

HOUSE OF ASSEMBLY

Thursday, 18 October 2018

The **SPEAKER (Hon. V.A. Tarzia)** took the chair at 11:00 and read prayers.

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

Parliamentary Committees

PUBLIC WORKS COMMITTEE: PENNINGTON SCHOOL R-7 REDEVELOPMENT PROJECT

Mr CREGAN (Kavel) (11:02): I move:

That the sixth report of the committee, entitled Pennington School R-7 Redevelopment Project, be noted.

Pennington School R-7 is located on Butler Avenue in Adelaide's northern suburbs. The school is highly diverse, both culturally and socio-economically, and caters for students with disabilities, Aboriginal students and children at risk, with traumatic backgrounds. The redevelopment of the school will optimise the use of space within existing buildings and, when completed, will provide updated learning environments and indoor and outdoor connectivity with creative and flexible spaces.

Those spaces will enable wider engagement with the school community, support integration and foster interaction with the wider community, as I mentioned. When completed, the school will provide accommodation for about 400 students. The estimated total cost of the project is \$4.5 million, and it is expected to be completed by February 2020.

The Public Works Committee has examined written and oral evidence in relation to this project. The committee has been assured that all acquittals have been received from the Department of Treasury and Finance, Premier and Cabinet and the Crown Solicitor and that the works and procedures are lawful. The committee is satisfied that the proposal has been subject to appropriate agency consultation and meets the criteria for examination proposals as described in the Parliamentary Committees Act. We recommend the proposed public works.

Motion carried.

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE: INDEPENDENT COMMISSIONER AGAINST CORRUPTION (INVESTIGATION POWERS) AMENDMENT BILL

Mr CREGAN (Kavel) (11:04): I move:

That the fourth report of the committee, entitled Independent Commissioner Against Corruption (Investigation Powers) Amendment Bill, be noted.

On 10 May 2018, the Independent Commissioner Against Corruption (Investigation Powers) Amendment Bill was introduced in the house. On 30 May, it passed without amendment. On 26 July 2018, it was resolved in the other place to withdraw the bill and to refer it to the Crime and Public Integrity Policy Committee for report and recommendations. It was further resolved that it be an instruction to the committee to report by no later than 4 September. This house concurred with that instruction. It was later moved in the other place to require the committee's report by no later than 20 September. This house concurred.

The bill would allow the Independent Commissioner Against Corruption to conduct public investigations into serious or systemic misconduct or maladministration in public administration. Such inquiries would be conducted under powers set out in a proposed schedule 3A to the Independent Commissioner Against Corruption Act, which I will refer to as the ICAC Act.

On Saturday 11 August, the committee advertised the inquiry in *The Advertiser*, *The Australian* and the *Australian Financial Review*. Correspondence was sent to 17 individuals and organisations inviting submissions. The committee received five submissions to the inquiry. Those submissions and evidence taken by the committee raised 19 issues. Each of those matters is addressed separately in the report. Importantly, not all the issues raised in the submissions and

evidence are addressed directly by the bill or indeed by the report, and it follows that not all the issues raised are subject to findings and recommendations.

As a result of the submissions and evidence received, the committee made eight recommendations. In forming recommendations, the committee faced the difficult task of seeking to balance the rights of people involved in such investigations against the capacity of the commissioner to conduct investigations effectively.

Recommendation 1 recommended that the bill be amended to state expressly that an inquiry into potential issues of serious or systemic misconduct or maladministration in public administration is to be conducted in private, until it is determined that it is to be conducted in public. It was recognised that, although the bill as drafted was likely to have that effect, it was preferred out of a desire for completeness to set out an express statement of that intention.

Recommendation 2 proposed amendments to the bill to require the commissioner, where it is intended to conduct a public hearing, to give written notification of that intention to persons that may reasonably be required to give evidence to the inquiry or any person whose rights or interests may be affected by the evidence given. It was recommended that the notice must set out the reasons for the decision to conduct the inquiry in public and that it must be given no later than 21 days prior to the commencement of that inquiry. The committee also recommended that, where the power of the commissioner to conduct a public inquiry is in question, specified persons may apply to the Supreme Court to determine that question.

The committee's third recommendation proposed that the provisions of the bill providing for the making of orders to suppress the publication of any evidence be amended to provide that applications for such orders can be made and, where any decision in relation to such orders is in question, applications may also be made to the Supreme Court to determine that question.

Recommendation 4 recommended amending the bill to provide for persons to be entitled to legal representation during examinations, whether they be conducted in public or in private. The committee also recommended that a discretion be provided so that persons who are not giving evidence at an examination but whose rights or interests may be affected by evidence given be entitled to appear before the examination and to be legally represented.

The committee's fifth recommendation proposed amendments to provide that any persons required to give evidence to an examination or to produce, during the course of the investigation, any statement, document or other thing, be afforded the privilege against self-incrimination. It was accepted that the privilege is a fundamental common law right, and the committee particularly considered that it was not appropriate to abrogate the privilege and respective inquiries into potential issues of misconduct or maladministration.

Recommendation 6 recommended that clause 4 of proposed schedule 3A be amended to state clearly that the clause is not intended to displace any right to procedural fairness or natural justice. The clause proposed that a person heading an investigation into matters addressed by the bill is not to be bound by the rules or practice of any court or tribunal as to procedure or evidence. Out of an abundance of caution, the committee considered that an amendment of this nature would put beyond doubt the applicability of these common law rights.

The seventh recommendation suggested amendments to aspects of clause 6 to proposed schedule 3A. The clause proposes to set out the applicability of legal professional privilege in relation to investigations, and the committee did not take issue with the apparent intended clause. It was, however, considered to be insufficiently clear and may benefit from rewording. The final recommendation of the committee provided the committee's support for the proposed amendments to the bill, as filed by the honourable Treasurer, subject to consideration of the recommendations of the committee and the amendments filed by the Hon. Mr Parnell.

The committee wishes to thank the executive research officer, Mr Ben Cranwell, who provided great assistance to the committee in bringing the inquiry to a conclusion in the time available to the committee. I commend the report.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:12): I commend the member for Kavel and the committee for the work they have undertaken in respect of

the Independent Commissioner Against Corruption (Investigation Powers) Amendment Bill 2018, which, as indicated, was referred to the committee for their consideration. The committee was given a very short period of time to consider it, for a very clear reason given at the time by members of the Legislative Council, namely, that the preparedness to undertake a further review of this matter by the committee was something in which time was of the essence.

Clearly, from the government's perspective, this has been an issue in relation to public hearings for ICAC inquiries in relation to maladministration and misconduct matters, not only as an election promise but as something which we have pursued for a number of years. It is not a new issue; the legislation had been on the table to enable some consideration. Nevertheless, the government were quite happy to send this for the short period—a couple of extra days were extended to enable the completion of the report and tabling. It is here now and we welcome it.

I thank those who made submissions to the committee, including Mr Wayne Lines, the Ombudsman; Mr David Edwardson QC, from the South Australian bar; Mr Morry Bailes and Mr Sam Joyce, from Tindall Gask Bentley Lawyers; and Mr Tim Mellor of the Law Society of South Australia. Evidence was followed up at the committee in August by Mr Mellor, Mr Edwardson and Mr Lines. Additionally, Mr Michael Abbott QC; the Hon. Kevin Duggan AM QC, the ICAC reviewer; and the Hon. Bruce Lander QC, the Independent Commissioner Against Corruption, all made themselves available to give evidence.

It is a bit like Groundhog Day when I read this report because some years ago, when the act came into being after nearly a decade of the opposition fighting for an ICAC to be established, there were a number of areas raised by the opposition at the time to ensure that there was due process, there was a fair process and there were adequate protections for those, particularly, who might be called before the commission. That all fell on deaf ears of the then government and we got what we called a 'skinny ICAC' at the time, that is, an ICAC with very limited funds to undertake its inquiries and duties, including investigations, inquiries, reviews and an educative role, which, being a new entity in South Australia, was clearly going to be a significant task.

A number of the matters that have been raised, again by senior members of the profession, have in many ways been welcomed. It is fair to say, and I think Mr Lander made this very point in his evidence, that in each and every one of the proposed eight recommendations, where he has given consideration to matters that are raised under these ills that are sought to be remedied, he is afforded that opportunity. For example, when someone has sought to be legally represented, there has been no denial of that and no attempt to interfere with that opportunity.

When there has been a request to present an argument on review or appeal—either an administrative review or appeal—an example is the Oakden inquiry, which would be well familiar to many of those sitting on the other side of this chamber because many of them established their veteran status in relation to the conduct of the former government by virtue of that inquiry. Members will recall that, prior to the conclusion and publication of that report in early 2017, the commissioner made a public statement that he had received a request for certain information not to be disclosed and not published in his report by three persons attending in his inquiry. He considered that.

He had indicated to the applicants in that regard that they might want the opportunity to go to the Supreme Court and have his decision to decline that tested, and that he was holding over the finalisation of his report to facilitate that opportunity. As it turned out, Mr Abbott QC, who was representing one of the parties, apparently had instruction not to proceed to the Supreme Court, so it all evaporated. But the point is made that these processes are important and it appears, as confirmed by the evidence of Mr Lander, and, indeed, supported in some instances by the publicly known behaviour in relation to the operation of these inquiries, that that is exactly the practice he has applied for the purposes of conducting those investigations.

We are pleased to hear that. As a parliament, it is important to know, particularly where there are investigations undertaken in a confidential environment—that is, within the envelope of secrecy—that we recognise the significance of these entitlements of protection. The committee has acknowledged in its report that a number of these recommendations have been demonstrated in practice and are already covered by other aspects, including common law entitlements and

protections, but they wish them to be explicitly reflected in the bill. The government of course will give that consideration and come back to the parliament in due course.

There is one area, though, in relation to a submission—I think originally put by members of the bar and/or the legal profession—that was to account for and record provision for the procedural fairness and natural justice common law right to be placed in the bill. I would say the only practical implication there would be with this is that that would be the first time that has actually been the case in a bill. Sometimes the argument has been that to try to codify a common law right and present it into legislation may, in fact, diminish its benefit.

It does not apply in a lot of our laws. If we introduce it in this one—and that may well have merit—I just advise the parliament that, as a matter of process, we may need to look at a whole lot of other laws, that there may justifiably be applications put to the government to extend that to a very extensive number of other laws where a common law entitlement applies. That may be a matter we will need to consider in due course, and it may be very comprehensive. Nevertheless, we take the advice that is given.

Finally, my understanding, in reading the motion that passed in the Legislative Council to facilitate this inquiry, and ultimately this report, was that the bill would be withdrawn and referred for consideration to the Crime and Public Integrity Committee. The interpretation of that has been that the bill is no longer before the parliament at all. As some members would know, there is a common practice in the commonwealth parliament, and I will just use the example of the commonwealth electoral laws that, after being introduced, were recently referred off. A report was given in April, and I think a recent report was given this month to the parliament. Then it goes back to the parliament for consideration.

I am advised by the Clerk of the Legislative Council, as well as someone else very important over there, that the process is confirmed that the bill is no longer before the parliament at all, so it does not automatically come back to the parliament. We will have to reintroduce the bill to the parliament, and quite probably we will consider that going into the Legislative Council it will be introduced by a member of the government there, with any recommendations that the government endorses for amendment. We would hope to be doing that in the relatively near future.

That process will mean it can be debated in the Legislative Council first and, if there are any matters to consider, then it will come down to us in due course. However, I thank the committee for its work.

Motion carried.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today students from Christies Beach High School, who are guests of the member for Reynell. Welcome to Parliament House. I hope you enjoy your time here.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE: ANNUAL REPORT 2017

Mr TEAGUE (Heysen) (11:23): I move:

That the Annual Report 2017 of the committee be noted.

I rise to present the Legislative Review Committee's 2017 annual report on behalf of the committee. As with similar parliamentary committees in Australia, a key function of the Legislative Review Committee is to undertake a technical review of regulations, rules and by-laws that are tabled in parliament each year. The committee has adopted scrutiny principles to guide this technical review: for example, whether regulations, rules and by-laws in the parliament unduly trespass on rights previously established by law.

In 2017, the committee reviewed 346 regulations, 23 court rules, four other rules and 59 by-laws against these principles. The majority of these instruments tabled in the parliament in 2017 raised no issues in relation to the committee's scrutiny principles. The committee, however, did

identify errors in four regulations, which required further legislation to fix. The committee also sought information from government agencies and others in relation to another 18 regulations.

The committee's annual report provides a brief summary of issues raised by the committee in the year and the outcome of the committee's investigations. The committee's review of regulations, rules and by-laws is an important check on laws made by a delegated authority. In turn, this can and does influence the practices adopted by government agencies and others involved in the making of these instruments.

For example, the committee's review of the early commencement of regulations has seen a notable reduction in the frequency of certificates for early commencement from close to 95 per cent in the committee's 2015 annual report to 84 per cent in 2017. While still high, the committee's report details the range of reasons why so many regulations commence earlier than four months after a regulation is made. These reasons include the annual increase of fees and charges in regulations as part of the state budget. In addition to the committee's technical review of regulations, rules and by-laws, the committee also undertakes inquiries into particular legislative matters.

On 4 July 2017, the committee was pleased to table in both houses of parliament a report of its inquiry into the operation and impact of the Graffiti Control (Miscellaneous) Amendment Act 2013, amendments to the Graffiti Control Act 2001. On 31 October 2017, the committee also tabled a report of an inquiry that reviewed the committee's 2014 report into the partial defence of provocation. During the year, the committee also commenced an inquiry into the regulation of parking and traffic movement in South Australia. At the end of the reporting period, the inquiry was ongoing.

I take this opportunity to thank the diligent and particularly dedicated and hardworking members of the committee's secretariat. I also recognise and thank the members of the committee for their work in 2017. In recognising the committee's staff for their service and, as a new member of that committee in this 54th parliament, I particularly recognise the assistance that is provided to the committee by Mr Matt Balfour. I commend the report to the house.

Motion carried.

NATURAL RESOURCES COMMITTEE: ARID LANDS FACT FINDING VISIT

Mr TEAGUE (Heysen) (11:27): I move:

That the second report of the committee, entitled 'Fact finding visit: South Australian arid lands natural resources management region', be noted.

The Natural Resources Committee aims to visit at least two of South Australia's natural resources management regions each year. The visits are opportunities to meet with NRM board members and local NRM groups and to obtain direct understanding of the challenges and priorities in each region. In 2018, the NRM framework in South Australia is under review. The committee's visit provided an insight into the complexity and challenge of establishing a management structure that meets the interests of its users, particularly in relation to diverse areas of our state, of which the arid lands is a key and important example.

The committee was able to visit the SA arid lands NRM region in August of this year, eight years after its last visit in 2010. The committee attempted to visit on several occasions in the intervening years, but unfortunately those planned visits were thwarted by, among other things, weather and unforeseen circumstances, so it is particularly pleasing that the committee has been able to visit the arid lands relatively early in the life of the committee in this 54th parliament.

The 2018 visit provided the committee with a wealth of information about the issues affecting the region. Local stakeholders were generous in sharing their insights and time. The committee acknowledges the level of expertise, passion and knowledge that the regional stakeholders demonstrate. South Australian arid lands is the state's largest NRM region. It covers over half the state's area and meets the borders with New South Wales, Queensland and the Northern Territory.

Its ancient, special and spectacular landscape is an intersection of many human uses, and it has the largest percentage of intact ecosystems and biodiversity in the state. This is particularly remarkable, given the boom-bust weather cycles that affect the region. It proudly claims a Ramsar wetlands site and is seeking World Heritage listing for another site. It is also home to some of

Australia's largest, most remote and most significant protected areas. This truly spectacular and unique combination of assets is indeed a special part of our state.

The SA Arid Lands NRM Board exercises responsibility over a vast area that is subject to multiple land uses and the interests of many stakeholder groups, including pastoral, resource extraction exploration, conservation, tourism and Aboriginal cultural heritage. Balancing many uses and maintaining strong, connected communities are outcomes that all stakeholders in the region should be proud of.

Growing economic activity in the region is a priority. The committee was inspired by the forward-thinking and entrepreneurial spirit of the region. Stakeholders are looking to manage the significant asset base of the region for sustainable and long-term use and to capitalise on opportunities. During the visit, the committee learned about the evolution of co-management frameworks for significant Aboriginal sites. This model of governance is providing an exemplar for other states. It has proven to be a successful approach for the groups who have so far been involved.

For the future, strategic considerations will include the level of responsibility and decision-making for parks management that each stakeholder group is willing and able to accept and how co-management impacts on Aboriginal and non-Aboriginal use of protected areas. The committee further learned about the impacts and management of overabundant species on the region, which were presented as a significant issue.

The committee received specific briefings on wild dogs, feral and escaped domestic goats and macropods, particularly kangaroos. In their present numbers, kangaroo populations are contributing to environmental degradation. Additional measures may be required to assist in responding to overabundant kangaroo populations. The committee is currently undertaking an inquiry into management approaches for overabundant and pest species. Its learnings from the SA arid lands will provide valuable inputs for the inquiry.

The committee further learned of tourism and ecotourism and the opportunities they provide. There is both a challenge and a significant opportunity for economic growth within the SA arid lands region. An increasing number of adventure and four-wheel drive tourists to the region would impact positively on businesses and services operating in the area. However, an increased number of vehicles accessing remote tracks and roads would necessitate substantial further investment and infrastructure and in relation to the ensuring of public safety. Water access is also a significant regional challenge that must be considered if the opportunity for tourism is to be capitalised upon.

Further, the committee learned of increased access to protected areas and the opportunities and challenges that that poses for the SA arid lands. The region features some of Australia's most iconic national park, conservation park and regional reserve environments, including some areas recognised as internationally significant. Discussions that the committee held with national park staff indicate that further ranger resources would be beneficial to conduct more regular patrols. Several traditional owner groups are responsible for management of culturally significant areas within the region. Opportunities for increased visitor access must balance the interests of cultural heritage, connecting to country and the protection of environmental values.

The committee commends the region for the success of its NRM-related initiatives, which are characterised by cooperative relationships. The committee was impressed to observe that the region has achieved the alignment of many different outcomes through collaboration. For example, the use of the comanagement model to which I have referred has achieved cultural heritage protection and enabled Aboriginal groups to better connect with country as well as preserve the unique natural resources held within protected areas of the arid lands. Similarly, collaborative efforts have arisen through partnerships between states in managing the Desert Parks network, and at a state-federal level in applying funds through the National Landcare Program, Great Artesian Basin Sustainability Initiative and other grants.

The committee is extremely appreciative of the people who contributed to enriching and ensuring that our visit was as productive as it was. Our thanks in particular go to Ms Janet Brook, Presiding Member of the SA Arid Lands NRM Board. I wish to highlight on a personal note that Janet took time out to travel with the committee and provided both her expertise and her time very generously in accompanying us. I thank Mr Rick Barratt, a member of the board; Mr David Leek;

Mr Tony Magor; Ms Jodie Gregg-Smith; Mr Erik Dahl; and Ms Katherine Litherland of the Department for Environment and Water. I note she also travelled with us for a substantial portion of our visit.

The committee further thanks Mr Alan Walton, Dog Fence Inspector; Ms Chevahn Hoad, Kanku-Breakaways Conservation Park; Mr Ian Crombie, Chair, Antakirinja Matu-Yankunyjtajara Aboriginal Corporation (AMYAC) Board; Mr Anthony Brook of Cordillo Downs Station; Mr Don Rowlands, Queensland National Parks Service; and Mr Stephan Pursell of Queensland Police. The committee also extends its thanks to the many others who contributed to the organisation, transport, and successful progress of the visit from inception to completion.

I recognise and thank each member of the committee for their contributions to this report: Mr David Basham MP, Mr Nick McBride MP, Dr Susan Close MP, the Hon. John Darley MLC, the Hon. Terry Stephens MLC and the Hon. Russell Wortley MLC. Finally, and importantly, I take this opportunity to thank the committee staff, in particular the committee's secretary, Mr Phil Frensham, and the committee's research officer, Dr Monika Stasiak.

Mr PEDERICK (Hammond) (11:40): I rise to support the second report of the Natural Resources Committee, entitled 'Fact finding visit: South Australian arid lands natural resources management region'. I think it is fantastic that the committee has managed to get up to this beautiful part of our state in the electorate of the minister and member for Stuart. I have been there myself several times with the current member for Stuart and the previous member for Stuart, and I went up on a trip when invited by the previous minister, the member for Mawson. I visited outback areas, and I appreciated that opportunity.

It is always good to get out and about in the bush. Apart from work trips, I have done quite a few trips up through the arid lands myself, through Innamincka, Marree, William Creek, Oodnadatta and Birdsville. I did not try to order a cocktail at the Birdsville Hotel, as it is rumoured someone did. Be that as it may, it is a great part of the world. Obviously, Birdsville is in Queensland. It is such a great place to visit, and my most recent visit was during not the most recent school holidays but the ones before, when I took my younger son, Angus.

The member for Heysen talked about the tourism impact. It is always a great education when you run into people on trips, and you meet amazing people, whether at Marree or William Creek. You may never see these people again because a lot of them are just grey nomads touring around. You have a great chat around a camp fire and then off they go. I came back through Coober Pedy on this previous trip. What interested me so much is the huge impact by tourists in a positive way, and Phil Turner from the Marree Hotel told me that two million visitors a year go through those outback and arid areas, spilling over into the outback areas of New South Wales. That is absolutely fantastic.

Obviously, we have to be cognisant of the impact on bush tracks, but most people would stick to the main roads. I must say that I was very impressed when I asked at William Creek about the connection through to Oodnadatta. They said that it is like a highway, and it is. As I have done here before, I must commend the outback road crew for the work they have done on that road. It is better than any rubble road in the Coorong council, I can say that, but that does not take much.

The Hon. D.C. van Holst Pellekaan: Ceduna Bulk Hauliers, as well.

Mr PEDERICK: Ceduna Bulk Hauliers were involved, fantastic work by Ceduna Bulk Hauliers from the member for Flinders' area. I also want to talk about some of the issues with overabundant native species not just on land but in the water, and it is a passion of mine. Obviously, we have issues with wild dogs, and we have committed \$300,000 to help maintain the dog fence and trappers. On the recent visit to Coober Pedy, I took young Angus to visit the dog fence so that he could see why it is so necessary in this state.

I have had a couple of visits to Cowarie Station, Sharon Oldfield's place near Mungeranie. She is north of the dog fence and explained the impact of dogs on calves. They were losing many calves. Because they are an organic property, they cannot use 1080 because of their export status to America, so there is a lot of shooting and night shooting to try to protect their cattle. It is a live issue, and I think there needs to be some more reality around the use of 1080 on those organic stations.

For sheep farmers mainly, but also for cattle farmers below the dog fence, we have to be cognisant of the fact that the dogs are coming further south all the time. I think there has been one found at Kapunda and others also up through the Riverland. They will keep pushing and pushing and we have to make more effort to keep them under control.

I get a bit dismayed at times when I hear about the tens of thousands of wild goats that are shot and dropped and not harvested, because goat meat is the most consumed meat in the world. It is a great resource and it can be processed by Thomas Foods. Goats are actually an asset if you can round them up, instead of just culling them.

We are overrun with millions and millions of kangaroos. I know there are good companies which harvest kangaroos, like Macro Meats, and which take their animal welfare standards to an extremely high level. They have a very successful export business with kangaroo meat and it is being consumed more and more locally as well. But we need to have some reality around this because some people think we should just let everything roam free, including rabbits, foxes and kangaroos. Their argument is that obviously culling does not work because they keep coming. I can tell you that, if we were not culling a lot of these pest animals, we would be overrun.

As we already see in suburban areas and certainly through southern farming land, more and more kangaroos are coming into the city, and we have to be serious about them. Crash repairers love them, I can tell you. I have had various appointments with my cars. I am sorry to the Pratt family at Graham Edwards, as I have not pranged one for a while. Now that I have said it, I will. They do a great job when I hit a kangaroo, and I have hit several in my work cars.

Something that is also a pest are the hundreds of thousands of camels in the arid lands. I have a friend who drives trains between Adelaide and Perth and he has hit 22 camels. Thankfully, it is the train 22 and camels zero. They are a real issue and crash through fence lines and cause real chaos up there. They can also be harvested and value-added.

While I have the floor, I must take the opportunity to speak about an extension of the issue of overabundant native species and the ever-increasing issue of New Zealand fur seals or, as some like to call them, long-nosed fur seals. I have been on this campaign for over seven or eight years. We need to take some real action with regard to these fur seals because I do not believe they are just impacting heavily on the inland waters of the Coorong, Lake Albert and Lake Alexandrina. More and more fishermen who fish out in the open waters, are saying to me, 'What are you going to do about the ones out here?' I say, 'Let's work on the inland waters first.'

The federal government has done the right thing. Greg Hunt has got out of the way of what could be the appropriate action of a sustainable harvest. I will use the word 'cull'. I think it is part of a necessary regime to cull something like the very low hundreds annually. When you look at a population that even eight years ago was said to be at 100,000 and increasing at 5½ per cent per annum, and some are saying increasing at far more than that, it is another reason why we need to take some real action, instead of researchers telling us they just want to research these things ad infinitum. We need to make some real effort. We need the department to take a proper look. I applaud the Minister for Environment, David Speirs, who has indicated that everything needs to be on the table.

We need to have a good look at overabundant native species. Certainly, in line with this report, they obviously had a bit of a look at overabundant native species in the arid lands, and I applaud the Natural Resources Committee for doing that. They already know this, but I will be seeking to speak to their committee on that inquiry because we need to take real action. Some people take the easy road and say, 'We'll just buy out the fishing licences.' Well, the fishermen are making more money than they ever did. Seriously, have a good look at these people: self-employed, hiring South Australians and boosting our economy. We really need to assist our industries, but we have to do it in a balanced way and manage our overabundant species appropriately.

Motion carried.

Motions

TRANSFORMING HEALTH

Adjourned debate on motion of Ms Bedford:

That this house establish a select committee to inquire into and report on the benefits, costs and impacts of Transforming Health and in particular—

- (a) the scope of policy issues that Transforming Health was designed to address (including federal healthcare funding cuts) and whether they were addressed adequately;
- (b) what other issues Transforming Health should have addressed;
- (c) the adequacy of the model of care proposed by Transforming Health, based around three tertiary hospitals and 'centres of excellence' supported by ambulance transfers;
- (d) the adequacy of consultation with clinicians and the community on Transforming Health and alternative models for consultation and engagement;
- (e) the degree to which a focus on primary health care could improve the overall effectiveness of the healthcare system;
- (f) the degree of difference between public expectations and the capacity of the healthcare system, as currently resourced, to meet them;
- (g) whether, having regard to its revenue base, the federal government is funding an appropriate share of the state's healthcare budget (and what the state should be doing to address this); and
- (h) any other relevant matter.

(Continued from 26 July 2018.)

Mr PEDERICK (Hammond) (11:50): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes 27
 Noes 3
 Majority 24

AYES

Basham, D.K.B.	Bignell, L.W.K.	Brown, M.E.
Chapman, V.A.	Cowdrey, M.J.	Cregan, D.
Duluk, S.	Ellis, F.J.	Gardner, J.A.W.
Harvey, R.M. (teller)	Knoll, S.K.	Luethen, P.
Marshall, S.S.	McBride, N.	Murray, S.
Patterson, S.J.R.	Pederick, A.S.	Picton, C.J.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

NOES

Bedford, F.E. (teller)	Bell, T.S.	Brock, G.G.
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Motion thus carried; order of the day postponed.

Bills

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Committee Stage

In committee.

(Continued from 17 October 2018.)

Clauses 13 to 21 passed.

Clause 22.

The Hon. S.C. MULLIGHAN: Bear with me, I thought this would be easier.

The Hon. V.A. Chapman: Children betting.

The Hon. S.C. MULLIGHAN: Let us hope not. My question regarding clause 22, as the Deputy Premier alludes to, relates to prescriptions to prevent betting by children. Who will now undertake this role? Is this to be done by the commissioner? If so, where is that provided in the bill?

The Hon. V.A. CHAPMAN: I am advised that, whilst the clause deletes the reference to the authority, this is a matter dealt with through the codes of practice, which are to be prescribed by the commissioner who, accordingly, will continue in that role.

The Hon. S.C. MULLIGHAN: Will those codes of practice, after they are drafted by the commissioner, require ministerial approval?

The Hon. V.A. CHAPMAN: We will check on that and, hopefully, answer that question during the course of the day. As indicated yesterday, the codes of practice are in place, but obviously any variation or replacement of them, as determined by the commissioner, who will now have that role on his own, will follow that usual process. I think the powers of the commissioner are independent, but we will certainly check on whether or not that requires ministerial approval.

The Hon. S.C. MULLIGHAN: One last question on that process: is there to be a role for—forget its accurate name—the newly established advisory council?

The Hon. V.A. CHAPMAN: Not specifically. It will be an advisory council to the minister—currently me—and that will be its role. It will not have any role other than advisory.

Clause passed.

Clause 23 passed.

Clause 24.

The Hon. S.C. MULLIGHAN: I can appreciate that the purpose of this clause, like much of the remainder of the bill, is to substitute out the role and responsibilities of the authority and replace them with a commissioner. As I read it, the clause in the act establishes the responsibility of the commissioner to the authority. Obviously the reference to the authority needs to be removed, but there is no replacement in this clause in terms of who the commissioner is responsible to.

I am not as familiar as the Deputy Premier perhaps is with the exact nature of the independence or otherwise of the commissioner, but is there any other provision to be introduced in this bill that makes the commissioner responsible to, for example, the minister, or is it just left fallow after this amendment?

The Hon. V.A. CHAPMAN: The member is correct. The deletion of the authority is the operative effect of this clause. The responsibility of the commissioner remains. His role is already determined by legislation, so he has an obligation and that is delineated in the operations of each of the licensed businesses that are the subject of his scrutiny. They continue.

The Hon. S.C. MULLIGHAN: My understanding—and I am sure there are more than these—is that there are responsibilities of the commissioner, both existing and new ones because of this bill, under the Authorised Betting Operations Act, the Casino Act, the Liquor Licensing Act and perhaps others that escape my mind immediately. In terms of this act, we are trying to establish the responsibility of the commissioner for the functions and powers consigned to him, but is there no mandating of a responsibility of the commissioner to administer very clearly, in the same way that the commissioner was responsible to the authority previously? Is that what you are informing the house—that it is just left open?

The Hon. V.A. CHAPMAN: No, I think perhaps we are at cross-purposes here, or perhaps I have not made myself clear in relation to this. The operations in relation to gaming, licensing and general supervision have become split between the commissioner and the IGA. When the IGA was established, it largely had an advisory role, but over time it accumulated other functions and areas of responsibility.

Essentially, what we are doing is restoring the functionality in relation to the operation and supervision of all the licensing regimes that the commissioner has in relation to his primary function in any event as the commissioner. Obviously, it is his appointment as a commissioner, and all the roles and responsibilities he has under that area, which sets out his accountability trail that remains. Here, we are simply taking back out the authority.

The biggest area of work, to be fair, I suppose, was really the maintenance of the codes of conduct and codes of practice and also the determination and operations of the barring orders. I suppose that was a big cohort of work. It otherwise did continue to provide for an investigation and advisory role to the government of the day or to the minister of the day. When I say 'investigation', I mean in the sense of current issues.

As the member is aware—he and I have both spoken about it in the parliament—an example is the issue of how we might deal with online gambling management. This is an important contemporary issue, and it is the sort of thing that they have looked into and provided reports on.

The Hon. S.C. MULLIGHAN: My last question on this clause is to ask the Deputy Premier whether there are functions or responsibilities of the commissioner which set him or her beyond ministerial intervention or direction within the Authorised Betting Operations Act.

The Hon. V.A. CHAPMAN: Again, I will take that on notice. I do not think so, but we will take that on notice.

Clause passed.

Clause 25 passed.

Clause 26.

The Hon. S.C. MULLIGHAN: This is my first question on this clause. The title of part 7 removes the words 'and appeal'. Can the Deputy Premier inform the house about the appeal provisions that will stand following the passage of this bill, if indeed it passes?

The Hon. V.A. CHAPMAN: That moves, as an appeal, from the IGA to the Licensing Court.

The Hon. S.C. MULLIGHAN: Could the Deputy Premier perhaps provide the house some advice about how the current regime of appealing a decision works via the authority versus how it will work through the Licensing Court?

The Hon. V.A. CHAPMAN: I am not aware of any change, but I did happen to meet recently with a judge of the Licensing Court. He explained to me that he has his own set of rules in relation to the operation of his court. We discussed the fact that there would be significant extra change in relation to this legislation coming through the parliament.

He inquired about the changes that are coming through the system in relation to liquor licensing, which were substantially reformed under the previous government. I suppose that was in anticipation of the fact that with all new laws there are frequently new challenges and often extra litigation and the seeking of declaratory determinations on new things, such as the new test and the new thresholds that are to apply in relation to liquor licences, the change in the number of liquor licences and the nature of what we are going to have.

Those sorts of things tend to elicit extra legislation until everyone knows what the ground rules are in relation to interpretation. So we had those discussions and, in the course of those, there was no indication from him in relation to these reforms as to any change, or any indication that there would be any change to that. The law still applies; it is just that instead of the IGA being the appellant body it will be the Licensing Court.

The Hon. S.C. MULLIGHAN: I preface my next question with some preamble. Is the Licensing Court a division of the District Court or Magistrates Court?

The Hon. V.A. CHAPMAN: The District Court.

The Hon. S.C. MULLIGHAN: My understanding would be that if a decision of the commissioner under the current regime were to be appealed to the authority, I imagine that appeal would be made by written correspondence seeking a review of the commissioner's decision to be

considered by the authority and perhaps considered by either the head of the authority or by the board of the authority, and so on.

That is a very different process from having to front up to the Licensing Court, a division of the District Court, with all the processes, procedures and of course costs attached to that. Can the Deputy Premier provide some advice about what the costs are likely to be for this type of appeal that are now going to be encountered when somebody needs to appeal to the court?

The Hon. V.A. CHAPMAN: Quite probably the member knows more about the exact process of what happens at the moment with the IGA and what they require for the purpose of disclosure. The member would be well aware that whether we move to a judge determining this at the Licensing Court on appeal or whether it is the IGA, this is a significant area of income stream for the parties in question.

Usually, they are represented by senior counsel. This is not a process that is comparable to turning up to SACAT for a bond refund on a tenancy where people are unrepresented. This does not have a level of informality that suggests there is some significant variation in the costs of appealing these matters. These issues are seriously fought and litigated frequently by senior and experienced solicitors and counsel. We will certainly check whether there are any other fee processes or whether there is any distinction between the rules that apply before the Licensing Court application and the IGA. What I do know of the rules in relation to the Licensing Court is that they allow for considerable flexibility in how they operate.

The member may also be aware that regarding the Licensing Court judge who currently conducts these matters—and it is not a large area of his work—his court and registry as a licensing court sit in the South Australian Employment Tribunal (SAET) precinct. Whilst he has a distinct role as a Licensing Court judge, he also sits on and is a member of the South Australian Employment Tribunal. I only learned this week actually that we have six other Licensing Court judges. I am not sure that they have activated their services for a long time but apparently we still have them. They sit over in the District Court but do not hear any cases.

Clause passed.

Parliamentary Procedure

VISITORS

The CHAIR: I acknowledge in the Speaker's gallery the former member for Finniss, Mr Michael Pengilly. Welcome.

Bills

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Committee Stage

Debate resumed.

Clause 27.

The Hon. S.C. MULLIGHAN: Perhaps continuing on the line of questioning from clause 26 about the nature of the hearings and the types of matters that are to be raised, given the Deputy Premier has some advisers with her, is she able to provide some examples of the sorts of matters which have been appealed under the Authorised Betting Operations Act to the authority in recent times?

The Hon. V.A. CHAPMAN: Just to be clear about what we are actually asking, I will check with the annual reports in relation to the Licensing Court operations. Obviously they are not dealing with these matters; they are dealing with other licensing matters. But in relation to the IGA annual report, I expect that will provide some information in relation to the preceding 12 months as to any reviews that they have undertaken. I could not tell you offhand how many they are, but perhaps if we just get some information as to the number of appeals that have been heard by the IGA in relation to this area and the nature of that application.

The Hon. S.C. MULLIGHAN: Are there any on foot at the moment, or have there been any in recent months?

The Hon. V.A. CHAPMAN: Not that I am aware of. I think when I had my last meeting with Mr Moss there was nothing pending but we will check on that.

Clause passed.

Clause 28.

The Hon. S.C. MULLIGHAN: My reading of clause 28 is that it removes the capacity to appeal to the Supreme Court. Under the current regime, a commissioner can make decisions that can be appealed to the authority, and if the appellant is still unsatisfied with the outcome that can then be appealed further to the Supreme Court. The provisions of the clauses that we are discussing at the moment change that process so that a commissioner can make a decision. There is an ability to appeal that to the Licensing Court, and that is it. There is no further appeal opportunity to the Supreme Court. Why is that additional appeal mechanism being removed?

The Hon. V.A. CHAPMAN: I think the member will find it is not being removed. What is actually happening is that under the previous regime it was a commissioner's decision, reviewed by the IGA appellant process to the Supreme Court. That is because it was reviewed by the IGA. When a review in this case is going to the Licensing Court, decisions of that court have their review process and appellant process under the District Court Act, which will still be to the Supreme Court. It is completely redundant now.

The Hon. S.C. MULLIGHAN: So the ability for a person seeking an appeal of a decision by the commissioner, which has been made by virtue of the Authorised Betting Operations Act, has an appeal provision guaranteed by the District Court Act; is that right?

The Hon. V.A. CHAPMAN: Yes, my understanding is that there is still the normal process of judicial review that applies from a decision of the Licensing Court, and that will still apply. We are taking out one structure, which really goes outside the court structure, and putting it back into the court structure. That will be the process that applies. It is no longer necessary, so we are repealing section 78 for that reason.

The Hon. S.C. MULLIGHAN: Section 78 provides that under the current regime only certain matters can be appealed to the Supreme Court. These are certain types of matters, not all matters. Is the advice from the Deputy Premier that the District Court Act provides for the appeal of any decisions from the commissioner via the Licensing Court to the Supreme Court, regardless of the narrowed matters that can be appealed through the Supreme Court under the current legislation?

The Hon. V.A. CHAPMAN: I will certainly inquire whether there is any other variation to that. The member should be aware, though, that you cannot just get a decision of the Licensing Court and decide to go and have it reviewed by the Full Court. There have to be grounds, and there are certain areas in relation to that in any event, but we will certainly check the terms of reference being presented as exclusionary in the review process from the IGA to the commissioner then the commissioner to the Supreme Court under section 78. We will come back if there is any variation to that.

Clause passed.

Clause 29.

The Hon. S.C. MULLIGHAN: If there is capacity for an appeal to be made against a commissioner's decision through the Licensing Court, why has the obligation for the commissioner—who is now the person who makes the determination, not the authority—to give reasons upon application been removed?

The Hon. V.A. CHAPMAN: I am just inquiring in relation to that. Previously, the authority was obliged to give reasons. We will check why the discretion not to give reasons is being given to the commissioner. It does not mean that he does not: he does, from time to time, in relation to his other duties. In any event, we will check that.

The Hon. S.C. MULLIGHAN: I would appreciate it if the Deputy Premier could provide some advice about how this is to be managed. I am happy to take it between the houses. If a decision is made and reasons are not given, it makes the appeal of that decision extremely difficult. From one perspective, it almost appears to make an appeal doomed from the start, given that there are few grounds, if any, that can be argued in favour of the appellant's position.

The Hon. V.A. CHAPMAN: The member might be right. On the other hand, it might be very handy not to have reasons. Nevertheless, I do not want to be flippant about it. I think the situation is that some identification for any review body as to the background in relation to that is a helpful matter, assuming there is a restriction in relation to whether the case is to be completely appealable—that is, to be heard de novo—or whether we have restricted grounds of appeal and/or like we do for the Magistrates Court, where the review is in relation to whether there had been an error by the magistrate rather than being a complete rehearing.

These are the complicated alternatives that relate to reviews and appeals, and we will check on this one to see what it is. Can I just also perhaps advise the member and the committee that clause 27(4) provides:

If the reasons of the Commissioner are not given in writing at the time of making a decision and the person aggrieved by the decision, within 30 days after receiving notice of the decision, requires the Commissioner to state the reasons in writing, the time for applying for a review of the decision runs from the time when the person receives the written statement of those reasons.

I think that covers it.

The Hon. S.C. MULLIGHAN: Sorry, which subsection?

The Hon. V.A. CHAPMAN: Subclause (4).

The Hon. S.C. MULLIGHAN: Of clause 85 in the act?

The Hon. V.A. CHAPMAN: Section 77(3).

The CHAIR: Is that in relation to clause 29?

The Hon. S.C. MULLIGHAN: I am just trying to find the clause in the act as it stands.

The CHAIR: Are we clear on that?

The Hon. S.C. MULLIGHAN: Sorry, I am not clear about that reference. As I read part 7, section 77(3), 'On an application under this section, the Authority may confirm, vary, revoke or reverse the decision under review.'

The Hon. V.A. CHAPMAN: If you have it before you, member for Lee, we just dealt with clause 77, which deleted subsection (3) of 77 and inserted a new one. If you have a look at that, and it should be in the bill on page 10, you see there the new subclause (4).

The Hon. S.C. MULLIGHAN: I see.

The CHAIR: Is that all clear, member for Lee?

The Hon. S.C. MULLIGHAN: Crystal.

The CHAIR: Crystal clear, excellent, then we can move to the next clause.

Clause passed.

Clauses 30 to 32 passed.

Clause 33.

The Hon. S.C. MULLIGHAN: My query here is that the clause does not seem to have been completely amended for the removal of references to 'the Authority'. Is that taken care of elsewhere in the bill? Is there some sort of catch-all?

The Hon. V.A. CHAPMAN: I am told that clause 35 does; nevertheless, could the member identify, in relation to section 90, where there has not been a removal that you consider should have been taken into account?

The Hon. S.C. MULLIGHAN: Yes, (3).

The Hon. V.A. CHAPMAN: Subclause (3). The subclause (2) that the member has pointed out is 'Section 90(3)(c)—delete "the Authority or", is there a reference to it somewhere else?

The Hon. S.C. MULLIGHAN: Yes, in 90(3). 'The Authority's report must include—

The Hon. V.A. CHAPMAN: Yes, I understand that. Wherever 'the Authority or' appears, it is to be removed.

The Hon. S.C. MULLIGHAN: Is that under clause 35 of the bill?

The Hon. V.A. CHAPMAN: That is further down, under clause 33.

The Hon. S.C. MULLIGHAN: Yes.

The Hon. V.A. CHAPMAN: Subclause (2) states, 'Section 90(3)(c)—delete "The Authority or"' and then further down '(3) Section 90(3)(d)—delete paragraph (d).' I am asking, in relation to the current section 93, is there any other reference to the authority that has not been picked up by that?

The Hon. S.C. MULLIGHAN: Yes, 90(3) states, 'The Authority's report must include.' I think we were saying that that will be dealt with by clause 35.

The Hon. V.A. CHAPMAN: Correct. But each time it refers to 'the Authority' or 'the Authority or' in that clause it is removed by the clauses in this section as well.

The Hon. S.C. MULLIGHAN: Yes, except for the one that I noted.

Clause passed.

Clauses 34 to 37 passed.

Clause 38.

The Hon. S.C. MULLIGHAN: As we have discussed on numerous occasions, the removal of 'the Authority' and the replacement with 'the Commissioner' is the main purpose of several sections of the bill. However, there is not a replacement of 'the Authority' with 'the Commissioner' with regard to this particular clause, so will there be a role for the commissioner in the renegotiation of the licence?

The Hon. V.A. CHAPMAN: My understanding is that that will be continued with the government negotiations with the Casino, and it obviously requires the Governor's power to formally renew the licence. The commissioner does not have a role in that regard. As best as I can recall, I think it is the Treasurer, on behalf of the government, who has general responsibility in relation to the negotiated terms of those agreements.

The Hon. S.C. MULLIGHAN: Is it the expectation of the Deputy Premier that there will be a negotiation between the Treasurer and the Casino on the terms of the licence or the renewal of the licence?

The Hon. V.A. CHAPMAN: That is my understanding. I think I had a meeting with the member for Enfield about his indication that there would be a review of the rules that apply to the Casino in respect of the conditions of licence that is issued and that he had committed to that occurring. As best as I understand it, it is actually underway.

The Hon. S.C. MULLIGHAN: I am surprised that the new Liberal government has engaged the member for Enfield in the review of how this Casino licensing agreement is being negotiated. Nonetheless—

The Hon. V.A. CHAPMAN: Let's be clear about this—

The CHAIR: I do not know that the Attorney said that, actually.

The Hon. V.A. CHAPMAN: He may have made this comment, but let's be absolutely clear. The former government commissioned Mr Tim Anderson QC to prepare a review in relation to this important area. They kept it secret for two years. When there was a change of government, I did

have a conversation—a meeting, in fact—with the member for Enfield to ascertain what he had undertaken in relation to this report, knowing that it had been kept secret in that time.

He was, I think, helpful in advising at least what he had done, even if he had kept the report secret. The report is there, it has been tabled, everyone can see it and we are acting on it. In the course of the new government making decisions to act on it, we inquired whether there was any progress on anything in relation to Mr Anderson's recommendation. This was one of the ancillary matters that we discussed.

The CHAIR: The Attorney has responded to a comment rather than a question. Do you have a question, member for Lee?

The Hon. S.C. MULLIGHAN: I do have a question. I thank the Deputy Premier for clarifying her earlier erroneous comment.

The Hon. V.A. Chapman: What?

The Hon. S.C. MULLIGHAN: Well, you did not mention the review by Mr Tim Anderson beforehand.

The Hon. V.A. CHAPMAN: I find that offensive and I ask that it be withdrawn because the member knows, if he had been following this issue, the ministerial statements that have been made to this parliament in relation to the Anderson report, and the consequential legislation that is being raised. Clean out the earwax, put on some glasses and you will hear what has actually happened.

The CHAIR: Member for Lee, the Attorney has been offended by your comments—

The Hon. S.C. MULLIGHAN: Has she indeed been offended and requested its withdrawal?

The CHAIR: She has. I ask you to withdraw, please.

The Hon. S.C. MULLIGHAN: I withdraw.

The CHAIR: Thank you. Member for Lee, another opportunity to ask a third question on clause 38.

The Hon. S.C. MULLIGHAN: Now that we have clarified what actually happened before the election—

The CHAIR: Member for Lee, ask the question.

The Hon. S.C. MULLIGHAN: Can the Deputy Premier confirm that the arrangement for the negotiation or renewal of a lease under the Casino Act is not to be done by a separate or independent officer, like the commissioner, but it is to be done directly between the agency seeking the licence and the Treasurer himself?

The Hon. V.A. CHAPMAN: Let's be clear about this. The Treasurer has responsibility in respect of the agreement, and the treasury department, obviously, as I understand it, is involved in a review of the conditions and circumstances to apply in relation to this agreement. I would expect that, that being the process, there would be recommendations put to the Treasurer by his department that the Treasurer would bring to cabinet, along with any terms of agreement for the approved licensing of the Casino. Obviously, if they passed cabinet they would go to the Governor for signature. That is the process, as I understand it.

Clause passed.

Clause 39 passed.

Clause 40.

The Hon. S.C. MULLIGHAN: To whom is the licence to be surrendered?

The Hon. V.A. CHAPMAN: I am advised to the government.

The Hon. S.C. MULLIGHAN: To sa.gov.au or to a minister? How does this process work?

The Hon. V.A. CHAPMAN: I am advised that the terms of the agreement itself will stipulate the process, which is to do any variation or surrender of the lease.

Clause passed.

Clause 41.

The Hon. S.C. MULLIGHAN: In regard to section 16(3)(c) and deleting that paragraph, there is no capacity for anyone other than the Treasurer to provide advice or approve a licence or a licence renewal, which is currently carried out by the authority?

The Hon. V.A. CHAPMAN: I do not know whether the member has actually been listening, but the Treasurer does not approve the licence. That is a determination that culminates in the Governor's approval post a cabinet decision.

As the member well knows—because he has been a minister—certain acts are allocated for management to certain ministers. The Casino Act is a matter allocated to the Treasurer, so the Treasurer usually has the carriage of bringing matters to the cabinet for consideration. That is the process and the member well knows that process. The Treasurer is not the determining party in terms of the approval or otherwise of these agreements.

The Hon. S.C. MULLIGHAN: On my reading of section 16, which refers to the approved licensing agreement (or the ALA as it is commonly referred to) between the Casino and the government, subsection (3)(c) provides that the agreement has no effect unless approved by the authority—and (c) is being deleted.

The Hon. V.A. CHAPMAN: Correct.

The Hon. S.C. MULLIGHAN: So it will merely be for the government to approve the terms of the licensing agreement? There is to be no role for the commissioner—or indeed anybody else—to provide advice or approval prior to the ALA being approved?

The Hon. V.A. Chapman: By the government

The Hon. S.C. MULLIGHAN: Ultimately, yes. There is no step in between?

The Hon. V.A. CHAPMAN: Correct.

The Hon. S.C. MULLIGHAN: What prompted the government to remove the role of an intermediary in this process?

The Hon. V.A. CHAPMAN: I do not know whether the member has actually had the opportunity to read the Anderson report or whether the member for Enfield, the former attorney-general, showed it to anybody. I did not ask him that when we met. However, perhaps I could urge the member to look at this report, now that it has been tabled in the parliament, and at the significance of the investigation undertaken by Mr Anderson and the recommendations he made.

The amendments in relation to the Casino Act are consistent with his recommendations. To have a single entity manage the regulation of matters is something that permeates his entire report. The enforcement and regulation of an industry—in this case the gambling industry—is obviously there in a bipartisan way; both the major parties, and I think some of our other parties, fully understand the need to protect the vulnerable in these industries, whether they drink alcohol or too much of it, or whether there are attempts to sell it to minors, or whether their betting is something causing poverty or social dysfunction.

The need to protect the vulnerable in these areas is obvious. However, the regulations and enforcement role had been split, and Mr Anderson's recommendation was clearly that it be one organisation, one entity that had that responsibility. The determination of the terms of agreement for the issue of a licence is considerable, because of the taxation implications relating to the exclusive licence to the Casino. That is why it has its own act, and I think the member would be aware of that from his own time in cabinet.

Just for the record, I advise that the Casino Act itself is committed to the Attorney-General. However, as you will appreciate, as I have just said, the obligations in relation to the Casino in its revenue to the government are significant and, unsurprisingly, the Treasurer takes considerable interest in those matters. They are frequently recorded as conditions of the agreement, which the current party that enjoys the privilege of the right to operate a casino in South Australia has.

So final decisions on the agreement are made by the cabinet, obviously signed off by the Governor. As I indicated earlier, under the promise of the former attorney-general, Treasury is currently undertaking a review in relation to what conditions should continue to apply.

The Hon. S.C. MULLIGHAN: So if the committal of the Casino Act is to the Attorney-General rather than the Treasurer, is it still for the Treasurer to approve the ALA or is it for the Attorney-General?

The Hon. V.A. CHAPMAN: I think I have said this three times: it is the cabinet who approves the ALA.

The Hon. S.C. Mullighan: No, that is not what you said, once, twice or three times.

The Hon. V.A. CHAPMAN: No, I said in relation to the reference of—

The Hon. S.C. Mullighan: You said 'Treasurer'—

The CHAIR: Member for Lee!

The Hon. V.A. CHAPMAN: —the issue to cabinet would be by the Treasurer.

The Hon. S.C. Mullighan interjecting:

The CHAIR: Member for Lee, you have asked the question and the Attorney is answering. Attorney, continue.

The Hon. V.A. CHAPMAN: I have just said that the decision is made by the cabinet. What I indicated earlier was that the act was allocated to the Treasurer; it is actually to the Attorney-General, but the decision is still made by the cabinet.

Clause passed.

Clause 42.

The Hon. V.A. CHAPMAN: For the benefit of the member, the Casino duty agreement, just so that you are clear about this, is an agreement between the licensee and the Treasurer.

The Hon. S.C. MULLIGHAN: Wouldn't that be interesting if that is what we were discussing?

The CHAIR: Thank you for that clarification, Attorney.

The Hon. V.A. CHAPMAN: The Casino duty agreement, not the one you just referred to.

Members interjecting:

The CHAIR: Member for Lee and Attorney, we are going to get back on track here. We have passed clause 41 and we are up to clause 42. The member for Lee has a question.

The Hon. S.C. MULLIGHAN: Perhaps on clause 42 the Attorney-General could clarify, for the benefit of the committee, given that we have had a series of responses where answers were given about Treasurer, cabinet and now Attorney-General, which indeed is the minister referred to in section 18(1)?

The Hon. V.A. CHAPMAN: That is the next one, because we have just discussed—

The CHAIR: We are on clause 42 now.

The Hon. V.A. CHAPMAN: I know we are, and we are now dealing with section 18. Section 16 covers the approved licensing agreement—cabinet, the minister is me. The Casino duty agreement is section 17, not 18, and that is between the licensee and the Treasurer. Section 18—

The Hon. S.C. Mullighan: It is not even referenced in the bill, is it? Are you running the clock down to lunch?

The Hon. V.A. CHAPMAN: Can we just be clear about this. I hope, when the member is looking at the bill, that he is looking back at the things that we are changing in the act because that is what we are actually doing today. I hope that he refreshes his memory as to what is in the act by looking at the current section 16, which deals with the approved licensing agreement; the current

section 17, which deals with the Casino duty agreement; and the third one, which clause 42 is dealing with, under section 18, which deals with an amendment to section 18(1).

The CHAIR: And that is the clause we are dealing with at the moment.

The Hon. V.A. CHAPMAN: Section 18(1) refers to the Attorney-General. Under the current 18(2), the Treasurer has to table—which I think I have read out three times now—the Casino duty agreement. We have one each.

The Hon. S.C. MULLIGHAN: For the benefit of the Attorney-General, I was referring to 18(1). I thank the Attorney-General for clarifying that it is indeed her. My next question relates to clause 43.

Clause passed.

Clause 43.

The Hon. S.C. MULLIGHAN: This clause merely removes references to the Independent Gambling Authority Act and replaces it with the Gambling Administration Act. Are all the powers conferred on the IGA under the current regime transferred equally to the commission by this amendment?

The Hon. V.A. CHAPMAN: The powers, including the investigative powers, which is what the subject is about in this clause, do transfer to the commissioner under the Gambling Administration Act 1995, but the member should note that there is a variation to some of those in relation to amendments in this bill of that act.

The Hon. S.C. MULLIGHAN: Could the Deputy Premier perhaps run us through which of those investigative or inquisitorial powers are different between the authority and the commission as they relate to this amendment?

The Hon. V.A. CHAPMAN: I am happy to take that on notice. For the sake of completeness, I will provide a summary of the changes to the act in this bill, which will then translate in relation to the powers to the commission for all of those.

The Hon. S.C. MULLIGHAN: Perhaps for the Deputy Premier's benefit, what I am seeking is an assurance that the powers the commission will be able to wield when conducting investigations or other inquiries are at least as good as or equivalent to the powers that the authority is currently able to exercise.

The Hon. V.A. CHAPMAN: I am advised that, in relation to the current section 23 provision, the only change is to move 'authority' to 'commission'. There is no change in the actual powers, but the act itself is being amended under this bill. That is why I did not want there to be any misunderstanding in relation to that, because your question is going to be the same as what was under the previous act.

I am simply making the point that, under the new provisions, that is subject to the variation in this act. However, I am assured that in relation to the investigative powers there is no change to that. I am accepting from that that I can confidently say to the committee that the commissioner will have transferred to him all the current investigative powers currently set out in section 23 that the authority currently has.

The Hon. S.C. MULLIGHAN: Just as a subset of that—and I appreciate that clarification—what I was also seeking is an assurance that those powers, if they are indeed stipulated in the reference to the Gambling Administration Act, replace the Independent Gambling Authority Act. I am trying to make sure that those powers or capacities of the commissioner are at least as strong as the authority's powers under the IGA Act.

The Hon. V.A. CHAPMAN: I think, though, that we are at cross-purposes here. Perhaps, again, I have not been clear. The investigative powers that are being transferred are in the Casino Act. They are not in either of the two acts that you are referring to. So section 23 of the Casino Act, which is what is currently open, is what is actually being changed, rather than the other two. I hope that is clear.

Clause passed.

Parliamentary Procedure

VISITORS

The CHAIR: Before I move on, I welcome years 5 and 6 from Norwood Primary School in the public gallery today. You are watching the committee stage of a bill. Welcome.

Bills

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Committee Stage

Debate resumed.

Clause 44.

The Hon. S.C. MULLIGHAN: There may be a very routine explanation for this, but under clause 44 in the bill section 41A(6) is deleted. Without having gone to the Subordinate Legislation Act, is there an explanation for why that has been done?

The Hon. V.A. CHAPMAN: I am advised that the reason for the deletion of subsection (6), which relates to the tabling of the report, is consistent with Mr Anderson's recommendations. That is the reason why.

The Hon. S.C. MULLIGHAN: Does that mean that codes of practice are not required to be tabled in parliament? Is that the net outcome of that?

The Hon. V.A. CHAPMAN: That is the effect of it; a little bit like the Auditor-General now does not have to table all his report with all the financial accounts. He just puts it online. Isn't that great? This week we received a reduced amount of reports—saving the trees of South Australia.

The Hon. S.C. MULLIGHAN: I am a former transport minister. We often have a different approach to managing trees in South Australia. I take it from the Deputy Premier's answers that they do not need to be tabled in parliament, they are just put online. Is that the only publication requirement for these codes now? They do not need to be gazetted, regulated or anything else?

The Hon. V.A. CHAPMAN: We will take that on notice because we will check particularly whether they need to be gazetted in some way.

The Hon. S.C. MULLIGHAN: In that response, can you inform me how they will be publicised?

The Hon. V.A. CHAPMAN: Yes.

Clause passed.

Clause 45.

The Hon. S.C. MULLIGHAN: What prompted the new paragraph (e) to be incorporated? Is there a concern about gifts or gratuities that are currently being received?

The Hon. V.A. CHAPMAN: I am advised that paragraph (e) has been inserted due to the repeal of section 47B to ensure that the commissioner continues to consult with the licensee when approving the basis upon which Casino staff may accept gifts or gratuities.

The Hon. S.C. MULLIGHAN: Did the Deputy Premier refer to 47B in the act?

The Hon. V.A. CHAPMAN: It is (e).

The Hon. S.C. MULLIGHAN: So, 47E?

The Hon. V.A. CHAPMAN: No. In 47A(1) we were adding a new paragraph (e), and that is what I answered. Is that what your question was?

The Hon. S.C. MULLIGHAN: Yes. Is there a concern about gifts or gratuities that are currently being received by staff?

The Hon. V.A. CHAPMAN: Not that I am aware of, and I do not think there was anything in the Anderson report about this. I think that was consistent with his advice, and it is consequential due to the repealing of section 47B, which is in the next clause.

Clause passed.

Progress reported; committee to sit again.

Sitting suspended from 12:59 to 14:00.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today guests from the Salisbury RSL, here with the member for King. Welcome to Parliament House.

Petitions

SERVICE SA MODBURY

Ms BEDFORD (Florey): Presented a petition signed by 200 residents of South Australia requesting the house to urge the government not to proceed with the proposed closure of the Service SA Modbury Branch announced as a cost-saving measure in the 2018-19 state budget.

STRATHMONT POOL

Ms WORTLEY (Torrens): Presented a petition signed by 1,286 residents of South Australia requesting the house to urge the government to reconsider its decision to close the Strathmont Centre hydrotherapy pool.

Members interjecting:

The SPEAKER: The Minister for Transport, the member for Reynell and the member for Hurtle Vale are called to order.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Premier (Hon. S.S. Marshall)—

Adelaide Festival Centre Trust—Annual Report 2017-18
Adelaide Festival Corporation—Annual Report 2017-18
Art Gallery of South Australia—Annual Report 2017-18
Auditor-General's Department—Report 6 of 2018 Annual Report 2017-18
Carrick Hill Trust—Annual Report 2017-18
Defence SA—Annual Report 2017-18
Libraries Board of South Australia—Annual Report 2017-18
Museum Board, South Australian—Annual Report 2017-18
Premier and Cabinet, Department of the—Annual Report 2017-18
State Opera of South Australia—Annual Report 2017-18

By the Minister for Energy and Mining (Hon. D.C. van Holst Pellekaan)—

SA Health's Response—Into the State Coroner's Findings into the Death in Custody of Anthony Vincent Sissons—June 2018

Ministerial Statement

FORD, MR F.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.S. MARSHALL: On Thursday 27 September 2018, South Australia lost a cultural icon with the passing of Fringe founder, Frank Ford AM. Widely regarded as the father of both the Adelaide Fringe and the Adelaide Cabaret Festival, Frank lived and breathed the arts. Frank was the founding chair of the Adelaide Fringe Festival in 1975 and its first honorary life member. Since he began the Festival, the Adelaide Fringe has grown to become the second largest organisation of its kind, second only to the Edinburgh Fringe.

Frank continued to be involved in the Festival and was a founding member of the Adelaide Fringe donor circle and a Fringe Award judge right up until this year. Frank initiated the Adelaide Cabaret Festival in 2001 and continued as the chair of the advocacy committee. He served on many arts boards and held various teaching, directing and arts administration positions here and overseas. Frank was a teacher, a mentor and a guide to a generation of Adelaide artists.

In 1999, he was awarded Member of the Order of Australia for services to the development of the performing arts in South Australia as a director, playwright, administrator and educator. In 2001, he received the Centenary Medal for services to the community, particularly through the performing arts. In 2006, he received the inaugural Premier's Award for Lifetime Achievement Ruby Award for the arts. Beyond his many achievements, Frank has been remembered as a man of enormous goodwill, kindness and enthusiasm, a mentor, a dynamic and passionate advocate for the arts and the bedrock upon which South Australia's Festival State was built.

Even in his passing, his generosity and passion for the arts live on through three bequests amounting to half a million dollars over the next decade. The Frank Ford Commissioning Award and the annual Frank Ford Award will offer life-changing opportunities for artists at the Adelaide Cabaret Festival, the Adelaide Fringe and the Cabaret Fringe Festival. While Frank will be missed, his spirit and unrivalled passion for the arts will live on. We offer our sincerest condolences to Frank's partner, Sam Harvey, and his family and friends. Vale, Frank Ford.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today in the gallery the former member for Finnis, Mr Michael Pengilly. Question time is certainly not the same without him. Welcome.

Question Time

STATE BUDGET

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:05): My question is to the Premier. Does the Premier have confidence that his entire cabinet supports all the budget measures outlined in this year's most recent state budget?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:05): As the Leader of the Opposition would know, it was a tough budget. It was a budget that was necessary to deliver a balanced budget, which was so crucial for the people of this state. Importantly, it was a budget that delivered on every single one of the promises we made in the lead-up to the election. It's an important budget.

I won't talk about individual cabinet minister's responses to every single element of it, but overall we are extraordinarily pleased with the budget that we brought down because we know that it's cleaning up the enormous mess that we were left with by those opposite. I remember very distinctly, sir, as you would be more than aware, that the former treasurer was telling the people of South Australia just before Christmas that he was going to post a surplus with last year's budget.

The Hon. A. KOUTSANTONIS: Point of order: this is debate, sir.

The SPEAKER: The question was about whether members of cabinet had confidence in measures of the budget. I think the first part of the Premier's answer was related to the substance of the question and I ask the Premier to please come back to that.

The Hon. S.S. MARSHALL: Absolutely, sir. Cabinet members were all delighted with the budget.

Members interjecting:

The SPEAKER: Order! The Premier is answering the question, members on my left.

The Hon. S.S. MARSHALL: Some elements of the budget, of course, were tough. Some elements were extremely tough, but we had to take some tough decisions. We were elected by the people of South Australia to clean up your mess, and that is exactly and precisely what we did. We are very happy to deal with the \$400 million deficit, or thereabouts, that we were left by the former government and return the budget to a balanced position in its very first year whilst delivering a real focus on creating more jobs for South Australia, and that is exactly what we did.

The SPEAKER: Before I call the Leader of the Opposition, I call the following members to order: the member for Lee, the member for Kaurana, the member for Playford and the member for Badcoe, and I warn the Minister for Infrastructure.

STATE BUDGET

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:07): My question is to the Minister for Child Protection. Does the minister support all the government budget measures handed down in the most recent state budget?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:07): I have just answered—

Members interjecting:

The SPEAKER: The Premier has the call. Order, members on my left!

The Hon. S.S. MARSHALL: It's like they can't hear, sir.

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. S.S. MARSHALL: It's as if, in swapping from one side of the chamber to the other, they have lost their hearing.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: I have just made it very clear on behalf of the government that this was a tough budget. It was a tough budget, but it was a budget that delivered on every single one of the promises that we made in the lead-up to the election. This is news to these people over there. They brought down budget after budget after budget, and very little of it was ever canvassed with the people of South Australia, especially in the lead-up to an election. By contrast, we work very well as a cabinet. Tough decisions have to be made and we are up to it.

The SPEAKER: Before I call the leader, I warn for the first time the members for Kaurana and Reynell.

STATE BUDGET

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:08): My question is to the Minister for Child Protection. Does the minister support the cabinet decision to close the Prospect Service SA centre announced in the most recent state budget?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08): I—

Members interjecting:

The SPEAKER: Members on my left, that is not an invitation to interject. The Premier has the call.

The Hon. S.S. MARSHALL: —am looking forward to the next 57 minutes because, if that's all we are going to get from the opposition, it's going to be a very easy question time. Again, I don't know who writes these questions.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: I suspect—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —it's somebody from the member for Lee's office or the member for West Torrens' office because they are making you look foolish. You have asked the question—

The SPEAKER: They are not making me look foolish.

The Hon. S.S. MARSHALL: —we have given you an answer and it's not going to change. It's not going to change.

The SPEAKER: The member for West Torrens.

SERVICE SA PROSPECT

The Hon. A. KOUTSANTONIS (West Torrens) (14:09): Thank you, sir. My question is to the Minister for Child Protection. On 20 September 2018, did the minister write to the Minister for Transport and Infrastructure setting out her opposition to the cabinet decision to close the Prospect Service SA centre?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:09): This, again, makes us realise—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —that the opposition hasn't figured out that it is in opposition and actually how government works. What happens is that people in this chamber, ministers on the front bench—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —are responsible to the parliament for their ministerial duties. Yes, you are correct that the member for Adelaide wrote to me about concerns that she has in relation to a Service SA centre. How is this news?

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Well, guess what? That's exactly what a brilliant local member does, and exactly doing what the member for Adelaide has done—

Ms Stinson interjecting:

The SPEAKER: Order, member for Badcoe!

The Hon. S.K. KNOLL: —is exactly what she did prior to 2010. Where is Jane Lomax-Smith these days? Where is David O'Loughlin? Where is Jo Chapley?

Mr Brown interjecting:

The SPEAKER: The member for Playford!

The Hon. S.K. KNOLL: Being a great member for Adelaide, standing up for her electorate,

Members interjecting:

The SPEAKER: The member for Badcoe!

The Hon. S.K. KNOLL: —is exactly what she should be doing. But I tell you what is most interesting—

Members interjecting:

The SPEAKER: Minister, please be seated. If the member for Badcoe and the member for Playford continue to shout across the chamber they can do so outside.

An honourable member: But they won't be in the chamber.

The SPEAKER: That's right—that's the point. The Minister for Infrastructure has the call.

The Hon. S.K. KNOLL: I know that Kevin Naughton in the background and the rest of the brains trust today would have been thinking, 'What's the headline going to be in tomorrow's paper?' I think it's very clear it is going to be, 'Local MP writes to minister about issue'. Can I tell you that I get about 10,000 letters like that a year, so this idea that somehow this is something special or unique is absolutely wrong.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: If you read the letter, what it says is, 'Hey, if you're going to close a Service SA centre, there are a number of things that you should look at to make sure that the community has the access to the services it needs.' Everything that the member for Adelaide has proposed are actually the things we are already looking at—looking at different service delivery models, looking at working with other service delivery providers like Australian Post, looking at other ways to be able to provide postal service or extra online services—exactly what we are looking at doing. But doing things—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens!

Ms Stinson interjecting:

The SPEAKER: The member for Badcoe!

The Hon. S.K. KNOLL: —like the member for Adelaide has done, who writes to me on very regular occasions, is to stick up for her community, put good ideas on the table and work together to make sure we get the best outcome.

Members interjecting:

The SPEAKER: The member for West Torrens and the member for Badcoe are warned.

Ms Stinson interjecting:

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

EMPLOYMENT FIGURES

Ms LUETHEN (King) (14:12): My question is to the Premier.

Mr Picton: About Service SA?

The SPEAKER: The member for Kaurua is warned.

Mr Malinauskas interjecting:

The SPEAKER: The leader is warned.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is on one warning.

Members interjecting:

The SPEAKER: If the leader and the member for West Torrens continue this way, they will be departing today.

Mr Malinauskas interjecting:

The SPEAKER: The leader is warned. The member for King has the call.

Ms LUETHEN: Thank you, Mr Speaker, my question is to the Premier. Can the Premier please update the house on today's ABS labour force statistics and how the state government is delivering more jobs for South Australia?

The SPEAKER: The Premier has the call and I would like to hear this answer.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:12): Thank you very much, Mr Speaker. I would like to provide some information to the parliament, to this chamber, because I think that there are some encouraging signs of economic recovery in South Australia seven months into the new government.

As you may or may not be aware, sir, the Australian Bureau of Statistics has brought down its unemployment rate statistics for the month of September. The seasonally adjusted unemployment rate has fallen in South Australia to 5.5 per cent. In fact, that puts us in third position nationally. We were always at the bottom of the table under Labor. Since there has been a change of government, I think that there has been a change in sentiment in South Australia.

We think that these statistics are extraordinarily encouraging, but there is a huge amount of additional work to do to deliver on our ambition to get this state fully back on track and to make sure that young people finishing school, finishing university, have quality jobs to stay here in South Australia. I also would like to reflect on one other statistic that occurred today, and that looked at the number of people who have been employed in South Australia or who are employed in South Australia this September compared with September last year, and it is a staggering figure.

An additional 10,800 South Australians find themselves employed in South Australia over the last 12 months. That is a fantastic statistic for our state, but, as I said, there is far more work to be done. We are looking forward to the \$90 billion worth of defence contracts which are coming our way in South Australia. In particular, the new government is doing everything that it possibly can to have the skilled workforce ready to deliver on the fullest amount of this work that we can possibly bring into this state.

I know that the Minister for Industry and Skills has been working extraordinarily hard on this, and we have already announced more than \$200 million of new money in the next four years going into creating more than 20,000 new apprenticeships and traineeships. We are doing this because we want to drive the unemployment rate lower, and we want to drive the employment rate even higher, so that's exactly what we are doing.

We have spoken in this chamber before about our exciting plans for Lot Fourteen, the old Royal Adelaide Hospital site. We have a much greater ambition for this site than turning it into a housing development. Thirteen hundred apartments on that site that would have created some initial construction jobs. We are not denying that, but we think that our vision for this site—an incubator-accelerator for the future industries in this state, in this country and in the world—is exactly the right purpose for this incredibly exciting seven hectare position in our state.

I am also extraordinarily excited about 1 January next year because that's the date that our new payroll tax regime comes into play. We believe this will be a further stimulus to create more jobs. It is interesting because people opposite—you can only hear them mumbling nowadays; they are not very cogent—ask, 'Why don't you do these things earlier?' This is the same party that, in the lead-up to the election, said that this would just be putting more money back into employers' pockets. Now they are advocating for it. They talked about people being in the employer class, as though there were two classes in South Australia.

We want to improve the conditions for businesses to go out and employ more South Australians. That's our ambition. We are heading in the right direction and we are going to be doing everything we can to accelerate it.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: As of 1 January, there will not be a business in South Australia with a payroll of up to \$1.5 million that will be paying a cent anymore. That's what we are doing. It's a good start, but there is a lot further to go.

The SPEAKER: I call the Deputy Premier and the education minister to order, and I warn, for the first time, the members for Playford and Lee. The Leader of the Opposition has the call.

MINISTERIAL CODE OF CONDUCT

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:17): My question is to the Minister for Child Protection. Is the minister aware of her responsibilities, as defined by the Ministerial Code of Conduct? With your leave, Mr Speaker, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: Subsection 2.8, titled Cabinet Collective Responsibility, states:

If a Minister is unable to support a Cabinet decision publicly, the Minister should resign from Cabinet.

Members interjecting:

The SPEAKER: The member for West Torrens is warned for a second and final time. The question has been asked. The Premier is attempting to answer the question. That is not an invitation for members on my left to interject. The Premier has the call. He will be heard in silence.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:17): My cabinet is fully aware of their obligations under the Ministerial Code of Conduct, and I am absolutely positive that there has been no breach.

SERVICE SA

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18): My question is to the Minister for Transport and Infrastructure. Does the minister stand by his remarks on ABC radio on 6 September that the average waiting time at the Service SA centre he is closing is 'somewhere between about five to eight minutes'. With your leave, Mr Speaker, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: In a letter dated 20 September 2018 to the Minister for Transport and Infrastructure, from the Minister for Child Protection, she wrote:

The waiting time personally experienced and reported by residents is around 20-25 minutes and can be up to 40 minutes and not the 5-minutes you referred to in a recent radio interview.

Members interjecting:

The SPEAKER: The members on my left will be quiet!

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:18): I wonder whether members of the opposition have been to year 8 mathematics class, where you learn the difference between averages and individual instances. The way—

Members interjecting:

The SPEAKER: The member for West Torrens is on two warnings. The member for Badcoe is on two warnings. Minister.

The Hon. S.K. KNOLL: The answer is that, yes, there are times when people have to wait for unacceptably long periods at Service SA centres. Yes, that's right. The average is a figure that I have that we measure, and each of the Service SA centres measure, right across the length and breadth of the centres, but there are times when people write and say that they have had to wait for longer periods of time. That is true, but this is not a problem that existed after 17 March 2018. This is a problem that has been around in Service SA centres for a long time. It is why we actually need to have reform—

Members interjecting:

The SPEAKER: Member for Elizabeth! Member for Ramsay!

The Hon. S.K. KNOLL: —in this space. It's why one of the solutions that we are actually looking at is trying to find ways to make it so that people don't have to go to Service SA centres in the first place.

The Hon. A. KOUTSANTONIS: Point of order, sir.

The SPEAKER: There is a point of order. Minister, please be seated. The member for West Torrens.

The Hon. J.A.W. Gardner interjecting:

The SPEAKER: The Minister for Education is warned.

The Hon. D.C. van Holst Pellekaan: This will be bogus, sir.

The SPEAKER: The Minister for Energy is called to order. I will hear the point of order.

The Hon. D.C. van Holst Pellekaan: Now he's got to think of a real one.

The SPEAKER: The Minister for Energy is warned.

The Hon. A. KOUTSANTONIS: Point of order: relevance. The question was very specific.

The SPEAKER: I have the point of order. The question that was asked had a fair bit in it and I think the minister is attempting to answer most of that question, but I do ask that he, in his future answer, please keep to the substance of that question. Minister.

The Hon. S.K. KNOLL: The question was about wait times in Service SA centres—

The SPEAKER: Yes, yes. Just get on with the answer please, minister.

The Hon. S.K. KNOLL: —and everything I have discussed so far is about waits in Service SA centres. It is not a point of order just because you don't like the answer.

The SPEAKER: That is true.

The Hon. S.K. KNOLL: That is not the way it works.

The SPEAKER: That is true. Get on with it.

The Hon. S.K. KNOLL: But there are a number of measures that this government is currently looking at to encourage people to, instead of getting in their car and driving to a Service SA centre—

The Hon. A. Piccolo interjecting:

The SPEAKER: Member for Light!

The Hon. S.K. KNOLL: —maybe drive to their local post office, which is likely to be closer to where they live than a Service SA centre, to help them to be able to transition to online, which they can do from the privacy of their own home, and again make it cheaper not only for them—

The Hon. Z.L. Bettison interjecting:

The SPEAKER: Member for Ramsay!

The Hon. S.K. KNOLL: —but also for government, so that we can actually spend money on other things, other great and worthy projects, but also so that we take a fundamental look at why it is that people have to go to Service SA centres in the first place.

Mr Cregan interjecting:

The SPEAKER: Member for Kavel!

The Hon. S.K. KNOLL: Being able to change the regulations, by being able to take a different approach to the way that we provide these transactional services, can actually save everybody time. I know that most people would much prefer to be sitting at home watching the latest

rerun of *Modern Family* than having to stand and line up at a Service SA centre. That's why we are taking this reform process on.

Yes, there is a savings task that is attached to that. Once again, \$11½ million out of the \$16 million over the next four years is a savings task that somebody else—maybe the member for West Torrens, in the MYBR, which he handed down in December last year—put onto this unit within government. We don't shy away from the savings task. In fact, we know that reform in this space is going to help our budget bottom line, which is going to free up funds for us to be able to spend money on things such as every single one of the election commitments we made at the last election.

The SPEAKER: I think the minister is finished. Member for Waite.

Mr Malinauskas interjecting:

The SPEAKER: The Leader of the Opposition will not interject.

Ms Stinson interjecting:

The SPEAKER: The member for Badcoe can leave the chamber for 20 minutes under 137A.

Mr Malinauskas interjecting:

The SPEAKER: The leader will cease interjecting.

The honourable member for Badcoe having withdrawn from the chamber:

The SPEAKER: The member for Waite has the call.

Members interjecting:

The SPEAKER: Order!

NATIONAL PARK CITIES FORUM

Mr DULUK (Waite) (14:23): My question is to the Minister for Environment and Water. Can the minister update the house on the second international forum for national park cities held in Adelaide last week and how this forum fits with the state government's vision to make Adelaide a national park city?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:23): I thank the member for Waite for his question and note his particular interest in national parks, given that our oldest national park, Belair National Park, is within the boundaries of his electorate.

It was a great pleasure last week to be able to host the second international forum on national park cities here in Adelaide. This is a relatively new body of thinking that looks at how national parks can be more than just areas that are fenced off for preservation and protection, but can actually be areas that are integrated with cities and bring people, who live in cities, along on that journey around environmental preservation. This is an idea that really had its genesis in London last year. A body of work has been done in London and they travelled out to Adelaide to host a panel prior to the second conference, exploring national park cities, which was held at the beginning of the week in Melbourne.

It was excellent to be able to host Jayne Miller, the Chair of World Urban Parks; the CEO of World Urban Parks, Neil McCarthy; and a British expert in the concept of national park cities, Dan Raven-Ellison. They were able to spend time working with the Department for Environment and Water and environmental NGOs looking at how we can make our cities as green and as ecologically vibrant as possible.

Of course, that builds very well on the body of work that the state government is pursuing around the reform of natural resources management and, in particular, in the creation of Green Adelaide—a new body that is very focused on matters like protecting Adelaide's metropolitan coastline, looking after Adelaide's river and wetland environments and greening our city streets and parks in a very bold and visionary way.

We worked alongside experts who came from all across the world to take part in this panel, combined with our NGO sector and our government sector, to talk about how Adelaide could be this incredibly green and ecologically vibrant city in the future. We were very specific about how we direct

what will become the Green Adelaide levy, the evolution of the NRM levy, to be on very focused work. We talked about the importance of partnerships with the NGO sector and partnerships with the local government sector to leverage additional funding for these projects and, in particular, to work alongside community, understanding what they want for our urban environment and involving them through activity in their own backyards in creating this concept of the national park city.

It is a vision that not only sits well with our ideas for Green Adelaide but also, of course, with Glenthorne national park, our project to create that new national park in Adelaide's southern suburbs, working alongside the community very closely in a way that ensures that we are not only protecting existing open space but looking at that open space which is often the most common open space found in cities, which is people's backyards: how do you connect your backyard with the environment, and how do you really inspire people in local communities to get involved in creating this concept of a national park city.

I look forward to being able to update the house in the coming months and years as we pursue Green Adelaide, as we develop Glenthorne national park, and as we really drive forward that idea for Adelaide to be seen as a green, ecologically vibrant city that has so much to give not only to the environment but to the wellbeing of our population.

SERVICE SA PROSPECT

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:27): My question is to the Minister for Child Protection. What evidence does the minister have that the Minister for Transport and Infrastructure misled the people of South Australia when he wrote to the minister informing his claims of a five-minute wait at Prospect Service SA was inaccurate?

Members interjecting:

The SPEAKER: I will allow that. It's on the edge. Minister.

Members interjecting:

The SPEAKER: The minister has the call.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:27): I haven't even started speaking yet.

The Hon. A. KOUTSANTONIS: Point of order: what responsibility to the house does the Minister for Transport have for the member for Adelaide's letter?

The SPEAKER: That is a bogus point of order. The member for West Torrens knows that any minister can answer a question that is asked of another minister.

The Hon. A. KOUTSANTONIS: It's not a bogus point of order.

The SPEAKER: It is a bogus point of order, member for West Torrens.

The Hon. A. KOUTSANTONIS: May I ask a point of clarification, sir? All members of this house are responsible to this house for what they do.

Members interjecting:

The Hon. A. KOUTSANTONIS: I am asking the Chair a question: what responsibility does the Minister for Transport have for correspondence from the member for Adelaide?

The SPEAKER: I respectfully ask the member for West Torrens to leave for half an hour. That is a bogus point of order.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: That is a bogus point of order.

The Hon. T.J. Whetstone: He is a piece of junk.

The honourable member for West Torrens having withdrawn from the chamber:

The SPEAKER: The Minister for Infrastructure has the call.

The Hon. S.C. MULLIGHAN: Point of order: the Minister for Primary Industries has made an unparliamentary reference to the member for West Torrens.

The SPEAKER: I didn't hear the unparliamentary reference. The minister has made a comment that is unparliamentary. I ask that he withdraw it. Rise and withdraw it immediately.

The Hon. T.J. WHETSTONE: I withdraw, sir.

The SPEAKER: Thank you. The minister has the call.

The Hon. S.K. KNOLL: What happens is that a member of parliament who is a minister is both at times a local member and at times a minister.

Members interjecting:

The Hon. S.K. KNOLL: No, well, I just had to explain because obviously members opposite don't understand that.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: So what happens is that we are responsible to this house as ministers for what happens in the undertaking of our ministerial duties. There is a clear delineation between what you do as a local MP and what you do as a minister. I am the minister responsible for looking after Service SA centres since 1 July this year. In reporting to the house on the question that was asked by the Leader of the Opposition, the answer is no.

CHILD PROTECTION

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:30): My question is to the Minister for Child Protection. Given the minister's opposition to cuts to the Service SA centres, are there any cuts in the minister's child protection portfolio to which the minister objects?

The Hon. J.A.W. GARDNER: Point of order, sir: the question was not framed in accordance with standing order 97. It contained argument.

The SPEAKER: Given that something you say is argument—

Dr CLOSE: I'll rephrase it, Mr Speaker.

The SPEAKER: I will allow the member for Port Adelaide one opportunity to rephrase the question.

Dr CLOSE: Thank you, Mr Speaker. My question is to the Minister for Child Protection. Are there any cuts to the minister's child protection portfolio to which the minister objects?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:31): I thank the member for Port Adelaide for her question. Of course, nobody likes cuts in their department. As you would know, because you have been a minister previously, Labor actually set efficiency dividends every year, every budget. However, I don't think they would have ever achieved them. Our government plans to be a responsible government and we are setting efficiency dividends and we will make them. We all have to make cuts—

Members interjecting:

The SPEAKER: Order!

The Hon. R. SANDERSON: —because of the state—

Members interjecting:

The SPEAKER: Order! Members on my left and right will cease interjecting. I'm trying to hear the answer. Minister.

The Hon. R. SANDERSON: If the economy hadn't been left in massive debt and deficit for 16 years under Labor, we wouldn't be facing these efficiency dividends. Whilst nobody likes efficiency dividends, we have all had to face some of them, and they have been made appropriately.

DROUGHT ASSISTANCE

Mr TRELOAR (Flinders) (14:32): My question is to the Minister for Primary Industries and Regional Development. Can the minister provide an update to the house on how the state government is providing mentor support to communities in drought-affected areas?

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:32): I thank the member for Flinders for his very important question. Like me, he fully understands some of the pressures that our farmers are facing at the moment, particularly in parts of his electorate, particularly on eastern Eyre Peninsula. There are a number of areas in South Australia that are in drought conditions. This week, I was very proud to announce the names of the eight FaB scouts that are part of a program that will also bolster families and communities going through those really tough times.

This government's priority for those families, those communities, is about their wellbeing, their mental health. To do that, the eight Family and Business Support mentors—or the eight FaB scouts—will be deployed right across drought-affected areas in South Australia. Working with the dry working group and industry representatives, we have highlighted one area that we think needs to be bolstered to make sure that we are supporting those families who are doing it extremely tough.

As well as the Family and Business Support program, it's about identifying the farmers. It's about driving up the driveway. It's having the capacity as a good community samaritan, as someone who is highly respected within some of our regional communities, to have the capacity to sit down at the kitchen table, have a cup of tea, go out to the shed, out to the shearing shed, and have a conversation and understand just what pressures those particular families are under.

The program connects with the mentors and the community and the government services that might be needed in some cases. I also encourage people to reach out and speak to the mentors. They have an understanding ear. I, myself, experienced them firsthand during the Millennium Drought. It's really important that we give those people not only the support but the confidence that they are not alone in doing it really tough during these dry times.

Rural Business Support is also commended for the great work it is doing out there helping those families, not only looking at their financial situation but also giving them the moral support to fill out the paperwork, making sure they can access the household allowance, making sure those FaB scouts are backed up. It is also important to note that Livestock SA is also doing the fodder register, and that the national drought coordinator, Major General Stephen Day, recently visited South Australia to get a better understanding and report back to the Prime Minister on what further support measures the commonwealth government can put in place.

The FaB scout mentors in our regions will be covering the area. They are: Helen Lamont, Eyre Peninsula; Robyn Cain, Murray Mallee and the Upper North; John Chase, from the Murray Mallee; Brent Fletcher, Murray Mallee and pastoral; Judy Wilkinson, the Upper North; Kay Matthias, who is the FaB Scout team mentor as well as the Mid-North; Jeanette Long, Eyre Peninsula; and John White in the Upper North and pastoral.

The FaB Scout program is an excellent program, and this government is recognising the great work they are doing, because hashtag #RegionsMatter.

CHILD PROTECTION

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:36): My question is to the Minister for Child Protection. Has the minister written to the Treasurer expressing concern about cuts in her portfolio?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:36): No.

The SPEAKER: Leader of the Opposition.

Ms Cook interjecting:

The SPEAKER: The member for Hurtle Vale is warned.

Ms Cook: Thank you, sir.

The SPEAKER: You're welcome.

CABINET SOLIDARITY

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:36): My question is to the Premier. Has the Premier or the cabinet provided authority or approval to the member for Adelaide to disagree with cabinet decisions or break cabinet solidarity?

Members interjecting:

The SPEAKER: The Premier has the call.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:36): We have canvassed this issue in great detail. There has been no breach. I refer the honourable member to previous answers that have been given.

F1 IN SCHOOLS STEM CHALLENGE

Mr PATTERSON (Morphett) (14:36): My question is to the Minister for Education. Can the minister advise the house about the recent success of South Australian school students in an international scientific competition?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:36): I thank the member for Morphett for his question. As an engineer, I know that he, along with the members for Gibson and Black, will be particularly proud that one of the schools that support students in his local area was world champion in the F1 in Schools STEM Challenge. The Horizon team from Brighton Secondary School was successful this year.

I would like to talk a little bit about this challenge because it is an extraordinary competition. It is the largest STEM competition in the world. Each year, more than 17,000 schools from 44 nations take on the challenge of developing the world's fastest miniature Formula One car. If members want to know what one of these cars looks like, on the news tonight I think they will see the Duke and Duchess of Sussex trying out one of them at an interstate school. That school's team was amongst all those other schools defeated by the students from Brighton Secondary School.

Here in Australia, 22,000 students are involved every year, and the final competition, held in Singapore in September, was contested by students from 23 countries in 51 teams, with cars, finances, brand and pit display over a 16-month period. It mimics the world of a Formula One team, with groups of students having to follow a pathway of engineering and manufacturing disciplines, and design, analyse, test, make and race the cars. They are provided with access to real-world technologies, and they develop specific STEM skills as well as project management skills, entrepreneurialism, marketing and a series of other skills useful in life.

The Horizon team from Brighton Secondary School was not only overall world champion but they also won for the fastest car and for the best engineered car and were nominated for the research and development award. So congratulations to the team members—and I know I speak on behalf of all members of parliament—these years 10, 11 and 12 students: James Gurney, James Lloyd, Luke Battjes, JJ Elliss, Tom Lightfoot and Lukla Moase, as well as principal, Olivia O'Neill, and her staff members Finn Galindo and Emma Golding, who supported the students in their task.

Rick Persse, the CE of the education department, and I were very pleased to visit the school to congratulate the students in person, hear their presentation and try their car—and my car went faster than the CE's, I was very pleased to see. The students particularly expressed their thanks to all the people in the STEM community, and indeed in the business community, who supported them.

They particularly singled out the Minister for Sport, Corey Wingard, the local member, who introduced them to many of those businesses and people who were able to donate to the significant fundraising task they had. They mentioned his name a few times. I think they were very grateful, and I certainly know that the parliament is grateful. This is the way local members of parliament can support their schools.

Previously, the Minister for Environment and, I know, this year, the member for Morphett were involved as well. The students were grateful and they have a great future ahead of them. We are very proud of their achievements and, on behalf of the parliament, I think the Brighton Secondary

School Horizon team can be very, very proud of their efforts. We look forward to seeing what they achieve in the years ahead.

CABINET SOLIDARITY

The Hon. S.C. MULLIGHAN (Lee) (14:40): My question is to the Premier. Is the Premier aware that dispensation is required for a minister of the Crown to break cabinet solidarity?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:40): Can you say that again?

The SPEAKER: Can you please repeat—

The Hon. S.C. MULLIGHAN: Is the Premier aware that dispensation is required for a minister of the Crown to break cabinet solidarity?

The SPEAKER: Would the Premier like to have a go at that?

The Hon. S.S. MARSHALL: What is very clear to me is that they have run out of questions. They are passing around little scraps of paper—

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. S.S. MARSHALL: Unless the member for Badcoe had 32 up her sleeve, and she has been forced to leave, they have completely and utterly run out.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: It is not for me to offer them some advice, but you've got—

Members interjecting:

The SPEAKER: Order, members on my left! The Premier has the call.

The Hon. S.S. MARSHALL: —a few days off parliament now. I suggest you call a meeting. You've got Friday, Saturday, Sunday and Monday until you come back and ask some decent questions.

Members interjecting:

The SPEAKER: The Premier will be seated. I think the Premier has finished his answer. The member for Lee has the call.

SERVICE SA PROSPECT

The Hon. S.C. MULLIGHAN (Lee) (14:41): My question is to the Minister for Transport and Infrastructure. Before deciding to close the Prospect Service SA centre, was the minister aware of previous plans to expand the centre because of increasing demand?

The Hon. S.S. Marshall interjecting:

The SPEAKER: The Premier is called to order. The Minister for Education I also forgot to call to order. The minister has the call.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:41): No.

The SPEAKER: He has answered the question.

SERVICE SA PROSPECT

The Hon. S.C. MULLIGHAN (Lee) (14:41): My question is again to the Minister for Transport and Infrastructure. When does the Service SA centre at Prospect have its lease expire?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:41): I will have to come back to the house with an answer on that.

EURONAVAL

Mr COWDREY (Colton) (14:41): My question is to the Premier. Can the Premier update the house on his planned trip to the Euronaval and the benefits it will bring to this state?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:42): I am looking forward to joining South Australia's largest ever—

The Hon. A. PICCOLO: Point of order, sir: that is a hypothetical question.

The SPEAKER: A hypothetical question. Could I have the question again, please? I will listen to it.

Mr COWDREY: To the Premier: can the Premier update the house on his planned trip to the Euronaval and the benefits it may bring to the state?

Members interjecting:

The SPEAKER: The Premier has the call. The member for Light is warned.

The Hon. S.S. MARSHALL: There was a time when that would have been a bogus point of order—

Members interjecting:

The SPEAKER: The Premier has the call.

The Hon. S.S. MARSHALL: —and the member would be thrust from the chamber, but you are a benevolent and generous Speaker, and that's why you are loved throughout South Australia, sir. Clearly, again, I reiterate my former answer: they have run out of questions. They are now trying to run down the clock—

The SPEAKER: Premier, please get on with it.

The Hon. S.S. MARSHALL: —by putting up bogus points of order.

The SPEAKER: Premier, please get on with the answer—please.

The Hon. S.S. MARSHALL: Thank you, sir. I am looking forward to joining South Australia's largest ever contingent of the local defence—

The Hon. S.K. Knoll: His vest is cutting off blood supply to his head.

The SPEAKER: The Minister for Infrastructure is warned.

The Hon. S.S. MARSHALL: —industry at this year's international maritime trade show, Euronaval. This is held every second year. It is the leading trade show for both naval defence and maritime technologies. This year, it is envisaged that 30,000 trade visitors and 90 high-level delegations from 70 countries will be present. I am very pleased that we have a large contingent going from South Australia—18 South Australian firms—and also our local universities and other educational institutions.

I am particularly pleased to report to the house that the Leader of the Opposition will also be attending. I personally believe it is absolutely crucial that we present a very united front from South Australia to really capture the excellent opportunities that exist for our state going into the future. I was personally delighted when the Leader of the Opposition announced that he would be the shadow minister for defence and space in South Australia. This shows a level of sophistication we haven't seen from the Labor Party for some time.

There was a period over the previous four years when this portfolio became a partisan portfolio; this was a step backwards. Let's not forget it was actually the Labor Party that introduced Defence SA, and they did that for very good reason. It was supported by the Liberal opposition at the time because we need to work in a bipartisan way to deliver on the enormous opportunities for South Australia, not only with the current federal contracts for offshore patrol vessels, future frigates and future submarines but for other great opportunities that are heading our way.

SERVICE SA PROSPECT

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:45): My question is to the Minister for Transport and Infrastructure. Did the minister leak the letter from the member for Adelaide to him dated 20 September 2018?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:45): No.

SERVICE SA PROSPECT

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:45): My question is to the Minister for Child Protection. Has the Minister for Child Protection distributed her letter to the Minister for Transport and Infrastructure dated 20 September 2018 to anybody else apart from the Minister for Transport and Infrastructure?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:45): Absolutely not.

STATE EMERGENCY SERVICE

Dr HARVEY (Newland) (14:45): My question is to the Minister for Police, Emergency Services and Correctional Services.

Mr Malinauskas interjecting:

The SPEAKER: The leader is warned.

Dr HARVEY: Can the minister update the house on the SES response—

The Hon. T.J. Whetstone interjecting:

The SPEAKER: The Minister for Primary Industries is called to order and warned. Member for Newland, can I have the question again, please?

Members interjecting:

The SPEAKER: Order!

Dr HARVEY: My question is to the Minister for Police, Emergency Services and Correctional Services. Can the minister update the house on the SES response to the recent storms in Adelaide and across South Australia?

The Hon. S.K. Knoll interjecting:

The SPEAKER: The Minister for Infrastructure is warned.

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:46): I thank the member for Newland for his question and note that he has an SES group in his electorate that is very passionate and does some wonderful work, based on Tolley Road. The Tea Tree Gully unit do an outstanding job, and I know that he is very aware of the great work they do in his local community.

Across the board, our SES volunteers do a marvellous job. I have said in this place before, and I will say it again and at every opportunity I get: they are fabulous and we must thank them for all the work they do in our community. We had a busy week in the emergency services sector. We might have brought on the start of the fire danger season in a few regions, but we are still battling storm fronts that cause significant damage across our state, most notably in the metropolitan area earlier this week.

The SES responded to an extreme weather event as we experienced damaging winds, thunderstorms, heavy rain and hail across most South Australian districts. In fact, in my local community, a big gum tree came down right across Brighton Road in front of the cemetery. It was very lucky that no-one was hit. Again, we thank all those emergency services workers who came and cleared the mess. The road had to be closed for a while; that is how dangerous the winds and conditions were.

Statewide, requests for assistance reached 340 by late Monday, with around 4,000 residents suffering power outages from storm damage. We have around 1,500 SES volunteers across South Australia who assist our state during times of emergency and extreme weather. The Western Adelaide SES, whom I am pleased to say I visited a few months ago, attended 27 incidents, including removing fallen trees from train lines, roads and houses, rescuing a flipped pergola—if you can believe it—and assisting with fixing a roof.

Unfortunately, three emergency services volunteers sustained minor injuries; however, they did not need hospitalisation. This just reaffirms the need for the public and our volunteers to take care outside during emergencies. Added to that, I am very pleased to say that I am opening the Loxton SES this Sunday in the electorate of the member for Chaffey. It does a marvellous job as well. We are expecting around 150 local volunteers and their families to attend what I am sure will be a great day in the local community.

A lot of the work conducted from this unit involves attending tragic road crash rescues, unfortunately. We know how sad that is. While the government is committed to lowering the road toll from vehicle accidents, it is an unfortunate component of modern-day life. It is reassuring to know that we have people working in our emergency services who will put themselves out. They are committed to dropping everything when they get the message, get the call or get the page. They go out at a moment's notice in an hour of need, often late at night or early in the wee hours of the morning, to go and help people in their local community and the surrounds. Again, we cannot thank these people enough.

Anyone who has attended an accident on the freeway will know that road accidents are traumatic events, and our volunteers lend their significant experience and skill in these difficult circumstances. When you see some of the tools they use and some of the techniques that they have to practise, they put hours and hours into this to make sure that they can offer these services to our community.

While I am attending the opening of the Loxton SES, I would like to take a minute to acknowledge the Salisbury CFS, which are celebrating their 75th anniversary. Unfortunately, I won't be able to attend, but I would like to take this opportunity to congratulate that brigade as well. Seventy-five years of giving service to our community is a wonderful achievement.

QUESTIONS

The SPEAKER: Mr Clerk, could we just stop the clock for one moment. I just want to provide the house with a point of clarification about any minister being able to answer a question. I quote the late Speaker Lewis from 2003, when he said:

The principle of unity in cabinet and its purpose is the basis upon which any minister may rise to answer a question put to the government, regardless of whether or not the honourable member making the inquiry has directed the question to that minister.

I hope that is explicit.

Mr Duluk: I reckon Jay took a lot from Leesa last year.

The SPEAKER: Member for Waite, that may be so, but you are called to order. Please resume the clock. The Leader of the Opposition has the call.

SERVICE SA PROSPECT

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:50): My question is to the Minister for Child Protection. Is the minister aware of any of her staff distributing a letter from her to the Minister for Transport and Infrastructure dated 20 September 2018, or did she authorise her staff to distribute that letter?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:50): I will get back to the house with an answer.

Members interjecting:

The SPEAKER: Order, members on my left!

Members interjecting:

The SPEAKER: Order! Member for Lee.

ENERGY POLICY

The Hon. S.C. MULLIGHAN (Lee) (14:51): My question is to the Minister for Energy. Can the minister explain—

Ms Stinson: Just look at her face.

The SPEAKER: Order! I'm trying to hear this question, member for Badcoe.

The Hon. S.C. MULLIGHAN: I'm being monstered by the Minister for Primary Industries.

The SPEAKER: I think you have been giving it as much as you have been getting it, sir. The member for Lee has the call.

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. My question is to the Minister for Energy. Can the minister explain the \$4.1 million figure he referred to on the ABC news last night? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. S.C. MULLIGHAN: On the ABC news last night, the minister stated:

I can't remember whether that \$4.1 million figure was the number I was meant to give you or not, so can you not use that? Is that okay everybody?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:51): What an obvious question to receive today. The only thing we can say about that is—

Members interjecting:

The SPEAKER: Order! The minister is attempting to answer the question, please.

The Hon. D.C. VAN HOLST PELLEKAAN: You saw how angry the member for West Torrens was when he was kicked out because he wanted to ask it. The teamwork over there is not quite what it should be because—

Members interjecting:

The SPEAKER: Minister, please do not provoke the opposition. Please get on with the answer.

The Hon. D.C. VAN HOLST PELLEKAAN: By my calculations, the member for West Torrens will be due back with about seven minutes left in question time—

The SPEAKER: Not that you are counting.

The Hon. D.C. VAN HOLST PELLEKAAN: —so he could have saved it. The reason this question has been asked is that those opposite do not—

The Hon. S.C. Mullighan: It's because you look like a dill.

The SPEAKER: Member for Lee!

The Hon. D.C. VAN HOLST PELLEKAAN: —understand how to try to be as transparent and forthright as possible with the public of South Australia—

Members interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: —and simultaneously be cautious about what information should be shared. Mr Speaker, let me—

Members interjecting:

The SPEAKER: Members on my left!

The Hon. D.C. VAN HOLST PELLEKAAN: —enlighten you, the house and the shadow minister, who was one of the leaders of the previous government who did not operate that way. Of course, he was not quite as senior a leader as he had hoped to be or hopes to be now; nonetheless, he was on the team. I was in a press conference talking about the former government's failed energy policy—their \$610 million generator bill for generators that have never been used.

Mr Duluk interjecting:

The SPEAKER: The member for Waite is warned.

The Hon. D.C. VAN HOLST PELLEKAAN: I was being as open and forthright as I possibly could. It did occur to me that perhaps I had used a number that I should not have. I was very open and very forthright, as was my wont at the time, and I said that to everybody present—to the five experienced political journalists—at the time. They understood. I went and checked. I immediately went and checked with my department and checked with my Chief of Staff and was told that actually it was okay. But I take transparency and my obligation to share information as best I can and my obligation not to share information that I shouldn't equally responsibly, and so, out of an abundance—

Ms Stinson interjecting:

The Hon. D.C. VAN HOLST PELLEKAAN: It would be a shame to kick her out twice on the same day—

The SPEAKER: Let's get on with it minister, please.

The Hon. D.C. VAN HOLST PELLEKAAN: —after the true deputy leader has just pushed her back to her rightful spot. So, out of an abundance of caution, I said, 'Look, hang on, I'll just check.' I checked and everything was okay. Absolutely everything was okay. So, Mr Speaker, that is the answer to their question, and do you know what? If they wanted to be as transparent and responsible as we are, they would have a chance, a small chance, at the next election. But they're not, so they don't.

FINNISS ELECTORATE ROADS

Mr BASHAM (Finniss) (14:55): My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on the state government's election commitment to install a roundabout at the intersection of Crozier Road and Torrens Street in the Finniss electorate?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:56): I thank the member for Finniss for his question and also thank the member for his hospitality last week as we drove from stop to stop looking at the roads in his electorate. I think we had to have photos along 12 or 15 spots of roads that the member thinks need to be fixed. The beautiful thing is that, in relation to a number of things, we are fixing them.

We were at the Torrens Street-Crozier Road intersection at Victor Harbor at about 10.30 or 11 o'clock on the Wednesday morning, and already we could see that there were congestion issues. Victor Harbor is a town that is growing. It is coming along in leaps and bounds, and even with the provision of the ring road out the back, it does have a level of traffic congestion. That is why, as a great local candidate and now a great local MP, the member for Finniss advocated for an upgrade to the roundabout at the Torrens Street-Crozier Road intersection.

It was great to go and see it firsthand, and it only reconfirmed for me that this is a fantastic and worthwhile project that is actually going to deliver a lot to his electorate, and I look forward next time I am staying at one of the many holiday accommodation venues down there to be able to take advantage of that interjection.

But that is not the only thing that we are delivering for the member for Finniss's electorate. In fact, our Royalties for Regions program is delivering millions and millions of dollars for the Finniss electorate for works that have been needed for a long time. The Victor Harbor Road is one that the RAA and many local residents and members have talked about in this place for some time, and there are a couple of spots now that we are pleased to say that we are going to be fixing over the coming months.

The first of those is some resurfacing works between Quarry Road and Main Road along the Victor Harbor Road at a cost of about \$1.5 million. We went and had a look at Mount Compass, a town very near and dear to the member for Finniss, and the intersection with Arthur Road and the Victor Harbor Road. There is a real issue there because there are a lot of cars that turn right on what is a single-lane road, which banks up the traffic behind, and it actually has had some serious crash history around rear-end accidents where cars have been unable to stop for cars in front that are waiting to turn right.

We have put \$600,000 into creating a dedicated right-hand lane and some additional lighting to make sure that we deal with that high-risk intersection—again, another investment as part of our Royalties for Regions scheme. But wait, there's more. Down in Port Elliot on Port Elliot Road and Boettcher Road, we are putting in a staggered T-intersection at a cost of \$735,000 to essentially help what is again another very difficult intersection, along a stretch road that is also becoming more and more congested as we see people move down to the beautiful south coast.

Four separate announcements costing around \$3½ million to \$4 million we are putting on the table to help improve road infrastructure in the member for Finniss's electorate as part of our Royalties for Regions scheme. The reason that highlighting these things is important is that they are not big whiz-bang projects. They are not big things that you would cut a ribbon on: they are things that save lives. They are things that save local residents' time, the local community's time, and that is why these things are extremely important.

I look forward to continuing to update the house on this very important work as we seek to help reduce the regional road toll in country South Australia and as we seek to do the good work that hasn't been done over the past 16 years—that is, reinvest in country roads in South Australia.

PORT AUGUSTA POWER STATIONS

The Hon. A. KOUTSANTONIS (West Torrens) (14:59): My question is to the Minister for Energy. Can the minister guarantee that the solar thermal plant at Port Augusta in AGL's Barker Inlet will proceed as planned, and at the same capacity as announced, following the government's plan to privatise or lease the state-owned emergency generators, and subsidise and support a \$1.5 billion interconnector into New South Wales?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:00): The last part of that question we dealt with yesterday. Support the interconnector to New South Wales? Yes, of course, very, very strongly, but we are not the only ones. All other serious commentators, which does not include the member for West Torrens, unfortunately, support the interconnector.

The SPEAKER: Get on with it, minister. Please do not provoke the opposition.

The Hon. D.C. VAN HOLST PELLEKAAN: His choice of words about 'subsidise', though, I dealt with yesterday. That's completely inappropriate.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: His question, whether I can guarantee that these two generators that he has talked about, which are proposed to be built—one of them has started; in fact, both of them have been given approval under the previous government—will go ahead and not cease to go ahead as a result of our intention to lease the generators that we have in place, is a very hypothetical question. It's drawing a very long bow, but for the benefit of the member for West Torrens and for this house let me fill him in with some information which, to be quite blunt—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —I know he knows. There's nothing in this question. I know he knows, but, so that he has no way to try to wriggle away and pretend he doesn't know—

Members interjecting:

The SPEAKER: Members on my left, please.

The Hon. D.C. VAN HOLST PELLEKAAN: —let's just get to the bottom of this. Barker Inlet: AGL have said that they are going to build Barker Inlet stage 1. They said, nearly a decade ago, that they were going to start to wind down some of their generating capacity at the Torrens Island generator. They have said that, when they have completed Barker Inlet stage 1, they will probably very quickly then mothball and wind down some of the existing Torrens Island capacity and simultaneously consider whether they will progress with stage 2 of Barker Inlet.

He knows that. I know that, it's a fact based on all the very best information, which both of us have received from AGL. So to suggest in any way that the wind-down at Torrens Island might be linked to our leasing of the generators is completely a furphy.

The Hon. A. KOUTSANTONIS: Point of order, sir: my question wasn't about the mothballing of Torrens Island. It was about the construction of the Barker Inlet power station.

The SPEAKER: Point of order for debate. Minister, can we come back to the guarantee?

The Hon. D.C. VAN HOLST PELLEKAAN: The guarantee that I have is exactly the same as the guarantee that the member for West Torrens has from AGL, which is that they are going to proceed with stage 1 of Barker Inlet. They are going to do it. I have their word on it, and the member for West Torrens has their word on it. If anything happens that means that they don't follow through with that, it will have nothing to do with the government's intention to lease the diesel generators, which the former government spent \$610 million of taxpayers' money on to do absolutely nothing—those generators which have sat absolutely idle and which we will put into the marketplace.

Coming to SolarReserve and the solar thermal proposal at Port Augusta, the previous government entered into an agreement with SolarReserve to develop that proposal up there. I have been a very strong proponent of that project for a long time. In fact, I established a select committee in this house to look into exactly that. I want it to go ahead. The Marshall Liberal government stands ready to honour and deliver on exactly the same agreement that the previous Labor government entered into with SolarReserve.

PORT AUGUSTA POWER STATIONS

The Hon. A. KOUTSANTONIS (West Torrens) (15:04): My question is to the Minister for Energy. Has the minister received any advice from his agency, or any external agency, that the government's decision to privatise or lease the government's emergency generators will have any impact on the construction of the solar thermal plant at Port Augusta, and its capacity, and AGL's project of Barker Inlet at Torrens Island?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:04): Just to be really clear, have I received advice from my agency that our intention to lease the diesel generators will have an impact on SolarReserve or AGL continuing with their solar thermal plant at Port Augusta or the Barker Inlet stage 1? Is that the question? No, I don't think I have. I will check. Because, like the former minister for energy used to do, a question like that does deserve checking in case there's something like that rattling around in the background that you haven't seen or are not aware of or don't remember. No, I do not think so. I will check and if my answer is incorrect I will advise the house.

ELECTRICITY GENERATION

The Hon. A. KOUTSANTONIS (West Torrens) (15:05): My question is to the Minister for Energy. Once the Marshall Liberal government leases or privatises the state-owned emergency generators, at what price will the private operators charge the South Australian government or taxpayers to offer the generators for emergency use?

The Hon. J.A.W. GARDNER: Point of order: had he asked what advice is there or what information has been given, that would not be hypothetical. The framing of his question was hypothetical and is out of order.

The SPEAKER: Yes, it does contain a hypothetical element. Would the member for West Torrens like to rephrase?

The Hon. A. KOUTSANTONIS: Yes, sir.

The SPEAKER: Please rephrase.

The Hon. A. KOUTSANTONIS: Has the minister received any advice at what rate the new private owners, the successful owners of the government-owned generators—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —once they are leased, will charge South Australian taxpayers or consumers to be offered in a time of emergency?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:06): I am sure my department will contemplate whether it's possible to give me advice that would help me answer that question after the department has received the proposals from the private sector to actually lease the generators and gone through those.

Grievance Debate

REEVES PLAINS

The Hon. A. PICCOLO (Light) (15:07): I bring to the attention of the house today details of a petition lodged by residents of Reeves Plains. Unfortunately, the petition was not written in the exact format to be tabled as a petition, so I would like to get the petitioners' sentiments and comments on the public record. The petition reads, as follows:

To the Honourable Members of the House of Assembly in Parliament...

We draw the attention of your Honourable House [to] the petition of the undersigned residents of Reeves Plains and surrounding areas of the concerns to the proposed Gas fired power station to be erected by Alinta Energy. It will be situated on 1629 Redbanks Road, Reeves Plains, South Australia. Application number 5887/243. Development number 312/v005/17.

The residents' concerns are, as follows:

...residential proximity (closest dwelling 600 metres from the proposed site), pollution (noise and air), house and land devaluation and the storage of 400,000 litres of diesel fuel stored on site close to houses, also the lack of communication by Alinta Energy and the Adelaide Plains Council...

The petitioners therefore request that your Honourable House urge the Government to look into and revise the circumstances of the passing of this project for the sake of the residents and those of the surrounding area.

In view of the petition not being able to be formally tabled because of the format, I bring the petition to the house's attention and put on the record that I will be sending the petition to the relevant minister for action.

I would also like to mention today that on Saturday I had the privilege of attending the 60th anniversary of the official opening of the South Para Reservoir. The Minister for Environment and Water was also present, as was John Dawkins MLC from the other place. Tom Playford, son of Sir Thomas Playford, the Liberal Party's longest serving Premier, was also at the anniversary event. Pastor Tom had some interesting views about the modern Liberal Party, which perhaps would not be consistent with some of those views shared across the table.

The South Para Reservoir was opened on 18 October 1958 by then premier, Sir Thomas Playford, at a ceremonial unveiling of the obelisk situated between the dam and the spillway. It was said to be 100 years to the day since the completion of Adelaide's first reservoir at Thorndon Park. About a thousand people attended the opening day event, which included a flag-lined approach to the reservoir, fireworks and a tour of the area by the official party.

The reservoir site was first identified back in the 19th century by industrialist Mr James Martin, a member of the Legislative Council and well-known resident of Gawler, who suggested building the reservoir for water supply to Adelaide for irrigation. In 1948, after the state's Public Works Committee had approved the building of the reservoir, Mr L.S. Duncan MP suggested that the minister for works should take steps to see recognition of James Martin as a pioneer of the district and that the reservoir be named after him. Unfortunately, that did not occur.

I would also like to mention the 600 workers who were involved in the construction of the reservoir from 1949 to 1958. Young married workers were housed near the site and senior members of staff also lived nearby. About 200 workmen were mainly from post world war Europe. People came to this country following World War II and worked on many projects right across the nation to build this nation. I bring one person to the house's attention—ABC presenter Ian Hentschke's father-in-law, Mr Marino Securo, a migrant from Trieste in Italy. He was one of many migrants who worked as a surveyor on the South Para Reservoir. With those comments, I bring those matters to the house's attention.

GLADIGAU, MRS K.

Mr PEDERICK (Hammond) (15:12): I rise today to bring to the attention of the house the appalling behaviour of a failed SA-Best candidate, someone who is again running for public office in Mid Murray Council and now also federal politics in the seat of Barker. Kelly Gladigau has on countless occasions shown her inability to adhere to the facts, but mislead the people, which is a polar opposite to the claim she made of being an honest and accountable candidate.

Notwithstanding the countless times this person released misleading information throughout the state campaign, she has now made an attack against the hardworking and dedicated Mid Murray Council deputy mayor, Councillor Kuhn. In Mrs Gladigau's latest slander, she publicly accused Councillor Kuhn of misconduct via a post on social media. If Mrs Gladigau had taken a moment to investigate this further, she would have come to learn that the detail and argument she posted publicly were completely flawed and incorrect.

Taking her false and misleading statement even further, Mrs Gladigau also posted photos of Councillor Kuhn's children with this post, alleging a ratepayer-funded family holiday. As a result of Mrs Gladigau's post, Councillor Kuhn received unwarranted scrutiny from Mrs Gladigau's followers, which has led to ongoing suffering and caused unnecessary pain to the Kuhn family. I quote:

To be accused of corruption, however big or small, is disgraceful and goes against every part of my belief system. To be plagued by a reputation as untrustworthy for even one day makes me utterly sick to my stomach. The allegation that in my role as Deputy Mayor of Mid Murray Council I had a 'holiday' with my family paid for by the ratepayers of our community is completely false. This did not occur. Entwined in this allegation on Facebook are personal images of my family, including minors, without permission. That is not only wrong. It's next level wrong.

Given the extent of the false claims made by Mrs Gladigau in this post, she is now being sued and asked to make a public apology. To date, Mrs Gladigau has not complied with the requests of the claimant's lawyer. I note interestingly that not only did the failed Hartley candidate Nick Xenophon endorse Mrs Gladigau at the state election, and now federal election, but he is also representing her in this legal case.

Mrs Gladigau believes she did not infer that Councillor Kuhn has engaged in misconduct, though her own comment on the post says, 'Looks like a family holiday to me on us the ratepayers.' It is absolutely shameful that someone can publicly make a false and misleading statement which has caused, and continues to cause, much pain and suffering to Councillor Kuhn, yet when challenged and held accountable, she does not want to take responsibility.

In a post made by the then SA-Best candidate, she stated, 'People should be held accountable and will not get away with abusing their position of power or bullying. There is a zero tolerance for this type of behaviour.' What we are witnessing here is bullying and this person is not being accountable for her actions. It is almost like *deja vu* when we speak of Mrs Gladigau not taking responsibility for the statements she makes. Time and time again, this person has shown her lack of ability to act rationally and fairly. Let's just reflect on 2013, when she made racist remarks against Adam Goodes on her supposedly shared Facebook page, stating, 'Seriously, don't you think it's rather soft to be upset that a young girl called you an ape, perhaps if you didn't look like one.'

As previously highlighted, Mrs Gladigau wants accountability in the public sector and is running for both local and federal government. I think it is important to bring to the attention of the Mid Murray ratepayers that if Mrs Gladigau were successful in her tilt for election to council and Barker, there would be a casual vacancy in the council and she would need to resign. Mrs Gladigau spends a lot of time scrutinising financial accountability of the council, yet she is willing to forfeit some \$40,000 in Mid Murray Council ratepayer funds for a council by-election she knowingly created. Kelly

Gladigau seeks to succeed based on defamation and slander due to a lack of ability and she should never hold public office.

INDIAN COMMUNITY

Ms WORTLEY (Torrens) (15:17): Our nation is a nation built on multiculturalism. Over the years in our beautiful state of South Australia, we have been blessed with opportunities to attend and join in the many festivities and celebrations of our many diverse communities. The members of those communities have in common the desire to provide for their families and future generations of their families a better life with better opportunities.

Over the years, I have attended many cultural celebrations including the Greek Glendi, the Italian Carnevale, the Vietnamese Tet and Chinese New Year celebrations and, more recently, Diwali celebrations that are celebrated by, among others, our Indian, Nepalese and Bhutanese communities. Two weeks from now, Diwali, the Festival of Lights, will again be upon us. I look forward to being part of this celebration that celebrates good over evil, light over darkness and, for our Sikh community, Bandi Chhor Divas and Gurburab.

During the month of September, I had the pleasure of attending the annual arts and cultural Ganesh Festival at the Angkor Hall in Parafield Gardens. Organised by the United Indians of South Australia, it is the third year that this festival has been held. I am pleased each year to have been invited as an honoured guest. The beginning of this organisation grew from a small meeting in my office with members of our Indian community who wanted to bring to our shores celebrations to share with the Indian community, who have made South Australia their home, and also with the wider community. This was about four years ago. Hence, the name United Indians of South Australia was born, and from it came the annual Ganesh Festival here in Adelaide.

With a lot of hard work by members of the committee, the creation of a large Ganesh idol was commissioned in India. The almost four-metre fibreglass statue took four months to build, following which it was loaded onto a ship bound for South Australia. It attracted much media attention in India as at the time it was believed to have been the largest Ganesh idol to leave the shores of India. The opening of the enormous carton protecting the Ganesh idol on its long journey was in the evening. There was much fanfare, including a special ceremony with drums and dancing and, of course, food. I felt privileged to be part of the celebration.

This Arts and Cultural Ganesh Festival was again a great success, due to the hard work of the United Indians of South Australia committee and the many volunteers who helped out. I make particular mention of those who cooked the food and also the many seniors from Gujarat, the parents of South Australian Indian families, who during their visit here to help their sons and daughters and bond with their grandchildren volunteered their time to serve food to the thousands who attended the celebration throughout the day. The event was a tremendous success.

Indian cultural events often invite participation by community members, not just observation, and one of these that I enjoy each year is the Garba, organised by the Anubhuti Cultural Group. This colourful dance festival, requiring excessive amounts of energy to dance the night away, with a lot of clapping and skilled use of special dandiya sticks, took place only a few weeks ago. I would like to acknowledge and thank the young girls, many from my local schools, including Hillcrest, Dernancourt and Klemzig primaries as well as St Martin's in Greenacres, who dressed in their traditional cultural dress and very patiently taught me the new steps, smiling delightfully when I got it right.

There are many volunteer hours that go into putting on such a successful event and I am always honoured to be invited. This year's Garba Dandiya night at the Parks Recreation Centre saw record crowds participate in the event, and included the guest appearance of popular singer Umesh Barot, who travelled from India for the occasion. I know the Anubhuti Cultural Group—Saurin, Chetan, Nyan, Rakesh, Milan, Gopal, Prakash and Kaushik—and the volunteers, who again did a wonderful job, work hard to ensure the Garba Dandiya is a true reflection of events taking place in India at the same time. It was also wonderful to meet with so many of their parents who are visiting as well. I congratulate the Anubhuti Cultural Group on their enormously successful Garba Dandiya.

COLTON ELECTORATE

Mr COWDREY (Colton) (15:22): Although it may not seem like it today, we are heading into summer, and that is when the community of Colton comes alive. I have the privilege of representing a beautiful part of the metropolitan coastline and western suburbs, and during the summer months it truly is a hive of activity.

I have been busy over the past month attending community events and meeting with local stakeholders ahead of what is peak season in our local area. Only last week, the first patrol for the Henley Surf Life Saving Club season took place, and I was lucky enough to have a quick chat with the patrol captains, who were all very excited about the season ahead. We have two fantastic surf lifesaving clubs, the West Beach and Henley surf lifesaving clubs, and they both do a tremendous job patrolling our beaches and keeping our community safe.

It is reassuring to know that our beaches are supervised by such committed and passionate members of our community. Patrol information and rosters for this season are available on the clubs' websites and, as always, when you see the flags up make sure you swim between them. It makes the job just a little bit easier for our lifesavers.

In keeping with the water theme, I also attended the season launches of both the Henley and Adelaide sailing clubs. Both clubs were very fortunate with the weather, although some said just a zephyr, more wind, would have been nice on the day. It was encouraging to see so many people out and about enjoying the launch. Sailing has gone from strength to strength and it really is a testament to both those clubs.

At the Adelaide Sailing Club launch I joined Commodore Peter Royle out on the water to officially launch the season and watch the sailpast, and it was a pleasure to be asked to take part in what is a very important and traditional event for the club. The Henley Sailing Club held their launch a week earlier, and I thank Commodore Damian Carey for getting me out on the water again and for giving me the opportunity to take a good look at the many members as they went past. Although there was not much wind at all that day, and it was certainly a challenging event for them to get out and get moving, it was enjoyable for all involved. I would like to again thank both clubs for inviting me along to this season's launches, and I look forward to attending next year.

Mr Speaker, I note your interest in cars, and in September this year West Beach acted as the starting line for the 38th Bay to Birdwood. It is always a wonderful event, bringing people from all over the country to our community. The police estimated that over 60,000 people lined the streets to watch the cars travel from West Beach to Birdwood, which is a tremendous effort, especially given the cold conditions on the day. It was wonderful to see the community of West Beach buzzing with activity. I would like to say well done to all the entrants, and it was certainly a remarkable sight to see all the cars.

People who made the trip to West Beach may also have noticed the upgrade works on West Beach Road, which have now commenced. This is something I lobbied for during my election campaign, and I was pleased to see the federal government commit to the majority of funding. It is also nice to see the City of Charles Sturt and the City of West Torrens coming together to deliver the project. Local business, retail, sporting and recreational organisations have called for this upgrade for a long time, which will address dangerous traffic conditions caused by growing traffic volumes.

West Beach Road is designated as a local distributor that acts as a major thoroughfare between Adelaide Airport, Harbour Town and the western suburbs for over 5,000 vehicles every day. The previous two-lane undivided road lacked dedicated turning lanes into the sporting grounds and did not cater for the increasingly large number of boats and caravans on this significant tourist route. This upgrade will address all those problems and will greatly benefit our local community. As the project is currently underway, I do remind residents to be cautious when travelling through the area and to take note of any traffic alterations.

Another project that is currently underway and nearly completed is the upgrade of the Henley Beach jetty. This project has taken a little longer than we all expected due to the challenges of the weather, which unfortunately cannot be helped, but it looks like it will be completed by the end of October or early November, just in time for the summer season. As you can see, Mr Speaker, it

has been a busy few months for many in the electorate, and it will only get busier as the weather continues to warm up.

I am certainly incredibly privileged to represent such a wonderful part of metropolitan Adelaide, and I look forward to getting out in the community to enjoy all the things the great western suburbs have to offer over this summer.

SPORT AND RECREATION FACILITIES

Ms HILDYARD (Reynell) (15:26): I rise this afternoon to speak on a number of important initiatives in my community, initiatives that were ready to be delivered by Labor but that, sadly, the Marshall Liberal government refuse to meaningfully engage on, demonstrating their utter disregard for the south. Our southern community is one that is connected, kind and resilient. Sport in the south is an important part of making it so and of bringing our community together.

Sport is a powerful tool for connecting and engaging people in healthy activity and for giving people a sense of belonging. That is why the member for Kaurana and I were so pleased that \$14 million was budgeted by Labor earlier this year for a southern sporting complex—money that was ready for this project. Despite repeated requests and questions about the future of this work, this Liberal government seems to have misplaced the allocated funds.

We know that the demand for sporting facilities is rapidly growing, which is why Labor committed \$14 million towards this new multipurpose recreation centre that would become the hub for indoor sport in the south. That is why Labor had record investment in sport and why people are so incredibly angry that this government has ripped at least \$20 million from it and \$24 million from the Female Facilities Program.

This complex is vital to our community, and I wrote to the Minister for Sport and Recreation asking him to commit to following through with this fully funded project, only to receive a vague response that lacked any commitment or any clear answer whatsoever. I ask here again that the minister commits funding to this hub so that people in the south can come together as a community, through their sport, in the facilities that they deserve.

Labor was and is ready to work with the Roger Rasheed Sports Foundation and the City of Onkaparinga to create a \$5 million sports hub at Morton Road in Christie Downs. Unlike the southern sports complex, this was going to be focused on outdoor sport and recreation activities, including a skate park, and on some very important mentoring for young people in our community, particularly those less engaged with supports in our community. This plan is one that is totally about involving our young people and their families in programs that lift them up, wrap around them and see them doing their best.

We, Labor, had proudly committed to contributing \$3.2 million towards the \$5 million project that would create the new sporting precinct to engage young people and provide free coaching for at-risk young people in our southern community. The City of Onkaparinga was to provide \$1.5 million, with the Roger Rasheed foundation committed to contributing additional funding. I am really pleased and proud to have supported this project from the beginning and to have engaged our community, particularly our young people, in helping to design what it could look like.

I was so proud the day that Roger Rasheed came to Christie Downs and had some of our youngest community members take him for a walk around Morton Road reserve and talk with him about what was important to them and their lives. Our community now needs this plan to come to fruition. This project will support the revitalisation of Christie Downs, provide young people with a place where they can engage in all sorts of sport and recreational activities and bring local kids and families together to help them thrive.

I wholeheartedly agree with the objectives of the Roger Rasheed Sports Foundation, which engages young people to get involved in a really diverse range of sports and, by doing so, learn new skills and various new approaches to difficult issues. As I said, sport is an excellent way to include young people and give them a sense of belonging, and I truly believe that this project can do that. We just need those opposite to commit to investing in our southern community and in our young people, and I call on them to do so.

Completing the Witton Bluff Base Trail was another commitment Labor made before the last election, but it is very difficult to get this Liberal government to come to this party. At the moment, you can go for a lovely walk or bike ride along our beautiful coast at Christies Beach to Witton Bluff. If you want to continue, you have to leave the track, which comes to a dead end, go up to the main road and then come back around to rejoin the track at Port Noarlunga. Our plan would have completed the construction between Christies Beach and Port Noarlunga, the missing link in our beautiful coast park. This was part of Labor's commitment to investing up to \$15 million to provide uninterrupted and safe walking and cycling trails along our beaches.

FINNISS ELECTORATE

Mr BASHAM (Finniss) (15:32): I rise to note once again how regional communities like those in the electorate of Finniss are receiving priority attention from the Marshall Liberal government. Last week, I was very pleased to have the Minister for Planning and Transport, Infrastructure and Local Government visit the electorate. We had a look at many of the projects the minister has just talked about in question time, and we looked at some long-term needs of the community as well.

We saw the fantastic project that we are looking to roll out, in partnership with the Alexandrina Council, to deliver a wonderful adventure playground in Mount Compass. The community of Mount Compass have looked after themselves for many years by volunteering and doing everything they can to supply what is needed in the town. Unfortunately, they have not been able to deliver playgrounds, while other towns have. With the \$300,000 commitment from the Marshall Liberal government, we can now see this starting to come to fruition. Work is due to start fairly soon, and I was able to show that to the minister.

As the minister mentioned in question time, we also looked at the problem in Mount Compass of Arthur Road, where there are many accidents as cars try to skirt round on the verge to get past people turning right. There are many near misses and, sadly, the occasional hit, so it is fantastic that this intersection is being addressed. We also looked at many other things across the electorate, including the Boettcher Road intersection along the straight from Goolwa to Port Elliot, where there have been many accidents as people try to scoot straight across and head up towards Goolwa Airport from the seaside area of Middleton. There have been some fairly horrific accidents at that corner, and hopefully this will be addressed as well.

We also talked about some other long-term proposals. We saw the benefit of a road that was put in many years ago around the back of Victor Harbor, that is, the ring road that goes past the Urimbirra area and cuts around the back of Victor Harbor. That road has relieved pressure enormously in Victor Harbor, but there is also a need to do similarly in the townships of Port Elliot and Middleton.

At the moment, there are a couple of spots where a major accident would stop traffic between Goolwa and Victor Harbor to the point that, if you wanted to get around, you would have to drive all the way to Mount Compass, so there are some significant issues there that we need to look at. We were also able to sit down with the local government CEO and mayors and have a conversation about their needs. It was a fantastic visit.

The previous week, we were also privileged to be visited by the Minister for Education. We were able to go to three towns: Mount Compass, Goolwa and Port Elliot. We visited four schools while we were in those regions and had a chat about their needs and their concerns. We were able to have a look at the building works currently going on at Mount Compass as part of the STEM project and also look at the fact that there is a big spend in the budget for Mount Compass and Victor Harbor under the Building Better Schools program. We had a great conversation with all the principals we met about the future needs right across the Fleurieu in education.

Finniss has been visited by eight different ministers since the election: the Deputy Premier, the Premier, the Minister for Primary Industries and Regions, the Minister for Tourism, Trade and Investment, the Minister for Environment and Water and the Minister for Emergency Services, who was there on the weekend for the opening of the surf lifesaving club. It has been a great start in Finniss by the government by having that sort of visitation, and it has certainly lifted confidence in

the region. I thank the cabinet for their efforts in coming to the regions and delivering for regional South Australia.

Bills

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Committee Stage

In committee (resumed on motion).

Clause 46.

The Hon. S.C. MULLIGHAN: My question to the Deputy Premier is: why is section 47B being deleted?

The Hon. V.A. CHAPMAN: I am advised that the clause repeals section 47B as the requirements of the commissioner to consult with the Casino licensee have now been incorporated within section 47A. I think I answered that question in relation to clause 45 to indicate why we were putting in a new paragraph (e).

The Hon. S.C. MULLIGHAN: So there will be a double-up.

Clause passed.

Clause 47.

The Hon. S.C. MULLIGHAN: Section 50(3), which is to be amended by this clause, deletes the reference to both the Treasurer and the commissioner and just leaves the reference to the Treasurer. Why does the commissioner not have this same role under the bill?

The Hon. V.A. CHAPMAN: The clause reflects that, due to the IGA and the IGA Board being dissolved through amendments to the Independent Gambling Authority Act 1985, the present responsibilities of the IGA to keep information about the licensee's audited accounts or financial affairs confidential will transition to the commissioner. This is also an administrative amendment to remove any duplicity where the commissioner is already mentioned in this section.

The CHAIR: Are you happy with that?

The Hon. S.C. MULLIGHAN: I must have my Road Runner earplugs in today. Perhaps could you—

The Hon. V.A. CHAPMAN: Repeat it?

The Hon. S.C. MULLIGHAN: Yes, could you, at a somewhat more loquacious cadence.

The Hon. V.A. CHAPMAN: This clause reflects that, due to the IGA and the IGA Board being dissolved through amendments to the Independent Gambling Authority Act 1985, the present responsibilities of the IGA to keep information about the licensee's audited accounts or financial affairs confidential will transition to the commissioner. This is also an administrative amendment to remove any duplicity where the commissioner was already mentioned in the section.

The Hon. S.C. MULLIGHAN: So the commissioner already has separate obligations elsewhere about needing to maintain the confidentiality of the audited accounts?

The Hon. V.A. CHAPMAN: Correct, in that section.

The Hon. S.C. MULLIGHAN: In that clause or elsewhere?

The Hon. V.A. CHAPMAN: I just reread section 50 and it does not appear to be in that section, so we will find it and give you that advice.

Clause passed.

Clause 48 to 50 passed.

Clause 51.

The Hon. S.C. MULLIGHAN: Can I ask why there is the removal of the appeal provision within this part?

The Hon. V.A. CHAPMAN: I am advised that, consistent with the Authorised Betting Operations Act changes as well—and we have canvassed those in some detail—we are moving to a process of review, by the Licensing Court, of a decision of the commissioner, so it is no longer a review on an appeal process, which previously went to the authority and then to the Supreme Court as a provision within that act. Now we are moving to a review process of the commissioner's decision by the Licensing Court. Then, of course, it takes care of itself after that.

The Hon. S.C. MULLIGHAN: I appreciate that explanation. Essentially, it mirrors the provisions that were talking about before the lunch break—about the Authorised Betting Operations Act. In that context—and I am paraphrasing, if not slightly altering what I said beforehand—I was questioning why we were going down from a two-stage appeal process to only having the capacity to appeal to one other body, with no further avenue of appeal, and why that avenue was not the authority—it was just straight to the Licensing Court?

My recollection is that the Deputy Premier said that the types of bodies that might be appealing decisions under the Authorised Betting Operations Act are probably those people who have been authorised to offer betting or gaming-type activities in South Australia, and they should not find it particularly onerous, given the nature of those organisations, to navigate a Licensing Court process. In any event, the Licensing Court process is—

The Hon. V.A. Chapman: Flexible.

The Hon. S.C. MULLIGHAN: —flexible, not as formal as, say, regular District Court proceedings. I am sorry for that preamble, but the reason I raised it is that we are now contemplating a different type of appellant, including, as set out in the legislation, somebody who might be barred from a premises—perhaps an individual—for a poor type of behaviour. Under the current regime, such a person can currently appeal to the authority—again, presumably in a reasonably simple, perhaps written, form—but now would have to front the Licensing Court. Is that correct?

The Hon. V.A. CHAPMAN: My understanding in relation to this, and I think it particularly relates to parties who are aggrieved with the decision that maybe a person, not some corporation, for the reasons you pointed out, at present has to attend a hearing before the authority under the current regime. It is not a question of just putting in an application online and getting some review of it. It is a formal matter. I am sure the member would recall Mr Alan Moss, a former chief magistrate himself. These were not matters where you would simply turn up in the office and say, 'How about you reconsider? I really am behaving myself now. Can you tick me back on the list?' They are proper hearings, with some level of informality.

I think I have already undertaken to the committee to provide some particulars in relation to any change of arrangements under the Licensing Court rules, although I am advised that, in that regard, they are flexible as to the change of format. In essence, they are the same circumstance. We are moving from a hearing before the authority to a hearing before the Licensing Court judge.

The Hon. S.C. MULLIGHAN: I forget how many questions I have raised on this, so perhaps I will condense this one into one question with two parts. Is there a fee to appear before the authority to appeal against a decision to impose a barring order, and what is that fee? How does that compare to the fee that will be applicable in the Licensing Court?

The Hon. V.A. CHAPMAN: Again, I don't have exactly those figures, but I think I would put those into the category of any differentiation between the old regime of review and the new regime. As to the areas of difference, we will provide that.

Clause passed.

Clause 52.

The Hon. S.C. MULLIGHAN: Again, in regard to section 65, do we know whether there is a fee at the moment to appear before the IGA?

The Hon. V.A. CHAPMAN: Not for IGA, no.

The Hon. S.C. MULLIGHAN: Do we know whether there is a fee to appear in the Licensing Court about a matter?

The Hon. V.A. CHAPMAN: There are fees there, but what it is going to be for this we will ascertain. I assume if there is a difference in relation to the regime of process, all fees we will take on notice.

The Hon. S.C. MULLIGHAN: Is there any advice or statistics you are able to provide to the committee about the number of barring orders and the number that have been appealed, perhaps in the last financial year or in some other period of time, that provide some indication to the committee how likely this scenario will be?

The Hon. V.A. CHAPMAN: Of course, it is the authority that currently does that. I think I have already signed or at least seen a copy of their annual report, so if it has not been tabled already I am sure it will be. In any event, if it is not already in the public record, then we will arrange to get that for the last financial year. So I am clear about it, that is the number of barring orders issued and the number of reviews?

The Hon. S.C. MULLIGHAN: Yes, appeals or reviews heard by the IGA.

The Hon. V.A. CHAPMAN: Appeals or reviews heard by the IGA. I certainly recall meeting with Mr Moss and he indicated there was a cleansing of the list, as I would describe it—they are my words—of the barring orders and there appeared to be a very significant reduction in the last period, which I assume to be the last 12 months. I think that is more by identifying that people are no longer in the state or might have passed away. I cannot remember the full detail of it now, but there is quite a significant drop, apparently. I am sure you will read that annual report with interest.

The Hon. S.C. MULLIGHAN: People had been passing away before they have had their appeal heard for a barring order?

The Hon. V.A. CHAPMAN: No, before that, while there was a barring order in existence.

Clause passed.

Clause 53.

The Hon. S.C. MULLIGHAN: I assume that clause 53, which repeals section 66 of the act, is to make a decision by the commissioner only able to be appealed to the Licensing Court and then that is it, there is no further avenue of appeal to the Supreme Court?

The Hon. V.A. CHAPMAN: I think we have been through this issue before, but I will repeat it. This current legislation, which sets out the rules that apply in relation to the authority's decisions, essentially says that the authority's decision is final, except in certain circumstances. There are some qualifications. I think this gets to the nub of what had previously been alluded to by the member, namely, in what circumstances is a party able to appeal the authority's decision to the Supreme Court? That is set out in the qualifications that are set out in section 66(1)(a) and (b).

Then it sets out a time obligation in relation to being able to commence that without permission to appeal. There is a one-month qualification there. That sets out the regime that is to operate under the authority's review process. We do not need any of that anymore because now, of course, that review process will be to the Licensing Court.

The Hon. S.C. MULLIGHAN: I appreciate the Deputy Premier's very last advice in her response because my next question is whether indeed those provisions, albeit referring to the Supreme Court, are replicated elsewhere for the Licensing Court. If that is the case, whereabouts are they?

The Hon. V.A. CHAPMAN: I think I mentioned before that decisions of the Licensing Court do have an appeal process where they might go to the Supreme Court, and in what circumstances. The member asked me previously if there are certain circumstances where there is an appellant capacity from a decision of the authority, are those same circumstances restricted in relation to an appeal from, in this instance, the Licensing Court to the Supreme Court? I have undertaken to identify whether there is any change or restriction in relation to that. I am expecting not because we are

deleting that process. We will then be relying on the appellant provisions under the District Court Act, which of course relate to appeals against Licensing Court decisions.

I have undertaken to provide the committee with information of any change of the extent of which an appeal is to be allowed between the authority regime and the Licensing Court regime. I think that is clear.

The Hon. S.C. MULLIGHAN: I appreciate that because, in the instance that we were discussing earlier, under the Authorised Betting Operations Act changes, there were a number of specific requirements that needed to be met to enable an appeal to occur. What the Deputy Premier very kindly agreed to follow up was whether those same restrictions on what could be appealed would continue on given the provisions of the District Court Act.

The Hon. V.A. CHAPMAN: Given what is in here.

The Hon. S.C. MULLIGHAN: Yes, and I am essentially asking the same question for this appeal in the Casino Act—just so that we are 100 per cent clear.

The Hon. V.A. CHAPMAN: Got that.

Clause passed.

Clause 54.

The Hon. S.C. MULLIGHAN: I struggle to follow the amendment to section 66A because it seemed that without the words that are to be deleted, 'Authority or the Supreme', there was no requirement on anyone to maintain the confidentiality of criminal intelligence. I am just wondering whether I have misread it or whether it is a drafting error. To whom will the requirements around the confidentiality of criminal intelligence apply?

The Hon. V.A. CHAPMAN: The member might note that with the removal of 'Authority or the Supreme' we are still left with the word 'court', and that is the Licensing Court.

Clause passed.

Clause 55.

The Hon. S.C. MULLIGHAN: I have a similar query to the one I raised earlier in looking at the bill's amendments to the Authorised Betting Operations Act about the requirement to give reasons. The Deputy Premier was kind to point out to me that, although a particular clause deleted a section which, had it stood, required reasons to be given, here we have the deletion of the change to provide reasons. Is it on the same basis as what we were discussing earlier?

The Hon. V.A. CHAPMAN: I am advised the amendments to section 65(3) which were passed in clause 52 identify a new section 65(3)(3a). About halfway down the page which we are dealing with in the bill, the member will see the words, 'If the reasons of the Commissioner are not given in writing.' That is the similar clause which provides for the obligation for the commissioner to provide reasons in certain circumstances, obviously at the request of the complainant.

The Hon. S.C. MULLIGHAN: So it is an issue of duplication.

The Hon. V.A. CHAPMAN: Yes, that is correct. We have just put in this new review of decisions process, so we no longer require this.

Clause passed.

Clause 56.

The Hon. S.C. MULLIGHAN: Section 68A seems a peculiar section in the existing act and there appears to be a genesis behind this clause with which I am not familiar around giving the capacity to a minister to direct or otherwise the authority with regard to precommitment regimes. I am wondering if there is some further information or history which might better inform the committee, firstly about the existence of this clause, and secondly as to why we are getting rid of it.

The Hon. V.A. CHAPMAN: I am advised that it is now to be removed because it relates to previous amendments that were made and it is now obsolete. Obviously, if we are not going to have

an authority, then we do not need ministerial directions. But it is fair to say that it is a little unusual to establish an authority or a commission and then have capacities to direct, but they exist. We even have them for the police commissioner. Certain rules apply to various circumstances in which an appointed person under statute is to be directed or not.

The DPP, the police commissioner and the like have these special protections against ministerial direction being completely without check. There is one I can think of that does not have any restriction on it, and that is that there is complete protection of the statutory officer against any ministerial direction, and it relates to the preparation of the annual report by the guardian for children.

In fact, it was the member's late father who recommended that whatever person held that office should not be under any interference or direction by a minister. He specifically recommended that it be included in the child protection law at the time, and that was followed through by the government of the day. But largely, for different sets of obligations and checks and balances in relation to ministerial direction, sometimes they have to be published in the financial accounts; sometimes they have to be tabled in parliament. There are all sorts of rules that go with that.

In any event, we are getting rid of the authority, so the minister does not need to issue directions. The commissioner has a certain level of independence already under his law of appointment, and I cannot recall immediately what the rules are in relation to any ministerial direction to him or her in that position, but we can identify if there is. My understanding here is that the precommitment system arrangements have been brought into effect. This was to deal that, ministerial directions dealing with that, and it is now completely obsolete.

The Hon. S.C. MULLIGHAN: Will the commission have the capacity to make directions to a licensee around precommitment arrangements?

The Hon. V.A. CHAPMAN: My understanding is that is no longer necessary, but we will check on that just in case there is some residue there. It is twofold: one is getting rid of the authority, but the precommitment arrangements no longer require it. Whether they are obsolete themselves I do not know, but we will check whether there is anything else to add to that.

The Hon. S.C. MULLIGHAN: Supplementary to that question, if the commission will have the power to impose obligations around precommitment on a licensee, under that regime will the minister retain the capacity to direct the commissioner about that precommitment regime?

The Hon. V.A. CHAPMAN: That is exactly what I have offered to find out, and we will do so.

Clause passed.

Clause 57 passed.

Clause 58.

The Hon. S.C. MULLIGHAN: Can the Deputy Premier advise what type of person or class of persons is likely to be prescribed by the regulations?

The Hon. V.A. CHAPMAN: I am advised that the clause amends section 70(2) to extend a prohibition on gambling in the Casino, in addition to the person defined as an authorised officer—that is, like a CBS inspector—also to include other staff of a class prescribed by the regulations. It is also anticipated this would be extended to include, for instance, persons responsible for conducting barring hearings.

The Hon. S.C. MULLIGHAN: So those persons conducting barring hearings will be in the office of the commissioner, or do you mean judges in the Licensing Court?

The Hon. V.A. CHAPMAN: In the commission.

Clause passed.

Clause 59.

The Hon. S.C. MULLIGHAN: I am just wondering why the extra month from the end of August to the end of September has been provided by this clause.

The Hon. V.A. CHAPMAN: I am advised that the extra timing is not required because the previous process was that the commissioner had to report to the authority, and the authority to the minister. Time was required, but now that step has gone and it is direct to the minister—and I will be pleased for you to get a freshly minted copy of the annual report.

The Hon. S.C. MULLIGHAN: So less time is required, but they have an extra month?

The Hon. V.A. CHAPMAN: Apparently, it is the other way around.

The Hon. S.C. MULLIGHAN: I read 31 August in the act.

The Hon. V.A. CHAPMAN: My adviser will check on that and report back.

The Hon. S.C. MULLIGHAN: I am also wondering why, in clause 59(3) of the bill, paragraph (c) is being deleted. Does the commissioner not have any observations that are worthy of noting?

The Hon. V.A. CHAPMAN: I do not see it quite that way, because I think the current section 71(3)(c) of the Casino Act reads:

the Commissioner's report on the administration of this Act together with any observations on that report that the Authority considers appropriate.

I see it as an overlap of the two, rather than exclusively of one, because the commissioner will still have to give an annual report. This is one of the problems Mr Anderson was very appropriately looking at, and that is that you end up with two regulators and you do get overlap. That does provide not only inefficiencies but potential for inconsistencies. The direction under the current act, while we have this dual regime, was to make sure that the commissioner's report included in it the provision of where there have been observations by both. That is the way I have read it, and I understand that is the correct interpretation.

The Hon. S.C. MULLIGHAN: So there is no longer any requirement for the commissioner to report on the administration of the act?

The Hon. V.A. CHAPMAN: No, that is already in subclause (1).

Clause passed.

Clauses 60 and 61 passed.

Clause 62.

The Hon. S.C. MULLIGHAN: Subclause (3) provides for the continuation of investigations that may be underway. Are there any investigations underway?

The Hon. V.A. CHAPMAN: Not that I am aware of, but we will check and let you know.

Clause passed.

Clause 63 passed.

Clause 64.

The Hon. S.C. MULLIGHAN: My understanding is that clause 64 is to allow the EPA to recover costs of some of their activities from those who are being regulated. Is there a schedule of costs, or has one been determined to be implemented on the passage of this bill?

The Hon. V.A. CHAPMAN: The question relates to whether a schedule of fees has been allocated yet for the purposes of the operation of the action under this new regime to deal with the costs of site contamination, assessments, clean-ups and the like. I am advised that there is a \$1.5 million expense allocated to this. This is largely to deal with parties who operate, or formerly operated, petrol stations.

The Hon. S.C. MULLIGHAN: It doesn't seem to relate to that.

The Hon. V.A. CHAPMAN: We are on clause 64.

The Hon. S.C. MULLIGHAN: So this relates to petrol stations?

The Hon. V.A. CHAPMAN: Yes. I am advised, and I was informed previously, that whatever fee structure is going to apply in relation to these cases is yet to be set. That is being considered. It is to be on a cost-recovery basis. Assuming there is a level of contamination that might attract a \$50,000 cost for assessment, clean-up, soil removal or something of that nature, then I suspect that will be part of the cost imposed.

The Hon. S.C. MULLIGHAN: Does the agency have an idea yet of how many sites might be captured by this regime?

The Hon. V.A. CHAPMAN: Not at this stage, I am advised, because at this stage in this category we are talking about sites that are unknown in relation to who might be responsible and who is the owner. As the member would be aware, we passed legislation some years ago to essentially say that, if you contaminate a property, you are going to be responsible for that no matter how many times it is on sold to newer owners.

We have established some connections to liability through other legislation. How to work out who is responsible for the clean-up or the restoration of the soil or whatever is going to be restored is yet to be identified. We know that, from time to time, we have breaches in relation to underground water, for example, and damages arising from escaping odours and all those sorts of things. The extent of that is yet unknown.

The Hon. S.C. MULLIGHAN: How was the revenue amount in Budget Paper 5 attached to this measure arrived at? It is \$800,000 a year.

The Hon. V.A. CHAPMAN: As an estimate?

The Hon. S.C. MULLIGHAN: That is what is in the budget papers.

The Hon. V.A. CHAPMAN: I do not know the answer to that question. We will find out for you.

Clause passed.

Clause 65.

The Hon. S.C. MULLIGHAN: I understand that this next clause applies to petrol stations. The revenue amount estimated in the budget is \$750,000 in 2019-20 and then \$1.5 million in the years after that. Is there an estimate yet of what the fee per petrol station will be, or is that to be arrived at?

The Hon. V.A. CHAPMAN: I think that is what I commenced before. Regarding the recurrent amount of \$1.5 million, it is yet to be identified how many stations this is going to apply to. My understanding is that there will be a recovery in relation to that. It will depend on the number of stations, as to what each of the individual costs will be.

The Hon. S.C. MULLIGHAN: In the briefing that I received from the Treasurer's office and various agencies, there was some discussion about some influence on the fee based on how many sites there are, as the Deputy Premier just said, and also the particular arrangements or circumstances of those petrol stations. I am just after some advice on those other elements that will inform what level of fee is charged to a petrol station site.

The Hon. V.A. CHAPMAN: This may have been provided in the briefing, but I am further advised that there is an estimate of 550 to 600 stations—I assume that is across the state—and that the fee structure is yet to be determined. But there are two things that the committee might note: one is that consideration is being made for very small regional or remote stations, which might be in the Chair's electorate.

The CHAIR: They may well be.

The Hon. V.A. CHAPMAN: I am trying to think of some outpost of Ceduna or somewhere. What was that little town you had that had a school that closed down that—

The CHAIR: Port Kenny?

The Hon. V.A. CHAPMAN: —minister Lomax-Smith put a new sign on when it had already closed?

The CHAIR: I am not familiar with that.

The Hon. V.A. CHAPMAN: Koonibba had a lovely little school.

The CHAIR: There is still a school at Koonibba.

The Hon. V.A. CHAPMAN: No students, that is all. They just go and camp there occasionally.

The CHAIR: No, there is still a school, I can assure you, Attorney.

The Hon. V.A. CHAPMAN: The second issue is in relation to the actual fee structure for other considerations being given to the volume of storage. This is, I assume, the volume of the storage of the tanks underground in petrol stations. I do not know a lot about this, but I certainly recall in a farming situation that underground tanks were quite common, until we were alerted to this question of contamination. It is now not as common, of course, with the theory being, I am advised, that the bigger the volume of storage, potentially the bigger risk in relation to contamination.

The Hon. S.C. MULLIGHAN: So there is some consideration of a different regime or a differential fee applying to regional areas of South Australia. I assume they are just the regions as defined by the government.

The Hon. V.A. CHAPMAN: So we are clear on this, I am advised that there may be a zero fee attached to some very remote small sites. The member might know that, in some parts of South Australia, there may only be a small bowser with a very small storage facility that is there as an emergency backup and the level of contamination may not be very much. It may have been abandoned for decades. That may be the type of situation where it would be reasonable not to have a fee attached but just make sure it is cleaned up. The second matter was in relation to the variable rate; it is in relation to volume and not a variable rate according to how many service stations you might own or anything like that.

The Hon. S.C. MULLIGHAN: Is there any consideration of a different fee arrangement depending on the age of the service station or the tanks that are being effectively regulated for the first time?

The Hon. V.A. CHAPMAN: Apparently not, but I am sure that whoever reads these notes assiduously might pick it up as a good idea of the member.

The Hon. S.C. MULLIGHAN: Someone in the other place, then.

The CHAIR: That is the second dig you have had at the Legislative Council, member for Lee. You are treading on thin ice. Pushing a third question becomes a fourth, does it not? Thank you.

Clause passed.

Clauses 66 to 84.

Clause 85.

The Hon. S.C. MULLIGHAN: My question relates to clause 85(4), a similar question to the one I raised earlier. Are there appeals underway or on foot at the moment and, if there are, how many?

The Hon. V.A. CHAPMAN: We will take that on notice. I am not aware of any, and I recently had a briefing in relation to the distribution from this fund for, I think it is the current financial year, in the Department of Human Services. I am not aware of any, but we will check on that.

Clause passed.

Clauses 86 and 87 passed.

Clause 88.

The Hon. S.C. MULLIGHAN: Can the Deputy Premier provide some advice to the committee about how the wording of proposed new section 2 was arrived at?

The Hon. V.A. CHAPMAN: I am advised that, obviously, it makes provision for the consolidation of the regulatory functions as indicated and, as I have said, follows Mr Anderson's recommendations. I think it is fair to say that the objectives are consistent with what we have had for a good number of years, and that is to ensure that we have responsible gambling, that we protect the vulnerable, that we support the weak and that we ensure that there is a viable industry that is both economically and socially responsible in our state.

I do not see these as any new initiatives that suddenly add in a new objective of the legislation: it is just written in a contemporary manner.

The Hon. S.C. MULLIGHAN: Deputy Premier, some might suppose that elements of those clauses, in particular proposed new subsection (2)(b) may at times be difficult to reconcile, and whose role is it to reconcile those and how will that reconciliation be made?

The Hon. V.A. CHAPMAN: I want to be clear that the commissioner is going to have the primary responsibility for the regulatory role in relation to these matters. It is one thing to maintain the economic viability; it is another thing, of course, to ensure social responsibility.

The rules and regulations that are established around licensing permits, opportunities to be able to have the use of and to make money out of these products, is an important one and one which is enveloped with rules that attract a level of protection for the vulnerable. This is not a new situation.

The commissioner, for example, has to already make a decision when he approves a certain event where there is liquor and other alcohol sold, as to the opportunity for young people to have fun, the protection and security of the public, along with ensuring that order is kept in relation to the distribution of alcohol. There are always tensions with these things, which is exactly why we are having a new, reformed regulatory role with the commissioner to do the job.

The Hon. S.C. MULLIGHAN: Once again, I apologise for not recalling its correct name, but will the newly formed advisory committee also play a role in managing the delivery of these imperatives?

The Hon. V.A. CHAPMAN: Certainly, as the minister responsible for a number of aspects of this act, very much so. We would expect that the advisory committee would be cognisant of the objectives of the legislation and working towards ensuring that as the minister, or any subsequent minister, I am fully apprised of contemporary demands and protections that need to be considered within the envelope of these principles and objectives.

Clause passed.

Clause 89.

The Hon. S.C. MULLIGHAN: Regarding the membership of the advisory council, would that membership reflect the requirements to deliver these objectives?

The Hon. V.A. CHAPMAN: At this stage, there has not been an identified membership, but we have set out its establishment under clause 89.

The Hon. S.C. MULLIGHAN: Under subclause (3), just to make it clear, which is the welfare agency? Which agency in the current government will be the welfare agency?

The Hon. V.A. CHAPMAN: I think all those are yet to be determined.

The Hon. S.C. MULLIGHAN: No, sorry. Subclause (3) sets out that the welfare agency is the agency within the government.

The Hon. V.A. CHAPMAN: Yes, sorry.

The Hon. S.C. MULLIGHAN: I was inquiring which particular agency that is.

The CHAIR: I will take that as an explanation, member for Lee.

The Hon. V.A. CHAPMAN: That falls within the Office for Problem Gambling, which minister Lensink has responsibility for now, under the Department of Human Services.

Clause passed.

Clause 90.

The Hon. S.C. MULLIGHAN: My question relates to new section 4(1)(c) and 'client-centric'. Who is the client around whom everything will be centred?

The Hon. V.A. CHAPMAN: The whole of industry—I think that is obvious. The term 'client-centric' relates to the consumer, as distinct from the client being the hotel or the Casino.

The Hon. S.C. MULLIGHAN: A gambler, effectively.

The Hon. V.A. CHAPMAN: Yes, a gambler, in this case.

The Hon. S.C. MULLIGHAN: On that same clause, but jumping over the page in the bill to paragraph (h), at the top of page 26, is any specific resourcing being provided to the Office for Problem Gambling in the Department of Human Services to carry out that function?

The Hon. V.A. CHAPMAN: That agency already exists, and I recently saw a list of how the funds are being applied to deal with services for people who have difficulty with gambling. One of them was quite a lot of money towards a survey in relation to problem gambling. My recollection is that the office itself and its operational cost is also met from the Gamblers' Rehabilitation Fund.

The Hon. S.C. MULLIGHAN: I ask because the bill seems to set out in greater detail the functions and powers of the commissioner beyond what the soon to be replaced provisions of the bill do. Hence, I asked whether there is any additional appropriational resourcing that has been provided to that albeit pre-existing agency. Is it just that they will manage to absorb those?

The Hon. V.A. CHAPMAN: I hope I am correct here, but I was referring to the operation of the Office for Problem Gambling within the Department of Human Services, and my understanding is that the cost in relation to their costs of dealing with requests and the distribution of money out of the fund, is met out of the fund. In relation to the advisory council under paragraph (h), CBS would meet that out of its existing budget.

The Hon. S.C. MULLIGHAN: Has CBS set aside a level of resourcing for that purpose?

The Hon. V.A. CHAPMAN: I think I already said that some questions ago, probably about three or four hours ago, when I indicated that when the authority goes a number of personnel from the authority will transfer across into accommodation with CBS. They will provide the services and, of course, receive revenue and all the things that need to go with the regulation of this role. There will be no board and there will be no cost of accommodation of the authority, which currently sits in other premises.

Clause passed.

Clauses 91 to 105 passed.

Clause 106.

The Hon. S.C. MULLIGHAN: I know for clause 106 to become effective that clearly the bill needs to pass, but can the Deputy Premier indicate a time frame by when this review will be established?

The Hon. V.A. CHAPMAN: I am advised that work is underway to start preparing for this. It may take up to a year to deal with it. We are looking to discharge the responsibility of the authority by 1 December, so obviously they need to get cracking. In short, we cannot pre-empt the legislation. Remember that the commissioner for consumer and business services, Mr Soulio, already has a significant regulatory role in this space. The authority has some extra aspects of this, and it has had an increasing number of areas of responsibility over the years, but it is not a whole new regime of licensing that Mr Soulio's division will inherit. He is ready, keen and able.

The Hon. S.C. MULLIGHAN: That may have answered my question. Will it be the commissioner, Mr Soulio, who will undertake the review?

The Hon. V.A. CHAPMAN: The bill says 'undertake a review of the functions of the Commissioner'. He will certainly be involved in that, but the detail of that is yet to be determined.

Clause passed.

Clause 107.

The Hon. S.C. MULLIGHAN: The clause, as we have looked at previously with the other acts that are being amended, steps through some transitional provisions. With regard to subclause (4), are there inquiries underway by the IGA; if so, what are they?

The Hon. V.A. CHAPMAN: Again, we will take that on notice. I was not aware of any, as I say, at the time I met with Mr Moss in relation to this matter. If there are, obviously we will report to the committee.

The Hon. S.C. MULLIGHAN: The same with barring orders?

The Hon. V.A. CHAPMAN: I take it that is the same question, that is, the number of barring orders in existence and whether there are any applications for the review of them; is that correct?

The Hon. S.C. MULLIGHAN: Yes. Are there any exemptions, looking at subclause (7); if so, could the detail of those be provided between the houses?

The Hon. V.A. CHAPMAN: Similarly, we will take that on notice.

Clause passed.

Clauses 108 to 110 passed.

Clause 111.

The Hon. V.A. CHAPMAN: While we are waiting for the officer, who I understand is on his way, earlier in the committee hearing the member asked a question in respect of clause 111, on economic modelling. I will answer in respect of this area of land tax, the announcement identified by the government that cuts to land tax will return around \$47 million per annum to taxpayers from 2020-21. These changes—and this is well known to members—are expected to benefit over 50,000 land tax ownerships, including around 8,000 that will no longer have a land tax liability. What modelling has been done around this initiative? It is exactly the same process that has applied with previous budgets in the development of these types of announcements.

The former Labor government's budgets have included a range of measures that have not had specific economic modelling underpinning them. We were lucky to get any information about the State Bank tax, the car park tax, the Future Jobs Fund and Fund My Neighbourhood, for example. What is very interesting is, and I suppose this indicates what government is all about, they come and go, and those in charge—all the Sir Humphreys we enjoy the privilege of having working for us—stay.

It is often very interesting to read the estimates committee representatives and members who arrive. There is sometimes a newly minted minister sitting at the desk, as there was this year in estimates, but surrounded by all the usual suspects. Often the names are exactly the same. They not only have some historical knowledge about how these things work but they also maintain an independent and consistent approach to these. I am advised that what has been done in relation to the work to identify the estimate of the return of funds that it is likely to be, given the number of land taxpayers, at the \$47 million, has been modelled and undertaken in exactly the same fashion as it has in the past.

The Hon. S.C. MULLIGHAN: I preface my question by saying that I think it is unfair to refer to Danny as a Sir Humphrey.

The Hon. V.A. CHAPMAN: No, he is not.

The Hon. S.C. MULLIGHAN: Good. Now that we have that cleared up, does RevenueSA or the relevant branch of Treasury have the capacity to identify regarding the land taxpayers, who have been estimated to be liable for land tax at the thresholds as they are to be when these land tax

changes come into effect, which of those are resident in South Australia against which are resident elsewhere around the country and against those who are resident overseas?

The Hon. V.A. CHAPMAN: Leaving aside whatever has happened with the data in the Land Services office sale—and who knows whether or not the Korean government have got it by now, but we have certainly heard a million properties have been hacked into—I am advised in relation to this matter that, because this is for a year 2020-21 estimate, that breakdown could not be provided. It is yet unknown who is going to own which of the 55,000-odd properties that operate in South Australia, whether they are foreign owned, interstate owned or an indigenous South Australian ownership. So, that estimate could not be provided.

The Hon. S.C. MULLIGHAN: Can it instead be provided for the ownerships as they are at midnight 30 June 2018, which is when the land tax liability is calculated?

The Hon. V.A. CHAPMAN: Apparently not. It is going to require an assessment of each of those properties to be able to give you that breakdown. I do not know what fees have to be paid to this new regime that owns all the Lands Titles Office sale income stream, but it is some entity out there.

The Hon. S.C. MULLIGHAN: The Deputy Premier will be relieved to hear that it is entirely irrelevant to the manner in which we are acquiring it at the moment.

The Hon. V.A. CHAPMAN: If the member wants to do that exercise, then he is welcome to go and pay the fees if they apply.

The CHAIR: Let's get back on track here. Thank you, Attorney.

The Hon. S.C. MULLIGHAN: Can RevenueSA provide an assessment of the billing data that they would have for how many bills, particularly above the top marginal threshold, sent to South Australian residences? How many are sent to other Australian residences and how many are sent overseas?

The Hon. V.A. CHAPMAN: I am advised we will have to take that on notice, and I will let you know what the bill is.

The Hon. S.C. MULLIGHAN: I ask that that information is provided between the houses, please.

The Hon. V.A. CHAPMAN: I indicate to the member that we will take it on notice, but if the provision of that information is expensive to identify and report, and/or there are fees attached to it, then I will report to the committee accordingly.

Clause passed.

Clause 112.

The Hon. S.C. MULLIGHAN: I also ask that that same inquiry be made, but for ownerships that relate to residential property, ownerships that relate to commercial property, ownerships that relate to industrial property, and mixed ownerships.

The Hon. V.A. CHAPMAN: That would relate to billing information. I will make note of it: residential, commercial, and industrial; is that it?

The Hon. S.C. MULLIGHAN: And mixed, where there may be ownership of residential plus commercial—

The Hon. V.A. CHAPMAN: Not interested in farming?

The Hon. S.C. MULLIGHAN: No—

The Hon. V.A. CHAPMAN: Fortunately not, under your regime. Luckily, we escaped that, except for the ESL.

The Hon. S.C. MULLIGHAN: In fact, you have not had to since 1886.

The Hon. V.A. CHAPMAN: Well, backdoor ESL; I thought that was land tax. In any event we will look at it. We certainly identify that that is a very significant charter of work to be done, to be able to identify it, but we will assist the committee as best we can.

The CHAIR: Thank you, Attorney.

The Hon. S.C. MULLIGHAN: Can I ask that the amount of revenue estimated to be forgone from these land tax changes be broken down by land tax threshold? That would be helpful.

The Hon. V.A. CHAPMAN: I am advised this is a little easier, and it may be able to be provided without too much difficulty. We will at least provide estimates in relation to those categories.

The Hon. S.C. MULLIGHAN: This may be trickier, but if it is possible can that also be provided on that same basis of disaggregation between those different property types of residential, commercial, industrial and mixed?

The Hon. V.A. CHAPMAN: Again, we will have a look at that. It may be too hard an ask, but if it is easily accessible we will provide that. However, I am getting some rather worried looks from Danny, my especially brilliant adviser here; I think he is starting to sweat, getting beads on the forehead, about all the work you are asking him to do, but we will certainly have a look at it.

The Hon. S.C. MULLIGHAN: I have full confidence in how assiduous the Department of Treasury and Finance is.

The CHAIR: Absolutely.

Clause passed.

Clause 113.

The Hon. S.C. MULLIGHAN: My understanding is that clauses 113, 114 and 115 are necessary for the imposition of the changed liquor licensing fees; is that correct?

The Hon. V.A. CHAPMAN: Clause 115 is in relation to these. The first two relate to IGA.

The CHAIR: We are actually on clause 113 at the moment.

The Hon. V.A. CHAPMAN: I am just letting you know then, on 113 IGA, 114 IGA, 115 the fees.

Clause passed.

Clause 114 passed.

Clause 115.

The Hon. S.C. MULLIGHAN: Can I ask if the Deputy Premier remains committed to implementing the full quantum of fees, as set out in the budget papers?

The Hon. V.A. CHAPMAN: The answer to that is yes. The member will be aware, from contributions that have been made in relation to the budget debates already, that this is a fee structure that is modelled on the recommendation of Mr Tim Anderson QC in his report. This is the formal report, just so we are clear, in relation to liquor licensing, of which there was substantial statutory reform under the previous government, and the question of the fee structure was left for consideration this year. So it was always going to be dealt with after the state election.

The new government looked at the model, looked at the amount that was recommended and thought that it stretched too high and that it should be less, so this total amount of anticipated revenue is based on a similar model to the one recommended by Mr Anderson but on a less take basis. All this is currently under review as to how that is to operate, and there is consultation with the industry and the like.

It is a model whereby the longer you open in your trading hours to sell alcohol—that is, the really late-night traders, early morning, etc.—the higher rate you will pay and, if you have a large area in which you sell alcohol, that is part of the formula. The two areas that have been identified as a result of that are: what happens when you have a function where you have a massive area? I am thinking of somewhere like the Hilton Hotel, which provides a magnificent function event centre for

huge crowds. They might all go home by midnight or 11.30 when they have finished their awards night or whatever, so there is not an extended trading time. However, because of the massive area that they occupy, that may attract a much larger fee.

Similarly, there are those who might ordinarily trade until 2am, but they have a licence that enables them to trade until 5am. So most nights they never trade past 2am, but maybe once or twice a year they will go all night. There might be an international event. In my day, the only thing that was on overnight that you could get televised was the FA Cup, but nowadays, of course, we have 24/7—

The CHAIR: Not Wimbledon?

The Hon. V.A. CHAPMAN: No, Wimbledon was not usually at that time in the morning. Wimbledon would be at 11 o'clock at night.

The CHAIR: Later in the evening, yes.

Mr Duluk: About 9 o'clock it starts.

The Hon. V.A. CHAPMAN: That's right, so at 11.00 or 12.00 you are getting onto the final match and, if it went for a couple of hours, you might be up until 1.00 or 2.00 in the morning. That was my recollection of Wimbledon.

The CHAIR: You are quite right.

The Hon. V.A. CHAPMAN: Once in my lifetime I have actually been there in the summer, in London and watched it, which was a great treat. The circumstance brought to our attention is: why should someone who has a licence until 5am be penalised at this high end of contribution when, in reality, they do not use it? If they do, it may be only once or twice during the year to offer the service to their patrons of an extended trading time. These are the sorts of issues that are being raised, and we are considering how we might fairly address them in the application of the new fee regime.

The CHAIR: Thank you, Attorney—a very fulsome answer.

The Hon. S.C. MULLIGHAN: It was very detailed indeed; what different lives we lead. Deputy Premier, what consultation occurred with licence holders between March and the delivery of the state budget at the beginning of September this year?

The Hon. V.A. CHAPMAN: I cannot answer that specifically in relation to this issue, but I know that I have met with representatives from the liquor industry since coming into government on a number of occasions to deal with a number of their issues. The invitation to contribute to the consultation in that regard has largely been managed by Mr Soulio as the commissioner. In due course, he will no doubt report to us on how he thinks the refinements of that model should apply.

The Hon. S.C. MULLIGHAN: The second half of new subsection (1b) in the amendment moves on from some of the factors the Deputy Premier referred to: the location, the opening hours and so on. It talks about whether the licensee holds any other licence under the act or under the Gaming Machines Act. If the licensee holds licences under the Gaming Machines Act, is that likely to increase or decrease the fee they will pay under this new regime?

The Hon. V.A. CHAPMAN: I do not know the answer to that specifically. I am happy to get that information.

The Hon. S.C. MULLIGHAN: I think the Deputy Premier prefaced her remarks by either directly saying or implying that this is largely a risk-based regime. Does the Deputy Premier have a view or any advice to date that would inform her view about whether holding gaming machine licences increases or decreases the risk for a venue?

The Hon. V.A. CHAPMAN: I do not have a particular view. I have certainly received advice from time to time. Our gaming facilities within licensed premises are in a separate area. I am told that there have been some experiments to allow gaming machines to be out in a bar area, for example, and they were found not to be very successful. It appears that people who like gaming machines—in hotels, for example—like to be in their own little quiet area.

They like to be in a discrete area. They do not want to be out in an area where others might be enjoying other services of the premises in their social interaction or otherwise. That may have

something to do with the general age group of those who continue to participate in poker machine activities in licensed premises. I am advised, and I think the member himself knows full well the situation, that poker machines are not necessarily seen as immediately attractive to younger people; perhaps I will say to the age group under 35.

Mr Pederick: How do you go? Do you make it?

The Hon. V.A. CHAPMAN: He doesn't—that's why I picked 35. They like to do everything on their device: meet for a date, buy things, bet, etc. The profile of the person engaged in premises that sell alcohol and provide a gaming service who may affect the model that will apply for the fee structure for liquor licensing may not make any difference whatsoever. It may be that that older age group sits there and drinks coffee; I do not know. I just make the point that I do not know the answer to whether an additional gaming service licence holder might attract a higher fee or a lower fee. I simply do not know.

Clause passed.

Clause 116.

The Hon. S.C. MULLIGHAN: Is the Deputy Premier or the government aware of whether any councils that currently operate borrow pits, or other facilities where they obtain rubble, sell that rubble to the private sector?

The Hon. V.A. CHAPMAN: Not that they are aware of.

Clause passed.

Clause 117.

The Hon. S.C. MULLIGHAN: I would just like to know the commencement date for these provisions should the bill pass?

The Hon. V.A. CHAPMAN: I am ably advised by Nick, who is going to assist the committee with the Local Government Act reforms and Mining Act reforms. In response to this question on the date of proclamation, I cannot tell you exactly when the date of proclamation is, but it is intended that a commencement of applications for project planning and traditional arrangements will be put in place to include a deadline of 30 June 2020 for companies to lodge their new applications for the 2 per cent rate. Either the operation of five years or 30 June 2026 is the cut-off point.

The Hon. S.C. MULLIGHAN: I am sorry, I was still on clause 117.

The Hon. V.A. CHAPMAN: That is what I am answering.

The Hon. S.C. MULLIGHAN: About the royalty regime for rubble?

The Hon. V.A. CHAPMAN: Sorry.

The CHAIR: Would you like to ask your question on 117 again please.

The Hon. S.C. MULLIGHAN: I know that I asked this previously, but I just want to be absolutely clear that the government is not aware of, or received any advice, councils selling any of their rubble—

The Hon. V.A. CHAPMAN: Correct.

The Hon. S.C. MULLIGHAN: —and that they are solely using it for their own purposes.

The Hon. V.A. CHAPMAN: We are not aware of any councils that are selling it to private operators from their own rubble pits.

Clause passed.

Clause 118.

The Hon. V.A. CHAPMAN: I just confirm that the information I gave in relation to the commencement date for lodgements by 1 July 2020 with the cut-off after five years or 30 June 2026, whichever first applies, relates to the Mining Act rubble royalties.

The Hon. S.C. MULLIGHAN: It does apply to the rubble royalties, does it?

The Hon. V.A. CHAPMAN: The Mining Act, clause 118.

The CHAIR: So that contribution, Attorney, relates to clause 118?

The Hon. V.A. CHAPMAN: Yes.

The CHAIR: Do you have questions on clause 118, member for Lee?

The Hon. S.C. MULLIGHAN: I do, thank you. Is the government aware of how many prospective mining operations may be captured by this measure?

The Hon. V.A. CHAPMAN: No, we are not able to provide that information, or that estimate, but obviously with this initiative being introduced we will hope to see some positive response.

The Hon. S.C. MULLIGHAN: Have any mining companies that have mines previously forecast to be developed over the coming years contacted the government about the impact on their projects?

The Hon. V.A. CHAPMAN: I am advised that a number of companies have contacted the government about how this is going to operate when it was announced, and they are working through it in their planning on what they might do.

The Hon. S.C. MULLIGHAN: Can the Deputy Premier provide, perhaps between the houses, the names of those companies and the developments they relate to?

The Hon. V.A. CHAPMAN: I think that would be entirely inappropriate, but if it is appropriate and available we will consider giving it to the committee.

Clause passed.

Clause 119 passed.

Clause 120.

The Hon. S.C. MULLIGHAN: My understanding of this clause is that it relates to owner-driver contracts, as I was briefed. Could the Deputy Premier provide some advice to the committee to whom this applies and how the arrangement changes from the present to the arrangement under the bill?

The Hon. V.A. CHAPMAN: Owner-driver contracts, yes, is correct. I am advised that, under the current contractor provisions, the respective persons under a relevant contract are taken to be employer-employee, with payments made under such contract taken to be wages for payroll tax purposes.

Although most contracts for the provision of service initially come within the meaning of the relevant contract under section 32 of the 2009 act, there are certain types of contracts that are especially exempted from the definition of a relevant contract. I think it is important that I also advise you that the intent of the exemptions provided under section 32(2)(d)(i) of the 2009 act is to exempt a contract under which a person provides services ancillary to the conveyance of goods by means of a vehicle owned by the contractor, that is, contract owner-drivers.

If the contract also requires the contractor to perform services other than the conveyance of goods and services ancillary to that conveyance, it is not intended that the contract qualifies for exemption under the owner-driver exemption. The exemption does not apply where the Commissioner of State Taxation determines that the contract was entered into with the intention of avoiding payroll tax.

The Hon. S.C. MULLIGHAN: I appreciate that explanation. What I am trying to get clear in my mind is whether this is a measure that makes some modification to the current arrangements as it relates to the types of owner-drivers with which we have been familiar for a long time, such as couriers and delivery drivers, etc., or whether there is some extension to drivers for new services being offered in what is loosely called the gig economy, with organisations like Uber, Uber Eats or Deliveroo, and so on.

The Hon. V.A. CHAPMAN: The member may be aware of this, but there was a case in the New South Wales Supreme Court, *Smith's Snackfood Company Limited v Chief Commissioner of State Revenue (NSW)*, 2012 NSWSC 998 (or the Smith's case, as it is apparently commonly known), which considered the owner-driver exemption. That made it clear that you could not just have a part operator. They had to be exempt or non-exempt. This legislation introduces a model to make sure that we will not fall foul of that decision and hopefully makes it clearer for the purposes of identifying payroll tax exemption or application. Does that make it clear?

The Hon. S.C. MULLIGHAN: Yes.

Clause passed.

Clauses 121 to 131 passed.

Clause 132.

The Hon. S.C. MULLIGHAN: I am sorry, I think I was slightly misleading. Perhaps I will ask a question and you can perhaps better inform me of whether or not I have been misleading. I understand that clause 132 is just to make sure that transfer fees are recoverable at the actual property value for property transactions or conveyances that are otherwise exempt from stamp duty.

The Hon. V.A. CHAPMAN: Apparently, it is for all transfers, rather than just those identified by you, to ensure that the proper payments are made.

Clause passed.

Clause 133.

The Hon. S.C. MULLIGHAN: Regarding the interfamilial transfer of farming property, can the Deputy Premier provide some advice to the committee about how the new exemption will work, as opposed to the current provisions?

The Hon. V.A. CHAPMAN: I am advised that the same model applies. The new aspect that this introduces is that it allows for either the transferor or the transferee to be a company. At present, companies in that role are not able to receive the benefit of this. As I understand it, it has to be person to person. Family trusts are allowed already.

The Hon. S.C. MULLIGHAN: The Deputy Premier has answered some of my subsequent line of questioning, whether it is just between natural persons or whether trusts can be involved in the transactions. Can the Deputy Premier provide some further detail to the committee about whether there are any requirements or restrictions on the nature of those trusts. For example, must all the trustees or the majority of the trustees be members of the family? Is there a stamp duty definition of who a family member is?

The Hon. V.A. CHAPMAN: In relation to trusts, this amendment does not make any difference to the existing regime. I am tempted to say that, if you want to identify whether your trust qualifies under the current law, that is a legal assessment. This amendment does not change that. Natural persons and trusts already have the capacity to give and receive under these interfamilial transfers. The only thing this is doing is allowing for the corporate structure to be available to do that, to be involved either as a transferor or transferee. So there is nothing new on trusts.

The Hon. S.C. MULLIGHAN: My recollection is that for the first time the corporate transactions are to be exempt from duty and there are no changes to the requirements for family trusts. Is there any requirement that the members of the family must be resident in South Australia?

The Hon. V.A. CHAPMAN: No residency is required in South Australia apparently. Gina Rinehart, good luck to her.

The Hon. S.C. MULLIGHAN: She took the words out of my mouth.

The Hon. V.A. Chapman interjecting:

The Hon. S.C. MULLIGHAN: Indeed. That was my next question. Is there any information that the government can provide to the committee about the number of these transactions from which non-residents of South Australia will benefit?

The Hon. V.A. CHAPMAN: No.

Clause passed.

Clause 134.

The Hon. S.C. MULLIGHAN: When is the commencement expected to be? Has a date been identified or is it just dependent upon the passage of the bill through the parliament?

The Hon. V.A. CHAPMAN: From 1 January 2018, so it is effectively retrospective. Fortunately, it will not depend on how long this committee goes for.

The Hon. S.C. MULLIGHAN: Does RevenueSA or Treasury have any understanding of how many transfers are likely to be captured between 1 January 2018 and 4 September 2018, when the budget was delivered?

The Hon. V.A. CHAPMAN: An error from my adviser, Greg, who has otherwise been excellent. This transitional clause is to become effective as of the date that we get proclaimed. So, yes, time is of the essence, so let's move it along.

Clause passed.

Clause 135.

The Hon. S.C. MULLIGHAN: My understanding of this clause is that it gives effect to the provisions included in the last Mid-Year Budget Review regarding multi-peril crop insurance; is that correct?

The Hon. V.A. CHAPMAN: Yes, both—that and the Liberal commitment prior to the election.

The Hon. S.C. MULLIGHAN: Is there any information about the number of policies likely to be affected by this change?

The Hon. V.A. CHAPMAN: An estimate of 100.

The Hon. S.C. MULLIGHAN: One hundred policies?

The Hon. V.A. CHAPMAN: Yes.

Clause passed.

Clause 136.

The Hon. S.C. MULLIGHAN: The 1 January date is not a new provision that was identified in the state budget, is it? It was a commencement date identified in the Mid-Year Budget Review; is that correct?

The Hon. V.A. CHAPMAN: I am expecting both. Again, the Mid-Year Budget Review indication and the commitment by the now Liberal government prior to the election.

Clause passed.

Clause 137.

The Hon. S.C. MULLIGHAN: Can the Deputy Premier provide some advice to the committee on the purpose of this clause?

The Hon. V.A. CHAPMAN: In relation to the purpose of the amendment under clause 137, I am advised that the provision in this bill makes a number of minor amendments to the Stamp Duties Act 1923 to facilitate the collection of data as part of the commonwealth government's initiatives on third-party reporting and the national register of foreign ownership of land titles. That might be very helpful for you in getting some of that data in the future.

The Hon. S.C. MULLIGHAN: Indeed; we believe that there should be different dutiable arrangements for foreigners purchasing residential properties in South Australia. Has the commonwealth provided comfort to the government about the manner in which this data will be managed, stored and kept confidential?

The Hon. V.A. CHAPMAN: I am not aware specifically of it. As the member would be aware, there are privacy laws that apply at the commonwealth level. We do not have privacy laws in South Australia and some would say more is the pity. Nevertheless, obviously the integrity of data is important. If there is any suggestion that this data would not be kept secure, we would like to hear about it.

The Hon. S.C. MULLIGHAN: I am entirely comfortable with the declarations we have to make each year. That is why I do not operate a trust.

Clause passed.

Clause 138 to 145 passed.

Clause 146.

The Hon. S.C. MULLIGHAN: Are there any other protections for the government which would entitle the government to withhold certain information which it has not previously provided to the commonwealth. If the commonwealth Commissioner of Taxation were to make a new ruling about which data it would like to collect? Or does the commonwealth have carte blanche to request and receive any information from the state?

The Hon. V.A. CHAPMAN: I do not know the exact answer to that, but what I do know is that there are various intergovernmental agreements that operate to ensure that there is a provision of information between state and federal agencies. Usually it is for the mutual benefit of the parties. That includes, for example, the capacity to identify someone who is in receipt of a commonwealth pension, who may owe money to the state of South Australia, and the conveying of information on the recipient of that entitlement and the capacity to garnishee it. This is the type of arrangement where there is an exchange of information.

This reform, as I understand it, relates to a regime of protection, I suppose, in relation to when you are collecting the data how it is stored, who it is to be disclosed to and the restrictions on it, for good reason. I would think it sits alongside a number of other regimes of data protection. In South Australia we have it in all sorts of odd pockets—for example, in the health act for health records and things of that nature.

We also have data-sharing legislation in South Australia, which is state legislation introduced by the previous government to enable the facility of transferring information between departments, even to universities and the like, usually with the Attorney-General's approval. I understand I am the person who is supposed to approve some of these things. We have a number of different information-sharing agreements or protections under statute, depending on what the nature of the data is. Here in relation to reportable information, there is a regime for protection of it under this new structure. In addition, we have a whole lot of legislation, privacy provisions and data security protections in the Taxation Administration Act 1996.

The Hon. S.C. MULLIGHAN: Just to be clear, if the Commissioner of Taxation of the commonwealth has provided the power to do so under the commonwealth Taxation Administration Act 1953, he can require data to be provided by the state and the state must oblige; is that correct?

The Hon. V.A. CHAPMAN: If it is within the definition of 'reportable data', I am advised, and that is defined in the proposed 81A—Interpretation under the definition of 'reportable information'.

Clause passed.

Title passed.

The CHAIR: I thank all those involved in today's committee.

The Hon. V.A. CHAPMAN: I would like to place on the record my appreciation to you, as Chair of the committee, for your forbearance.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:35): I move:

That this bill be now read a third time.

Bill read a third time and passed.

FAIR TRADING (TICKET SCALPING) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 4, page 4, line 21 [clause 4, inserted section 37E(3)]—Delete '\$0' and substitute:

taken to be an amount determined by the authorised seller of the ticket as the recommended retail price of the ticket

No. 2. Clause 4, page 4, after line 21 [clause 4, inserted section 37E]—After subsection (3) insert:

- (4) In any proceedings, an apparently genuine certificate purporting to be signed by the Commissioner and certifying as to the recommended retail price of a ticket determined by an authorised seller for the purposes of subsection (3) is, in the absence of proof to the contrary, proof of the matter so certified.

No. 3. Clause 4, page 6, after line 7—After inserted section 37I insert:

37IA—Defence for certain ticket sales

- (1) It is a defence to a charge of an offence against this Division involving the sale or supply, or an advertisement for the sale or supply, of a ticket if the defendant proves—
- (a) that the ticket was or was advertised to be (as the case may require) sold or supplied as a fundraiser for approved purposes; and
- (b) the whole of the net proceeds of the sale or supply of the ticket were, or were to be, applied for the approved purposes.
- (2) For the purposes of subsection (1)—
- (a) the following are *approved purposes*:
- (i) a religious, educational, charitable or benevolent purpose;
- (ii) the purpose of promoting or encouraging literature, science or the arts;
- (iii) the purpose of providing medical treatment or attention, or promoting the interests of persons who have a particular physical, mental or intellectual disability;
- (iv) the purpose of establishing, carrying on or improving a community centre, or promoting the interests of a local community or a particular section of a local community;
- (v) the purpose of sport, recreation or amusement;
- (vi) the purpose of promoting animal welfare;
- (vii) the purpose of conserving resources or preserving any part of the environmental, historical or cultural heritage of the State;
- (viii) the purpose of promoting the interests of students or staff of an educational institution;
- (ix) a political purpose;
- (x) the purpose of promoting the common interests of persons who are engaged in, or interested in, a particular business, trade or industry; and
- (b) the *net proceeds* of the sale or supply of a ticket are the gross proceeds of the sale or supply less the expenses incurred in conducting the sale or supply.

No. 4. Clause 4, page 7, after line 29—After inserted Part 4A Division 4 insert:

Division 5—Review of Part

37M—Review of Part

- (1) The Minister must cause a review of the operation of this Part to be conducted not before 18 months, and not later than 2 years, following the commencement of this Division.
- (2) The review must be completed, and a report on the results of the review provided to the Minister, within 3 years following the commencement of this Division.
- (3) The Minister must, within 12 sitting days after receipt of the report, cause copies of the report to be laid before each House of Parliament.

Consideration in committee.

The Hon. V.A. CHAPMAN: I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

PAYROLL TAX (EXEMPTION FOR SMALL BUSINESS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 11, page 13, lines 1 to 4 [clause 11(4) and (5)]—

Delete subclauses (4) and (5) and substitute:

(4) Schedule 2, clause 6(3), formula—delete the formula and substitute:

$$D = \frac{T}{(T+I)} \times \text{prescribed amount}$$

No. 2. Clause 11, page 14, lines 9 to 12 [clause 11(12) and (13)]—

Delete subclauses (12) and (13) and substitute:

(12) Schedule 2, clause 9(3), formula—delete the formula and substitute:

$$D = \frac{T}{(T+I)} \times \text{prescribed amount}$$

Consideration in committee.

The Hon. J.A.W. GARDNER: I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

At 17:40 the house adjourned until Tuesday 23 October 2018 at 11:00.