to be 120, in which case, according to something I have read, you should not have too much, although there are different opinions on that, so I will not go down that track too far.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** But—

**The DEPUTY SPEAKER:** Is she taunting you?

**The Hon. J.R. RAU:** Yes, but I won't be taunted, Madam Deputy Speaker. The basic thing is this: everyone accepts alcohol is a fact of life in our culture. Everyone accepts that alcohol can be a normal and undamaging feature of domestic life for people in this state. However, people also need to recognise that there are some people out there for whom alcohol is a significant problem. We need to be aware that alcohol is a substance that can be abused, and when it is abused we wind up with a whole cascading series of other problems, whether it is health issues, police issues or criminal justice issues. These are things I think everybody agrees on.

The margin for the conversation appears to be around exactly how we go about regulating these things—that is really where the conversation is. Before I get into the more particular aspect of it, can I say that there is a part of this that unfortunately, or fortunately depending on which way you look at it, has been brought to my attention recently in a personal sense—that is, the supply of alcohol to minors.

Like many people in this place, I am a parent. I have the good fortune to have three terrific children, but I have had the opportunity by reason of my interaction with my children and their friends to see a few things about alcohol and younger people. I do not start from the proposition that there should be some sort of puritanical or prohibition-type approach taken to alcohol anywhere. I certainly think that there is much to be said for the proposition that responsible parents who educate their children about the safe and appropriate place in their lives for alcohol probably do their children a service.

*The Hon. A. Piccolo interjecting:*

**The Hon. J.R. RAU:** Indeed. The member for Light interjects, and I am reminded that, when I was a much younger person, some of my family friends were from the Campagna area. When their children were quite young, it was quite normal for them to be given a very small glass of diluted homemade red—and the homemade red was not too bad, to be honest.

**The Hon. A. Piccolo:** It varies.

**The Hon. J.R. RAU:** It varies, that is true, but they would get a small glass along with everybody else—

**The Hon. A. Piccolo:** At mealtime.

**The Hon. J.R. RAU:** —at mealtime, yes. The take on that was that this was actually educating this person about the responsible consumption of alcohol, and it also meant that it was demystifying the whole process so that at some point later on, if somebody offered this person a drink, they were not going to be in any way confronted with something that was new and threatening and perhaps something they had no control over.

I am all for that sort of responsible interaction, where it is supervised by a responsible parent or guardian in that respect. That is fine, and I do not think that anybody in this house would object to that, but in the paper only yesterday or today there was an example of something that has become a phenomenon in this state. I have learned by proxy, through my exposure to my children and their friends, about a thing called an afterparty. I think they have a before party. It is interesting—you do not just go to a party anymore.

**The DEPUTY SPEAKER:** I don't, as it turns out.

**The Hon. J.R. RAU:** Neither do I. I do not get invited anymore, but when I was a bit younger (which I know was before your time) you used to go out somewhere and you would do whatever you were doing; you might have a couple of drinks and then you would come home. That is evidently not what goes on now. What goes on now is you go to somebody's place, and this person has been to Patrick Murphy's, I think it is called (I will call it that so that I am not advertising anybody) and they have come back with multiple bottles, usually of high-octane stuff—rocket fuel. It is vodka or something of that order.

You then go into a bit of a huddle, usually with a token smattering of fruit juice to make it look like it is a healthy alternative, and you power into it for a period of time. Then, a bit later on—usually too late, from my point of view, because it is something like 10 o'clock when you should be in bed—you go out. After you have been out, you come back and finish off. I am not reporting what my children do: I am reporting what I have heard from them. There is this particular phenomenon about school formals and things. Once upon a time, you used to go to the opportunity shop and buy yourself a suit because you did not have one—at least, that is what we did in the western suburbs, anyway. You go to the opportunity shop, buy yourself a suit—

**Ms Chapman:** When did you ever live in the western suburbs?

**The Hon. J.R. RAU:** I have always lived in the western suburbs.

*Members interjecting:*

**The DEPUTY SPEAKER:** I remind the house that it is not Thursday. We have some work ahead of us.

**The Hon. J.R. RAU:** You would go to the school event—

*Mr Knoll interjecting:*

**The DEPUTY SPEAKER:** Member for Schubert.

**The Hon. J.R. RAU:** —there would be several different kinds of cordial and you would listen to the music. I remember the member for Colton and I going to the school hall at Henley. There were some fantastic events there, bootscooting and all sorts of stuff. I know he probably will not like me saying this, but even Mr Horne, were he here, would remember—

**The DEPUTY SPEAKER:** This is a teacher at the school?

**The Hon. J.R. RAU:** No, he wasn't a teacher at the school, but he was a student at the school. He has now gone on to bigger and better things, but even Mr Horne would remember this sort of thing going on. It was all quite good, and then you went home at about 11.30.

**Ms Chapman:** Don't you want to do any other bills this afternoon?

**The DEPUTY SPEAKER:** My feelings exactly.

**The Hon. J.R. RAU:** I am building up to something here. Now you have the pre-party, the party and the afterparty. The afterparty occurs in some sort of derelict shed somewhere in God knows where; it could be anywhere. What is the supervision at this place? There are lots of people in there who are under 18 years of age, people are bringing all manner of stuff to these places and, understandably, parents are concerned about it.

I think it is important that the legislature is aware of this and takes it on board and does something about it because parents are concerned, and so they should be. The member for Morialta has raised these things a couple of times, and I acknowledged before that he had set my mind a-racing. I have thought a lot about what he had to say, and I have tried to incorporate some of the good ideas he had into this bill. So, that is a preamble.

As we know, these amendments to the Liquor Licensing Act come in the wake of a thoroughgoing review undertaken by Mr Tim Anderson QC. Can I say that he engaged extensively with the community and all the interested sectors, including licence holders. Mr Anderson's report very fairly balances up the legitimate expectations of the community for certain standards to be upheld. It also reflects the expectation people have about the responsibility that those holding a liquor licence should take for being afforded that privilege by being the holder of the licence.

As I have mentioned, we are seeking to protect minors by tightening up secondary supply. With all due respect to some of the comments here about getting consent forms and all of that, it is terrific rhetoric, very good, although not linked to this bill, but very entertaining all the same. We are trying to reframe drinking culture inasmuch as the supervising structure can get the message across to people that there is nothing wrong with having a drink but that they should be trying to do it in the responsible way that is not harmful to them or other people.

We should also be recognising that some forms of the supply of alcohol are inherently more risky in terms of the health and public safety elements than others. There is nothing remarkable about that, I would have thought. Indeed, the member for Stuart in his remarks was talking about the challenges of being a licensee in the more remote northerly parts of this state and what risks are inherent in being a licensee in those circumstances. We are basically looking at the interests of the community being put front and centre, and those interests are not in being a wowser or introducing prohibition or something of that nature; they are encouraging responsible service and consumption of alcohol and discouraging irresponsible service and consumption of alcohol. It is as simple as that.

A number of comments were made about the fees. In relation to the fee issue, we have indicated to the Hotels Association—and I would like the Hotels Association to hear this—that we will be continuing our dialogue about fees. This bill provides an opportunity for the fee regime to be managed through regulation, and that is our intention. There will be ongoing discussions about that. I put that on the record. Mr Anderson made certain recommendations about fees that are neither endorsed nor rejected by the government. They are a starting point for the conversation, and we intend to have that conversation in good faith.

If anybody from the AHA happens to be reading this or listening to it, I would put on the record that I do not personally see any problem with the fee structure, recognising that, at some outlets, the behaviour of some licensees is inherently more risky to the community than that of others. There is a world of difference in terms of the impact on the community of a small restaurant, which trades between noon and 10pm and which serves a bottle of wine or a glass of beer with a meal, and a very large venue, which trades 24 hours a day, seven days a week, and has lots of strobe lights and mirror balls, if that is still the vernacular; I am not sure if they are still current, as I have not been into one of these places for a while. Strangely enough, people consume a lot of water there. I do not know why, but there we are. Those venues are completely different venues, and the risk profile is completely different.

As I said, the debate today is not about the actual fees; it is about the architecture of the legislation, which is trying to strike that balance between a safe drinking culture, meeting community expectations and putting reasonable expectations on licensees to behave in a way that is acceptable to the general public. I am aware of a couple of amendments that have been put forward by various members. Can I just speak briefly to those, Madam Deputy Speaker, because I have not had a lot of time to consider them, but—

**The DEPUTY SPEAKER:** If you are fast on your feet.

**The Hon. J.R. RAU:** —since lunch I have been pondering them, so here they are in no particular order. First, there is a bunch of amendments from me; they are all good and I will deal with them as they come along. By and large, they are very positive, and they have come out of negotiations with interested parties, including the Hotels Association. Were they here today, I would be saying to them, 'Thanks for engaging with us. We look forward to continuing engagement over the fees matter.' I could also say that some of the people who were complaining most about fees quite possibly are not even members of the Hotels Association. I say that again—

**The DEPUTY SPEAKER:** Are you saying that to me?

**The Hon. J.R. RAU:** —they are quite possibly not even members of the Hotels Association. I was looking at you metaphorically when I said that.

There are three things, as I understand it, that are dealt with by the amendments that are being put forward by the deputy leader. The first one is to attempt to get rid of the three-hour break in trade in alcohol. The proposition is pretty simple: if you want to stay open 24 hours a day and you are a licensed outfit, that is fine, but for three hours you will not serve alcohol. Let's stop being coy, cagey and speaking half-truths here.

What we are talking about is pretty simple; that is, we are talking about the fact that there are some venues that think that serving alcohol from 9 o'clock in the evening until midday the next day is fine. In relation to those venues, I ask every person of goodwill and common sense to ask themselves: if they were required to have a break in trade between the hours of three and eight in the morning, what harm would be done to the community? The answer is none.

In fact, the people who would still be in those venues would have the opportunity to try a cappuccino or some other refreshing beverage that might go some small way to settling them down and possibly even getting them home, but that is a matter for them. They could stay there all night if they wanted to. I just ask people to examine this seriously. What public good is done by having people being able to go to a venue and literally drink all night?

The commissioner has recommended that there be a break in the service of alcohol. I strongly support that recommendation. It is transparently obviously in the public interest and would go some way to make clear that the idea of the round-the-clock drinking culture is not part of anything that we as a parliament are seeking to establish.

Second, there is the publicly available licensee register, which is for the people who have misbehaved and been prosecuted. I heard the arguments advanced by some that the person or the outfit that is prosecuted should suffer the prosecution and that should be it. They should not suffer anything else. If I know there is a venue where that licensee has been prosecuted for under-age drinking or that licensee has been prosecuted for irresponsible service of alcohol—

**Mr Knoll:** Given that to date there have only been four convictions, it will be a pretty short list.

**The DEPUTY SPEAKER:** Member for Schubert.

**The Hon. J.R. RAU:** —I think, as a parent, I should have that information available to me so that, to the extent that I can influence whether my kids are going to that place or another place, I know whether they are going into a place that has a good reputation or one that has a reputation that is the subject of some past prosecution. I think that it is simply a matter of information being made available. I cannot see anything wrong with that.

As I said, the last point about fees is something we have said we are in continuing discussions with the hotels about, and of course we will no doubt come to a happy landing on that one. The other one, Madam Deputy Speaker, is an amendment filed by you. As I understand your amendment, you are concerned about the advertising of alcohol and the impact that has. I have not had a long time to consider your amendment, but can I say that it strikes me as subtle and clever because it leaves an enormous amount of flexibility for us to target areas that are particularly concerning.

For example, if we were having alcohol advertised in proximity to children or other vulnerable people, or we had some sort of methodology of in effect pushing alcohol in an environment where that was inappropriate, the amendment you have suggested, Madam Deputy Speaker, provides an opportunity for that to be rectified. Quite frankly, I am finding it hard to see anything wrong with that. I am pretty impressed with that, to be honest.

My present view, even though I need more time to reflect on it, is that at first blush it is something that does at least deserve further consideration by the parliament. Without any further ado, and I do not want to disrupt the Deputy Leader of the Opposition, who is deep in thought presently, let us go into committee.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**Ms CHAPMAN:** Has the government yet prepared draft regulations in respect of the new bill?

**The Hon. J.R. RAU:** No, and of course the reason is that, although we are obviously hoping the form of the bill will be very much as is set out in the bill we have brought to the parliament, we do not yet know the final form of the bill. So rather than doing work that either might become unnecessary or will have to be redone, it is conventional for us to wait and see what the bill looks like before we trouble parliamentary counsel with drafting detailed regulations.

**Ms CHAPMAN:** If and when the bill is passed, what is the expected time frame for regulations to be prepared, consulted on and presented?

**The Hon. J.R. RAU:** That is one of my favourite questions. My answer to that is: within weeks. That is my answer, though. I then have to ask the people who actually do it and sometimes they do not have the same time lines that I do because they live in the real world. It might take a month or two, or maybe more.

I think the idea is that there would be a staged implementation. I will give you an example. What we are doing in following these recommendations is to collapse the present number of 13 or so licence categories down into some other categories. There is a piece of work to be done there in pretty much physically going through each licence and reclassifying that licence. We will not be changing the substantial entitlements that the licensee has, but reformatting is perhaps a better way of putting it.

Exactly how long that is going to take, I do not know. I have had discussions with Consumer and Business Services. I suggested to them that, if two or three of them got together with me with a pizza and a bottle of lemonade, we could do it over a weekend, and they said I was being optimistic. So, I do not know how long it is going to take. Realistically, I think it will be phased, but you can have my assurance that, as soon as we can put any of this in place, we will.

It is not as if we have not talked to our friends in the Hotels Association about this matter because we have. It is not as though there is a whole bunch of surprises sitting here; all this is pretty well-canvassed territory. The consultation part of the regulations has largely occurred.

**Ms CHAPMAN:** In a letter dated 22 April provided by the Hon. Peter Malinauskas, Acting Minister for Consumer and Business Services, he provided at page 4 a summary of the expected liquor licensing annual fees. In particular, he confirmed that at present the revenue per year is \$2.65 million. He went on to say that, if table 10 in Mr Anderson's report were implemented, the revenue would be approximately \$7.21 million per year.

As I understand it, however, the Attorney has indicated that the government has not yet decided on what they will apply out of that scale; therefore, presumably it could be less, not more. According to what Mr Anderson has outlined, that would provide an increased revenue of about \$4.5 million per year. Whilst I appreciate that there has been no agreement yet reached, or at least consultation and a decision made by the government as to how much of that scale they are going to introduce, my question is: how much per year, in the forward estimates, has been taken into account as a revenue from this source?

**The Hon. J.R. RAU:** I will have to take that on notice and get some further information, but can I explain something to the deputy leader because it might help. There has been a projection over the next couple of years of how much the implementation of the transition will cost. Because the costs of implementation or transition are necessarily up-front, I think it is accepted by government that an initial injection of funds for the purpose of enabling and facilitating that transition to occur will be necessary. That will come in advance of any return from fees.

The question is really: over what period of time, ultimately, will the transitional costs of the establishment of a new scheme be recouped through future receipts? That is, in effect, the question, and the answer is that we are still in negotiations with the interested people about this. That is the state of play. There is no government-settled fee structure.

**Ms CHAPMAN:** How much has been allocated for the transitional costs?

**The Hon. J.R. RAU:** I will have to get back to the deputy leader with the exact numbers, but there are estimates over a couple of years to deal with that. As I said, there is a lump at the beginning, and I am advised that the lump at the beginning is substantially because the old classification of licence requires that licence to be individually considered and then reformatted into the new format. That is not something that can be automated; it does require effort and will consume some time.

**Ms CHAPMAN:** Just to be clear, the question you have redrafted that you assume I have asked is not correct. I am not asking what the net costs will be or, in fact, over what time you will need to recoup the up-front costs. I accept that there will be up-front costs and I expect that they are

in the 2017-18 budget and in the forward estimates, if they are over a period of time, that they will be there and that they will be in the budget and that there will also be a corresponding estimate of revenue—perhaps not in the first financial year, depending on when you introduce this—over and above the \$2.65 million in the forward estimates.

I accept that they may be variable in the sense of what you might ultimately negotiate/decide, but they will be there, on the plus and on the minus, and they are the figures I want. I hope I have made myself clear on that.

**The Hon. J.R. RAU:** I think I understand the question and, yes, I will do my best to get those numbers. It may be between the houses, but I will do my best to get the numbers.

**Mr KNOLL:** The second reading speech says that the broad measures in the bill are designed to increase efficiency and the regulation of liquor licensing in this state. How is it that with a bill that has an expressed aim of increasing efficiency, you are saying that there is actually an increased cost that will have to be borne by the industry? Essentially, I think what you are saying is that an industry that did not ask for a review got a review and is now going to have to pay for it.

**The Hon. J.R. RAU:** As to the second point, I am not quite sure of any industry that asks for a review. If they need a review, I think it is even less likely that they are going to ask for one, and I say that in general terms. As to this particular industry, the last substantial change in this area was 20-something years ago, and I think before that it was in the 1960s with Justice Sangster, as he then was, who did a lot of work on this topic. It is not unreasonable that every two decades or so there is a substantial look at a major area of licensing such as liquor licensing.

The second point is that I do not think there is any question that, in the last 20 years, issues around the supply and consumption of alcohol have evolved at least, if not changed, and it is equally reasonable, in those circumstances, for the situation to be reviewed. As to the question of cost, I come back to the point I have made several times already: we do not have a settled scale of costs. However, from my point of view—and I am expressing my personal view here, and it is in line with the general proposition advanced by Mr Anderson—as a general point, the impact on the community and the cost of the licence should, in broad terms, be linked. So, the very low impact licence, the licence that disturbs very little, should receive a relatively light touch from a fee point of view, and the licence that is high impact should, relatively speaking, receive a higher fee structure.

Other than stating those broad propositions, the matter is, as I have said several times, a matter for ongoing negotiation. It is no secret—and I do not want to name venues, because that probably would not be helpful—that there are some venues around Adelaide, in particular in the city centre, that are deeply associated with an unhealthy drinking culture and significantly associated with the requirement for the police to intervene and ensure that order and public safety are observed. In my opinion, venues that disrupt the safety, harmony and wellbeing of the community should pay a licence fee that reflects the impact they have on the community, because the community has granted them the privilege of having a licence. That is a general statement of principle. I emphasise again that the nitty-gritty of it, who pays what, is something that we are working on.

**Mr KNOLL:** The minister spoke about the ability of Consumer and Business Services to undertake these transitional arrangements in a timely manner. Can the minister confirm that the licences, as they currently exist on the CBS website, are actually up to date? Are the current conditions for licensees up to date on the website?

**The Hon. J.R. RAU:** I would have to get somebody from the agency to check, but my assumption—and it is only an assumption—is that they are current. But we will check.

**Ms CHAPMAN:** A number of the stakeholders in the area where the liquor licensing regime is to come into place with a new fee structure are hotels that also have the exercise of gaming, that provide a gambling outlet. In respect of the Independent Gambling Authority, Mr Anderson was commissioned to do a second report late last year. Do you have that report yet? I am not asking you to detail what is in it or anything, but do you have that report and, if so, when do you intend to release it?

**The Hon. J.R. RAU:** Even though it does not have much to do with this, yes, I do have a report from Mr Anderson in relation to that. I have yet to fully consider exactly what, if anything,



should be taken from that report. If anything does emerge from that report that should be taken forward, it would be my responsibility, first of all, to discuss that with cabinet for cabinet to form a view. Then, cabinet having formed a view, the process would begin in terms of specific discussions with affected parties, the drafting of legislation and suchlike. We are not at that point, and I am yet to come to a view about exactly how I should proceed with that.

**Ms CHAPMAN:** I note that and I do not want to interfere with that in any way. I am going to ask the Attorney to give an assurance, given that this legislation is going through, that before there is any determination on the fees and the structure in relation to this, and if there is any amendment in relation to the fee structure through the gaming arrangements that are proposed, that they be fully disclosed to the stakeholders before that is finalised.

**The Hon. J.R. RAU:** I obviously agree in principle. The only point I would make is that the fees in relation to gaming are matters that are dealt with by Treasury and not by CBS because they are predominantly a taxation matter, as opposed to other things, and they are the main bits. If there is going to be any movement in the gaming area, I am confident that one way or another it will be brought to the attention of the interested groups sometime over the course of this year, and that would mean they would know what was going on.

As I said to the honourable member before, it may be in terms of whatever it is that Mr Anderson has been doing, there is no change in that regime, but that does not mean that there could not be a change in the regime completely independent of Mr Anderson to do with the functions Treasury has in respect of gaming.

**Ms CHAPMAN:** You have a say.

**The Hon. J.R. RAU:** But I do not negotiate. I am sure that if you could find anybody from the AHA they would inform you that Treasury are the people to whom they speak about those matters not me.

Clause passed.

Clauses 2 to 4 passed.

Clause 5.

**The Hon. J.R. RAU:** I move:

Amendment No 1 [ConsBusServ-1]—

Page 8, line 10 [clause 5(9), definition of *designated licence*, (c)]—

Delete paragraph (c) and substitute:

- (c) a club licence, if—
  - (i) the licence is, or is proposed to be, subject to a condition authorising—
    - (A) the sale of liquor to persons (other than a resident) for consumption off the licensed premises; or
    - (B) the sale of liquor after 2 am on any day; or
  - (ii) in the opinion of the licensing authority, the business conducted under the licence and activities on the premises or proposed premises will have a substantial adverse impact on the amenity of the locality in which those premises are, or are to be, situated, taking into account—
    - (A) the size of the premises or proposed premises; and
    - (B) the trading hours or proposed trading hours under the licence; and
    - (C) any other matter the licensing authority considers relevant; or

This amendment amends the definition of designated licence for the purposes of the new community interest test. For those following this, the community interest test has, in effect, replaced the old needs tests. Designated licences are a certain class of licence that will be subject to the new community interest test as proposed in new section 53A. As a result of further consultation with interested parties, the definition of designated licence in respect to club licences is sought to be

amended to provide parameters around which applications for the grant or removal of a club licence will be subject to the new test.

**Ms CHAPMAN:** I have a general question. As I understand it, all these amendments relate to dealing with this designated licence issue. This has been identified as a weakness in the bill, to the extent that inadvertently there is the capturing of a whole lot of areas that were not intended to be captured and that would otherwise need to be reviewed, and that was not intended.

On the face of it, on the information that we have been given (I have not checked whether these amendments now tabled reflect that) and assuming that it is an accurate representation of remedying that defect, I do not expect that we will have any issue with it, so I will not be making any other comment on it, and note that these amendments will be introduced and passed, and if any problem is shown up between the houses we will advise the Attorney.

**The Hon. J.R. RAU:** I thank the deputy leader for that observation. In very broad terms, we are talking about the fact that we did not want to inadvertently impose upon small clubs unnecessarily burdensome matters. That said, if we have something that is a club and it is called a club but it looks and feels and smells very much like a hotel, then that is a different kettle of fish and that would continue to be dealt with as if it were, in effect, a hotel. We are talking about the local bowls club or something of that nature which is a low-impact, small operation, and we did not want to unnecessarily burden them.

Amendment carried; clause as amended passed.

Clauses 6 to 21 passed.

Clause 22.

**The Hon. J.R. RAU:** I move:

Amendment No 2 [ConsBusServ-1]—

Page 17, lines 26 to 29 [clause 22, inserted section 36(1)(b)]—Delete paragraph (b)

Amendment No 3 [ConsBusServ-1]—

Page 17, after line 36 [clause 22, inserted section 36]—Insert:

- (1a) In addition, the licensing authority may include a condition on a club licence authorising the sale of liquor on the licensed premises on any day over a continuous period authorised by the licensing authority (which must not exceed 13 hours) between 8 am and 10 pm for consumption off the licensed premises.

Amendment No 4 [ConsBusServ-1]—

Page 25, lines 24 and 25 [clause 22, inserted section 40(8)(c)]—

Delete '(including fees for the renewal of a short term licence granted for a period of more than 1 year)'

Amendment No 5 [ConsBusServ-1]—

Page 25, after line 25 [clause 22, inserted section 40(8)]—Insert:

- (ca) prescribing requirements in relation to fees in respect of short term licences, including by providing for the cancellation of a short term licence if a fee in respect of the licence is not paid by the date on which the fee is due; and

Amendments carried.

**Mr KNOLL:** Forgive my potential ignorance here, Attorney. I understand that it is envisaged that there is provision for subcategories of licences to be installed where the commissioner sees fit. First, is that the case? Do you understand when and where it could be used?

**The Hon. J.R. RAU:** I will go quickly through the four we are dealing with and explain them. Amendments Nos 2 and 3 work together as a package and have arisen as a result of consultation with interested parties. Amendment No. 2 deletes proposed section 36(1)(b). Proposed 36(1) outlines what trade a club licence may authorise subject to the Liquor Licensing Act and the conditions of the licence proposed under section 36(1)(b), which authorises the holder of a club licence to sell liquor for consumption off premises subject to the act and the conditions of the licence. Accordingly, if a

club licence was not to be granted an authorisation to sell liquor for consumption off the premises, the licence would have to include a condition prohibiting that activity.

Amendment No. 3 inserts a new subsection (1a), which allows the licensing authority to include a condition on a club licence authorising the sale of liquor for consumption off the licensed premises. New subsection (1a) is intended to make the condition allowing a sale of liquor for consumption off premises a separate and distinct condition allowing that activity; in other words, off-licence sales or off-premises sales will be a separate condition on the licence. Another way of putting it is that the liquor licensing commissioner, in determining what the licence conditions might be, will specifically turn his or her mind to off-premises sales.

Amendment No. 4 amends section 48(c), which relates to the regulation-making power for prescribed fees for short-term licences. The wording removed by the amendment is '(including fees for the renewal of a short term licence granted for a period of more than 1 year)'. It is considered that this wording is not required. It is also considered that leaving in that wording may create confusion about renewals of a short-term licence which is not contemplated.

In particular, what we are talking about there is that if a short-term licence is for three years and we have a clause that says 'including fees for renewal of a short-term licence', what we are really talking about is not the renewal of the licence but the annual licence fee, which is not about the renewal; it is simply about the annual fee. We are trying to make it clear that the annual fee, whether that is paid or not paid, is not the renewal of the licence. It may be that failure to pay the fee means the licence is revoked. The question is: does the licensee pay for three years at once or do they pay annual instalments for the three years? We are saying here that we want to make it clear that they can pay annual instalments for three years, but it is a three-year licence and not a one-year licence, if that makes sense.

Clause as amended passed.

**Mr KNOLL:** I have a question on clause 22.

**The CHAIR:** We just passed clause 22 in an amended form. Do you want to ask a question on clause 22?

**Mr KNOLL:** It does relate specifically to licences and the provision of licences, which is clause 22.

**The CHAIR:** I am going to let you just to keep you happy. It is not going to have any impact on the clause, you understand, because it has already gone through in an amended form, but you can ask the question.

**Mr KNOLL:** I understand. We are moving to get rid of the special circumstances licence. For something like a party bus, for instance, which category is that licence holder likely to go into?

**The Hon. J.R. RAU:** I think you will like the answer to this. It is probably an on-premises licence, the premises being the bus. Isn't that nice? I had not thought of a bus that way, but there you are.

**The CHAIR:** Are you sneaking in another one, member for Schubert?

**Mr KNOLL:** Sure. I assume something like a pool hall or the pedal bar are likely to go under the same category, as an on-premises licence?

**The Hon. J.R. RAU:** I am advised yes.

**Mr KNOLL:** This is where I am slightly confused. The limited licence that existed before, the one where you put in your application and it comes back, is it now going to come under a short-term licence?

**The Hon. J.R. RAU:** That is correct.

**Mr KNOLL:** You make reference to the fact that for low-risk events, instead of having to go through a process where you put in your application, pay your money and you get your thing back, you can essentially just notify the commissioner of the fact that you are having an event, but that only

applies to low-risk licences. Firstly, I think that is correct but, secondly, what constitutes a low-risk event?

**The Hon. J.R. RAU:** The answer is that the particulars around that licence will be in the regs, and we will be consulting about that. I know what I mean—I mean something where a country—

**Ms Chapman:** A dance at the Stokes Bay Hall.

**The Hon. J.R. RAU:** Fine—where the prospect of people becoming unruly and untidy is very small. It is minimal. It is a glass of sherry and a piece of cake or something. Why on earth would you wrap those people up in red tape? For those people who are complaining about the high-end fees potential, we are genuinely trying to get to the other end of the spectrum and trying to remove all the unnecessary clutter for the people who just want to have a bake-off at Coomandook and have a glass of sherry afterwards. We are trying to simplify things for ordinary people who are just trying to go about having a birthday party or whatever it might be.

**Mr KNOLL:** Especially in relation to something like a liquor production and sales licence, this is an example that has been put to me, and this question has two parts. First, in understanding what is a low-risk event, I also understand that for existing licensees there is going to be a greater facility for them to apply for what were limited licences before. Again, they may be able to access this lower threshold. Is it the case that if a higher risk licensee wants to have a low-risk event they are considered low-risk, or does the class of licence make a difference?

The second part of my question involves cellar doors, wineries, that have events all over the place. They have a licensed premises; it is drawn on a map. I will give you a couple of examples. The first is a winery that wants to have a mobile cellar door. Will they be able to make that application under their existing licence even though that existing licence has a defined premises? The second example is a winery that goes to be part of some sort of tasting event. Can they also utilise that same facility?

**The Hon. J.R. RAU:** I am advised that the new liquor production and sales licence, in contemplation of that sort of thing, includes what I think these days you would call an app, but an add-on which contemplates pop-ups. If you have a winery with a—

**Mr Knoll:** A caravan.

**The Hon. J.R. RAU:** Yes, encompassed by your winery sales or whatever licence, it is contemplated that you might bob up at some festival in the city and have a pop-up, for instance, from time to time. That would be captured by that licence. You would just have to let the commissioner know. Just thinking about that, let's say you are a winery that has a cellar-door operation happening. Your cellar-door operation works like this: you have a tasting area, and you are open between midday and 6pm, for argument's sake, and people come in and taste a few samples and they either buy it or they do not buy it. On the face of it, if that is all that is going on, that is a pretty low-risk sort of set up, you would have thought.

However, in terms of the same venue then having a sideline, where on weekends they did weddings or 21<sup>st</sup> birthdays, I saw something on telly this week about a wedding in Sydney which got very, very interesting. The reports on the telly said that there was some connection between the wedding getting interesting and the consumption of alcohol. There was just one little activity that occurred at the wedding that lit a fuse, and next thing you know the police are there and goodness knows what. So, just because they are a cellar-door, you could not be blind to the fact that they are doing other things as well, if indeed that is what they are doing. That would be a matter for the commissioner.

Clauses 23 to 25 passed.

Clause 26.

**Ms CHAPMAN:** I move:

Amendment No 1 [Chapman-1]—

Page 27, lines 8 to 18—Delete the clause

I move amendment No. 1 in the 192(2) portfolio of amendments, which is to delete the clause providing for a continuous three-hour period where trading is not permitted. In short, as I outlined in the second reading debate, the opposition does not agree with this rather butchered amendment relative to Mr Anderson's recommendation. He made it very clear in recommendation No.15:

It is a mandatory condition of a licence that licensed premises must be closed for a minimum of three continuous hours between 3.00am and 9.00am. Alternatively, the premises could remain open for those three hours but not sell liquor.

The government says that it accepted this recommendation in part, but the quirky addition of the Attorney is that it is to restrict trade between 3am and 8am on the claim that 9am is not night trade. I am sure that 7am or 8am is night trade; nevertheless, that was his excuse for varying this. If there was to be a restriction on trade across all venues, then one might see some benefit in this, provided it has some data to support the idea that this would be of benefit. Clearly, the Late Night Venue Association has raised this as a concern in the consultation and certainly takes the view that, even if the three-hour no-trading period of alcohol is to prevail, it should at least be able to set the times up to the period recommended by Mr Anderson.

We considered whether we should just try to amend this back to be consistent with what Mr Anderson recommended. There is still no data to support it and, in all the circumstances, we suggest that this should be removed completely, especially as it does not apply to all venues that sell alcohol. It is an issue we have raised before when the Casino was excluded from lockout laws, and now, of course, we have the Casino still able to continue to trade as it sees fit.

We say this is an unfair imposition on those few venues, other than the Casino, that trade outside the normal trading hours. Obviously, many hotels and the like trade and close well before 3am, 5am, or any of those hours. Nevertheless, there are some venues that provide for the public who for whatever reason might have employment that requires them to be in the night-time trade; and they would seek to have their recreational time, including the right to have alcohol.

This issue was raised at the time liquor licensing was granted to Vili Milisits who, of course, has the great Vili's facility on South Road. His factory outlet has a cafeteria that provides for the sale of alcohol. The argument was run, and it was reasonable, that his night-time staff would knock off at breakfast time and might want to enjoy an alcoholic drink, and they were successful in receiving a licence to do just that. That is reasonable in all the circumstances. It seems to me that this is an unfair imposition without merit and, given the Attorney's penchant to butcher these into his own little quirky proposals, it does not have our support.

**Mr KNOLL:** As one of the younger MPs in this house and probably the youngest looking, and maybe one of the youngest acting—

*Members interjecting:*

**Mr KNOLL:** He's bald and can grow a beard. I feel that it is my place to stand up and respond to this very worthy amendment. From time to time, I find it frustrating; and I can feel the frustration and present the frustration on behalf of young people in South Australia who feel that their parliament does not represent them. Some people look more fondly at their younger days in the rear-view mirror, potentially looking at things in a slightly different way from those of us who can look a little more closely and remember a little more clearly their younger days. I also know this from firsthand experience.

**The CHAIR:** If you do not have anything pertinent to say to the bill, you need to sit down.

**Mr KNOLL:** For five years, I was employed by one of these late-night venues as a disc jockey, and every Friday and Saturday night I saw firsthand what happens as we get closer to when the sun comes up.

**An honourable member:** Did things improve?

**Mr KNOLL:** They certainly did. The reason I bring this up is that I worked in probably one of the highest risk venues in South Australia, and what I saw was a very well-regulated, very well-policed venue. Very rarely were there issues. In fact, if there was an issue, it did not necessarily happen at the end of the night; it could have happened at any time during the night. The idea of

something happening into those later hours more prominently does not stack up with the anecdotal evidence I have.

When we come into this place and seek to take away the freedoms of South Australians, the onus of proof needs to be on those who seek to make the change to prove their case. Categorically, that has not happened in this instance. From the evidence the government did not want us to see, we know that prior to the introduction of a late night code of practice, there was a reduction in both the—

**The CHAIR:** Member for Schubert, this is actually a speech. Do you have a question? Is there a question?

**Mr KNOLL:** Sure.

**Ms Chapman:** You ask, 'Do you think this amendment is meritorious?' and I will say yes.

**The CHAIR:** Are you going to move your lips while he speaks, deputy leader?

**Mr KNOLL:** Can the deputy leader confirm that both prior to and post the introduction of the late night code, the reduction in violence in the metropolitan area where there are no late-night venues was actually greater than the reduction in violence in the CBD venues where the late night code of practice is in force?

**Ms CHAPMAN:** I think I asked for the question.

*The Hon. J.R. Rau interjecting:*

**Ms CHAPMAN:** I am moving the amendment.

*The Hon. J.R. Rau interjecting:*

**The CHAIR:** You get the last word. How is that? I will give you the last word. It is like a tag team here.

**Ms CHAPMAN:** I thank the member for Schubert for his very important question. Again, there has not been a demonstrated reduction to support the need for this three-hour trade restriction. Yes, I do thank the member for Schubert for that question and I note that, implicit in his comments, he is going to support my amendment.

**The Hon. J.R. RAU:** What a surprising exchange there was between the mover and the member for Schubert on that one! I do not actually understand what is wrong with the proposition that, for example, between 5 o'clock in the morning and 8 o'clock in the morning, it is not unreasonable to have a rest from drinking and have a skinny latte or whatever the young people have these days.

We used to have a cappuccino. We did not even do that really: we had a Nescafe, and if we were lucky, we could find a bit of sugar. That is what we used to have, or we would re-use the teabag we had last night. We lived in simpler times. The point is that nothing really good happens after 5 o'clock in a licensed venue if they are still drinking. For goodness sake, if you have not had enough to drink by 5 o'clock, what benefit are you going to gain between five and eight? Why not have a spell? Why not have a—

**The Hon. J.M. Rankine:** A glass of water.

**The Hon. J.R. RAU:** —a glass of water or maybe even have a lie down and then get back into it again at 8.30 when you have freshened up? It is as though the world is ending because people cannot attempt to blow up their liver between 5 o'clock and 8 o'clock in the morning, for goodness sake.

Mr Anderson recommended this. Okay, we changed it from nine in the morning. Let's be more honest about this and target the part of the day we are most concerned about. As for the fact that it does not apply to all venues, if the opposition wishes to move an amendment to include the Casino, I am happy to see them do that. I will take it back to my people and we will see what they say, but they have not moved that amendment.

The other silly thing is: 'If you're going to have a three-hour break, let them work out which three hours.' The member for Bragg must think we came down in the last shower. Obviously, the three hours they pick are between 11 o'clock in the morning and 2 o'clock or between midday and 3 o'clock when they are home getting changed ready for the next big night out. This is a completely reasonable proposition. It impacts on very few people and the people it does impact on are the people who consistently have been associated with the sort of behaviour we are trying to moderate.

**Mr Knoll:** That you have given us no evidence of.

**The Hon. J.R. RAU:** If you want evidence about bad behaviour in venues, do not take it from me—speak to the Commissioner of Police. He has a very clear view about this. We have been making no secret about this. We have the declared precinct legislation we have put around the place. We are doing a number of things to try to improve the safety for the public and at the same time stop the transparently unsafe process of people drinking around the clock.

**The CHAIR:** Member for Davenport, you have a question, do you?

**Mr DULUK:** I do.

**The CHAIR:** On clause 26?

**Mr DULUK:** Yes, I do have a question to the deputy leader, and perhaps the Attorney in time might want to respond. Why is the Casino currently exempt from these rules?

**The CHAIR:** A really good question.

**Mr DULUK:** Before I finish, why is the Casino currently exempt, and why has the government not seemed to create a uniform playing field for all licensed venues in South Australia?

**The CHAIR:** Could this be a Dorothy Dixier from the other side—an opposition question?

**Ms CHAPMAN:** It is a question of wonderment. Why is it that the Casino has special arrangements? The information I have been given by the government is that they entered into a contractual arrangement with the Casino for their right to be able to occupy. I know a little bit about the Casino Act because my father crossed the floor and voted with the government to pass the Casino bill, one of three opposition members to do that—and he was given lifetime membership of the Casino, actually. I think that it has been a worthy institution, in the sense of providing a service to allow gambling facilities in a fixed venue with lots of security. Implementing a venue of that nature for the protection of the public I think has been an important initiative.

It is appalling that in the last 30 years it has graduated from a gambling venue to what is effectively a house full of poker machines—well over a thousand of them. I think that is appalling. For a number of years there have been various areas within the Casino—restaurants and other facilities—that obviously provide services of food and beverage to the patrons. That is great, but personally I think that it has deteriorated in what it offers South Australia because of the explosion of poker machines.

While I have heard minister after minister in this government while I have been here tell us about the importance of reducing poker machines—I think we went from 40 down to 32 at one stage; every hotel across the state had to have a buyback arrangement and we had long debates about that—what has happened on the other side in the Casino has been an explosion of poker machines.

We all know that government revenue is heavily subsidised by gaming revenue in this state. From memory, about \$400 million a year is received as part of our state tax revenue, which is a very significant portion of our income as a state. Governments do not like to give away any advantage they have in that continued revenue. I get that. Treasurer after treasurer tells us that, but why should it continue to have the privilege of no change in the rules in relation to hours of service or times that it might need to close and the like?

The reason, historically, that has been put to me by government is that they have entered into these lease arrangements, that to breach those contractual arrangements would somehow interfere with their rights and that therefore there would be a financial consequence to the government and therefore to the taxpayers. On the face of it, I understand that. What really annoys me is that we have been asked to continue to treat the Casino separately, yet independently of that

negotiations continue with the government and the Casino (I think still owned by SkyCity, the New Zealand company) to renegotiate these terms.

Never once, that I know of has anyone from the government come to the opposition and say, 'Look, we're renegotiating the terms under the Casino Act with the proprietors of this venture, and we now want to put in some rules which might provide some uniformity to all those who might be trying to have secure venues for the sale of alcohol', or, indeed, other issues in relation to gaming. They are a protected group because of this contractual arrangement.

So I think the government has been very unfair to South Australians to not come back to the parliament and say, 'We're going to be renegotiating this contract. It's a very significant venture in South Australia. Now is the time to have the chance to put in a submission as to whether there should be any amendments to the terms of that lease.' I am not sure what the current lease is, but I think they have another 35 years or something under a new contract, relatively recently renegotiated, on which the ink has now dried.

I think the answer to the member for Davenport's question will be that it will be in breach of the contract and there will be a financial consequence to South Australians if that interferes with any of their rights of trading arrangements, under the conditions of the lease and licensing arrangement. I may be wrong and the Attorney can set me straight, I am sure, if there is some other reason, but that is all I see. They are a protected species, and we have never had an opportunity to be informed as to how we might renegotiate their terms.

**The Hon. J.R. RAU:** Well, this is really taking an unexpected turn. First, on gaming reform, we put up proposals in about 2013, if I remember rightly, that were directed towards getting rid of a large number of poker machines. That had the support of the AHA, if I recall correctly, at that time; they certainly were not up in arms about it. It would have meant that there were going to be major venues, minor venues. It would have provoked a lot of trading, and it would have made the Casino actually have to participate in those things.

As it turned out—and I do not want to speak ill of the departed from this chamber—the former member for Davenport became transfixed by the wily Bill Cochrane and saw to it that that very creative piece of legislation was terminated in a most unseemly fashion in another place. That is in answer to the question about doing things about gambling reform. As to the Casino, there is something a bit Lady Macbeth about this. If the opposition are so upset by the present position of the Casino—

**Mr Knoll:** Just pointing out the hypocrisy—

**The CHAIR:** Order, the member for Schubert!

**The Hon. J.R. RAU:** —let them draft an amendment and bring it in. Then let us see what happens.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** No, no, no, no. I listened very carefully, as I always do, to the deputy leader, and one of the grounds upon which she objects to the current clause 26 is that it makes a distinction for the Casino. She was saying that, were it not that it made a distinction for the Casino, she would not be so upset about it, but it is setting up a two-tiered system. If that is her objection, she is perfectly at liberty, here or elsewhere, to try to take that out and let us see what happens.

As far as I am concerned, the general proposition remains that a three-hour break in 24 hours for people to have a couple of lemonades, a glass of water or even a coffee is not unreasonable. It is recommended by Mr Anderson. If the opposition are really objecting to the notion that the Casino misses out, they know how to organise parliamentary counsel to put forward a proposal that would deal with that, so let them do it. In the meantime, we are not budging on this.

The committee divided on the amendment:

Ayes .....	18
Noes .....	21
Majority.....	3



## AYES

Bell, T.S.	Chapman, V.A.	Duluk, S.
Gardner, J.A.W.	Goldsworthy, R.M.	Griffiths, S.P.
Knoll, S.K.	McFetridge, D.	Pederick, A.S.
Pengilly, M.R.	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

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

## PAIRS

Marshall, S.S.	Weatherill, J.W.	Pisoni, D.G.
Wortley, D.	Speirs, D.	Hamilton-Smith, M.L.J.

Amendment thus negated; clause passed.

Clauses 27 to 52 passed.

Clause 53.

**Mr KNOLL:** The community impact test is replacing the needs test. The community impact test happens interstate, in New South Wales, as it exists now. It is been put to me that before there were applications that were not subject to the needs test, and the majority were not. Unless you were a bottle shop or a pub, you were not subject to the needs test. The number one aim of this bill is to try to reduce red tape. Before, for the vast majority of licences, you had a situation where a test of some description was not necessary; if that application went in, it was not objected to. The application most times passed, unless the commissioner or the judge had some sort of issue.

We are now going to see that everybody needs to put in a community impact assessment. Can the Attorney give any sort of understanding of how comprehensive that is going to be? Is it something that a professional is going to need to undertake? What I am trying to get at is that before we had the ability for a series of licences to quietly go through, whereas now we are adding red tape to a lot of licences through the application of this community interest test.

**The Hon. J.R. RAU:** The answer to that question is this: it will be applicable to hotel licences; some club licences, which are the big club licences; on premise, in effect bottle shop licences; and then there will be a discretion vested in the commissioner to apply the test in circumstances prescribed in the guidelines otherwise. These guidelines are not going to be universally applied to all licence applications. Again, as is consistent with this whole legislation, the idea of the impact test is that the higher impact licences will be the ones that will be involved in these tests, not the really low impact licences.

**Mr KNOLL:** To confirm, general hotel licence, yes; on premises, yes; residential, no; restaurant and catering, no; club, only for the big guys; yes to the packaged liquor; no to the production and sales; and no to small venue.

**The Hon. J.R. RAU:** Subject to—yes.

**Mr KNOLL:** Except for the discretion.

**The Hon. J.R. RAU:** Except for the discretion.

**Mr KNOLL:** I note that in an application the test must have regard to the cultural, recreational, employment and tourism impacts, the social impact and harm that might be caused. These are questions that would be difficult for a layperson to answer. For instance, in the same way that, if you have a planning approval, you need to answer whether this going to impact on the traffic and you have to get a professional to do a traffic report and a sound engineer to come and do a sound report, is it the case that if you are subject to having to do this test you will have to go to somebody who makes a career out of doing community impact assessments on behalf of prospective licence applications?

**The Hon. J.R. RAU:** Anybody who is applying for an affected licence—and I think we have already established the affected licences are the more significant licences not the minor ones—would be more than capable of arguing or at least speaking to the commissioner, who is the determining authority in this circumstance not the court and the licensing authority about those matters. We are coming at it from this point of view: if you look at it philosophically, the old needs test formulation was a restraint of trade proposition. It was basically saying, 'We've got a market and we don't want you in our market.' That is effectively what it was about. We got rid of petroleum licences and all these other things years ago that do the same sort of thing.

We are changing the emphasis from a restraint of trade clause in the hands of existing businesses into a situation where we are saying to the community, 'It's not just about whether that business wants competition or not. It is about whether you, the people who live here, are going to be impacted by what this business is proposing.' It is a much more engaged process than the previous one from the community's perspective. I do not think it is unreasonable that somebody who is proposing to do one of the things that is captured here should be at least capable of addressing those matters; if they are not, maybe they should not be a licensee.

**Mr KNOLL:** My final question and I will ask—

**The CHAIR:** No, you have already had your final question, but I will give you one more.

**Mr KNOLL:** I am trying to understand where this question should be asked, but I will ask it here. Attorney, it has been put to me that we have a situation where we have to transfer rights to this new licensing regime and that in some instances those rights are expanded. Has there been any understanding of whether or not there is conflict between a licence condition and a planning approval? We have planning approvals for most of these licence holders that are existing and in place; in varying the licence conditions of the licensees, is there going to be a conflict and how does that play?

**The Hon. J.R. RAU:** This is a very, very good question and this is one of those perennial problems in the area here. If you are not careful, you wind up with two licensing authorities acting independently of each other and one does not know what the other is doing and each one is guessing what the other is going to do. It is terrible and frustrating and not good for anybody.

When we put the planning bill through a year or so ago, one of the things I asked the commissioner to do was to look at the planning bill with a view to seeing how he could ensure that the planning bill was constructed in such a way that planning did not get in the way of liquor licensing and vice versa. You may not recall it now, but there was a provision in the planning bill that actually talked about other licensing arrangements. I am advised that the combination of the planning amendment we put in 12 months ago and the way this is constructed minimises the chance of that problem occurring, but I think that it is something we have to continue to watch.

**Mr KNOLL:** What is going to happen is that as the commissioner goes through the licences he may or may not find some sort of inconsistency and that at the point at which he finds an inconsistency we are going to have to deal with it.

**The Hon. J.R. RAU:** You are talking about the retrospective stuff rather than going forward, are you?

**Mr KNOLL:** Most of the 6,500 licensees have existing planning conditions.

**The Hon. J.R. RAU:** In terms of those 6,500, yes, there is going to have to be some work done. I am looking through that. The transitional provisions will enable the commissioner to 'cleanse', I think is the term being used, the licensing conditions to make them all consistent with the planning regime. This is potentially still a problem, but we think we fixed it going forward.

Clause passed.

*Parliamentary Procedure*

**VISITORS**

**The DEPUTY SPEAKER:** Before we go to the next clause, I would like to welcome the Hon. Ian Rickuss MP, member for Lockyer in Queensland, and his wife, Ann, who are guests of the member for Finniss. We welcome them to our parliament and hope they enjoy their time here.

*Bills*

**LIQUOR LICENSING (LIQUOR REVIEW) AMENDMENT BILL**

*Committee Stage*

Debated resumed.

Clauses 54 to 78 passed.

Clause 79.

**Mr KNOLL:** I agree with trying to streamline the process and the idea that we move from a system where an application is lodged, then there are objections and a licensee has to answer those objections, to a system of submissions where, if you have problems, you announce those problems up-front, it all gets presented before the judge or the commissioner on the day and they make a decision.

I agree with that, and, to the extent that that is going to reduce vexatious issues in the system, that is a good thing. But I understand that one of the by-products is that, before, there was a conciliation process that happened in the course of a licence going through, and now, instead of there being mandatory conciliation, that is being pared back and it will only be used at the commissioner's discretion; is that correct?

**The Hon. J.R. RAU:** Yes, your question does highlight a change. I think the reason for the change is that we do not want to have conciliation as a matter of necessity, as a step in the process, if circumstances are such that it is unnecessary. For example, we want the capacity where, if an application is basically a no-brainer, the commissioner is able to do it on the papers without doing anything further.

If the commissioner looks at the papers and says, 'Maybe I need to talk to some people,' the commissioner, at his discretion, can call up a conciliation. If it gets even more complicated, then we have a hearing or whatever. The motivation is that if there is no need for a conciliation conference in reality because everyone knows where it is going, let us just cut to the chase and do what we have to do on the papers.

**Mr KNOLL:** Is there an issue of process now that, if you want to lodge a submission, you have to lodge it, it says here, at least seven days—seven days is the minimum—before the day appointed for the determination or hearing of the application? So, at day X, seven days before, you have to put in your submissions. The submissions are in seven days before. The commissioner or judge looks at them and says, 'I have an issue,' just as you have described. Do they have to try, within that seven days, to hold a conciliation, or does that then delay the court date?

*Sitting extended beyond 18:00 on motion of Hon. J.R. Rau.*

**The Hon. J.R. RAU:** Can I say, in answering the question, that even though I have not imbibed today, I am seeing two members for Schubert. I am not sure what that means. As best I can tell, the answer to the question is that, if the commissioner came to the view that he really needed more information, the commissioner could reschedule and move on in that way.

Clause passed.

Clauses 80 to 94 passed.

Progress reported; committee to sit again.

**ANZAC DAY COMMEMORATION (VETERANS' ADVISORY COUNCIL) AMENDMENT BILL**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

At 18:02 the house adjourned until Wednesday 17 May 2017 at 11:00.

*Answers to Questions***ROYAL ADELAIDE HOSPITAL**

**181 Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (15 December 2015). When will the Minister for Health agree to my request dated 12 February 2014 that medical equipment and supplies from the RAH be made available to the Republic of Congo instead of being dumped in land fill?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** I have been advised:

SA Health is partnering with Rotary in Kind to provide appropriate surplus equipment to countries in need including the Republic of Congo.

Discussions have been had with local representatives from the Republic of Congo about the opportunities available.

Rotary in Kind provides a brokering service which connects countries in need with organisations that have equipment surplus to requirements. They ensure appropriate transportation and facilitate equipment set up in the receiving country.

**ABORIGINAL LANDS TRUST**

**250 Dr McFETRIDGE (Morphett)** (27 September 2016). In reference to 2016-17 Budget Paper 4, Volume 4, page 67—what processes are in place to ensure income is adequately accounted for in relation to the Aboriginal Lands Trust 'Head of Bight Whale Watch Tourist Centre', how much income revenue was received for 2014-15, 2015-16 and how much is projected for 2016-17?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy):** The Minister for Aboriginal Affairs and Reconciliation has received the following advice:

As the location of the Head of Bight (HOB) Whale Watch Tourist Centre is a significant distance from any banking facilities, the Aboriginal Lands Trust has initiated a number of financial controls and processes, which have been noted by the Auditor-General.

These include the Aboriginal Lands Trust receiving:

- daily financial transactions, including EFTPOS receipts, a record of all monies received which is reconciled against monies banked;
- a weekly summary report on admissions and sales;
- a monthly report on total cash held, including admission fees, shop sales and merchandise sales, together with the banking receipts.

Measures initiated to increase the number of banking's per month ensures there is less cash on hand. As well, closed circuit TV cameras are located throughout the facility for security and monitoring purposes, including for monitoring the admission counter.

Implementation of an electronic (sequential) ticketing system linked to the cash/EFTPOS terminal is also being investigated, to ensure ticket sales and admissions are accurately reconciled.

The Auditor-General has recommended that the trust continues to improve the control environment at the HOB Whale Watch Tourist Centre to ensure that all revenue received at the centre is properly accounted for.

Revenue received in 2014-15 was \$397,838 and \$359,351 in 2015-16. Projected revenue for 2016-17 is \$400,000.

Whale numbers during the migration season June 2015 to October 2015 were significantly down, compared with the 2014-15 season. This resulted in fewer visitors and therefore reduced revenue. However, due to increased publicity and an increase in the number of whales for the 2016-17 season, an increase of revenue is expected.

**MOUNT PLEASANT DISTRICT HOSPITAL**

In reply to **Mr KNOLL (Schubert)** (21 September 2016).

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** I have been advised:

In December, 2014, commonwealth government approval was given for nine additional aged-care licences at Mount Pleasant District Hospital. At the time of approval, all provisionally allocated aged-care places had two years to bring the licences online. The commonwealth has since extended all provisionally allocated places to four years. The new date to activate licences is by 19 December, 2018.

**ROYAL ADELAIDE HOSPITAL**

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (28 September 2016).

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** I have been advised:

1. The new Royal Adelaide Hospital received a certificate of occupancy on 6 October 2016.
2. Issued by an independent building certifier, the certificate means that the building has met the requirements under the Development Act 1993 (SA) for occupation and is no longer classified as a construction site.

#### **CENTRAL ADELAIDE LOCAL HEALTH NETWORK**

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (17 November 2016).

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** I have been advised:

The Final Report of Central Adelaide Local Health Network's Review of the Safety and Quality Systems, Leadership and Functions is publicly available on the SA Health website.

#### **ROYAL ADELAIDE HOSPITAL**

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (30 November 2016).

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** I am advised:

1. The Project Agreement has a requirement that if SA Health Partnership is delayed in achieving completion (and it is not a delay caused by the state), it must meet its internal and subcontractor direct costs, prolongation costs and finance delay costs for each day that it is delayed. It is not obliged to meet any of the state's costs related to its delay.

During any SA Health Partnership caused delay period, the state does not make the budgeted quarterly services payment to SA Health Partnership and, therefore, has a saving for each delay day.

2. Costs associated with maintaining the current Royal Adelaide Hospital are covered as part of the saving of the non-payment of the quarterly services payment.

#### *Estimates Replies*

#### **NATIONAL PARTNERSHIP AGREEMENTS**

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (1 August 2016). (Estimates Committee A)

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** Funding provided by the commonwealth under a range of COAG National Partnership Agreements and Project Agreements has ensured that South Australians benefits from a wide variety of health programs.

In 2016-17 SA Health is currently managing 7 COAG agreements with revenue anticipated of around \$51.3 million over the forward estimates (2016-17 to 2020-21).

I am disappointed by the commonwealth government's decision to cease funding across a range of COAG Agreements which provided funding for successful initiatives including:

Expired in 2013-14 and 2014-15

- NPA on Improving Public Hospital Services—ongoing impact of \$42.0 million per annum.

This agreement provided significant funding towards improving public patient access to elective surgery, emergency department and subacute care services.

- NPA on Long Stay Older Patients—ongoing impact of \$10.6 million per annum.

This agreement provided additional funding in recognition of older patients remaining in state public hospitals for longer than clinically required due to delays in accessing commonwealth funded aged care beds.

- NPA on Preventive Health—ongoing impact of \$3.9 million per annum

This agreement aimed to improve health outcomes and reduce long-term pressure on the health system by addressing the rising prevalence of lifestyle related chronic diseases.

- NPA on Supporting National Mental Health Reform—ongoing impact of \$3.4 million per annum.

With funding under this NPA, South Australia developed two programs—a walk-in community mental health service at Salisbury and an expansion of the assessment and crisis intervention service. The funding targeted people with a mental illness who needed to access stable accommodation and who frequently present to emergency departments, major hospitals and other support services.

- Project Agreement on Teenage Sexual Health Services—ongoing impact of \$1.2 million per annum.

This agreement supported the delivery of pre-pregnancy, antenatal, sexual and reproductive health services and programmes for young Indigenous Australians.

- Project Agreement on the National Peri-natal Depression Initiative—ongoing impact of \$0.6 million per annum.

Funding for this National Partnership Agreement was provided to improve the prevention and early detection of antenatal and postnatal depression and to provide better care, support and treatment for expectant and new mothers experiencing perinatal depression.

Agreement expired in 2015-16—subject to negotiation with the commonwealth government. No funding is currently reflected in the Department for Health and Ageing budget from 2016-17 (excluding rheumatic fever which has funding in 2016-17).

- NPA on Adult Public Dental Services—ongoing impact of \$12.5 million per annum.

This National Partnership Agreement contributed to the improved oral health of patients who are eligible for public dental services by providing treatment to an additional 177,778 adult public dental patients nationally.

- Project Agreement on the Rheumatic Fever Strategy—ongoing impact of \$0.4 million per annum.

This National Partnership Agreement was developed to improve detection, monitoring, and management of acute rheumatic fever and rheumatic heart disease in Aboriginal and Torres Strait Islander communities.

- OzFoodNet Surveillance Program—ongoing impact of \$0.2 million per annum.

Funding under this agreement provided for a national enhanced food-borne disease surveillance program.

Due to expire in 2016-17—These agreements will be the subject of future negotiations with the commonwealth government. No funding is currently reflected in the Department for Health and Ageing budget from 2017-18.

- Project Agreement for the Expansion of BreastScreen Australia Program—ongoing impact of \$1.3 million per annum.

This agreement provided funding to expand the BreastScreen Australia program to include women aged 70-74 years in the target group, and to screen at least an additional 222,000 aged 70-74 by 30 June 2017.

- Project Agreement on Improving Trachoma Control Services for Indigenous Australians—ongoing impact of \$1.0 million per annum.

This agreement provided funding to continue activities to reduce the incidence of trachoma and improve eye health for around 20,000 Indigenous Australians in up to 160 remote Indigenous communities across Australia.

#### TRANSFORMING HEALTH

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (1 August 2016). (Estimates Committee A)

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** I have been advised:

1. The following indicative budget allocations for the program, which includes leadership, governance and support for the Transforming Health reforms (and incorporates repurposed SA Health resources), noting it is subject to regular review in line with program requirements.

	2016-17 Budget (\$000)	2017-18 Budget (\$000)	2018-19 Budget (\$000)	2019-20 Budget (\$000)
Expenses	41,949	30,077	8,231	7,214
Income	—	—	—	—
Net Cost of sub-program	41,949	30,077	8,231	7,214

2. Since 1 July 2015, \$82,033 has been spent on consultants for advertising, promotion and market research for Transforming Health. These consultants include Gould Thorpe Planning Pty Ltd and Professional Public Relations Pty Ltd.

Advertising, promotion and market research form part of the budget allocations for the program and expenditure of this nature is included in the \$30 million for 2017-18.

#### ATTRACTION AND RETENTION ALLOWANCES

In reply to **Mr DULUK (Davenport)** (1 August 2016).

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries):** I have been advised:

Attraction, retention and performance allowances as well as non-salary benefits paid to public servants and contractors:

(a) 2014-15:

Health

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DHA	Principal Statistician	AHP4	Attraction & Retention	\$4,235
DHA	Director Medicines and Technology Policy and Programs	AHP5	Attraction & Retention	\$11,739
DHA	Senior Portfolio Analyst, ePMO	AS07	Attraction & Retention	\$1,305
DHA	DataMart Developer	ASO5	Attraction & Retention	\$18,890
DHA	eHealth Systems Communications Engineer	ASO5	Attraction & Retention	\$14,227
DHA	Executive Coordinator to the CE	ASO5	Attraction & Retention	\$10,000
DHA	Senior Insurance Services Officer	ASO5	Attraction & Retention	\$11,386
DHA	Security Advisor	ASO6	Attraction & Retention	\$495
DHA	Senior Integration Analyst	ASO6	Attraction & Retention	\$33,879
DHA	Program Scheduler	ASO7	Attraction & Retention	\$22,723
DHA	Enterprise Programmer Administration	ASO7	Attraction & Retention	\$3,918
DHA	Agency Security Adviser	ASO8	Attraction & Retention	\$10,000
DHA	Customer Account Manager	ASO8	Attraction & Retention	\$26,160
DHA	HR Manager EPAS Program	ASO8	Attraction & Retention	\$9,379
DHA	Manager Hospital Revenue Business Systems	ASO8	Attraction & Retention	\$31,714
DHA	Manager ICT Application Development	ASO8	Attraction & Retention	\$17,866
DHA	Manager ICT Application Planning	ASO8	Attraction & Retention	\$29,072
DHA	Manager Media	ASO8	Attraction & Retention	\$19,880
DHA	Manager, Data and Corporate Services	ASO8	Attraction & Retention	\$21,159
DHA	Marketing Manager	ASO	Attraction & Retention	\$20,000
DHA	Opal State Manager, PH&CS	ASO8	Attraction & Retention	\$21,073
DHA	Oracle Warehouse Management and Inventory Lead	ASO8	Attraction & Retention	\$2,846
DHA	Principal Corporate Assurance Manager	ASO8	Attraction & Retention	\$10,000
DHA	Principal Risk Management Consultant	ASO8	Attraction & Retention	\$10,000
DHA	Project Manager, Deployment	ASO8	Attraction & Retention	\$14,410
DHA	Senior Manager ICT Enterprise Risk	ASO8	Attraction & Retention	\$4,635
DHA	Service Delivery Manager	ASO8	Attraction & Retention	\$5,834
DHA	Service Delivery Manager	ASO8	Attraction & Retention	\$8,977
DHA	Technical Lead, Corporate Finance	ASO8	Attraction & Retention	\$25,423



Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DHA	Manager ICT Security Technical Assurance	ASO8	Attraction & Retention	\$970
DHA	Director Workforce Relations	ASO8	Attraction & Retention	\$767
DHA	Legal Officer	LE0204	Attraction & Retention	\$2,874
DHA	Director, Legal and Governance and Insurance Services	LEO502	Attraction & Retention	\$20,000
DHA	Assistant Director PSCM Governance & Business Services	MAS3	Attraction & Retention	\$7,000
DHA	Associate Director eHealth Strategy and Intergovernmental Relationships	MAS3	Attraction & Retention	\$12,849
DHA	Associate Director, eHealth Customer Services	MAS3	Attraction & Retention	\$10,056
DHA	Director, Public Health Partnerships Branch	MAS3	Attraction & Retention	\$10,477
DHA	Director, SABME	MAS3	Attraction & Retention	\$29,126
DHA	General Manager, Budgeting and Funding	MAS3	Attraction & Retention	\$6,298
DHA	Manager SA Health Workforce Operations	MAS3	Attraction & Retention	\$16,202
DHA	Manager Workforce Health Operations	MAS3	Attraction & Retention	\$21,527
DHA	Manager, Capital Planning and Evaluation	MAS3	Attraction & Retention	\$26,908
DHA	Manager, Corporate Governance and Risk	MAS3	Attraction & Retention	\$21,370
DHA	Manager, Data Management	MAS3	Attraction & Retention	\$21,527
DHA	Manager, Intergovernmental Relations	MAS3	Attraction & Retention	\$16,113
DHA	Manager, Medical Education and Training SA MET	MAS3	Attraction & Retention	\$31,184
DHA	Manager, Policy & Programs, OFTA	MAS3	Attraction & Retention	\$21,261
DHA	Senior Manager eHealth Program Management Office (ePMO)	MAS3	Attraction & Retention	\$26,871
DHA	Senior Manager ICT Infrastructure Services	MAS3	Attraction & Retention	\$6,456
DHA	Senior Manager, Application Services	MAS3	Attraction & Retention	\$35,304
DHA	Senior Manager, Customer Engagement	MAS3	Attraction & Retention	\$26,909
DHA	Manager Health Protection Program	PO404	Attraction & Retention	\$14,332
DHA	Director Health Protection	PO601	Attraction & Retention	\$17,609

The Estimates Report provided for 2014-15 on 24 July 2015 differs with the data provided above. This is due to information relating to non-public servants (e.g. medical and nursing employees) being incorrectly captured.

## Arts and Health industries

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
Department of State Development	—	—	—	—

(b) 2015-16:

## Health

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DHA	Director SABME	MAS3	Attraction & Retention	\$16,675
DHA	Director, Medicines & Technology	AHP5	Attraction & Retention	\$10,716
DHA	Senior Integration Analyst	ASO6	Attraction & Retention	\$33,771
DHA	Director Workforce – CALHN	MAS3	Attraction & Retention	\$13,447
DHA	Manager Workforce Health	MAS3	Attraction & Retention	\$22,621
DHA	Manager, SA Health Workforce Operations	MAS3	Attraction & Retention	\$21,834
DHA	Manager Policy & Programs	MAS3	Attraction & Retention	\$16,062
DHA	Manager Corporate Services	ASO8	Attraction & Retention	\$21,837
DHA	Manager, Capital Planning and Evaluation	MAS3	Attraction & Retention	\$15,310
DHA	Technical Lead, Corporate Finance	ASO8	Attraction & Retention	\$27,296
DHA	Manager Health Protection Programs	PO4	Attraction & Retention	\$14,866
DHA	Director, Health Protection	PO6	Attraction & Retention	\$18,186
DHA	Project Manager, Deployment	ASO8	Attraction & Retention	\$10,988
DHA	eHealth Systems Communications Engineer	ASO5	Attraction & Retention	\$14,694
DHA	Senior Insurance Officer	ASO7	Attraction & Retention	\$4,845
DHA	Senior Legal Officer	LE02	Attraction & Retention	\$8,706
DHA	Director Legal & Governance	LE05	Attraction & Retention	\$19,936
DHA	Placeholder	ASO5	Attraction & Retention	\$442
DHA	Assistant Director, EHS Customer Services	MAS3	Attraction & Retention	\$22,233
DHA	Custom Account Manager	ASO8	Attraction & Retention	\$24,566
DHA	Service Delivery Manager	ASO8	Attraction & Retention	\$10,918
DHA	Manager Hospital Revenue Systems	ASO8	Attraction & Retention	\$32,755
DHA	Manager ICT Application Planning	ASO8	Attraction & Retention	\$30,025
DHA	Senior Manager, Application Services	MAS3	Attraction & Retention	\$36,463
DHA	Manager—SAIMET/Medical Workforce	MAS3	Attraction & Retention	\$33,350
DHA	Senior Portfolio Analyst	ASO7	Attraction & Retention	\$4,046
DHA	General Manager, Budgeting & Funding	MAS3	Attraction & Retention	\$33,350

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DHA	Manager People & Change	ASO8	Attraction & Retention	\$9,638
DHA	WHS Manager, SAAS	ASO7	Attraction & Retention	\$1,897
DHA	Program Scheduler	ASO7	Attraction & Retention	\$2,216
DHA	Principal Corporate Assurance Manager	ASO8	Attraction & Retention	\$9,968
DHA	Manager, Marketing Communications	ASO8	Attraction & Retention	\$12,906
DHA	Head, Health Statistics Unit	AHP4	Attraction & Retention	\$10,101
DHA	Assistant Director, eHealth Strategy & ePMO	MAS3	Attraction & Retention	\$33,350
DHA	Assistant Directory PSCM Pro Governance and Business Services	MAS3	Attraction & Retention	\$6,978
DHA	Senior Manager eHealth Program Management Officer (ePMO)	MAS3	Attraction & Retention	\$26,785

## Arts and Health Industries

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
Department of State Development	Deputy Director, Art Gallery of SA	MAS3	Retention	\$21,546