LEGISLATIVE COUNCIL

Thursday, 26 March 2015

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:17 and read prayers.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter)—

Reports, 2013-14—
- Adelaide and Mount Lofty Ranges Natural Resources Management Board
- Adelaide Dolphin Sanctuary Act 2005 and the Adelaide Dolphin Sanctuary Advisory Board
- Eyre Peninsula Natural Resources Management Board
- Kangaroo Island Natural Resources Management Board
- Murray-Darling Basin Authority
- Natural Resources Management Council
- Northern and Yorke Natural Resources Management Board
- Phylloxera and Grape Industry Board of South Australia
- South Australian Arid Lands Natural Resources Management Board
- South Eastern Water Conservation and Drainage Board
- South East Natural Resources Management Board

Administration and Enforcement of the Natural Resources Management Act 2004—Report dated 2013-14

Review of the South Australian Health System Performance Four-Yearly Report, 2011-14

Adelaide Festival Centre Trust Charter

Question Time

LOWER LIMESTONE COAST WATER ALLOCATION PLAN

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question about the Lower Limestone Coast Water Allocation Plan.

Leave granted.

The Hon. D.W. RIDGWAY: I have been contacted by a constituent, and I will quickly give you an outline of his concerns in relation to the volumetric conversion. He believes the volumetric conversion calculations have been calculated in accordance with the Lower Limestone Coast Water Allocation Plan 2013, adopted on 26 November and amended on 10 December 2014. He does not have a problem with it except for one critical component: his dispute is with the exclusion of the delivery volume, while being a flood irrigator is critical to continuing to operate his farming business and finishing livestock on irrigation.

Under the Lower Limestone Coast Water Allocation Plan 2013, it states on page 170 that a flood irrigator in the Stewart's management area is entitled to a delivery component of 10.94 megalitres per hectare, hence an additional 10.94 times the 42.5 hectare irrigation equivalency, which is a total then of 465 megalitres to be added to his licence.

Upon contacting the Mount Gambier office of Customer Services South-East with his concerns, as directed by the letter, he was informed that the delivery component was not included. He had not returned a document stating he was a flood irrigator. To the best of his knowledge, he never received this critical piece of paper in the post.

He has been a flood irrigator for the past 35 years and has completed countless paperwork for government agencies during this time as a condition of being a licence holder. In recent years he has provided details on water usage through the Annual Irrigation Survey. As recently as two years ago he was asked to draw the layout of his irrigation system, which clearly shows it as flood irrigation, hence the need for a delivery volume component. Also, aerial imagery, which is also widely available, clearly shows that it is a flood irrigation layout.

My question to the minister is: given the Lower Limestone Coast Water Allocation Plan clearly states he is entitled to a delivery component of some 465 megalitres, and your agency is fully aware of his irrigation practices through 35 years of records, and notwithstanding he has no recollection of receiving the document to be returned stating he was a flood irrigator, why is he being denied his delivery component?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:22): I thank the honourable member for his most important question. I should say at the outset that if the honourable member wants to prosecute issues from a constituent on detailed matters of policy or in terms of licence and conditions, he is free at any time to raise them with myself or my office.

The Hon. D.W. Ridgway: I just did.

The Hon. I.K. HUNTER: Well, hardly, sir. He hasn't tabled any details. I don't have the gentleman's name or any contact details at all, but he can follow that up with me if he wishes to. That is the most appropriate course for him to raise a particular constituent's issues on a detailed matter of a person's licensing entitlements.

However, whilst I have the floor, I might take the opportunity to talk about some of the important aspects of the Lower Limestone Coast Water Allocation Plan. To provide certainty for water users, ensure water resources are sustained into the long term, and protect water-dependent ecosystems, the South-East Natural Resources Management Board has collaborated with the community, industry and government to develop the Lower Limestone Coast Water Allocation Plan.

Community and industry input into this water allocation plan was sought and received over an extended period and has assisted in the production of the final policies that have been applied in the region. As the minister responsible, I adopted the Lower Limestone Coast Water Allocation Plan on 26 November 2013. In what is believed to be a world first, as many members will know, the Lower Limestone Coast Water Allocation Plan will license both direct groundwater extraction and interception of groundwater recharge by commercial forestry.

This is a major step towards accounting for and managing all significant users of the resource and is part of the state's obligations under the National Water Initiative. The introduction of these forest water licences has been well supported. I was very pleased to be advised that in a radio interview the shadow minister for aquaculture and forestry has said the opposition supports the government's current position on forest water licences.

The Lower Limestone Coast Water Allocation Plan converts existing area-based water allocations to volumes and, in what is believed to be, as I said, a world first, if not a universal first, it provides for commercial plantation forests to have a water allocation for recharge interception and direct groundwater extraction.

A risk assessment also identified eight groundwater management areas where the current level of allocation presented a high or very high risk to the sustainable use of the resource. Reductions to allocations are scheduled to occur over the next eight years, ranging from 3 per cent up to 57 per cent as a result of the risk assessment results.

Further adjustments to the water allocation plan were made by the South-East Natural Resources Management Board and myself. The South-East Natural Resources Management Board made some changes to fix some small errors and omissions in the plan on 27 February 2014, and I made some changes on 10 December 2014 to reflect the legal requirements to obtain a forest water licence. The plan has been updated on the Natural Resources South-East website, where both the amended plan and a table of the changes are available to view or download. Key stakeholders, I am advised, have been informed of these changes.

In terms of the implementation process, the water allocation plan provides for the conversion of existing area-based water allocations to volumetric allocations. All licensees, I am advised, were written to in December 2013, advising them of the implications of the plan and the key actions they may need to take to secure water entitlement, such as crop adjustments, delivery supplements and special production requirements.

The period for applications closed on 26 May 2014. Further media releases and direct engagement have also occurred with water users and commodity groups to ensure that licensees are informed and aware of any actions they may need to take as part of the implementation of the plan. Approximately 70 per cent of volumetric licences have been issued, I am advised, and this task is expected to be completed by the end of the financial year.

The South-East Natural Resources Management Board and Natural Resources South-East will continue to keep the community and stakeholders informed of the implications of the implementation of the plan. They worked with potato growers, for example, in the region to better understand implications for the potato industry, and have met with concerned irrigators to discuss strategies to meet the required water allocation reductions in the plan.

In relation to appeals, I am advised that, as of 18 March 2015, there have been six appeals lodged with the Environment, Resources and Development Court, claiming that not all the water they are entitled to has been allocated, in particular, delivery supplements for flood irrigation, particularly in the Naracoorte district.

The Lower Limestone Coast Water Allocation Plan required irrigators to apply for a volume of water known as the delivery supplement for some irrigation types, including flood irrigation. I am advised a letter and application forms were sent to the registered postal address for each licence holder, as held in the DEWNR water licensing system, on 6 December 2013. I am advised also that this was only 11 days after I adopted the Lower Limestone Coast Water Allocation Plan on 26 November, so it was a very efficient and fast service delivery.

The applications were due by 5 pm on 26 May 2014, six months after the date of adoption. The department informs me that it is a condition on all licences that licensees notify it of any changes to contact details within 21 days (pretty standard, I would image), and investigation by DEWNR shows that the letters were sent to the correct address. In addition, irrigators were reminded of the need to apply for delivery supplements a number of times at various meetings, workshops and media throughout the development and implementation of the Lower Limestone Coast water allocation plan, including:

- letters posted to all irrigators on 6 December 2013, with the forms and on the forms themselves;
- South-East Natural Resource Management Board consultation meetings during development and public consultations on the draft WAP;
- irrigator walk-in events at Mt Gambier, Naracoorte and Kingston for advice on an individual's licensing requirements;
- a number of various media releases;
- Natural Resources South-East newsletters to farmers (as one is called, I think, From the Ground Up);
- direct contact through phone calls and emails;
- public events, such as the Lucindale field day;
- via industry group meetings and correspondence, for example, Diary SA, potato growers, irrigation groups, vigneron groups; and,
- radio interviews given by such people as the presiding member, Mr Frank Brennan, of the South-East Natural Resources Management Board.

So, we are making every effort to convey to the licensees what their requirements are. We have followed up on many occasions, through various media and public forums, but if the honourable

member cares to raise an individual case with me, as honourable members in this place do, by all means write to me or pass on the correspondence and I will make sure my department contacts that individual.

LOWER LIMESTONE COAST WATER ALLOCATION PLAN

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:29): By way of supplementary question, will the minister clarify: clearly from his answer he is not disputing that somebody who is an irrigator is entitled to the delivery component, but he has said that they must have completed the form. Clearly your records will show that this particular irrigator has been an irrigator for some 30-odd years and has filled out a range of forms. Will there be any—

The Hon. G.E. Gago: If you knew his name!

The Hon. D.W. RIDGWAY: I will give you his name: it is Mr Malcolm Miller of Naracoorte.

The Hon. G.E. Gago: He'd have a form that he filled out.

The PRESIDENT: The Hon. Mr Ridgway has the floor.

The Hon. D.W. RIDGWAY: It's very serious indeed. If he has no record or no recollection—and is clearly an irrigator and isn't disputing the actual allocation or the allocation of delivery supplement, but clearly he requires that delivery supplement. Will the minister make sure that the agency or his department shows some respect for the fact that Mr Miller has been an irrigator for some 35 years and hasn't tried to use the system to get an unfair advantage, but to get what he is entitled to?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:30): I thank the honourable member for the supplementary question. I've made it very plain to him that I am very happy to follow up on Mr Miller's situation. Now that I have the name, I will ask my department to contact him. If there's any other correspondence the honourable member would like to give me in relation to this issue, I will take that as well and pass it on to my department.

The honourable member was not born yesterday. He knows that in situations where there may be legal contracts, licences to be issued, these things have to be applied for, they have to be witnessed sometimes, they have to be signed for, and the department cannot—

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: The Hon. Mr Ridgway, listen to the answer.

The Hon. I.K. HUNTER: —of its own volition go off and say, 'Well, I know Mr Bloggs down the street. He's been irrigating here for 25 years. I'll just fill that out for him.' They cannot do that; of course they can't do that. As I said, we have gone to great lengths to contact the community, the licensees, establish what they need to do, provide them with the information they need and provide them with the documentation. If there's been any breakdown at all in that system from Mr Miller's situation, from his perspective, I will ask my department to follow it up with the individual concerned.

The PRESIDENT: Before we proceed, can I say that question time is a very important function of our democracy, and I don't think Mr Miller has really been done much justice. Even though you can ask whatever question you want, the issue was so complex and probably needed some consideration, that to waste 11, almost 12, minutes of question time, when it really demanded much more attention than that, I think is just a waste. But as I said, you all have the right to ask the questions you want.

DOG AND CAT MANAGEMENT

The Hon. J.M.A. LENSINK (14:31): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question relating to working dogs.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Lensink has the table—has the floor—both of you, the honourable leaders of opposition and government.

The Hon. J.M.A. LENSINK: Thank you, Mr President. I've been here so long I feel like a piece of furniture sometimes.

Leave granted.

The Hon. I.K. Hunter: Sorry, Michelle, what was your topic?

The Hon. J.M.A. LENSINK: Working dogs. On 20 November last year, the Department of Environment, Water and Natural Resources held a workshop to discuss the development of a breeding code of practice for companion animals. These workshops were organised under the auspices of the animal welfare officers of DEWNR and aimed to fulfil a commitment of the Select Committee on Dogs and Cats as Companion Animals to 'introduce an enforceable standard for the breeding of companion dogs and cats'.

The select committee made a distinction between companion animals and working dogs, and members of that committee were of the understanding that the latter would not be captured by any regime. Meanwhile, the Dog and Cat Management Board oversees the administration and enforcement of the Dog and Cat Management Act, and I note in a report tabled in the House of Assembly on 30 October last year that the government was flagging changes to that act, 'scheduled for parliament in the first half of 2015'. My questions for the minister are:

1. Was the workshop of 20 November, to which working dog breeders were invited, intended to cover working dogs, companion animals or both?

2. What is the role of the Dog and Cat Management Board in this process?

3. What is the nature of the amendments that the government has scheduled for the first half of 2015 and how far away are they?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:33): I thank the honourable member for her most important question. In the lead-up to the last election, the government outlined a clear vision for the next four years of government, as we all know. Our Let's Keep Building South Australia election platform included a number of commitments which will help to protect our animals, including dogs and cats. This government—

The Hon. T.A. Franks interjecting:

The Hon. I.K. HUNTER: The Hon. Tammy Franks clearly didn't understand the outcome of the last election, Mr President. However—

The Hon. T.A. Franks interjecting:

The PRESIDENT: We don't need a debate, the Hon. Ms Franks. Can we let the minister answer his question?

The Hon. I.K. HUNTER: I think, Mr President, that it is usually the winners who get to define the history of the process.

The Hon. S.G. Wade: Rewrite it, apparently.

The Hon. I.K. HUNTER: Well, if it sounds better that way, sometimes it needs to be recast—

The Hon. M.C. Parnell: Revisionists.

The Hon. I.K. HUNTER: —and things, of course, change, as the Hon. Mr Parnell claims across the chamber.

The PRESIDENT: Do you want to answer the question, minister?

The Hon. I.K. HUNTER: Yes, I'm getting there, but I am, unfortunately, being incredibly diverted by the amusing interjections of the Hon. Mr Parnell. Unlike the federal Liberal government, this state government keeps it word, particularly in relation to election promises, and I am not sure how many election promises have now been broken by the federal Liberal government.

Members interjecting:

The PRESIDENT: I am interested in this answer. I think that it is important that we allow the minister to answer in silence.

The Hon. I.K. HUNTER: Thank you, Mr President. We will deliver on our election commitments and our vision to keep building South Australia and making it a strong and prosperous place for our community. As part of our plan to protect our animals, this government will introduce a new code of practice to ensure that pets have come from healthy and humane conditions. This code of practice will be developed in consultation with the community and industry and will target puppy farms and individuals who put profits before the welfare of the animals they breed.

The state government has long enjoyed a strong working relationship with the RSPCA and other animal welfare organisations, and they do a great job in protecting and advocating for the welfare of animals. To strengthen the invaluable role the RSPCA performs, the government has increased its annual funding. As we all know, it has gone up from something like $700,000 per year, from memory, to $1 million per year, indexed.

It is also very important that the community is provided with clear and accurate information regarding responsible pet ownership and animal welfare. There are many benefits to having animals desexed, and it is because of these benefits that the government has long promoted this practice to pet owners. Desexing improves a dog's behaviour through decreasing its potential to bite and it markedly reduces both cats' and dogs' wandering behaviour.

Through the Dog and Cat Management Board, the government continues to promote desexing to pet owners as a responsible measure in addressing pet behaviour and reducing the incidence of unwanted animals. The traceability of dogs and cats is critical to reducing the impounding and ultimately euthanasia rates of our companion animals, and microchipping is the easiest way of reuniting a lost dog or cat with their owner. In recognition of these things, the government will introduce mechanisms to ensure that cats and dogs sold through the commercial pet trade will be microchipped before being sold.

A 12-month education campaign will accompany these changes to ensure that pet shops, breeders and prospective owners understand the changes. In addition, the government has committed $200,000 to fund a business case to establish a single, publicly accessible database for all microchipped animals, which will include details of an animal's breeder, pet trader and/or owner. Not only will this mean that animals can be reunited with their owners faster but a publicly accessible database will also enable cases of aggressive behaviour or other health issues that might impact an animal to be traced back to the breeder or trader so that measures can be put in place to check that the puppies or kittens are not from a puppy farm or have been inappropriately bred.

This is a complicated policy area which invokes very often emotional responses. Our objective, however, remains to eliminate cruelty to dogs and cats and to reduce the numbers of unwanted animals being euthanased. We know, I think, that South Australians want welfare standards for the breeding of companion animals to be improved, and they know and we know that the majority of registered breeders in South Australia raise their animals in appropriate conditions and, in fact, love their animals.

We need to be careful and diligent as we proceed to these policy changes. We need to consult very broadly with the communities of interest before we introduce significant changes to this policy, because this is a policy area that touches many people. What we don't need is draft legislation that is rushed through without thorough consultation, and without thoroughly understanding the implications of that legislation. Our objective remains to eliminate cruelty to dogs and cats and to reduce the numbers of unwanted animals being euthanased.

In regard to working dogs, this is an area where we will be consulting with those industries with an interest in working dogs. On one level, it would be very difficult to leave out working dog breeders without some specific exemptions. That may be possible, and we will consult with industries about that, particularly the livestock industry and primary producers, I suppose, which would be the key stakeholders there.

It may well be that the breeding of working dogs will be encompassed in such legislation but, given the issues faced by working dog breeders, it may well be that there is a more light-handed approach: rather than licensing, perhaps it will be registration. The legislation will be coming forward

to the house once I have approval from cabinet to introduce it, and that will happen after I have completed our consultation with interested stakeholders and the community.

DOG AND CAT MANAGEMENT

The Hon. T.A. FRANKS (14:39): I have a supplementary question. When will the minister commence his consultation with industry and the community?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:39): They have already commenced.

ENVIRONMENT, WATER AND NATURAL RESOURCES DEPARTMENT CHIEF EXECUTIVE

The Hon. R.I. LUCAS (14:39): My questions are to the Minister for the Environment:

1. Can the minister now confirm that:

   (a) A selection panel was convened for the position of chief executive officer of his department?

   (b) Ms Sandy Pitcher was not an applicant for the position considered by that panel?

   (c) The selection panel, in fact, recommended a senior executive of his department to be the chief executive officer of the department and not Ms Pitcher?

2. Can the minister explain his role in the eventual appointment of Ms Pitcher as the chief executive officer of his department?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:40): I thank the honourable member for virtually repeating his question of yesterday which I took on notice. I am thrilled that Sandy Pitcher has been appointed as chief executive of the Department of Environment, Water and Natural Resources. Ms Pitcher has a long and distinguished career in the South Australian, commonwealth and UK public services.

Most recently Ms Pitcher served as deputy chief executive in the Department of the Premier and Cabinet, a role she held from 2010, I am advised. Notably, in 2012 Ms Pitcher received the Telstra Businesswoman of the Year award in the community and government category in recognition of her service.

I had the pleasure of getting to know Sandy when she occasionally acted in the role of chief executive of DPC, where she would attend cabinet meetings. I have also found Sandy to be constructive and extremely proficient in her duties. I am thoroughly looking forward and, in fact, am currently enjoying working with Sandy in her new role, as we continue to protect the South Australian environment, ensure the suitable use of our natural resources, and continue to build on our leadership in responding to climate change and transitioning to a low-carbon economy.

I understand, as I said yesterday, that there was a competitive process for the appointment of the chief executive role and that there was a panel appointed do this selection process. I said yesterday I would go back and address the issues that I took on notice from the Hon. Mr Lucas and bring back a response. That is still my current intention.

ENVIRONMENT, WATER AND NATURAL RESOURCES DEPARTMENT CHIEF EXECUTIVE

The Hon. R.I. LUCAS (14:42): I have a supplementary arising out of the minister's answer. Is the minister indicating that he is unaware or unable to explain what his role was in terms of the appointment of Ms Pitcher as chief executive of his department, even though a selection panel had recommended another person to be the chief executive?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:42): I made it very plain that I took the Hon. Mr Lucas's question on notice and I will respond in the appropriate manner.

LATE NIGHT TRADING CODE OF PRACTICE

The Hon. J.M. GAZZOLA (14:42): I seek leave to make a brief explanation before asking the Minister for Business Services and Consumers a question about initiatives to keep this state vibrant and progressive.

Leave granted.

The Hon. J.M. GAZZOLA: A vibrant capital city is one of the keys to a confident and progressive state and, as I have said before, many have declared Adelaide to be one of the best cities in the world. Can the minister update the chamber on some initiatives that will keep South Australia vibrant and ensure progress continues?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:43): I thank the honourable member for his most important question. For Adelaide to remain a vibrant city it must be safe, and that is why we have introduced measures to crack down on alcohol-fuelled abuse and violence in and around our licensed venues. We believe this contributes to a vibrant city that all South Australians can enjoy.

The Hon. D.W. Ridgway interjecting:

The Hon. G.E. GAGO: The late night code demonstrates—

The PRESIDENT: The Hon. Mr Ridgway, you are out of order.

The Hon. G.E. GAGO: —the commitment this government has made to its strategic priorities of creating a vibrant city and safe communities and healthy neighbourhoods. What we have seen since the code was implemented is that it has been working as intended. We have seen a drop in assaults and antisocial behaviour, and the data from the Royal Adelaide Hospital shows a drop in alcohol-related emergency department presentations.

Members may also be aware that an independent review of both the general and late night codes of practice are currently under way. A final report will be provided to the government by mid-2015, and the findings will be reported to parliament.

As well as creating a safe environment it is also crucial that we continue to rejuvenate the CBD to encourage more people to move into what the honourable member rightly refers to as one of the best smaller cities in the world. In fact, the initiatives this government has put in place, such as our reforms to the liquor licensing legislation with respect to small venues, has contributed to this great city being recognised internationally.

Members might be aware that in January this year *The New York Times* recognised the value of our small bars in adding vibrancy and attracting people to our city. The new licence type was aimed at cutting red tape for small business and allowing them to open their doors, avoiding thousands of dollars in legal fees and other red tape, a common problem for these types of establishments.

Small bars have seen some great success stories. However, this initiative was not supported across the board when it was first proposed. This government has a vision, and it is about protecting the way of life that we value and about opening the door to new ideas, new opportunities, new people and new businesses. This is a government which has a positive agenda for this state and which refused to listen to the naysayers when we put the small venue legislation through parliament.

While small bars have already delivered some really promising results, the government has decided that the initiative needs to keep the momentum focused on and around the CBD for a further 12 months before considering expanding it to other precincts. Winning the so-called unwinnable election has not slowed us down. It has only given us the drive to push ahead and build on our existing initiatives.

Members also would be aware that I recently announced that the government is drafting an amendment to the Liquor Licensing Act in relation to entertainment consent, an initiative that has been supported by the Hon. Tammy Franks. These changes propose to reform the way entertainment consent is applied across the state and to remove this burdensome process. That does away with red tape and saves businesses time and money.

The changes announced by the government will provide licensees with more flexibility in relation to entertainment and encourage an appreciation for not only music but also the arts. This proposal will make it easier for a licensed cafe or restaurant to have, for instance, a violinist or an acoustic guitarist in the background, dancing, an art exhibition or a themed restaurant with performers—from jazz to latin, blues, dance or folk music. The possibilities are endless, and I look forward to seeing some of the creative ideas that may stem from this within the hospitality and catering and restaurant industries. There is a different genre theme to cater for almost everybody. This proposal is part of a broader agenda which underpins this government's commitment to live music.

This government has also introduced a range of other initiatives to support small business. We are rolling out the most significant reform of WorkCover in more than 25 years. It will save registered businesses around $180 million a year. One of the key functions of the government is to remove barriers for the business community, which is why the government created a simpler regulation unit. This unit is tasked to remove or improve regulation so that business can better support jobs growth.

This government had a bold vision and was prepared to take bold actions and seize opportunities. We are prepared to try new things, even though some might not go to plan. This government is committed to working with business and the community to make sure that South Australia works to its strengths and prospers in the global economy.

ADELAIDE DOLPHIN SANCTUARY

The Hon. T.A. FRANKS (14:48): I seek leave to make a brief explanation before addressing questions to the Minister for Sustainability, Environment and Conservation on the topic of government resourcing for the Adelaide Dolphin Sanctuary.

Leave granted.

The Hon. T.A. FRANKS: Yesterday, it was reported in the media that a bottlenose dolphin by the name of Graze, who died in Adelaide's Port River last December, was shot. Through necropsy (animal autopsy) the cause of death was confirmed by Dr Mike Bossley, from the Whale And Dolphin Conservation group. The mammal's body was found to contain four shotgun pellets, and the state Museum, which carried out the examination, says it appears that the dolphin took some time to die.

Unfortunately, this sickening act was not an isolated event. According to Dr Bossley, about 30 dolphins live in the sanctuary, with about three reported injured each year. Even Graze, the dolphin that died, had sustained a large wound many years earlier. He said that shotgun pellets had been found in other dolphins and beyond the sanctuary zone, despite both dolphins and whales being protected by law.

Dr Bossley also raised concerns that the government had lost interest in the Adelaide Dolphin Sanctuary, given that it has cut the number of sanctuary rangers from three to two and has also axed the advisory board, as was reported in interviews with Dr Bossley on *ABC News* and other media yesterday. My questions are:

1. Given that the minister himself has described the shooting as deeply disturbing, will he act upon calls for more extensive patrolling by reinstating the third sanctuary ranger and the advisory board?

2. Does the minister agree that three dolphins, or roughly 10 per cent of the local dolphin population, being injured each year is unsatisfactory?

3. Given that within the past week we have learnt that asbestos has been illegally dumped near the dolphin sanctuary, and that Graze was shot in December, how would the minister rate the effectiveness of his government's support for Adelaide's dolphin sanctuary?

4. What other safeguards and resourcing will the minister put into place to prevent more dolphins being shot or injured?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:50): I thank the

honourable member for her very important question. I do not know what sort of low-life you would have to be to go out and shoot a dolphin; I find it not only distressing but also bewildering to contemplate. Nonetheless, we are faced with a situation where someone apparently has done that.

I was advised that late last year a dead dolphin was reported by a local fisher in the Port area. Departmental staff collected the animal by boat on the same day it was reported and took it to the South Australian Museum for a necropsy. A post-mortem that has recently been conducted by museum staff has revealed that the adult dolphin died from wounds consistent with a shotgun injury. As I said, I find it quite disturbing that anyone would go out to shoot a dolphin deliberately.

Adelaide is fortunate to have a resident dolphin population in our Port River, and the creation of the Adelaide Dolphin Sanctuary underlined the importance of these animals to our community. The Port River and the Barker Inlet Estuary are home to a resident population of between 20 and 30 bottlenose dolphins, and I am told that the area is also visited by a high number of transient bottlenose dolphins that live outside the area.

Since the establishment of the Adelaide Dolphin Sanctuary in 2005, conservation officers and other Department of Environment, Water and Natural Resources staff have patrolled the Port River and the Barker Inlet Estuary to protect the dolphins that live there from direct physical harm, as well as from unintentional, over-friendly harm. I am advised that since the creation of the Adelaide Dolphin Sanctuary this is the first dolphin death attributed to deliberate physical harm from human beings. In one way this is, I suppose, a testament to the importance and success of the Adelaide Dolphin Sanctuary, as well as of the hard work and dedication of departmental staff and volunteers from right across the community.

Departmental staff regularly conduct non-water and land-based patrols within the Adelaide Dolphin Sanctuary to monitor and police the behaviour of those within the sanctuary, and the department fully investigates any reports of attack or injury to dolphins, whether they be deliberate or unintentional—and there is unintentional injury to dolphins, as I alluded to earlier. Compliance activities, reported dolphin deaths and injuries are reported on a quarterly basis, I understand, to the Adelaide Dolphin Sanctuary advisory board and are summarised in the Adelaide Dolphin Sanctuary annual report, which is provided to me. All information concerning any witness reports, intelligence and investigations of offences against dolphins in the Adelaide Dolphin Sanctuary are kept on the department's compliance database.

The department regularly conducts community engagement days to remind the public of how they can reduce the risk of potential physical harm to dolphins, and media releases are issued following any incident to remind the public of the laws protecting marine mammals. All offences against marine mammals (including dolphins, of course) are considered serious in nature and, as such, are prosecutable under the National Parks and Wildlife Act 1972 or the Marine Mammal Regulations 2010. I am told that fines of up to $100,000 and/or two years' imprisonment apply.

Departmental staff are currently exploring options to gain some further information on the shooting. They are speaking with the public, and we are asking anyone who may have information regarding this event to contact the Adelaide Dolphin Sanctuary on (08) 8240 0193. I would also encourage anyone with information about the shooting to report it immediately to Crime Stoppers on 1800 333 000. The department will also work with DPTI, police and fisheries officers, who also have an on-water presence in the sanctuary, to maintain a watch in areas of particular interest in the sanctuary that might come to their attention through information from the public or through their own knowledge.

It is important to recognise that, ultimately, the long-term safety and welfare of the Adelaide Dolphin Sanctuary's dolphins lie with our community being aware of appropriate behaviour around dolphins and showing a willingness to report incidents where people break the law in relation to dolphins and other protected marine mammals.

As part of the reorganisation of the department in terms of our regional structures, three Adelaide Dolphin Sanctuary staff (one manager and two conservation officers) joined the regional coast and marine team. This arrangement has enabled the department to allocate more resources to protecting the Adelaide Dolphin Sanctuary when and where needed. This has also had the benefit of connecting the management and protection of the Adelaide Dolphin Sanctuary with the broader

coast and marine environments within the regions. I am told that this arrangement took effect on 1 October 2013.

My advice is that, as a minimum, three staff from this new team continue to be located at Port Adelaide and are responsible for the management of the Adelaide Dolphin Sanctuary and associated marine and coastal areas. On-water and land-based patrols of the Adelaide Dolphin Sanctuary continue to occur regularly, is my advice.

The Adelaide Dolphin Sanctuary board will not be abolished. Sir, as you would be aware, the Premier announced in July 2014 the review and reform of all boards and committees within South Australia. The reform was aimed at strengthening and broadening the way in which government engages with the community and makes decisions. The reform also aimed to reduce administrative burden, improve accountability and governance and help to deliver outcomes in a more cost effective manner.

On 30 October 2014 the Premier released a final report detailing the outcomes of the reform project. The final report was prepared following a rigorous analysis of each board and committee against a set of five criteria established by the Department of the Premier and Cabinet. As part of the process, individual responses that were received from each board or committee were also assessed and taken into consideration. The report, I understand, is publically available on the yourSAy website.

In accordance with the objectives of the review, it has been recommended that the Adelaide Dolphin Sanctuary Advisory Board be merged with the Marine Parks Council, the Wilderness Advisory Committee, the National Parks and Wildlife Council and the Marine Parks Scientific Working Group. This recommendation has been made on the basis that the merger of the functions of these committees into a single parks and wilderness council will result in enhanced productivity and performance of these bodies. Locating these functions in a single body will facilitate streamlined, efficient decision making from a holistic perspective.

However, notwithstanding events in the lower house as have been reported in the media, the final outcome is still subject to parliamentary processes, not the least being in this chamber, with any changes being subject to amendments being made to the Adelaide Dolphin Sanctuary Act 2005. The Statutes Amendment (Boards and Committees—Abolition and Reform) Bill 2015 was introduced in parliament on 12 February, as I understand it, commencing this legislative reform process.

EMPLOYMENT FIGURES

The Hon. S.G. WADE (14:57): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills questions regarding South Australian jobs.

Leave granted.

The Hon. S.G. WADE: The federal government's Internet Vacancy Index, which was released recently, showed that South Australia has the worst job creation performance of any state or territory in the commonwealth. Over the last 12 months South Australia's IVI rose by just 0.6 per cent to 53.9 per cent whilst the national IVI increased by 8.2 per cent to a total of 74 per cent. This report follows February's ANZ data, which showed that South Australia recorded the largest fall in newspaper job advertisements across the nation in the last 12 months as well as the lowest overall number of job advertisements of any Australian state over the corresponding period. This is also concerning in the context of the latest ABS employment data, which shows that there are in fact 6,400 fewer jobs now than when Labor promised to create 100,000 jobs five years ago. My questions to the minister are:

1. Can the minister explain why there has been such meagre growth in job advertisements such that we remain the lowest in the nation?

2. Does the government still stand by its commitment to create 100,000 new jobs in South Australia by 2016?

3. Why has the minister left it to her factional rivals and the SDA and Business SA to develop strategies to lower the cost of penalty rates on business, and does she agree with her factional colleague, the Hon. Bob Sneath, that any Labor member speaking in favour of the SDA-Business SA proposal should resign?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:59): I thank the honourable member for his most important question. I can't believe that the Liberal opposition could come into this place and ask a question like this. They wonder about jobs, they come into this place wondering about jobs when their own liberal federal colleagues ran Holden out of town, reneged on our submarine contract and now are siphoning off our air traffic controllers to Victoria, and he dare come into this place and ask where are the jobs? Where are the jobs? What a cheek!

Members interjecting:

The PRESIDENT: The Hon. Mr Kandelaars has the floor.

WORLD WETLANDS DAY

The Hon. G.A. KANDELAARS (15:00): My question is to the Minister for Water and the River Murray. Can the minister inform the chamber about the recent Coorong and Lakes Environment Forum held in Goolwa in celebration of World Wetlands Day?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:00): Goodness gracious, the honourable member is certainly on the ball. I do not know where he finds his intelligence about all the events that I have been to, but it is a fantastic question, and I congratulate him on it. On Friday 30 January I had the very great pleasure of attending the Coorong and Lakes Environment Forum held in Goolwa in celebration of World Wetlands Day.

World Wetlands Day is, of course, an annual event held on 2 February, marking the day in 1971 when the International Convention on Wetlands was adopted in the Iranian city of Ramsar. But 2015 also marks a celebration of the 30th anniversary of the Coorong and lakes Alexandrina and Albert being listed under the Ramsar Convention, and this environment forum was a great way to start those celebrations.

The environment forum brought together researchers, government representatives and locals to share their experiences and information. The aim was to build understanding and cooperation between these groups, promote community involvement in the management of wetlands, and raise awareness of the importance of the Coorong and Lower Lakes wetland.

The Ramsar Convention commits us to protecting the biological diversity of the most important wetlands around the world, including our very own Coorong and Lower Lakes region. These wetlands are not just beautiful: they are of great importance for water quality, for the survival of many species of fish, frogs and birds, as well as the survival of local communities and businesses and livelihoods of families.

In recognition of this, and as a result of our commitment to the Ramsar Convention, the Australian and South Australian governments have invested over $178 million in protecting these wetlands since 2008. This is an additional amount to more than $12 million invested by the Murray-Darling Basin Authority since 2003. Today, thanks to this investment, we have a stronger and more resilient community and a much deeper understanding of how to best manage the wetlands and River Murray flows.

This year we have seen improvements in native fish and waterbirds, reduced nutrient and salinity concentrations and increased flows over the barrages to manage salinity in the Coorong. Such results have only been possible thanks to the strong collaboration between the Ngarrindjeri, local organisations and landholders, as well as government and the scientific community. I would like to single out for special mention the local government down in these areas. Their role is vitally important and they are very enthusiastic in working on bringing communities together.

I would like to also acknowledge some of the groups that have achieved so much over the past 12 months: the townspeople of Meningie who, as the winners of the 2014 KESAB Sustainable Communities Award, are now in the running for the national 2015 Keep Australia Beautiful Awards; the Goolwa to Wellington Local Action Planning Association for their award in the natural environment category; the Coorong, Lower Lakes and Murray Mouth Vegetation Program and the countless volunteers for having planted over one million plants and seedlings; the Community

Nurseries Network for winning an award in the community action and partnerships category; the Milang and Districts Community Association and the Alexandrina Council, who were recognised for waste management; and the community advisory panel and the scientific advisory group, who provide vital advice and guidance to the Living Murray and the Murray Futures programs.

Each of these achievements demonstrates the huge capacity and skill of the Coorong and lakes Alexandrina and Albert communities, and the importance of partnership and collaboration. These relationships will continue to be vital for the future sustainability of the environmental and social health of this region because, while we have achieved a great deal, the region continues to face ongoing challenges, and low spring rains and inflows made it necessary to begin dredging of the Murray Mouth earlier this year.

This is also a reminder that the longer-term full implementation of the Murray-Darling Basin Plan and the return of 3,200 gigalitres of water as promised are critical to the future health of the Coorong and Lower Lakes. Together with the local Coorong and Lower Lakes community, we will continue to fight for the health of the river and our wetlands.

I would like to thank everyone involved in organising the World Wetlands Day celebrations and forum, particularly the staff from the Lakes Hub, the Living Murray and Coorong, Lower Lakes and Murray Mouth programs, and all of our very important volunteers, without whom we could not do the work that we do. The event was as much a celebration of the resilience and dedication of the local community as it was about securing the future of these beautiful and important wetlands.

Ministerial Statement

WHOOPING COUGH VACCINATION

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:05): I table a copy of a ministerial statement relating to free whooping cough vaccinations for pregnant women made earlier today in another place by my colleague the Minister for Health.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to welcome our friends from the Philippines who are here through an Australian political exchange program. Welcome, and I hope you learn a lot and leave with greater friendship now than when you arrived.

Honourable members: Hear, hear!

Question Time

ENERGY PRICES

The Hon. K.L. VINCENT (15:05): I seek leave to make a brief explanation before asking questions of the minister representing the Minister for Social Inclusion regarding energy retailers and consumers who are experiencing bill payment hardship.

Leave granted.

The Hon. K.L. VINCENT: I note that yesterday the South Australian Council of Social Service (SACOSS) released the 'Better Practice Guideline for Energy Retailers: A collaborative approach to preventing hardship amongst energy consumers' document. This report results from the November 2014 Hardship and Affordability Conference: Stakeholder Conversations and includes the efforts of a number of stakeholders, including energy companies and community and welfare organisations.

The report notes that South Australia continues to have the nation's highest electricity prices and highest rate of electricity disconnection and the consequential growing concern of chronic financial hardship and stress experienced by vulnerable energy consumers. Some of the hardship policies suggested in the better practice guidelines include: tariff freezes for customers experiencing hardship; pay on time discounts; flexible payment arrangements, including monthly billing cycles; diverse payment options, such as Centrepay; and waiving extra fees and charges, such as late fees.

We also note that New South Wales has an Energy Accounts Payment Assistance Scheme which helps people experiencing short-term financial crisis or emergency to pay their energy or gas bills. My questions to the minister are:

1. Has the minister engaged in this process of developing better practice guidelines with the energy retailers and NGOs in the social justice sector?

2. Will the minister engage with retailers to ensure that they implement the guidelines in the better practice document?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:07): I thank the honourable member for her most important questions on the topic of better practice guidelines relating to hardship policies for the energy utilities. I undertake to take that question to the Minister for Communities and Social Inclusion in the other place and seek a response on her behalf.

SUICIDE PREVENTION

The Hon. J.S.L. DAWKINS (15:08): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation, representing the Minister for Mental Health and Substance Abuse, questions about suicide prevention.

Leave granted.

The Hon. J.S.L. DAWKINS: On 4 June, 18 September and 30 October last year I asked questions of the minister representing the Minister for Mental Health and Substance Abuse regarding various aspects of the government's Suicide Prevention Strategy. Suicide prevention is an important issue and is widely held as one that should remain as a bipartisan matter. My questions to the minister are:

1. What is the reason for the lengthy delay in responding to uncomplicated questions on the Suicide Prevention Strategy?

2. Will the minister seek a prompt response to these questions from the minister in another place?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:09): I thank the honourable member for his very important questions on suicide prevention strategies and policies. It is indeed an important issue. I am very pleased with his continuing efforts to make sure that we are all of one view in terms of that policy issue. It is a multipartisan approach that we would like to take. I will undertake to raise the issue of the response with the appropriate persons and try to hurry up that response because, again, it is about a very important issue.

POLARIS CENTRE

The Hon. T.T. NGO (15:09): My question is to the Minister for Manufacturing and Innovation. Can the minister tell the chamber about the state government's support for start-ups in small businesses in Adelaide's north?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:10): I thank the honourable member for his important question and his continued interest in this area, in particular in businesses operating in Adelaide's northern suburbs, and note his past interest as a local councillor in areas that cover the north of Adelaide, and the exceptionally good work he has done over many years in representing people in those areas.

This government is committed to assisting in the delivery of support programs and services that new start-up businesses and small businesses require. I am pleased to inform the council that recently we announced funding of $400,000 for the City of Salisbury's Polaris Centre, and that we are delivering on a commitment we made to the northern community at the last election to support the creation of new jobs by supporting local entrepreneurs to turn good ideas into successful ventures.

The centre is based in the northern suburb of Mawson Lakes, and I would invite the Hon. David Ridgway to go skulking about in the northern suburbs with his camera and take pictures of this office as well, and have a look at what that centre does. I know that he told us earlier in the week how fond he is of putting a camera on a selfie stick and the Leader of the Opposition pro tem taking pictures of offices probably late at night, going around the suburbs taking pictures.

The PRESIDENT: Order! Can you actually answer the question, minister?

The Hon. K.J. MAHER: Thank you, Mr President, for your guidance.

The PRESIDENT: Don't stir them up.

Members interjecting:

The PRESIDENT: The Hon. Mr Ridgway.

The Hon. K.J. MAHER: This centre, which I think the Leader of the Opposition has undertaken to take photos of for us, will be a hub for innovation, providing programs that improve business performance for businesses in the north. This funding will benefit start-ups and small businesses across the region. Specifically, it will help to improve the digital capabilities of new and small to medium enterprises looking to grow their business into the future.

The Polaris Centre is funded by the City of Salisbury, the City of Playford and the University of South Australia, and the funding will enable the centre to roll out a new digital growth program to help new and existing small businesses in the use of technology. We know that, to be globally competitive, many businesses will need to maximise their digital expertise, and this program will assist them to do just that.

Members interjecting:

The Hon. K.J. MAHER: I note that I am getting plenty of interjections from the opposition about what I know about being global. I clearly don't—

The PRESIDENT: Don't engage in interjections, minister; just answer the question.

The Hon. K.J. MAHER: I note that the interjections I think are having a go at the Hon. Rob Lucas for never having had a real job, but I support the Hon. Rob Lucas. As I have said, long may he stay in this parliament and drive Liberal strategy: I am right behind you, the Hon. Rob Lucas, right behind you.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Brokenshire wants to ask his question, so finish your answer.

The Hon. K.J. MAHER: I will endeavour to stop being tempted by the rude interjections I am experiencing. I am able to inform members of this council that the digital growth program from the Polaris Centre will include:

- Digital Start: 90 minutes of one-to-one mentoring to assist start-up businesses to gain a better understanding of the opportunities of web-based technologies and practices;
- Digital Audit: a structured program for established firms to identify opportunities to improve their digital presence and gain process efficiencies, project management and distribution channels through a review of their current situation and recommendations for improvement;
- Digital Growth Mentoring: a program for businesses that have participated in either Digital Start or Digital Growth Audit to receive targeted mentoring to implement recommendations and strategies;
- Digital Innovators: a pilot accelerator program for existing businesses or start-ups with particular innovative entrepreneurial ideas; and

- Digital Horizons: a series of seminars, workshops and master classes that promote applied expertise from within the University of South Australia's division of IT to northern Adelaide businesses.

For businesses to successfully grow in an ever evolving marketplace they must have the tools available to operate successfully in the digital world. That is why I am excited about the opportunities that this innovative program will provide to businesses owners and operators in Adelaide's northern suburbs.

SOUTH-EAST DRAINAGE SYSTEM

The Hon. R.L. BROKENSHIRE (15:14): I seek leave to make a brief explanation before asking the minister for water, climate change and a host of other portfolios some questions regarding his trip to the South-East on Saturday.

Leave granted.

The Hon. G.E. Gago: What about shacks?

The Hon. R.L. BROKENSHIRE: Shacks too. When you go to the South-East on Saturday, will you take note of the fact that many who are concerned may not be there because they will be at sport finals and trials? Secondly, will you be informing the panel that there is a lot of support in the Legislative Council for their recommendations? Will you also be advising the panel that many of us will not be supporting the government ripping them off?

The PRESIDENT: Disregard the opinion, minister.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:15): I don't think there's much left then, Mr President. I am very grateful to the honourable member for his very important question, of course; that goes without saying.

The Hon. G.E. Gago: Misguided as it might be.

The Hon. I.K. HUNTER: Well, indeed, but I am not one to judge.

The Hon. T.J. Stephens: Is this the nice Ian Hunter five minutes, is it?

The PRESIDENT: Cherish the moment, the Hon. Mr Stephens.

The Hon. I.K. HUNTER: No, that's usually the 55 minutes. I was actually going to read a very long answer into the *Hansard*, just to punish the honourable member with a very detailed and intelligent answer, but in fact—

Members interjecting:

The Hon. I.K. HUNTER: No, and I won't cheapen this hallowed institution of question time, either, by having a cheap shot at the honourable member. I have answered this question, I think, twice already in this place. I will, as I have said previously, give my first response to the community on Saturday, before I educate the Hon. Mr Brokenshire with those pearls of wisdom that I learn about down there and can bring back to this chamber for his benefit.

The PRESIDENT: The honourable and gallant and recently noble Mr McLachlan.

The Hon. K.J. Maher: Sir Andrew.

The Hon. A.L. McLACHLAN: In time, Mr Maher; one step at a time.

HOSPITALITY GROUP TRAINING

The Hon. A.L. McLACHLAN (15:17): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question regarding the recent closure of the Hospitality Group Training organisation.

Leave granted.

The Hon. A.L. McLACHLAN: It was recently reported that Hospitality Group Training, the state's largest employer of hospitality apprentices and trainees, has been forced to call in

administrators as government funding has dried up. On 25 February, in response to a previous question on this issue, the minister outlined how the HGT currently employs 18 staff and around 116 apprentices and trainees. In the minister's answer, the council was informed that the Department of State Development is working with those apprentices who are currently employed by HGT to move to other employment contracts so that they can finish the employment component of their apprenticeship.

My questions to the minister are: is the government taking any measures to ensure that the workers employed by HGT will have their outstanding employee entitlements honoured, and what is the government doing to assist the 18 staff members who were employed by HGT as teachers in finding alternative employment?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:18): I thank the honourable member for his most important question. I have spoken about HGT in this place previously, and I have put on record previously how disappointing it is to see such a reputable quality trainer go into administration.

I remind honourable members that my understanding is that those matters are still being worked through and that they have not yet been resolved. In terms of determining the longer position for HGT, that has yet to be determined. I think we just need to be cautious in the sort of language that we use in that space, but I certainly wish them all the best and I hope that they can determine a viable long-term solution for them.

I think I have put on record before that the apprenticeship funding had remained unchanged and that the subsidy rate for apprentices had remained the same for HGT. I noted that the national trend was for a decrease in the number of apprenticeships, and we felt that trend here in South Australia as well. That probably reflects on global industrial changes, particularly around the construction industry work.

I also noted that, in relation to the general climate that HGT had been working in, we had moved to a model; in fact, the federal government had required that we move to a nationally competitive model, whereby training was opened up to a competitive marketplace. That did result in an increase in the number of private providers in the marketplace and, no doubt, that has had an impact on the sector interests. I did remind honourable members that, in terms of the Skills for All conditions, they were the same for all participating industry members, including HGT.

I have indicated here that HGT, as a group trainer, employs a number of apprentices and trainees and places them with host employers in particularly the hospitality industry. It offered training in hospitality-related courses and it earned revenue from the state and commonwealth governments as well as directly from students, and it had been in contact with the government about some of the issues it was facing previously.

It had been indicated to me that HGT, as an industry-owned GTO, employed 18 staff, together with 116 apprentices and trainees who, as I have said, were hosted to other businesses and that the closing impacted on I think they said about 300 learners, 162 of whom are apprentices and trainees. I outlined in this place that our department was working with the administrator. Our primary focus was to assist in ensuring that those students undertaking apprenticeships were able to find an alternative host employer and that those students with unfinished training needs were able to be assigned to other training programs where they could complete their training.

The response to the department was really incredibly uplifting. We received many responses from host employers that offered to assist in placing those apprentices, and the department, in a recent verbal report to me, indicated to me that there was a range of technicalities and complexities but were working carefully to reassign trainees with other teaching organisations. In relation to staff, I have not received a report on what is happening on the staffing front, but I am happy to take that on notice and to bring back a response.

Bills

REAL PROPERTY (PRIORITY NOTICES AND OTHER MEASURES) AMENDMENT BILL

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: At clause 1, if I can beg the indulgence of the council, I wish to respond to a couple of issues that the Hon. John Darley raised in his second reading speech. Yesterday the Hon. John Darley asked several questions of the Registrar-General in relation to verification of identity, the liability of practitioners, and duplicate certificates of title. I have consulted with the Registrar-General and wish to put the following responses on the *Hansard*.

First, in relation to forward claims over the last 20 years I am advised that the total number of claims in South Australia is 13; however, as I have previously mentioned, there have been quite a number of fraud claims interstate in recent years particularly of international fraud. The payouts for successful claims in the last 20 years range from $4,000 to $217,000. The total amount paid out for the assurance fund in relation to fraud claims is $662,000. The majority of claims involved related parties; however, four out of the last five claims made in South Australia have not been related parties—the parties were business partners or friends. The Registrar-General believes that the face-to-face verification of identity process would have eliminated at least some of the family fraud. The balance of the fund is approximately $7.3 million.

Secondly, in relation to the liability of practitioners, I am advised that the responsibility to identify clients has always rested with the practitioner and that these provisions simply codify that responsibility. Currently, a practitioner could be held liable where there is fraud as a result of their failure to take reasonable steps to identify their client. By taking reasonable steps to identify their client either by following the standard procedures for identifying clients or by taking some other reasonable steps, practitioners reduce the opportunity for fraud and, consequently, reduce or eliminate their own liability. The assurance fund is available, as it always has been, to meet claims in appropriate circumstances.

In relation to duplicate certificates of title, I am advised that the current bill does not deal with the abolition of duplicate certificates of title. Nationally, financial institutions have lobbied for duplicate titles to be abolished, and locally there will be extensive consultation on the proposal to abolish duplicate certificates of title with the final position to be included in the next bill. I wish to thank the Hon. John Darley for his questions and trust that that satisfies the concerns he raised during his second reading speech.

The Hon. A.L. McLACHLAN: I thought I might take this opportunity at clause 1 to set out the Liberal Party position as we will be withdrawing the amendments that we have filed. The bill allows for the introduction of electronic conveyancing and the Liberal Party, as I articulated in my second reading speech, has a number of reservations with aspects of the bill and, as a consequence, filed two amendments.

Of principal concern to the Liberal opposition was that any dealing with land should be notified to the registered proprietor and, in this instance, we saw an amendment which would require the Registrar-General to notify the registered proprietor of any priority notice. I have had an opportunity to meet with the Attorney-General and the Registrar-General and, as a result of the undertaking given by the Attorney-General—which was set out in *Hansard* by the Hon. Kyam Maher—we will withdraw the amendment in relation to notification of the registered proprietor in relation to priority notices.

I note for the benefit of *Hansard* that the Attorney-General will work with the Registrar-General on implementing a policy of notification in the coming tranches of legislation, as further legislation will be required to effect electronic conveyancing. The Liberal opposition is mindful that, as conveyancing becomes increasingly electronic, there will also be greater opportunities to notify parties with a variety of interests in relation to real property.

The second amendment which we proposed was to provide that the Registrar-General had a discretion to exempt certain parties from the verification of identity requirements. The Liberal Party, because of its country constituency, is acutely aware of the challenges to South Australians living in remote locations. It was our intention to make provision for certain individuals, potentially, on very rare occasions where they found it virtually impossible to have their identity verified in the usual course of business.

I have had an opportunity to discuss the matter at length with the Registrar-General. He has assured me that there are a number of options for South Australians in remote locations. These include private businesses such as ID Secure and Australia Post. Australia Post has outlets in Woomera, Roxby Downs and Andamooka, and ID Secure also has some capacity to travel to an individual's location. A citizen seeking to convey property also has access to conveyancers or lawyers they have previously used. For verification in foreign countries, I note that commonwealth officers are available to facilitate the verification of identity.

The Liberal opposition is also mindful that the verification of identity policy for dealings in the current paper environment is designed to harmonise with the national model participation rules for electronic conveyancing and, therefore, we have made the decision to allow the bill to pass unamended.

I note that the Law Society Property Committee has written to the Registrar-General regarding a number of technical amendments. The letter, dated 20 March 2015, was copied to both the Attorney-General and me. I note the commitment of the Registrar-General to hold further discussions with the Law Society and make the appropriate amendments where applicable in the subsequent legislation that will be required.

The Liberal opposition shares many of the concerns expressed by the Hon. John Darley. We think the honourable member has touched upon some key considerations that also should be considered in the next tranche of legislation on this matter.

Clause passed.

Remaining clauses (2 to 18) and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:33): I move:

That this bill be now read a third time.

Bill read a third time and passed.

PUBLIC FINANCE AND AUDIT (TREASURER'S INSTRUCTIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 19 March 2015.)

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:34): I wish to thank all honourable members for their second reading contributions to this important bill. The Hon. Rob Lucas has asked a series of questions which I have answers for so I will do that at this stage rather than under clause 1.

I am advised that in relation to the question about specific circumstances of the contractual arrangements that WorkCover was seeking to enter into, the issue arose due to amendments made to the WorkCover Corporation Act 2008 which had the effect of WorkCover becoming a public authority and accordingly subject to Treasurer's Instructions. The written opinion from the Solicitor-General is silent on any specific contractual arrangement.

Based on the Solicitor-General's advice, an immediate practical solution to remove ambiguity between sections 5(1) of the act and the TIs was implemented through the minister amending the WorkCover Charter to require compliance with TIs. The Solicitor-General also suggested that amendments to the Public Finance and Audit Act 1987 be made at some point in the future to properly clarify the matter.

During the course of the above, WorkCover continued to work with the Department of Treasury and Finance to obtain an understanding of all TIs and also to implement their requirements within the entity. This included requesting variations or exemptions to the TIs where appropriate.

In relation to the question about WorkCover's view in terms of the legislation, I am advised that WorkCover has implemented a compliance program/governance regime to ensure that TIs are complied with, and is able to request variations/exemptions where appropriate. As a result, DTF does not believe the bill impacts WorkCover's current financial management arrangements.

In relation to the question about other public authorities expressing any concerns relating to the bill, I am advised that DTF is not aware of any public authority expressing concern with the bill. If a public authority was of the view that there was a TI requirement that should not be complied with due to the equivalent procedure already being implemented, cost versus benefits, or other justifiable reasons, the application for a variation or exemption can be made to the Treasurer via Treasurer's Instructions 1.

In relation to the question about the Auditor-General's Report and the Art Gallery board, I am advised that the Art Gallery board scenario is one that will be clarified by the amendment. I am further advised that in these scenarios the entity will comply with both the act and the Treasurer's Instructions unless it is not possible to comply with both. The advice of the Crown Solicitor's Office on the Art Gallery board scenario was that:

> …although the remainder of TI 8 applies to the board, it may execute contracts without the authorisation of the minister or cabinet. As long as the board had properly authorised the director to incur the expenditure and execute the contract. The minister may consider that it would be consistent with existing government policy establishing sound practices for public sector financial management and accountability if the board were required to seek external contract authorisations for purchases over $1.1 million. That is of course, a matter for the minister. If he agreed, he could either request that the board apply TI 8.11 as if it were bound to comply with it. Alternatively he could direct it to comply…

In relation to the question about approval to purchase expensive artwork, I have been advised yes, unless an exemption or variation to TI 8 is sought from the Treasurer. In relation to the question raised about conflicts between Treasurer's Instructions and the powers of the Festival Centre board, I am advised that neither DTF nor the Adelaide Festival Centre is aware of any issues.

In relation to the question about issuing a new TI, I have been advised that Treasurer's Instructions are subordinate legislation, and a public authority's enabling legislation will prevail. If it is not possible to comply with both the public authority's enabling legislation and a TI then the TI gives way. TIs state that where the governing legislation of a public authority has alternative arrangements that are inconsistent with a TI, the governing legislation will prevail. TIs are intended to be compliant and consistent with general provisions, e.g., contracting in other states.

In relation to the question about CE contract disclosures, I am advised that the requirement for copies of executive contracts to be made available for inspection is outlined in Premier and Cabinet Circular 27. The Premier and Cabinet Circulars are not a binding force/policy; however, there is an expectation that agencies will comply. For the requirement to be binding on the agency, the minister would need to provide a direction to comply. DTF is not aware of any advice provided by the Solicitor-General on that matter.

In relation to the question about proceeding with the legislation, I am advised that the driver to amend or proceed with the legislation was based on the advice of the Solicitor-General at the time of the original WorkCover issue. The Solicitor-General's advice was that it was prudent to pursue legislative amendment to put the position beyond doubt, the position being the intention underpinning Treasurer's Instruction 8. With those responses, I commend the bill to the council and look forward to dealing with it expeditiously through the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.I. LUCAS: I thank the minister for the answers that were provided on behalf of the government to the questions I asked during the second reading and indicate that, whilst I will make some general comments, the opposition will be pleased to support the passage of the bill through the committee stages this afternoon.

The minister's replies on behalf of the government clarify a number of issues. I think importantly it clarifies the key issue, which was, as the minister has indicated, the government's intention that it would not be possible for the Treasurer to issue a new Treasurer's Instruction that would in some way undermine or override the provision of a particular clause in a statute because that would obviously be wrong in principle.

Where the parliament has clearly expressed a view on a particular issue in relation to either the powers of the board or the powers of the minister and how they might relate, it would be inappropriate for any Treasurer to be in a position to be able to issue an instruction which in some way could override the intention of parliament. So, the minister's reply on behalf of the government, and based on legal advice, is that the Treasurer's Instructions could not be used in that way, and I welcome that confirmation.

Clearly from the replies that have been provided, there is no detail, as I sought, of the particular contractual dispute in relation to WorkCover that potentially caused this issue. It is possible to read the minister's replies to indicate that there was no particular issue, that it was more a general principle, and possibly that is the case. Nevertheless, I do not intend to delay the proceedings of the committee this afternoon on that particular issue. If I want to pursue that issue, I guess I have the opportunity under question time or freedom of information legislation to seek to clarify that particular issue.

The minister has made it clear that the issues in relation to the Art Gallery that the Auditor-General has raised in his annual report will be covered by the amendments that we have before us and, specifically, the minister has replied, based on advice, to the question on the Art Gallery board. The question I put was:

> Will the Art Gallery board need to seek the approval of someone other than itself in relation to the purchase of expensive artworks above a certain contract value if this bill is now passed?

The government's reply is:

> Yes, unless an exemption or variation to Treasurer's Instruction 8 is sought from the Treasurer.

So, as the government has indicated, that clarifies the issue that had been raised by the Auditor-General in relation to the powers of the Art Gallery board. We will obviously follow that with interest as to whether or not the Art Gallery board does seek an exemption from Treasurer's Instruction 8 on that particular issue.

The minister has clarified that there have been no issues that they are aware of in relation to these potential conflicts with the Adelaide Festival Centre board, and I welcome that indication from the minister on behalf of the government.

The minister also indicates that what prompted this particular piece of legislation was not the concerns raised by the Auditor-General but was the advice of the Solicitor-General at the time of the original WorkCover issue, which again comes back to what exactly the original WorkCover issue was and, if indeed it was a dispute in relation to a particular contract, what that contract was and what the value of that contract was, and, as I indicated earlier, I will not delay the debate this afternoon on that particular issue.

Finally, I note that the minister has replied in relation to chief executive contract disclosures and my question about whether or not the WorkCover board had to comply with the Commissioner for Public Sector Employment guidelines. The minister has indicated on the behalf of the government that:

> The Premier and Cabinet circulars are not a binding force or policy. However, there is an expectation that agencies will comply.

I think that is intriguing and it might be an issue that chief executives in a number of departments and agencies may well take note of. The minister says:

> For the requirement to be binding on the agency the minister would need to provide a direction to comply.

This eventuated as a result of WorkCover's refusal to provide a copy under Premier and Cabinet Circular No 27 of the contract of the chief executive officer for inspection, as had been required by that particular Premier and Cabinet circular. What the government is indicating here is that, given that WorkCover has refused to be transparent and accountable about the contract to the former CEO on this issue, there is the capacity for the minister to provide a direction to comply.

I indicate publicly that I will write to the new minister and see whether or not in the interests of transparency and accountability he is prepared to direct the WorkCover board to comply with the requirements that every other department and agency complies with, that is, to release under Freedom of Information legislation for inspection the contractual details of the chief executive officer, as it would relate to the former chief executive officer and the current chief executive officer of WorkCover.

So the government has clearly indicated here that that is a power the minister has, and I guess it will ultimately be a question for him as to whether he is prepared to support transparency and accountability by issuing this direction to the WorkCover board. With that, I thank the minister for the answers that have been placed on the public record and indicate the Liberal party's willingness to support the committee stages of the debate.

Clause passed.

Remaining clauses (2 to 5), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:51): I move:

> That this bill be now read a third time.

Bill read a third time and passed.

WATER INDUSTRY (THIRD PARTY ACCESS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 March 2015.)

The Hon. T.A. FRANKS (15:52): I rise on behalf of the Greens today to speak to this second reading debate of this bill and want to particularly emphasise the need for better consumer protection and environmental outcomes through water reform in our contribution.

My colleague the Hon. Mark Parnell has held this portfolio for many years and the Greens have argued that water is most appropriately managed in public hands by public authorities who act in the public interest. Water is a natural monopoly and yet what we have seen in this place and in other jurisdictions is the determination of governments to artificially break down those monopolies to increase competition.

Despite what some might like you to believe, the Greens are not against competition, but ultimately what the Greens are concerned about is that the cost of breaking down this monopoly will be borne by consumers, and when private interests are involved, such as in this bill, the consumers pay not only for the cost of the services, but the cost of the profit component to the private sector operators as well.

The Water Industry Act 2012 compels the Minister for Water and the River Murray to introduce a third-party access regime to water infrastructure and sewage infrastructure services. The bill before us today amends this act by introducing a new part 9A which seeks to establish a third-party access arrangement to SA Water's bulk water pipelines. The main aim of this bill is to open up existing SA Water infrastructure to third parties. The bill does not relate to retail services or bulk water resources because South Australia's water industry is still in its infancy and therefore full retail competition cannot be established.

I presume, then, that what we will see is full retail competition in years to come, once the third-party access arrangements are well established. Therefore, it is envisaged that a third party seeking access to transport water would have access to water either through a desalination plant, a waste water recycling plant, or through the purchase of bulk water entitlements to River Murray water. The current public health environmental and safety standards are met by the bill.

The Greens believe that it is important to allow publicly owned third parties access to publicly owned water infrastructure and for third parties to play an overall role in our state's water distribution system.

We have previously spoken about how the City of Salisbury is a great example of how third party involvement can be successful and established. The City of Salisbury has been a water supplier through its innovative and award winning projects to capture stormwater and inject it into the aquifers. However, the Greens remain very cautious about how commercial third party involvement will be managed, given the experience of commercial third party access to natural monopolies and public infrastructure in the past.

We saw what can happen when we outsourced infrastructure in 2012, when maintenance of our water infrastructure was outsourced to United Water International. United Water, a French-owned company, lost its contract with SA Water because it become evident that South Australian water users paid more for water, adding tens of millions of dollars. This case was, of course, disputed in the courts, with SA Water successfully suing United Water for some roughly $6 million in claims.

I would like to put on the record some of the concerns that SACOSS have raised with my office. SACOSS (South Australian Council of Social Services) has strongly indicated that a customer impact study must be undertaken, and the Greens urge that this be done, as residential consumers have a right to know how this regime will affect them into the future. The quote from the minister's second reading speech is the basis for this position, and I quote:

> The key to a well-balanced access regime is to promote greater competition, while not disadvantaging SA Water customers broadly by, for example, facilitating private providers gaining access to infrastructure in the low-cost, high-revenue sections of the network, leaving SA Water's customers to bear the full costs of the high cost/low revenue sections.

It seems the government has introduced this bill knowing it has the potential to leave residential customers with increasing costs, but has failed to quantify the impact, nor has the government addressed issues that may arise from the increase in this cost. The Greens also wish to put some questions to the minister in this second reading debate, some of which were raised in SA Water's submission, with regard to the potential impacts of this regime on customers:

1. Does the minister's department have capacity to undertake a customer impact analysis on water pricing in a third party access regime?

2. Will third party access result in additional costs for SA Water? If so, will any of those costs flow to SA Water customers?

3. Will SA Water customers pay additional costs to continue to supply water and sewerage services to a third party's customers if that third party fails and these customers are left without a water and/or sewerage provider? Also, what happens if a third party access seeker is not financially viable?

4. SA Water builds pipes and networks to cater for future population growth. If this capacity is taken up by third parties, will SA Water customers pay for this additional capacity in the future, or will these costs be taken up by the third parties?

5. Where water has been put into the water pipelines, but it is deemed unsafe, SA Water will need to release that water into the environment, and this will incur costs. SA Water may also need to provide customers with bottled water. Can the minister provide clarity about whether or not these additional costs will be paid by a third party or by SA Water customers?

6. Will the costs of spills and other loss of water be taken up by third parties instead of other customers?

7. Can the minister clarify that SA Water customers will not need to pay for upgrades to infrastructure that they have already paid for when a third party is using SA Water's spare capacity?

This bill appoints ESCOSA as the economic regulator to regulate the state-based access regime for water. ESCOSA will provide an annual report and review the access regime established under part 9A to ascertain whether the access regime should continue to apply to water and sewerage infrastructure services in SA. ESCOSA will be required to conduct a review by 30 June 2019, and I understand every five years thereafter.

In conclusion, the Greens will reserve the right to declare our position at the third reading stage. We have asked these questions of the minister and raised our concerns. We have outlined an example of what happens when a third party is given access to publicly-owned infrastructure, as well as the need to ensure that consumers are fully protected and, ultimately, are not picking up the tab for other users.

I also thank the minister's adviser, Roanna McClelland, who arranged a ministerial briefing and has both taken the time to speak to my advisers in the past weeks and to provide appropriate information upon request.

The Hon. K.L. VINCENT (15:59): Like previous speakers, I speak today, on behalf of Dignity for Disability, with some serious concerns about the Water Industry (Third Party Access) Amendment Bill. Dignity for Disability does appreciate that Ms Roanna McClelland from the minister's office arranged a briefing for my adviser to help allay some of these concerns, but we remain concerned that the questions we asked during that briefing regarding risks to increase prices for consumers have not been adequately answered by the minister despite promises that this clarity would be provided this very week.

At present, the South Australian Council of Social Services has raised a number of concerns which need to be addressed before this bill should be allowed to proceed. What exactly is open to third party pricing, what occurs with community service orders and whether this could result in consumers being left—

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): Order! The Hon. Ms Vincent is battling against a number of conversations, and I would ask that those be removed from the chamber. I call the Hon. Ms Vincent.

The Hon. K.L. VINCENT: I thank you for your protection, sir. I will begin that sentence again. At present, SACOSS has raised a number of concerns which need to be addressed before this bill should be allowed to proceed. Some of these questions include: what exactly is open to third party pricing under this bill, what occurs with community service orders and whether this could result in consumers being left with additional costs in the long term. I appreciate that some of these questions have already been put on the record by the Hon. Ms Franks, and we certainly look forward to receiving answers to those and the other questions that Ms Franks has raised as well.

At this point, Dignity for Disability cannot support the second reading of this bill.

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): Order! There is too much noise in the chamber. I call the Hon. Ms Vincent.

The Hon. K.L. VINCENT: Thank you, Mr President. At this stage, Dignity for Disability cannot support the second reading of this bill in its current form. We look forward to the government coming back with some amendments to provide more clarification around this bill and also to provide more transparency about exactly how the new arrangements will be implemented. It may well be that we can support this bill in future with that level of transparency and clarity provided, but at this stage we cannot do so.

The Hon. R.L. BROKENSHIRE (16:02): I rise on behalf of Family First this afternoon to place on the public record our intent with respect to this important government bill that has been tabled by our illustrious environment, water and climate change minister. To make him happy, before he goes to the South-East to do the right thing by the farmers down there, I advise him that we will be supporting the overall principles of this bill and therefore again assisting his government.

That does not mean that we do not have caveats on this, and we may actually still consider putting in an amendment. I am waiting on some information from SACOSS at the moment and how they go with their deliberations with the minister, I assume, or at least the department and the minister's advisers. I will be also looking at other amendments from colleagues in the house, but the principles of third party access are worth trying to get through the parliament, because it has been a long time since we have tried to get some flexibility into the water market within this state, particularly with respect to SA Water.

Of course, I would expect that SA Water would be very unhappy about this, because firstly they will have to be involved in some of the policing and management processes—I say so be it, that is their role—and secondly, this government has given them over $2 billion of core debt that should not have been not created in the first place (that is, the government should not have created it), and to try to make the government's direct balance sheet look better they have handed over a massive debt to SA Water. SA Water obviously, therefore, wants to continue to be a monopoly and rip people off as much as they can.

Of course, there are real concerns about quality control, number one, and I put that on the public record. We will be looking closely at that because, if we are to support this bill, we need to make sure that quality control is there with whoever as a third party may have access, through the water industry, to the provision of water, potable or otherwise, because the last thing we want to do is open up a situation where someone ends up with E. coli or some other bacterial or even worse illness as a result of not having the checks and balances there.

ESCOSA is going to report on whether the access regime in relation to specific pieces of water or sewerage infrastructure should be extended, and we will be looking at that. They will review the access regime established under part 9A to determine whether the regime should continue to apply to particular water infrastructure services in South Australia, and then a review will be conducted by 30 June 2019 and every five years thereafter.

The report will be provided to the minister and ultimately tabled in the parliament. I trust that ESCOSA will be given full, unfettered and transparent opportunities to deliberate on all of the issues as a regulator, notwithstanding that they have not had that in the past, and that has been difficult for them. I think it was Mr Paul Kerin who was the gentleman who spoke about the facts on all of that only a few months ago.

There are some initiatives that have already proven to be successful when it comes to freeing up opportunities for regional and local water suppliers. I note that my colleague the Hon. Tammy Franks made mention of the Salisbury council and the wetlands concept there, the harvesting of stormwater, the cleaning up of that water and the reusing of that water.

Drought proofing the south down my way is something for which I commend Mayor Lorraine Rosenberg, the former CEO, Mr Jeff Tate, and the current CEO of the City of Onkaparinga and the council that have been proactive in that area. There is also the recycled water project, which is a project I personally had a fair bit of involvement with and which was facilitated by the former Liberal government. So, there have been successful parallels of access to the water industry by third parties.

This has been a long time in the making. I actually expected this bill to come through the parliament a couple of years ago or certainly last year. I might not be able to blame the current minister for something that happened two years ago, because I am not sure whether he had the environment portfolio then. He would know if he is listening, but he is not reacting to too much this afternoon.

The Hon. D.W. Ridgway: He's comatose.

The Hon. R.L. BROKENSHIRE: Right; it looks a bit that way. In any case, I will give him credit for bringing the bill through now. I think that it does add opportunities to this state; we desperately need them. We need economic stimulation and growth.

With those few words, we will support the second reading of the bill. We will look closely at the committee stage and reserve our right to look at supporting or putting forward amendments, but the general principles of this, I think, do need to be supported. Again, I offer my support to this minister, as I have on many occasions over the years since he has been in the area of the Executive Council and a minister.

Debate adjourned on motion of Hon. J.A. Darley.

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 March 2015.)

The Hon. J.A. DARLEY (16:09): I rise for the third time now to speak very briefly on the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill. As honourable members are aware, this bill is identical to that debated in this place just last year. I will not repeat what I have said on the record previously, other than to flag that I intend to move or support those amendments aimed at addressing the issue of the medicinal use of cannabis oil, ensuring that funds received from the seizure of assets are directed towards the Victims of Crime Fund and towards drug rehabilitation programs, and ensuring that the operation of the act is subject to a review.

I note that when these amendments were moved last year they were rejected by the government. I have not had any discussions with the government this year that would lead me to believe that its position has changed, particularly in relation to the restorative justice fund. The fact that the current bill is identical to the one introduced last year also tends to suggest that the government is not contemplating supporting any of the amendments. That said, I have not given up hope either.

Debate adjourned on motion of Hon. J.M. Gazzola.

ANIMAL WELFARE (LIVE BAITING) AMENDMENT BILL

Introduction and First Reading

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:12): Obtained leave and introduced a bill for an act to amend the Animal Welfare Act 1985. Read a first time.

Second Reading

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:12): I move:

That this bill be now read a second time.

On 16 February 2015 the Australian Broadcasting Corporation (the ABC) aired an episode of *Four Corners* entitled 'Making a Killing' which exposed the practice of live baiting in the greyhound racing industry. The footage depicted greyhound trainers in Queensland, New South Wales and Victoria using animals tied onto lures to train greyhounds.

Whilst there has been no evidence of live baiting in South Australia, the government has made it very clear to the greyhound racing industry that live baiting will not be tolerated. The RSPCA and Greyhound Racing SA both strongly condemn this practice and rightly consider that it has no place in the sport. There is no evidence that the practice occurs in South Australia but, conversely, there is no assurance that it does not.

The practice of live baiting is not only inhumane and in total contravention of the rules of racing, but it is also illegal under section 13(3)(f) of the Animal Welfare Act 1985 which states that a

person ill-treats an animal if the person 'causes the animal to be killed or injured by another animal'. This existing offence is punishable by penalties of up to $50,000 or four years' imprisonment.

However, there are no current offences for activities associated with live baiting such as supplying the animals to be the bait, providing the venue, or being present at one of these so-called training sessions. To create an offence for these associated activities, the bill amends section 14 of the act, which currently provides offences for activities associated with organised animal fights, cock fighting and dog fighting, to prohibit certain activities. The prohibited activities include organised animal fights as well as live baiting.

The maximum penalty for the current offence of taking part in organising or promoting an organised animal fight is $20,000 or imprisonment for two years. To send a clear message that these activities will not be tolerated, the bill sets the maximum penalty for the new offence for taking part in a prohibited activity at $50,000 or imprisonment for four years. The current provisions within section 14 relating to the paraphernalia required for organised animal fights will be moved into a new section 14A and expanded to include being in possession of a lure with a live or dead animal or part thereof attached to it. However, animal products are specifically excluded from the prohibition to avoid the unintended consequence of someone using a leather strap to attach a stuffed toy to a lure and therefore using 'part of a carcass'.

These amendments will assist animal welfare inspectors in laying charges against those who are either directly responsible for tying the animal to the lure or those who assist or otherwise participate (for example, providing rabbits, possums and piglets for the purpose of live baiting). Currently, these people have not committed an offence, although they are complicit in one. Their behaviours are as unacceptable as those who support organised fights but do not personally place the dog or cock into the fighting pit.

These amendments will give the public confidence that, if live baiting is occurring in South Australia, the authorities have the necessary legislative provisions to stop it and to punish anyone who is involved in the practice in any way. I commend the bill to members and seek leave to have the explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Animal Welfare Act 1985*

4—Amendment of section 13—Ill treatment of animals

This clause makes a consequential amendment to section 13 of the principal Act.

5—Substitution of section 14

This clause substitutes section 14 of the principal Act to create offences relating to taking part in, or being present at, a prohibited activity. The categories of prohibited activity subsume the prohibitions related to organised animal fights in the current section 14, and include a new category of live baiting, which is defined in proposed subsection (8). The new section also makes evidentiary provision in relation to proving offences.

The clause also inserts new section 14A into the principal Act. The new section is largely consequential, and amounts to a shifting of the existing offence out of current section 14. It does, however, add an additional class of items of which possession is an offence, namely lures or baits and other items used in live baiting.

Debate adjourned on motion of Hon. T.J. Stephens.

STATUTES AMENDMENT (GAMBLING MEASURES) BILL

Introduction and First Reading

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:15): Obtained leave and introduced a bill for an act to amend the Gaming Machines Act 1992; the Independent Gambling Authority Act 1995; the Lottery and Gaming Act 1936 and the Problem Gambling Family Protection Orders Act 2004. Read a first time.

Second Reading

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:17): I move:

That this bill be now read a second time.

This government has introduced a range of measures aimed at strengthening responsible gambling environments and eliminating regulations that are no longer required. Significant reforms were introduced in the Statutes Amendment (Gambling Reform) Act 2013. Most of the measures have now been implemented. This is an opportune time to identity any need to fine-tune the statutory framework applying to gaming. The bill proposes to fine-tune some provisions in the Gaming Machines Act 1992, the Independent Gambling Authority Act 1995, the Lottery and Gaming Act 1936 and the Problem Gambling Family Protection Orders Act 2004.

Recently, Consumer and Business Services, in association with SA Police, raided properties and seized gaming machines held by unlicensed persons. Consumer and Business Services had received information indicating that unlawful gaming machines were being brought into South Australia by unlicensed persons but, unfortunately, action could not be taken until the gaming machine was in the unlicensed person's possession. The bill proposes to make it an offence under the Gaming Machines Act for a person to purchase or enter into a contract or agreement to purchase a gaming machine unless licensed.

Another proposed amendment to the Gaming Machines Act is the removal of the prohibited EFTPOS facilities in gaming areas in hotels and clubs. Currently, gamblers are required to leave the gaming room and withdraw cash using EFTPOS facilities outside the gaming area. This means that the gambler may not be able to be observed or served by trained gaming area staff. It is considered that there is a better chance of appropriate intervention when the gambler is exhibiting problem gambling characteristics if the EFTPOS facility is located in the gaming area. Unlike ATMs, EFTPOS facilities involve human interaction at the point of cash withdrawal. This provides a good opportunity for interaction between the gambler and trained gaming staff, and for trained gaming staff to observe cash withdrawal behaviour.

Other amendments to the Gaming Machines Act include providing the Liquor and Gambling Commissioner with the power to seek input from the Commissioner of Police about any gaming manager or gaming employee, and reducing red tape by removing the requirement that the Liquor and Gambling Commissioner approve the layout of gaming machines in the gaming area.

The Lottery and Gaming Act prohibits a range of activities associated with lotteries, gaming and betting. A lack of clarity exists as to whether gambling on poker is prohibited under the Lottery and Gaming Act. Tournament poker that does not involve gambling is a popular activity and is currently undertaken by many hotels, clubs and other not-for-profit associations; however, there is concern that some poker games being conducted in public places, under the guise of being tournament poker, may involve gambling, and are being conducted without any integrity or responsible gambling regulation.

The bill proposes to make it unlawful to play at or engage in a game of poker in a public place. It also proposes to provide the minister with the power to make a regulation to prescribe the circumstances in which playing or engaging in a game will or will not constitute unlawful gaming. It is the government's intention to make a regulation to clarify the definition of tournament poker and to ensure that tournament poker that does not involve gambling is not an unlawful game.

The bill also proposes to amend the Lottery and Gaming Act to provide modern powers of delegation to the minister. There are also many statute law revision amendments that modernise the Lottery and Gaming Act.

The Independent Gambling Authority Act establishes the Independent Gambling Authority and the statewide gambling barring regime. The bill proposes that the Independent Gambling Authority Act be amended to provide greater clarity in administrative arrangements. The bill includes a new staff revision clarifying that the staff of the Independent Gambling Authority—and I think the Hon. Tammy Franks will be pleased to see these changes—are Public Service employees who have been assigned by the relevant chief executive. The new provision replaces the secretary provision, which is not specifically required. So a lot of those staff administrative matters will be conducted through the department.

Further, to provide flexibility to the Independent Gambling Authority, the bill proposes to extend delegation-making provisions so that its powers and functions can be delegated to any person or body. These delegations can be subject to conditions and can be revoked. This extended delegation provision could facilitate a one-stop shop arrangement for the gambling sector by delegating business facing functions to Consumer and Business Services.

The bill also proposes to fine tune the barring framework. It extends confidentiality obligations —and I think the Hon. Tammy Franks will be pleased to see these changes as well, given some of the problems or concerns she has raised in this place—to authorised persons to ensure that confidentiality of information gained through the barring regime is maintained. Further, the power to remove a barred person is clarified by the proposed amendment that would enable the removal of a barred person from a place where specified gambling activities set out in a barring order are engaged in. I commend the bill to members and seek leave to have the explanation of clauses inserted into *Hansard* without reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Gaming Machines Act 1992*

4—Amendment of section 15—Eligibility criteria

This amendment removes the requirement for an applicant for a gaming machine licence to satisfy the Commissioner that the proposed layout of gaming machines in a gaming area is suitable for the conduct of gaming operations.

5—Amendment of section 18—Form of application

This amendment is consequential on the removal of the requirement that an applicant for a gaming machine licence satisfy the Commissioner that the proposed layout of gaming machines in a gaming area is suitable for the conduct of gaming operations.

6—Amendment to heading to Part 4AA

This amendment is consequential to the insertion of proposed section 44AAA.

7—Insertion of section 44AAA

This clause inserts a new section as follows:

44AAA—Commissioner may notify Commissioner of Police of appointment of gaming managers and gaming employees

Subclause (1) provides for the Commissioner to provide a copy of a notification of the appointment of a gaming manager or gaming employee to the Commissioner of Police. Subclause (2) provides that the Commissioner of Police, as soon as reasonably practicable following receipt of a notification, must make available information about any criminal convictions of the gaming manager or gaming employee and may

make available any other information relevant to whether the Commissioner should issue a prohibition notice under section 44AA of the Act.

8—Amendment of section 45—Offence of being unlicensed

This clause amends section 45 to create a new offence of purchasing or entering into a contract or agreement to purchase a gaming machine without being licensed to do so, with a maximum penalty of $35,000 or imprisonment for 2 years.

9—Amendment of section 51A—Cash facilities not to be provided within gaming areas

This clause amends section 51A to remove the prohibition on providing EFTPOS facilities within gaming areas.

10—Amendment of Schedule 1—Gaming machine licence conditions

This amendment removes the condition of a gaming machine licence requiring the layout of the gaming machines within a gaming area to be in accordance with the layout approved by the Commissioner. The amendment is consequential to the removal of the requirement for the Commissioner to approve the layout of gaming machines within a gaming area.

Part 3—Amendment of *Independent Gambling Authority Act 1995*

11—Amendment of long title

This clause updates the long title of the Act to refer to the Independent Gambling Authority.

12—Substitution of section 10

This clause substitutes section 10 as follows:

10—Staff

Proposed section 10(1) provides that the staff of the Authority will consist of Public Service employees assigned to the Authority. Proposed section 10(2) provides that directions given to an employee by the Authority in relation to the exercise of its functions prevail over directions given by the chief executive of the administrative unit of the Public Service in which the employee is employed to the extent of any inconsistency.

13—Amendment of section 11B—Delegation

This clause amends section 11B to allow the Authority to delegate certain functions and powers to a person or body, and permits the further delegation of those powers and functions if the instrument of delegation so provides.

14—Amendment of section 14—Powers and procedures of Authority

These amendments remove the references to the Secretary of the Authority, consequential on proposed section 10.

15—Amendment of section 15I—Powers to remove etc

The definition of barring orders in section 15B refers to a person being barred from a place or from taking part in specified gambling activities. This clause amends section 15I(1) to reflect this definition, giving an authorised person power to require a person to leave a place if the person suspects on reasonable grounds that a person who is in, or who is entering or about to enter, that place is barred from that place or from taking part in specified gambling activities at that place.

16—Amendment of section 17—Confidentiality

The clause amends section 17 to include a requirement limiting the disclosure of confidential information by an authorised person obtained in the course of exercising powers, functions or duties under this Act or a prescribed Act.

Part 4—Amendment of *Lottery and Gaming Act 1936*

17—Amendment of section 4—Interpretation

Subclause (1) amends the definition of *unlawful gaming* to include playing at or engaging in a game of poker in a public place. The regulations may prescribe circumstances in which playing at or engaging in a game of poker will or will not constitute unlawful gaming. The amendment in subclause (2) is consequential on the amendment in subclause (1).

18—Amendment of section 61—Unlawful gaming and playing of unlawful games

This clause inserts a new subsection (4) which makes it an offence to organise or promote unlawful gaming with a maximum penalty of $2,500.

19—Insertion of section 117

This clause inserts a new section as follows:

117—Delegation

The section provides that the Minister may delegate to a person any of the Minister's powers or functions under the Act.

Part 5—Amendment of *Problem Gambling Family Protection Orders Act 2004*

20—Amendment of section 3—Interpretation

This amendment removes the definition of Secretary and is consequential on the staffing provision in proposed section 10 of the Independent Gambling Authority Act 1995.

21—Amendment of section 13—Notification of making, variation or revocation of problem gambling family protection orders by Authority

This amendment removes the reference to Secretary and is consequential on the staffing provision in proposed section 10 of the *Independent Gambling Authority Act 1995*.

22—Amendment of section 18—Report to Parliament

This amendment removes the reference to Secretary and is consequential on the staffing provision in proposed section 10 of the *Independent Gambling Authority Act 1995*.

Schedule 1—Statute law revision amendments of *Lottery and Gaming Act 1936*

The Schedule makes various amendments of a statute law revision nature to the Act.

Debate adjourned on motion of Hon. T.J. Stephens.

RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (16:24): I move:

That this bill be now read a second time.

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

Leave granted.

I am pleased to introduce the Rail Safety National Law (South Australia) (Miscellaneous) Amendment Bill 2015, which provides for amendments to the *Rail Safety National Law*. The *Rail Safety National Law* (the National Law) is contained in a schedule to the *Rail Safety National Law (South Australia) Act 2012*.

The National Law commenced operation on 20 January 2013. The Office of the National Rail Safety Regulator (the *Regulator*) was established as a body corporate under the National Law, with its scope now including New South Wales, Victoria, Tasmania and the Northern Territory through legislation enacted in those jurisdictions. It is expected that the National Law will also be operating in Western Australia by May 2015.

During its first year of operation, the Regulator has successfully discharged its obligations under the National Law facilitating the safe operation of rail transport in Australia, including by providing a scheme for national accreditation of rail transport operators and promoting the provision of advice, information, education and training for safe railway operations.

After making an outstanding contribution to the work of the Regulator in its early years, the inaugural Chief Executive Officer, Mr Rob Andrews, resigned and returned to England. He has been replaced by Susan McCarry, formerly the Deputy Director-General, Policy, Planning and Investment in the Department of Transport of Western Australia. Her experience in the rail industry and her expertise in government policy and regulatory reform processes will be of great benefit to the Regulator as it moves forward and matures.

Since the National Law's commencement, the need for minor amendments has been identified. These minor amendments will improve the Law's operation by:

- removing a phrase from section 12 of the Rail Safety National Law (South Australia) Act, to ensure consistency in drafting style. This amendment has no substantive effect, relates only to the South Australian application provisions and does not amend the National Law itself;
- substituting the word 'cancel' for 'revoke' throughout the National Law to ensure consistent terminology;

- removing the requirement that before requiring a person to appear in person to provide evidence or documents, the Regulator must first take all reasonable steps to obtain information of which the person has knowledge in the form of a written statement or by production of documents;
- giving the Regulator an express power to suspend the accreditation of a rail transport operator for not paying its annual fee. The Regulator already has the power to suspend accreditation for a failure to pay an annual fee under existing broad powers in the National Law. An amending provision that expressly provides for the power to suspend is preferable because it is widely accepted that the most suitable response to a failure to pay an annual fee would be a suspension of that rail transport operator's accreditation. The amending provision gives the Regulator discretion to suspend the accreditation until payment of the late annual fee and to withdraw a suspension if an instalment plan for payment of the fee is made or for some other reasonable cause. Prior to suspending accreditation, the Regulator must notify the rail transport operator in writing of the intention to suspend. The Regulator's existing broad power to suspend, revoke, vary or impose conditions on accreditation will remain, in order to allow the Regulator to appropriately respond to other contraventions of the National Law;
- inserting an express requirement for rail infrastructure managers of registered private sidings to provide an annual activity statement to the Regulator. The requirement will allow the Regulator to better monitor the operational risk of registered private sidings. The maximum penalty for failing to submit a statement in accordance with the new requirement will be $5000 for an individual and $25,000 for a body corporate. The new provision will also become an infringement penalty provision, attracting an infringement penalty of $1,000. The penalties for the new provision are the same as those imposed for rail transport operators failing to submit a safety performance report;
- inserting a note at the foot of section 128(1) of the National Law to point out that, in some participating jurisdictions, provision is made that a positive breath sample from a person will be taken to indicate a concentration of alcohol in the person's blood for the purposes of the National Law. The note is considered necessary to explain that, while the National Law refers only to blood samples in the offence provision of section 128, the application laws of some jurisdictions provide that a reference to 'blood' is to be taken to include a reference to 'breath';
- substituting the word 'rail infrastructure' for 'structure' to fix a typographical error in section 145 of the National Law. A rail safety officer has the power to enter or open rail infrastructure to examine the structure. To be consistent with the drafting of the rest of the paragraph of the section, the full term 'rail infrastructure' should be used in both cases;
- creating a new power that enables a rail safety officer to direct a person to produce documents. Currently, rail safety officers are only able to require production of documents when they are on railway premises. This inhibits their ability to perform their functions and oversee the safety management of railway premises. The maximum penalty for the new offence associated with failing to comply with a direction to produce a document without reasonable excuse will be a $5,000 fine; and
- inserting a power to allow the Regulator to waive or refund the whole or part of the fee to a person who applies for an exemption from provisions of the National Law. This power will provide consistency with the other powers of the Regulator to waive fees for accreditation and registration. The current fee for applying for an exemption is $1,000. This is the same as the fee for applying for registration and may be a significant cost for a smaller tourist and heritage rail transport operator.

The Bill has the support of major stakeholders, including industry associations and the Rail, Tram and Bus Union.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Rail Safety National Law (South Australia) Act 2012*

4—Amendment of section 12—Conduct of preliminary breath test or breath analysis

This amendment deletes certain words in section 12(1) to ensure consistency in style with section 13 and is not substantive.

Part 3—Amendment of *Rail Safety National Law*

5—Amendment of section 4—Interpretation

This clause amends the definitions of *accredited person* and *registered person* in section 4 to ensure consistency of terminology with other provisions of the Law and is not substantive.

6—Amendment of section 20—Power of Regulator to obtain information

This clause deletes subsection (4) to remove the requirement that before requiring a person to appear in person to provide evidence or documents, the Regulator must first take all reasonable steps to obtain information of which the person has knowledge in the form of a written statement or by production of documents.

7—Amendment of section 72—Regulator may make changes to conditions or restrictions

This clause amends section 72 to ensure consistency of terminology with other provisions of the Law and is not substantive.

8—Amendment of heading to Part 3, Division 4, Subdivision 4

This amendment is consequential.

9—Amendment of section 73—Cancellation or suspension of accreditation

These amendments to section 73 are to ensure consistency of terminology with other provisions of the Law and are not substantive.

10—Amendment of section 76—Annual fees

Section 76 of the National Law provides for the payment of the annual fee either as a lump sum or by instalments under an agreement. This amendment provides the Regulator with an ability to suspend the accreditation of a person for failing to pay the annual fee as so required. Before doing so, the Regulator must give the accredited person notice of his or her intention and give the person the opportunity to pay the outstanding fee (or instalment) or to negotiate (or re-negotiate) an agreement for payment. The Registrar also has the power to withdraw a suspension.

11—Amendment of section 91—Regulator may make changes to conditions or restrictions

This clause amends section 91 to ensure consistency of terminology with other provisions of the Law and is not substantive.

12—Amendment of heading to Part 3, Division 5, Subdivision 4

This amendment is consequential.

13—Amendment of section 92—Cancellation or suspension of registration

These amendments to section 92 are to ensure consistency of terminology with other provisions of the Law and are not substantive.

14—Insertion of section 96A

This clause inserts new section 96A.

96A—Annual activity statements

This provision requires that a rail infrastructure manager must provide the Regulator with an annual activity statement about the manager's railway operations carried out in a private siding that comes under section 83 of the Act. The statement must comply with the national regulations and must contain a description of the railway operations carried on in the siding, details of any changes to the railway operations, rolling stock or rail infrastructure and a description of risk management processes that apply to the siding. The report is to relate to the financial year or such other period agreed with the Regulator.

15—Amendment of section 128—Offence relating to prescribed concentration of alcohol or prescribed drug

Section 128 of the Act makes it an offence for a rail safety worker to carry out rail safety work while there is a prescribed concentration of alcohol in his or her blood. This clause inserts a note at the foot of section 128(1) of the Act to indicate that in some jurisdictions, a concentration of alcohol in a sample of a person's breath will be taken to indicate a concentration of alcohol in a person's blood.

16—Amendment of section 145—General powers on entry

This clause corrects the reference to 'structure' to refer instead to 'rail infrastructure'.

17—Insertion of section 168A

This provision inserts new section 168A

168A—Power to direct production of documents

This clause provides a rail safety officer with the ability to direct a person to make certain documents available for inspection or production. If a rail safety officer gives such a direction he or she must warn the person that it is an offence not to comply without a reasonable excuse. In an offence under this clause, the accused will have the burden of showing they had a reasonable excuse not to comply with the direction.

18—Amendment of section 203—Ministerial exemptions

This clause amends section 203 to ensure consistency of terminology with other provisions of the Law and is not substantive.

19—Amendment of section 212—Regulator may make changes to conditions or restrictions

This clause amends section 212 to ensure consistency of terminology with other provisions of the Law and is not substantive.

20—Amendment of heading to Part 6, Division 2, Subdivision 4

This amendment is consequential.

21—Amendment of section 213—Cancellation or suspension of an exemption

These amendments to section 213 are to ensure consistency of terminology with other provisions of the Law and are not substantive.

22—Insertion of Part 6, Division 2, Subdivision 6

This clause inserts new section 214A.

Subdivision 6—Waiver of fees

214A—Waiver of fees

This provision provides that the Regulator may waive or refund the whole or part of any fee that is payable in relation to an application by a rail transport operator for an exemption from certain provisions of the Law granted by the Regulator.

23—Amendment of section 215—Reviewable decisions

These amendments to section 215 are to ensure consistency of terminology with other provisions of the Law and are not substantive.

24—Amendment of section 233—Meaning of infringement penalty provision

This amendment inserts a reference to section 96A in the table listing the provisions of the Law to which an infringement penalty applies and is consequential on clause 14 of this measure.

25—Amendment of section 249—Approved codes of practice

These amendments to section 249 are to ensure consistency of terminology with other provisions of the Law and are not substantive.

Debate adjourned on motion of Hon. A.L. McLachlan.

STATUTES AMENDMENT (BOARDS AND COMMITTEES - ABOLITION AND REFORM) BILL

Second Reading

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:25): I move:

That this bill be now read a second time.

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

Leave granted.

Mr Speaker in July 2014 the South Australian Government proposed major reforms to all government boards and committees in order to make government more accessible, simpler, and efficient.

We indicated that all Government board and committees would be abolished, unless it could be demonstrated that they had an essential purpose that could not be fulfilled in an alternative way.

At the heart of this reform was the intention to involve more people and organisations in government decision-making. Too often, I have found that the views provided to government are confined to a group of select people.

I want to ensure that we change this, so that more South Australians have the opportunity to be involved in the decisions that affect them and that are important to them.

While these changes will assist agencies to meet budget savings targets, I have also made it clear that I expect resources to also be reinvested in alternative community engagement activities.

The large number of boards and committees currently in existence also contribute to duplication, unnecessary complexity and inefficiency within government.

The Bill I introduce today is the culmination of a reform process that will reduce a significant amount of government red tape and contribute to the efforts of our Modern Public Service policy.

Of the 429 boards and committees in scope for this reform, the government has decided to retain 90 outright.

Of the remaining boards and committees, 107 will be abolished, 17 will be merged and 62 are subject to other reform efforts that are currently underway.

We have also identified 120 boards and committees that should not be considered government boards and committees, and we are reclassifying these.

Options for reform are still being considered for the remaining 33 boards and committees.

The final report on the outcomes of this reform has been produced and provides additional information on each of these boards and committees.

As part of this omnibus Bill we are amending 43 pieces of legislation to abolish, merge or simplify 56 boards and committees.

This includes abolishing 28 boards and committees, merging 8 and simplifying a further 20.

Through both abolitions and simplification measures, 32 fewer boards and committees will require Governor appointments – this equates on average to 96 fewer appointments for consideration by Cabinet and Executive Council each year.

This will save many hundreds of hours of work by many public servants.

Boards to be abolished as part of this Bill include the board of the South Australian Tourism Commission, Community Benefits SA Board, the Natural Resource Management Council, and the Minister's Youth Council to name a few.

The Community Benefits SA board is an example of how more South Australians can be given the opportunity to be involved in government decisions.

The Government intends to replace this board with a participatory budgeting model called 'fund my community' where the public identifies, discusses and prioritises how funds should be allocated. We will consult further on how this works in the coming months.

Another example is the replacement of the Animal Welfare Advisory Committee with new community engagement models.

Previously this Committee has provided advice to the Minister on all aspects of animal welfare. As part of these new arrangements advice to the Minister will be developed following consultation and engagement tailored to the specific issue under consideration.

Mr Speaker, we are undertaking these changes because the expectations of businesses and communities have changed, and the way government works needs to change with them.

Today, businesses and citizens expect to be involved in decision-making, and are much less deferential to traditional voices of authority.

They also expect us to be much more open. That is why as part of this reform process we intend to report more regularly about appointments to Government Boards and Committees rather than just tabling in parliament each year the annual report of the Boards and Committees Information Systems (BCIS).

As part of consultation about this reform process, the Government received letters from a number of boards and committees. In the interests of openness, we will also be publishing these letters online.

Mr Speaker these reforms will also deliver a significant reduction in red tape. In this Bill, we simplify how a number of remaining boards and committees will operate.

For example, this Bill will abolish the Selection Committee for the Phylloxera and Grape Industry Board of South Australia.

This is not an advisory or decision-making board itself, but a statutory body whose sole purpose is to decide who sits on the industry board. Industry bodies do not want to be forced to jump through bureaucratic hoops like this to get their work done and they have told us as much.

This reform frees industry and community boards from time consuming red tape, and lets them get on with their work.

Mr Speaker, these reforms will not only make government more efficient, they will also simplify it, because when used in the wrong context, boards and committees can act to defuse responsibility and confuse people about who the ultimate decision-maker is.

This point was made in the 2003 Commonwealth Review of these matters by John Uhrig.

For example, Uhrig found that, in circumstances where a minister retains powers and responsibilities, a board may add a layer of obstruction to a Minister seeking to ensure that the CEO is acting in a way consistent with government policy.

This Bill supports improved accountability and governance. The clear example of this is the abolition of the board of the South Australian Tourism Commission.

The Commission will be led by a Chief Executive Officer, who will be directly accountable to the Minister.

Current arrangements place the Board administratively and operationally between the Chief Executive and the Minister.

The new model will have the Commission led by a Chief Executive Officer, who will be directly accountable to the Minister. The CEO will take on sole responsibility for the Commission and thus improve the Commission's accountability and ensure the State can quickly respond to tourism issues.

Mr Speaker, this Bill fundamentally is about supporting the South Australian Government's efforts to build a more modern government.

Since the election we have renewed our Cabinet with five new Ministers.

We have renewed the leadership of the public sector with five new chief executives.

And we are now renewing our structures through the reform of boards and committees.

We have challenged every government board and committee to demonstrate what value they provide to the community.

For those who have not been able to do this, we are now implementing new ways of fulfill these roles.

This Bill is the next stage in the process that will make government more accessible, simpler, and efficient.

I commend the Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Adelaide Dolphin Sanctuary Act 2005*

4—Amendment of section 3—Interpretation

This clause removes the definition of ADS Advisory Board which is being abolished under this Part. This clause also inserts a new definition of Parks and Wilderness Council being the *Parks and Wilderness Council* established under the *National Parks and Wildlife Act 1972*.

5—Amendment of section 9—Administration of Act to achieve objects and objectives

This clause substitutes reference to the ADS Advisory Board with reference to the Parks and Wilderness Council which is consequential on the abolition of the ADS Advisory Board and gives the functions of the Board to the Parks and Wilderness Council.

6—Amendment of section 11—ADS Management Plan

This clause substitutes reference to the ADS Advisory Board with reference to the Parks and Wilderness Council which is consequential on the abolition of the ADS Advisory Board and gives the functions of the Board to the Parks and Wilderness Council.

7—Amendment of heading to Part 3 Division 3

This clause substitutes reference to the ADS Advisory Board with reference to the Parks and Wilderness Council which is consequential on the abolition of the ADS Advisory Board and the transferring of the functions of the Board to the Parks and Wilderness Council.

8—Repeal of sections 12 to 16

This clause abolishes the ADS Advisory Board by repealing sections 12 to 16 (inclusive) which provide for the establishment and membership of the ADS Advisory Board.

9—Amendment of section 17—Functions of Parks and Wilderness Council under this Act

This clause substitutes reference to the ADS Advisory Board with reference to the Parks and Wilderness Council which is consequential on the abolition of the ADS Advisory Board and gives the functions of the Board to the Parks and Wilderness Council.

10—Repeal of sections 18 to 21

This clause repeals sections 18 to 21 (inclusive) which provide for the committees, procedures, staff and annual reports of the ADS Advisory Board which is being abolished under this Part.

11—Amendment of section 22—ADS Fund

This clause substitutes reference to the ADS Advisory Board with reference to the Parks and Wilderness Council which is consequential on the abolition of the ADS Advisory Board and gives the functions of the Board to the Parks and Wilderness Council.

12—Amendment of section 55—Regulations

This clause inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

13—Transitional provision

This clause ensures that a member of the ADS Advisory Board ceases to hold office on commencement of the clause.

Part 3—Amendment of *Animal Welfare Act 1985*

14—Amendment of section 3—Interpretation

This clause inserts a definition of *animal ethics committee*, to be an animal ethics committee established under section 23 of the principal Act or a body approved as an animal ethics committee for the principal Act by the Minister.

15—Amendment of section 23—Animal ethics committees

This clause amends section 23 of the principal Act to provide that animal ethics committees, which may be required to be established or consulted as a condition of a license, are to be established, and members appointed, by a licensee instead of by the Minister as is currently provided for.

16—Amendment of section 24—Procedure

This amendment is consequential on the appointment of animal ethics committee members by a licensee and provides for the quorum of an animal ethics committee established under the principal Act.

17—Amendment of section 25—Functions of animal ethics committees

This amendment is consequential on the appointment of animal ethics committee members by a licensee and deletes reference to the Minister such that animal ethics committees will be required to furnish annual reports in accordance with the regulations.

18—Amendment of section 44—Regulations

This clause inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

19—Transitional provisions

This clause provides that an animal ethics committee in existence immediately before the commencement of clause 15 continues as an animal ethics committee for the purposes of the principal Act until a date determined by the Minister.

Part 4—Amendment of *ANZAC Day Commemoration Act 2005*

20—Amendment of section 6—Membership of Council

The role of the Governor in the appointment of Council members is removed and given to the Minister instead. This clause also reflects the proposed change in administration of the principal Act from the Premier to the Minister for Veterans Affairs.

21—Amendment of section 7—Terms and conditions of membership

This clause makes amendments which are consequential on the matters referred to in clause 20.

22—Amendment of section 8—Presiding member

This clause makes amendments which are consequential on the change in administration of this Act from the Premier to the Minister for Veterans Affairs.

23—Amendment of section 10—Remuneration

This clause makes amendments which are consequential on the removal of the role of the Governor in the appointment process of Council members.

24—Amendment of section 11—Functions of Council

This clause makes amendments which are consequential on the change in administration of the principal Act from the Premier to the Minister for Veterans Affairs.

25—Amendment of section 13—Staff

This clause makes amendments which are consequential on the change in administration of the principal Act from the Premier to the Minister for Veterans Affairs.

26—Amendment of section 14—Annual report

This clause makes amendments which are consequential on the change in administration of the principal Act from the Premier to the Minister for Veterans Affairs.

27—Amendment of section 18—Restriction on public sports and entertainment before 12 noon on ANZAC Day

This clause makes amendments which are consequential on the change in administration of the principal Act from the Premier to the Minister for Veterans Affairs.

Part 5—Amendment of *Aquaculture Act 2001*

28—Amendment of section 3—Interpretation

This clause amends section 3 to delete the definition of *Aquaculture Advisory Committee*.

29—Amendment of section 12—Procedure for making policies

This clause makes a minor amendment to section 12 which is consequential on the abolition of the Aquaculture Advisory Committee.

30—Repeal of Part 10 Division 2

This clause repeals Division 2 of Part 10 which relates to the Aquaculture Advisory Committee.

31—Transitional provision

This clause provides that a member of the Aquaculture Advisory Committee ceases to hold office on the commencement of this clause.

Part 6—Amendment of *Botanic Gardens and State Herbarium Act 1978*

32—Amendment of section 7—Constitution of Board

The role of the Governor in the appointment of Board members is removed and the Minister will appoint the members of the Board.

33—Amendment of section 8—Terms and conditions on which members of the Board hold office

This clause makes amendments which are consequential on the proposed role of the Minister, rather than the Governor, in the appointment process.

Part 7—Amendment of *Classification of Theatrical Performances Act 1978*

34—Amendment of section 4—Interpretation

This clause removes the definition of *the Board*, and inserts definitions of *Council* and *Registrar*, which are consequential on the key measure of this Part which is to replace the Classification of Theatrical Performances Board with the South Australian Classification Council.

35—Repeal of Part 2

This clause removes Part 2 of the principal Act which established the Classification of Theatrical Performances Board.

36—Amendment of section 10—Application for classification

This clause changes references in section 10 from 'Board' to 'Council' and are consequential on the key measure of this Part.

37—Amendment of section 11—Criteria to be applied by Council

This clause changes references in section 11 from 'Board' to 'Council' and are consequential on the key measure of this Part.

38—Amendment of section 12—Classification of theatrical performances

This clause changes references in section 12 from 'Board' to 'Council' and are consequential on the key measure of this Part.

39—Amendment of section 13—Conditions in respect of theatrical performances

This clause changes references in section 13 from 'Board' to 'Council' and are consequential on the key measure of this Part.

40—Amendment of section 14—Powers of Council

This clause changes references in section 14 from 'Board' to 'Council' and are consequential on the key measure of this Part.

41—Amendment of section 15—Notice

This clause changes a reference in section 15 from 'Board' to 'Council' and is consequential on the key measure of this Part.

42—Amendment of section 16—Penalty for breach of condition

This clause changes a reference in section 16 from 'Board' to 'Council' and is consequential on the key measure of this Part.

43—Amendment of section 17—Places where restricted theatrical performances may take place

This clause changes a reference in section 17 from 'Board' to 'Council' and is consequential on the key measure of this Part.

44—Amendment of section 19—Certain actions not to constitute offences

This clause changes a reference in section 19 from 'Board' to 'Council' and is consequential on the key measure of this Part.

45—Amendment of section 20—Evidentiary provision

This clause changes a reference in section 20 from 'Board' to 'Council' and is consequential on the key measure of this Part.

46—Amendment of section 21—Power to enter and view performance

This clause changes a reference in section 21 from 'Board' to 'Council' and is consequential on the key measure of this Part.

47—Transitional provisions

This transitional clause enables a request for classification made to the Board to be dealt with by the Council after the commencement of clause 35 of this measure. It also preserves and continues—

- classifications, or decisions of the Board to refrain from assigning a classification to a theatrical performance, under section 12 of the principal Act, as classifications or decisions of the Council; and
- conditions imposed by the Board under section 13 of the principal Act, as conditions imposed by the Council; and
- approvals by the Board of theatres under section 17(1) of the principal Act, as approvals by the Council.

Subclause (7) ensures that a member of the Board ceases to hold office on the commencement of the subclause.

Part 8—Amendment of *Coast Protection Act 1972*

48—Amendment of section 4—Interpretation

This clause makes an amendment to the definition of *appointed member* which is consequential on clause 49 removing the Governor's role in appointing members of the Coast Protection Board.

49—Amendment of section 8—Membership of Board

The role of the Governor in the appointment of certain members of the Coast Protection Board is removed and the Minister will appoint the members of the Board. The Minister will also appoint the presiding member, fix the terms and conditions of office of appointed members, appoint deputies and remove appointed members from the Board.

50—Amendment of section 11—Allowances and expenses

The role of the Governor in determining the allowances and expenses of appointed members of the Coast Protection Board is removed and that role is given to the Minister.

51—Repeal of sections 15, 16 and 17

This clause deletes sections 15, 16 and 17 which provide for the constitution, terms of office of members and duties of consultative committees.

52—Amendment of section 18—Advisory committees

This clause amends section 18 to require that the Coast Protection Board must, in acting under the section to appoint an advisory committee, comply with any guidelines issued by the Minister.

53—Amendment of section 37—Regulations

This clause which is consequential on clause 51, deletes reference to consultative committees.

Part 9—Amendment of *Correctional Services Act 1982*

54—Amendment of section 4—Interpretation

This amendment is consequential.

55—Repeal of Part 2 Division 2

This amendment repeals the Division of the principal Act which established the Correctional Services Advisory Council.

56—Transitional provision

This clause ensures that a member of the Correctional Services Advisory Council ceases to hold office on the commencement of the clause.

Part 10—Amendment of *Dog and Cat Management Act 1995*

57—Amendment of section 12—Composition of Board

The role of the Governor in the appointment of the members of the Dog and Cat Management Board is removed and the Minister will appoint the members of the Board.

58—Amendment of section 13—Deputies of members

The role of the Governor in the appointment of deputies of members of the Dog and Cat Management Board is removed and that role is given to the Minister.

59—Amendment of section 14—Conditions of membership

The role of the Governor in determining the terms and conditions of appointment of the members of the Dog and Cat Management Board is removed and that role is given to the Minister. This clause also proposes that the Minister may remove a member of the Board from office after consultation with the Local Government Association of South Australia.

60—Amendment of section 16—Remuneration

The role of the Governor in determining the remuneration of the members of the Dog and Cat Management Board is removed and that role is given to the Minister

Part 11—Amendment of *Dog Fence Act 1946*

61—Amendment of section 6—Members of the board

The role of the Governor in the appointment of the members of the Dog Fence Board is removed and the Minister will appoint the members of the Board. A reference to the South Australian Farmers Federation Inc is updated to Livestock SA Incorporated. A reference to the Natural Resources Management Council is removed which is consequential on its abolition in clause 146.

62—Amendment of section 11—Casual vacancies

This amendment is consequential on clause 61 and substitutes references to the Governor with references to the Minister.

63—Amendment of section 12—Dismissal of member

This amendment is consequential on clause 61 and substitutes references to the Governor with references to the Minister.

Part 12—Amendment of *Emergency Management Act 2004*

64—Amendment of section 3—Interpretation

This clause removes the definition of appointed member and is consequential on the key measure of this Part which is to simplify the appointment process for the SEMC.

65—Amendment of section 6—Establishment of State Emergency Management Committee

This clause sets out the key measure of this Part which is to simplify the appointment process for the SEMC. The Minister is required to prepare and publish guidelines (to be known as the *SEMC membership guidelines*) that govern matters relating to the appointment of members of the SEMC. The role of the Governor in the appointment of members is removed. Most of the members will hold office *ex officio*, as per proposed section 6(4), however, the presiding member of SEMC will be responsible for appointing at least 2 but not more than 4 members (to be known as *appointed members*) to SEMC.

66—Substitution of section 7

This clause substitutes section 7 with a new section.

7—Application of Public Sector (Honesty and Accountability) Act

This new section ensures that the *Public Sector (Honesty and Accountability) Act 1995* will apply to members of SEMC as if the committee were an advisory body and the Minister responsible for the administration of this Act were the relevant Minister. This means that the provisions of that Act will apply, requiring members to act honestly, to avoid conflicts of interest and to be otherwise subject to more stringent penalties for breach of standards of conduct than would otherwise apply.

67—Amendment of section 38—Regulations

This amendment inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

Part 13—Amendment of *Fire and Emergency Services Act 2005*

68—Amendment of section 71—State Bushfire Coordination Committee

A reference to the South Australian Farmers Federation Inc is updated by substituting Primary Producers SA Incorporated.

A reference to the Natural Resources Management Council is amended to 1 officer of the administrative unit of the Public Service primarily responsible for assisting the relevant Minister in the administration of the Natural Resources Management Act 2004, nominated by the Chief Executive of that administrative unit. This is consequential on abolition of the NRM Council in clause 146.

69—Amendment of section 73—State Bushfire Management Plan

A reference to the South Australian Farmers Federation Inc is updated by substituting Primary Producers SA Incorporated.

A reference to the Natural Resources Management Council is amended to the Minister responsible for the administration of the *Natural Resources Management Act 2004*, this is consequential on abolition of the NRM Council in clause 146.

Part 14—Amendment of *Fisheries Management Act 2007*

70—Amendment of section 3—Interpretation

This clause amends section 3 to delete the definition of *Fisheries Council.*

71—Amendment of section 7—Objects of Act

This clause amends section 7 to remove a reference to the Fisheries Council.

72—Amendment of section 10—Delegation

This clause amends section 10 to remove a reference to the Fisheries Council

73—Repeal of Part 3 Division 2

This clause repeals Part 3 Division 2 to remove provisions relating to the Fisheries Council.

74—Amendment of section 20—Establishment of committees

This clause amends section 20 to remove references to the Fisheries Council.

75—Amendment of section 42—Preparation of management plans

This clause amends section 42 to transfer the responsibilities of the Fisheries Council in relation to the preparation of management plans to the Minister.

76—Amendment of section 43—General nature and content of management plans

This clause amends section 43 to remove references to the Fisheries Council and replace them with references to the Minister.

77—Amendment of section 44—Procedure for preparing management plans

This clause amends section 44 to remove references to the Fisheries Council and replace them with references to the Minister.

78—Amendment of section 49—Review of management plans

This clause amends section 49 to remove references to the Fisheries Council and replace them with references to the Minister.

79—Transitional provision

This clause requires the Fisheries Council to prepare a final report on its operations and submit it to the Minister, and requires the Minister to table the Council's final report in Parliament. Subclause (4) ensures that a member of the Fisheries Council ceases to hold office on the commencement of the subclause.

Part 15—Amendment of *Gaming Machines Act 1992*

80—Amendment of section 73B—Charitable and Social Welfare Fund

This clause removes the requirement of the Minister to establish a board for the purpose of giving direction to the Treasurer as to the application of the Charitable and Social Welfare Fund to assist charitable or social welfare organisations. That direction is proposed in future to be made by the Minister responsible for the administration of the Family and *Community Services Act 1972*. The clause removes the provisions relating to the constitution and procedures of the board.

81—Transitional provisions

This clause ensures that a member of the board referred to in clause 80 ceases to hold office on the commencement of the clause.

Part 16—Amendment of *Gas Act 1997*

82—Amendment of section 16—Technical advisory committee

This clause provides that the technical advisory committee under the *Gas Act 1997* is to be the same committee as the committee of that name established under the *Electricity Act 1996* and that the committees' respective functions are combined.

Part 17—Amendment of *Genetically Modified Crops Management Act 2004*

83—Amendment of section 9—Membership of Advisory Committee

The role of the Governor in the appointment of Advisory Committee members is removed and given to the Minister instead.

84—Amendment of section 10—Terms and conditions of membership

This clause makes a minor amendment which is consequential on the removal of the role of the Governor in the appointment process of Advisory Committee members.

Part 18—Amendment of *Health and Community Services Complaints Act 2004*

85—Amendment of section 4—Interpretation

This clause removes the definition of Council which is consequential on the key measure of this Part which is to abolish the Health and Community Services Advisory Council.

86—Repeal of Part 8

This clause repeals Part 8 of the principal Act which established the Health and Community Services Advisory Council.

87—Amendment of section 75—Preservation of confidentiality

This clause makes a minor amendment to section 75, consequential on the key measure of this Part.

88—Transitional provision

This clause ensures that a member of the Health and Community Services Advisory Council ceases to hold office on the commencement of the clause.

Part 19—Amendment of *Health Services Charitable Gifts Act 2011*

89—Amendment of section 24—Advisory committees

This clause removes the requirement of the Board to establish an advisory committee to advise in relation to the application of funds for clinical equipment or research.

90—Transitional provision

This clause ensures that a member of the advisory committee so established ceases to hold office on the commencement of the clause.

Part 20—Amendment of *Heritage Places Act 1993*

91—Amendment of section 5—Composition of Council

The role of the Governor in the appointment of the members of the South Australian Heritage Council is removed and the Minister will appoint the members of the Council, designate a member to chair meetings of the Council and appoint deputies to act in the absence of a member.

92—Amendment of section 6—Conditions of membership

The role of the Governor in determining the terms and conditions of appointment of the members of the South Australian Heritage Council is removed and that role is given to the Minister. This clause also proposes that the Minister determine the term of a member and may remove a member from office in specified circumstances.

93—Amendment of section 7—Proceedings of Council

This amendment is consequential on clause 91 and substitutes references to the Governor with references to the Minister.

94—Amendment of section 7A—Committees

This clause amends section 7A of the principal Act to require that the South Australian Heritage Council must, in acting under the section to appoint a committee, comply with any guidelines issued by the Minister.

95—Amendment of section 9—Remuneration

This amendment is consequential on clause 91 and substitutes references to the Governor with references to the Minister.

Part 21—Amendment of *Local Government Act 1999*

96—Amendment of section 4—Interpretation

This amendment is consequential.

97—Amendment of section 11—General provisions relating to proclamations

This amendment is consequential.

98—Amendment of section 12—Composition and wards

This amendment is consequential.

99—Substitution of heading to Chapter 3 Part 2

This amendment is consequential.

100—Repeal of Chapter 3 Part 2 Divisions 1 and 2

The primary purpose of the amendments proposed to the principal Act is to abolish the Boundary Adjustment Facilitation Panel. To that end, Divisions 1 and 2 of Chapter 3 Part 2 are repealed.

101—Amendment of section 26—Principles

This amendment is consequential.

102—Amendment of section 27—Council initiated proposals

These amendments are consequential.

103—Amendment of section 28—Public initiated submissions

These amendments are consequential.

104—Substitution of Division 6

This clause substitutes Division 6 (and is consequential on the abolition of the Boundary Adjustment Facilitation Panel):

Division 6—Submissions of proposals to Governor

29—Submissions of proposals to Governor

Proposed section 29 provides for the action the Minister may take following publication of a report under Division 4 or 5.

105—Amendment of section 30—Report if proposal rejected

This amendment is consequential.

106—Amendment of section 31—Report if proposal submitted to poll

These amendments are consequential.

107—Amendment of section 32—Provision of reports to councils

These amendments are consequential.

108—Amendment of section 34—Error or deficiency in address, recommendation, notice or proclamation

This amendment is consequential.

109—Amendment of section 303—Regulations

This amendment inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

110—Amendment of Schedule 1A—Implementation of Stormwater Management Agreement

Two of the amendments in this clause provide for the Minister to appoint the members of the Board of the Stormwater Management Authority (instead of the Governor). The third amendment is consequential on the amendments to the *Natural Resources Management Act 2004* relating to the Natural Resources Management Council.

111—Amendment of Schedule 5—Documents to be made available by councils

These amendments are consequential.

112—Transitional provisions

This clause sets out various transitional provisions for the purposes of the amendments to the *Local Government Act 1999*.

Part 22—Amendment of *Marine Parks Act 2007*

113—Amendment of section 3—Interpretation

This clause substitutes a new definition of Council to refer to the Parks and Wilderness Council which is proposed to be established under the *National Parks and Wildlife Act 1972* (see clause 127).

114—Amendment of heading to Part 4 Division 2

This clause makes an amendment which is consequential on the substitution of the Parks and Wilderness Council for the Marine Parks Council of South Australia.

115—Repeal of sections 24 to 28

This clause abolishes the Marine Parks Council of South Australia by repealing sections 24 to 28 (inclusive) of the principal Act.

116—Repeal of section 30

This clause repeals section 30 of the principal Act, which is consequential on clause 115.

117—Amendment of section 63—Regulations

This clause inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

118—Transitional provision

This clause ensures that a member of the Marine Parks Council of South Australia ceases to hold office on the commencement of this clause.

Part 23—Amendment of *Motor Vehicles Act 1959*

119—Amendment of section 5—Interpretation

This clause amends section 5 to delete the definition of review committee.

120—Repeal of section 98Y

This clause repeals section 98Y which provided for the appointment of the review committee.

121—Substitution of section 98Z

This clause substitutes section 98Z:

98Z—Review by Registrar

The substituted section provides for reviews of the decisions of the Registrar of Motor Vehicle under Part 2, 2A, 3, 3A, 3C or 3D to be conducted by the Registrar instead of the review committee.

122—Amendment of section 98ZA—Appeal to District Court

This clause amends section 98ZA to remove references to the review committee.

123—Transitional provision

This clause provides for the review committee to continue in existence after the commencement of this Part for the purpose of determining applications for review referred to the committee before that commencement.

Part 24—Amendment of *National Parks and Wildlife Act 1972*

124—Amendment of section 5—Interpretation

This clause substitutes a new definition of Council to refer to the Parks and Wilderness Council which is proposed to be established under clause 127.

125—Amendment of section 11—Wildlife Conservation Fund

This clause makes an amendment which is consequential on the substitution of the Parks and Wilderness Council for the South Australian National Parks and Wildlife Council.

126—Amendment of section 12—Delegation

This clause deletes a reference to advisory committees, which are proposed to be abolished under clause 127.

127—Substitution of Part 2 Division 2, 2A and 2B

This clause abolishes the South Australian National Parks and Wildlife Council by repealing Part 2 Division 2 which establishes and maintains the South Australian National Parks and Wildlife Council.

This clause also abolishes the establishment of advisory committees and consultative committees under Part 2 Division 2A and Division 2B which are to be repealed.

In substitution, this clause inserts provisions that establish the Parks and Wilderness Council. These provisions provide for the establishment of the Parks and Wilderness Council and the appointment of members by the Minister according to criteria listed in the clause. The clause also provides for the terms and conditions of membership of the Council, remuneration and allowances, the proceedings of the Council and its functions (which include functions in relation to the *National Parks and Wildlife Act 1972*, the *Adelaide Dolphin Sanctuary Act 2005,* the *Marine Parks Act 2007* and the *Wilderness Protection Act 1992*). The Council is to be subject to the direction and control of the Minister.

128—Amendment of section 38—Management plans

This clause substitutes a reference to the Parks and Wilderness Council for the South Australian National Parks and Wildlife Council, an amendment which is consequential on clause 127.

129—Amendment of section 45A—Interpretation and application

This clause deletes the definition of General Reserves Trust which is to be abolished under clause 137.

130—Amendment of section 45B—Development Trusts

This makes amendments which are consequential on the abolition of the General Reserves Trust.

131—Repeal of section 45BA

This makes amendments which are consequential on the abolition of the General Reserves Trust.

132—Amendment of section 45F—Functions of Trust

This makes amendments which are consequential on the abolition of the General Reserves Trust and which simplify the provisions of section 45F.

133—Amendment of heading to Part 3A Division 2

This makes an amendment which is consequential on the renaming of the General Reserves Trust Fund as the General Reserves Fund in clause 134.

134—Amendment of section 45M—Establishment of Fund

This clause renames the General Reserves Trust Fund as the General Reserves Fund and places it under the management and control of the Minister instead of the General Reserves Trust which is to be abolished. The clause amends section 45M of the principal Act to clarify which funds that the fund consists of, such as, fees paid for entrance to reserves other than reserves in relation to which a specific Trust has been established and determined that it is to retain such fees. The clause also makes other amendments consequential on the abolition of the General Reserves Trust and the renaming of the General Reserves Trust Fund.

135—Amendment of section 45N—Investment of the fund

This make an amendment which is consequential on the vesting of the control and management of the General Reserves Fund in the Minister.

136—Section 45O—Accounts and auditing

This makes amendments which are consequential on the vesting of the control and management of the General Reserves Fund in the Minister.

137—Insertion of Schedules 12 and 13

This clause inserts 2 Schedules into the principal Act:

Schedule 12—Dissolution of General Reserves Trust

Provisions in this Schedule abolish the General Reserves Trust which was established by proclamation under section 45B of the Act on 30 November 1978 and all members of the Trust holding office immediately before the commencement of this clause cease to hold office. All assets, rights and liabilities of the Trust will be vested in the Minister.

Schedule 13—Transitional provision relating to *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*

Provisions in this Schedule allow for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

138—Transitional provision

This clause ensures that a member of the South Australian National Parks and Wildlife Council ceases to hold office on the commencement of this clause.

Part 25—Amendment of *Native Vegetation Act 1991*

139—Amendment of section 8—Membership of Council

The role of the Governor in the appointment of the members of the Native Vegetation Council is removed and the Minister will appoint the members of the Council and appoint deputies to act in the absence of a member. This clause also makes an amendment consequential on the abolition of the Natural Resources Management Council.

140—Amendment of section 9—Conditions of office

The role of the Governor in determining the terms and conditions of appointment of the members of the Native Vegetation Council is removed and that role is given to the Minister. This clause also proposes that the Minister may remove a member of the Council from office in specified circumstances.

141—Amendment of section 10—Allowances and expenses

The role of the Governor in determining the remuneration, allowances and expenses of the members of the Native Vegetation Council is removed and that role is given to the Minister.

142—Amendment of section 16—Staff

The role of the Governor in determining the staff of the Native Vegetation Council is removed and that role is given to the Minister.

143—Amendment of Schedule 2—Transitional provisions

This clause inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

Part 26—Amendment of *Natural Resources Management Act 2004*

144—Amendment of section 3—Interpretation

This clause makes amendments consequential on the abolition of the Natural Resources Management Council to delete its definition and amend the definition of the NRM Plan. This clause also updates references to the *Petroleum and Geothermal Energy Act 2000* and Primary Producers SA Incorporated.

145—Amendment of section 10—Functions of Minister

This clause makes amendments consequential on the abolition of the Natural Resources Management Council by giving 2 of its previous functions to the Minister, being:

(a) to prepare and maintain the State NRM Plan, and to keep under review the extent to which regional NRM plans and policies and practices adopted or applied by NRM authorities are consistent with the State NRM Plan; and

(b) to convene forums on a State-wide basis to discuss natural resources management issues, and to promote public awareness of sound natural resources management practices.

146—Repeal of Chapter 3 Part 2

This clause abolishes the Natural Resources Management Council by repealing Chapter 3 Part 2 of the principal Act which establishes and provides for the composition and functions of the Council.

147—Amendment of section 22—Establishment of regions

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

148—Amendment of section 23—Establishment of boards

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

149—Amendment of section 25—Composition of boards

The role of the Governor in the appointment of the members of Regional Natural Resources Management Boards is removed and the Minister will appoint the members of such Boards (including a presiding member) and appoint deputies to act in the absence of a member. This clause also makes amendments consequential on the abolition of the Natural Resources Management Council.

150—Amendment of section 26—Conditions of membership

The role of the Governor in determining the terms and conditions of appointment of the members of Regional Natural Resources Management Boards is removed and that role is given to the Minister. This clause also proposes that the Minister may remove a member of such a Board from office in specified circumstances.

151—Amendment of section 27—Allowances and expenses

The role of the Governor in determining the fees, allowances and expenses of the members of Regional Natural Resources Management Boards is removed and that role is given to the Minister.

152—Amendment of section 29—Functions of boards

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

153—Amendment of section 30—General powers

This clause makes a correction.

154—Amendment of section 35—Committees

This clause inserts an example for clarification of the power of the Minister to issue guidelines in relation to the establishment of committees by a regional NRM board.

155—Amendment of section 39—Specific reports

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

156—Repeal of section 40

This clause deletes section 40 of the principal Act which provides power for the Minister to appoint an administrator of a regional NRM board.

157—Amendment of section 45—Establishment of areas

This clause updates a reference to the South Australian Farmers Federation Incorporated to Primary Producers SA Incorporated.

158—Amendment of section 48—Composition of NRM groups

This clause updates a reference to the South Australian Farmers Federation Incorporated to Primary Producers SA Incorporated.

159—Amendment of section 74—State NRM Plan

This clause makes amendments consequential on the abolition of the Natural Resources Management Council and gives responsibility for the preparation and maintenance of the State NRM Plan to the Minister.

160—Amendment of section 75—Regional NRM plans

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

161—Amendment of section 79—Preparation of plans and consultation

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

162—Amendment of section 80—Submission of plan to Minister

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

163—Amendment of section 81—Review and amendment of plans

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

164—Amendment of section 95—Imposition of levy by councils

This clause updates a reference to the *Local Government Act 1999*.

165—Amendment of section 122—Special provisions relating to land

This clause updates a reference to the *Fire and Emergency Services Act 2005*.

166—Amendment of section 129—Activities not requiring a permit

This clause deletes a reference to the repealed *Upper South East Dryland Salinity and Flood Management Act 2002*.

167—Repeal of section 228

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

168—Amendment of Schedule 1—Provisions relating to regional NRM boards and NRM groups

This clause makes amendments consequential on the abolition of the Natural Resources Management Council.

169—Amendment of Schedule 4—Repeals and transitional provisions

This clause makes amendments to Schedule 4 of the principal Act dealing with transitional provisions. This clause amends the power to make regulations of a transitional nature to apply in the case of any Act amending the principal Act.

170—Transitional provision

This clause ensures that a member of the Natural Resources Management Council ceases to hold office on the commencement of this clause.

Part 27—Amendment of *Office for the Ageing Act 1995*

171—Amendment of long title

This clause amends the long title of the principal Act to remove the reference to the establishment of the Advisory Board on Ageing. This amendment is consequential on the key measure of this Part, which is the abolition of that Board.

172—Repeal of Part 3

This clause repeals Part 3 of the principal Act, which established the Advisory Board on Ageing. The clause reflects the key measure of this Part.

173—Transitional provision

This clause ensures that a member of the Advisory Board on Ageing ceases to hold office on the commencement of the clause.

Part 28—Amendment of *Phylloxera and Grape Industry Act 1995*

174—Amendment of section 3—Interpretation

This clause removes the definition of Selection Committee from section 3 of the principal Act. This amendment is consequential on one of the key measures of this Part, namely the abolition of the Selection Committee.

175—Amendment of section 5—Constitution of Board

This clause transfers functions relating to the selection and appointment of members of the Phylloxera and Grape Industry Board of South Australia from the Selection Committee to the Minister and to organisations that the Minister considers have significant involvement in grape growing or winemaking.

176—Repeal of Part 2 Division 2

This clause repeals Part 2 Division 2 of the principal Act, which established the Selection Committee.

177—Amendment of section 26—Report

This clause makes a minor amendment to section 26 consequential on the abolition of the Selection Committee.

178—Insertion of section 28

This clause inserts a new section into the principal Act.

28—Power of delegation

This section will enable the Minister to delegate his or her functions or powers under the principal Act.

179—Amendment of section 30—Regulations

This amendment inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

180—Transitional provision

This clause ensures that a member of the Selection Committee ceases to hold office on the commencement of the clause.

Part 29—Amendment of *Public Employees Housing Act 1987*

181—Repeal of section 5

This clause repeals section 5 of the principal Act, which established the Public Employees Housing Advisory Committee.

182—Transitional provision

This clause ensures that a member of the Public Employees Housing Advisory Committee ceases to hold office on the commencement of the clause.

Part 30—Amendment of *SACE Board of South Australia Act 1983*

183—Amendment of Schedule 1—Designated entities

This clause removes a reference to the Minister's Youth Council from the principal Act, as a result of the abolition of that Council. The opportunity is also taken to update the outdated reference to 'Non-Government Schools Registration Board' to 'Education and Early Childhood Services Registration and Standards Board of South Australia'.

Part 31—Amendment of *South Australian Forestry Corporation Act 2000*

184—Amendment of section 4—Interpretation

This clause amends section 4 by redefining director so that it includes an acting director.

185—Amendment of section 9—Common seal and execution of documents

This clause amends section 9 to enable the affixing of the common seal of the Corporation to be attested by 1 or more directors.

186—Substitution of section 10

This clause substitutes section 10:

10—Establishment of board

The new section provides for the board of directors which is the governing body of the Corporation to consist of up to 5 members appointed by the Governor. A person will be eligible for appointment as a director if, in the Minister's opinion, the person has appropriate qualifications, experience or expertise to effectively perform the functions of a director of the Corporation. The section provides for the Governor to appoint a director of the board to chair meetings of the board and for the appointment of acting directors, whose terms and conditions of appointment will be as determined by the Governor.

187—Amendment of section 11—Conditions of membership

This clause amends section 11 to ensure that its provisions regarding the terms and conditions of appointment of directors of the board do not apply to the appointment of acting directors (which is covered by the new section 10).

188—Amendment of section 14—Board proceedings

This clause amends section 14 to provide that the quorum of the board is to consist of a majority of the directors in office for the time being. If a director has been appointed by the Governor to chair meetings of the board, that person will preside. If no such appointment has been made, or if the appointed director is absent, the directors present at the meeting will choose a director to chair that meeting.

Part 32—Amendment of *South Australian Housing Trust Act 1995*

189—Amendment of section 18—Committees

The first amendment in this clause deletes subsection (1)(a) which requires the South Australian Housing Trust to establish the South Australian Affordable Housing Trust Board of Management. The other amendments are consequential.

190—Transitional provision

This clause ensures that a member of the South Australian Affordable Housing Trust Board of Management ceases to hold office on the commencement of the clause.

Part 33—Amendment of *South Australian Motor Sport Act 1984*

191—Amendment of Long title

It is proposed to amend the long title of the principal Act so as to omit any reference to the body corporate the South Australian Motor Sport Board (the Board) which is to be abolished (and its functions are to be conferred on the South Australian Tourism Commission (the Commission)). The long title will provide that the Act is to facilitate the promotion of motor sport events in the State and for other purposes.

192—Amendment of section 3—Interpretation

The proposed amendments remove definitions that will no longer be required as a result of the abolition of the Board and insert a definition of the Commission. The majority of the amendments to the principal Act that follow are consequential on the abolition of the Board and on conferring on the Commission the functions and powers relating to the promotion of motor sport events in the State currently exercised by the Board.

193—Substitution of heading to Part 2

The new heading will be 'Functions and powers of Commission relating to motor sport events'.

194—Repeal of Part 2 Division 1

This Division (which made provision for the establishment of the Board) is to be repealed.

195—Repeal of heading to Part 2 Division 2

This heading is to be repealed as Part 2 will no longer need to be divided into Divisions.

196—Amendment of section 10—Functions and powers of Commission

197—Amendment of section 10AA—Non-application of *Government Business Enterprises (Competition) Act 1996*

198—Repeal of section 10A

199—Amendment of section 11—Commission may control and charge fee for filming etc from outside circuit

200—Repeal of section 12

201—Repeal of Part 2 Divisions 3 and 4

202—Amendment of section 20—Minister may make certain declarations

203—Amendment of section 21—Commission to have care, control etc of declared area for relevant declared period

204—Amendment of section 22—Commission to have power to enter and carry out works etc on declared area

205—Amendment of section 23—Commission to consult and take into account representations of persons affected by operations

206—Amendment of section 24—Certain land taken to be lawfully occupied by Commission

207—Amendment of section 25—Non-application of certain laws

208—Amendment of section 26—Plans of proposed works to be available for public inspection

The amendments proposed by clauses 196 to 208 (inclusive) are consequential.

209—Amendment of section 27—Power to remove vehicles left unattended within declared area

One of the proposed amendments to this section is consequential and the other updates a reference.

210—Amendment of section 27AB—Application of sections 27B and 27C

This amendment is consequential.

211—Repeal of section 28

This section is to be repealed as it is no longer required.

212—Amendment of section 28AA—Declaration of official titles

This amendment is consequential.

213—Amendment of section 28A—Special proprietary interests

These amendments are consequential.

214—Amendment of section 28B—Seizure and forfeiture of goods

One of the proposed amendments to this section is consequential and the other updates a reference.

215—Repeal of section 29

This section is to be repealed as it is no longer required. Schedule 1 (to be inserted in the principal Act by clause 217) makes provision for the transfer of assets and liabilities of the Board.

216—Amendment of section 30—Regulations

These amendments are either consequential or update the penalty that may be imposed for breach of a regulation.

217—Insertion of Schedule 1—Transitional provisions

Proposed Schedule 1 makes provision for transitional arrangements consequent on the abolition of the Board, including as to the transfer of staff, assets and liabilities.

Part 34—Amendment of *South Australian Multicultural and Ethnic Affairs Commission Act 1980*

218—Amendment of section 6—Constitution of Commission

The role of the Governor in the appointment of Commission members is removed and given to the Minister instead. This represents the key measure of this Part.

219—Amendment of section 7—Remuneration of members

This clause makes a minor amendment to section 7 consequential on the key measure of this Part.

220—Amendment of section 8—Removal from and vacancies of office

This clause makes minor amendments to section 8 consequential on the key measure of this Part.

Part 35—Amendment of *South Australian Tourism Commission Act 1993*

221—Amendment of section 3—Object

It is proposed to amend this section of the principal Act to reflect that the South Australian Tourism Commission (the Commission), as part of promoting South Australia as a tourist destination, also undertakes, on behalf of the State, the promotion of events, festivals and other activities.

222—Amendment of section 4—Interpretation

Definitions that will be otiose following the passage of this Part of the measure are to be deleted. In addition, a definition of promote, in relation to an event, festival or other activity, is to be inserted.

223—Amendment of section 5—Establishment of Commission

It is proposed to insert that the Commission has all the powers of a natural person that are capable of being exercised by a body corporate. This and another amendment proposed to this section are consequential on the Commission taking on the functions of the South Australian Motor Sport Board (to be abolished by the amendments proposed under Part 33 of this measure). The other amendment makes provision in relation to the common seal of the Commission.

224—Amendment of section 19—Functions of Commission

The proposed amendment to this section clarifies that the functions of the Commission include the promotion of such events, festivals or activities of the State as are consistent with the object of the principal Act. A further amendment is consequential on the amendments proposed to the *South Australian Motor Sport Act 1984* under Part 33 of this measure.

225—Amendment of section 25—Protection of names

226—Amendment of section 26—Regulations

The proposed amendments in clause 225 and this clause update the penalty provisions.

Part 36—Amendment of *South Eastern Water Conservation and Drainage Act 1992*

227—Repeal of section 29

This clause abolishes the Eight Mile Creek Water Conservation and Drainage Advisory Committee by repealing section 29 of the principal Act.

228—Amendment of section 31—Advisory committees

This clause makes an amendment which is consequential on the abolition of the Eight Mile Creek Water Conservation and Drainage Advisory Committee.

229—Amendment of section 32—Terms and conditions of office

This clause makes an amendment which is consequential on the abolition of the Eight Mile Creek Water Conservation and Drainage Advisory Committee.

230—Transitional provision

This clause ensures that a member of the Eight Mile Creek Water Conservation and Drainage Advisory Committee ceases to hold office on the commencement of this clause.

Part 37—Amendment of *State Lotteries Act 1966*

231—Amendment of section 3—Interpretation

These amendments are consequential.

232—Amendment of section 4—Constitution of Commission

The primary purpose of the amendments proposed to the principal Act is to replace the multiple members who form the governing body of the Commission with the Commissioner. To that end, the amendments to section 4 provide for the Commission to be constituted of the Commissioner.

233—Amendment of section 5—Term of office of Commissioner

One of the proposed amendments to this section is consequential and the other provides that the Commissioner is, for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*, a senior official.

234—Substitution of sections 6 and 7

This clause deletes sections 6 and 7 of the principal Act and inserts new section 6:

6—Removal from office

Proposed section 6 ensures that the Governor has power to remove the Commissioner from office on the recommendation of the Minister on any ground that the Minister considers sufficient.

235—Amendment of section 8—Vacancy in office of Commissioner

These amendments are consequential.

236—Substitution of section 9

This clause deletes section 9 and inserts new section 9:

9—Acting Commissioner

Proposed section 9 makes provision for the appointment of an acting Commissioner in the event that the Commissioner is temporarily absent or unable to perform his or her official functions.

237—Amendment of section 11—Validity of acts of Commission

This amendment is consequential.

238—Repeal of section 12

This amendment deletes section 12 and is consequential.

239—Insertion of section 18C

This clause inserts section 18C:

18C—Tax and other liabilities of Commission

Regulation 4 of the Public Corporations (Lotteries Commission—Tax and Other Liabilities) Regulations 2012 provides that section 29 of the *Public Corporations Act 1993* applies to the Commission (such that the Commission is liable to pay various taxes and other liabilities as if it were not an instrumentality of the Crown). On the Commission being reconstituted of a single member (rather than multiple members) it is necessary to enact an equivalent of section 29 of the *Public Corporations Act 1993* in the *State Lotteries Act 1966* because it s not envisaged in the *Public Corporations Act 1993* that section 29 would be applied to a single member body corporate.

240—Amendment of section 19—Offences

This amendment deletes a reference to Chief Executive and substitutes it with a reference to Commissioner.

241—Amendment of section 20—Regulations

This clause inserts a new power to make regulations of a saving or transitional nature consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

242—Transitional provision

This clause inserts a transitional provision that ensures that a member of the Lotteries Commission of South Australia ceases to hold office on the commencement of the clause.

Part 38—Amendment of Supported Residential Facilities Act 1992

243—Amendment of section 3—Interpretation

This amendment is consequential.

244—Repeal of Part 3 Division 2

This clause repeals Part 3 Division 2 of the principal Act which establishes the Supported Residential Facilities Advisory Committee.

245—Repeal of section 19

This clause repeals section 19 of the principal Act which establishes the panel of assessors to sit with the District Court when the Court is exercising its jurisdiction under the principal Act.

246—Amendment of section 25—Matters to be considered in granting a licence

This amendment is consequential.

247—Amendment of section 29—Licence conditions

This amendment is consequential.

248—Amendment of section 57—Regulations

This amendment removes the power to make regulations that may incorporate, adopt, apply or make prescriptions by reference to any document prepared or published by the Advisory Committee or any other body or authority.

249—Transitional provision

This clause inserts transitional provisions that ensure that a member of the Supported Residential Facilities Advisory Committee and a member of the panel established under section 19 of the principal Act cease to hold office on the commencement of the relevant amendments.

Part 39—Amendment of *Training and Skills Development Act 2008*

250—Amendment of section 4—Interpretation

This clause removes the definition of reference group from section 4 of the principal Act. This amendment is consequential on one of the key measures of this Part, namely the abolition of reference groups under the principal Act.

251—Amendment of section 10—Functions of Commission

This clause makes a minor amendment to section 10 consequential on the abolition of reference groups.

252—Repeal of Part 2 Division 3

This clause repeals Part 2 Division 3 of the principal Act, which required the Minister to establish reference groups. This amendment represents one of the key measures of this Part.

253—Repeal of section 68

This clause repeals section 68 of the principal Act, which required or enabled the Industrial Relations Commission to sit with assessors and experts (selected in accordance with Schedule 1 of the principal Act) in certain proceedings. This amendment reflects the other key measure of this Part.

254—Amendment of section 79—Regulations

This amendment inserts provisions allowing for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.

255—Repeal of Schedule 1

This clause repeals Schedule 1 of the principal Act, which required the Minister to establish panels of assessors, and enabled the Minister to establish panels of experts. This amendment is related to the measure referred to in clause 253 (above).

256—Transitional provisions

This clause ensures that a member of a reference group and a member of a panel will cease to hold office on the commencement of the respective subclauses.

Part 40—Amendment of *Urban Renewal Act 1995*

257—Amendment of section 7—Committees and subcommittees

This clause removes the requirement of the Minister to establish a housing and urban development industry advisory committee and a residents and consumers advisory committee.

258—Transitional provision

This clause ensures that a member of an advisory committee so established will cease to hold office on the commencement of the clause.

Part 41—Amendment of *Wilderness Protection Act 1992*

259—Amendment of section 3—Interpretation

This clause removes the definition of the Wilderness Advisory Committee which is being abolished under this Part. This clause also inserts a new definition of Parks and Wilderness Council, being the Parks and Wilderness Council proposed to be established under the *National Parks and Wildlife Act 1972*.

260—Amendment of heading to Part 2 Division 2

This clause amends the heading to Part 2 Division which is consequential on the abolition of the Wilderness Advisory Committee and the ongoing performance of its functions by the Parks and Wilderness Council.

261—Repeal of sections 8 to 10

This clause abolishes the Wilderness Advisory Committee by repealing sections 8 to 10 (inclusive) of the principal Act which establish and provide for the composition and functions of the Committee.

262—Amendment of section 11—Functions of the Parks and Wilderness Council under this Act

This clause makes an amendment which is consequential on the abolition of the Wilderness Advisory Committee and gives the functions of the Committee to the Parks and Wilderness Council.

263—Amendment of section 12—Wilderness code of management

This clause provides for the Wilderness Code of Management to continue and be varied or substituted by the Minister, instead of by the Wilderness Advisory Committee, as may be required. The Parks and Wilderness Council will assume the functions of the Wilderness Advisory Committee in assisting the Minister with variation or substitution of the Code.

264—Amendment to section 13—Appointment of wardens

This clause updates a reference to the *Petroleum and Geothermal Energy Act 2000*.

265—Amendment of section 22—Constitution of wilderness protection areas and wilderness protection zones

This clause makes amendments which are consequential on the abolition of the Wilderness Advisory Committee and which give the functions of the Committee to the Parks and Wilderness Council.

266—Amendment of section 28—Control and administration of wilderness protection areas and zones

This clause amends section 28 of the Act to provide that the Minister may direct that money paid under a lease or licence be paid to the Minister in addition to the option of being paid to a Trust established under the *National Parks and Wildlife Act 1972*.

267—Repeal of section 30

This clause repeals section 30 of the principal Act.

268—Amendment of section 31—Plans of management

This clause makes amendments which are consequential on the abolition of the Wilderness Advisory Committee and which give the functions of the Committee to the Parks and Wilderness Council.

269—Amendment of section 33A—Co management of wilderness protection areas or zones

This clause makes amendments which are consequential on the abolition of the Wilderness Advisory Committee and which give the functions of the Committee to the Parks and Wilderness Council.

270—Amendment of section 38A—Entrance fees etc for wilderness protection areas or zones

This clause makes an amendment to section 38A of the principal Act which is consequential on the abolition of the General Reserves Trust and the vesting of the responsibility for the General Reserves Fund in the Minister (see clause 134 and clause 137).

271—Amendment of section 41—Regulations

This clause provides for the making of regulations of a saving or transitional nature under the principal Act consequent on the enactment of the Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015.

272—Transitional provision

This clause ensures that a member of the Wilderness Advisory Committee ceases to hold office on the commencement of this clause.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:26): I thank the minister and the chamber for changing things slightly to allow me to speak to this bill. The Statutes Amendment (Boards and Committees—Abolition and Reform) Bill has been something that the government has been progressing for some time. I think it was in the middle of last year that the Premier announced that they were going to get rid of 200-odd boards. I think in the end what they did was an audit. The Premier announced that, as a result of an audit of government red tape, recommendations were made to abolish 105 state government boards and committees and reform a further 194.

It is interesting that some boards and committees have already been abolished. These are: the Agribusiness Council, the Australian Citrus Industry Development Board and the South Australian Wine Industry Council. This bill will also abolish the Aquaculture Advisory Committee, the Fisheries Council and the Phylloxera and Grape Industry Board Selection Committee. It will also abolish by regulation in June this year the Alpaca Advisory Group, the Goat Advisory Group and the Horse Industry Advisory Group, which is a body that came to me with a number of concerns. I know that we will be up for all of April, so I would ask minister, when she is summing up, to reassure the council

that the Horse Industry Advisory Group's concerns have been addressed. That group was somewhat concerned.

We have thoroughbred racing, trotting, show jumping, quarter horses, domestic horses, and stock horses that are used for work. The Horse Industry Advisory Group will raise some concerns; for example, if we had an outbreak of Hendra virus or equine influenza, how would the government deal with that? Where would it go for a contact? What body could actually help coordinate the control of one of those diseases if it were to break out? I would be interested to know whether the government has a satisfactory arrangement in place.

Often what we have said to these groups—and I have written to most of them—is, 'What is your view?' It is fair to say that the Liberal Party was not opposed to the abolition of some of these boards as long as the new arrangements served the industry appropriately. I would certainly like some information on the Horse Industry Advisory Group.

Other groups to be abolished by regulation in June 2015 are: the Deer Advisory Group, the Apiary Industry Advisory Group, the Rock Lobster Fishery Management Advisory Committee and the SA Forest Industry Advisory Board. I think the Rural Assistance Appeals Committee expires in September 2015, or it will disappear when that scheme expires. I think also that when the South Australian River Murray Sustainability Program Steering Committee project is completed in 2018, that committee will cease to exist.

With regulations there have also been a number of changes to allow the chief executive to appoint boards rather than the minister, and that includes the Pig Industry Advisory Group, the Cattle Industry Advisory Group, the Sheep Industry Advisory Group and the Meat Food Safety Advisory Committee. Again, I would like the minister to reassure the chamber that those groups are comfortable with the new arrangements. Also, I think in June 2016, the Phylloxera and Grape Industry Board of South Australia will also cease.

This omnibus bill also transfers the power of appointment to the minister for the Genetically Modified Crop Advisory Committee, which is interesting. We have had a moratorium now for seven years, I suspect, so we have had a Genetically Modified Crop Advisory Committee but we have not had any genetically modified crops growing for them to advise the minister on.

Minister Bignell offered an explanation that the functions of the committee are now policy-based not operational. I am relaxed about how it is appointed, but I think that the minister and the government ministers—not just minister Bignell but Premier Weatherill and his merry band of ministers and backbenchers—have often suggested that we get significant benefits from being GM-free, and significant financial benefits that our produce is more readily sought after, it commands a higher price in the marketplace and that our primary producers are better off because we are GM-free.

We went to the last election saying that we supported a moratorium but we wanted to measure that benefit. My advice to the minister and the government would be that, if they are going to continue to have a Genetically Modified Crop Advisory Committee, surely one of the functions of that committee would be to evaluate the government's policy. If he says now that the functions of the committee are policy-based not operational, and there is the government policy of being non-GM then this committee should actually measure that benefit for the people of South Australia.

They also go on to reclassify a non-government committee which is now to be the South Australian Forestry Corporation Board—Risk and Audit Committee. They are going to retain the Aquaculture Tenure Allocation Board, the Veterinary Surgeons Board and the Dairy Authority of South Australia. But, more importantly, there are four boards—or four committees, boards, councils, call them what you like—that the government wanted to abolish, which were the Health Performance Council, the Animal Welfare Advisory Committee, the South Australian Tourism Commission board and the Pastoral Board.

I am pleased to say that these were four boards that the opposition was very keen to retain and I am pleased to report that the government has seen fit in their wisdom to support the opposition's position. When members look at the bill as it has come forward now, they will see that those four boards are still included. Our amendments were passed and supported by the government in the House of Assembly, yesterday I think it was, so I am pleased that they have done that.

I will not speak about those four boards in particular, other than the South Australian Tourism Commission Board shortly, but I suspect the Hon. Stephen Wade will have some comments around the Health Performance Council, and my colleague the shadow minister for the environment will have some comments around the Pastoral Board and the Animal Welfare Advisory Committee.

I am delighted as the shadow minister for agriculture that the Pastoral Board has been retained. I know the Minister for Environment was very keen to see that go but the pastoralists and the opposition were not convinced that the new arrangements were going to be an improvement on what we already had, and so our fear was that pastoralists would not be listened to and would not have the voice or the framework that they have been used to—but I know my colleague, the Hon. Michelle Lensink will touch on that when we return.

There are a number of boards that are still subject to further discussion as per the final report that was tabled a little while ago, and I will read them out as quickly as I can. I think it would be appropriate for the minister to update the chamber on where that further investigation is up to.

They are: the Adelaide Cemeteries Authority Board, the Adelaide Cemeteries Authority Heritage and Monument Committee, the Adelaide Park Lands Authority Board of Management, the Architectural Practice Board of South Australia, the Art Gallery Board, the Asbestos Advisory Committee, the Australian Children's Performing Arts Company, the Boxing and Martial Arts Advisory Committee, the Carrick Hill Trust, the Construction Industry Training Board, the Da Costa Samaritan Fund Trust, the Dog and Cat Management Board, the History Trust of South Australia, the Industrial Relations Advisory Committee, the Libraries Board of South Australia, the Ministerial Advisory Committee: Students with Disabilities, Passenger Transport Standards Committee, the Planning Committee for Non-Government Schools, the Police Disciplinary Tribunal, the Police Review Tribunal, the Police Superannuation Board, the Privacy Committee of South Australia, the Roxby Downs Advisory Reference Group, the SafeWork SA Advisory Council, the South Australian Housing Trust Board of Management, the South Australian Museum Board, the South Australian Parliamentary Superannuation Board, the SA Superannuation Board, the SA Superannuation Board Member Services Committee, the Southern Select Super Corporation Board, the State Procurement Board State Record Council, and the West Beach Trust.

As you can see, there is quite a list of boards that, according to the final report, are all subject to further investigation, so I would be very interested in the minister giving us an update on where the government is up to with those particular boards, committees, etc. when, some time in May, she sums up the bill.

I will just come back now to the Tourism Commission which, as the shadow minister for tourism as I have been now for a number of years, was something that came as somewhat of a surprise to me that the government of the day wanted to abolish. We have had a commission board now for a couple of decades or more and it has worked really well. We have seen things like the Tour Down Under and the evolution of motor sport. We have the motor sport board which is to be abolished, and that is something that we had mixed feelings about, but we are keen to reform the state and we are keen to support getting rid of red tape.

I think there was a good case for a motor sport board when it was a new event that we had never staged before. Obviously we have had the Grand Prix and a couple of events, including the Le Mans 24 Hours, and now we have the Clipsal, which is a great success. So it is actually well established, and there is probably a case to say now that it can run similar to the Tour Down Under without a board, although there were some concerns. It is our view that we will let the government have its way with those boards and abolish them.

I think there is also a merger proposed, or an abolition of, the boards of the Convention Centre and the Entertainment Centre. Again, we are not convinced that is entirely the right solution, but if that is what the government of the day desires to have, they are big well-established organisations and they have chief executives in place. I think there may well be a new board that oversees both of those facilities.

We will watch those with some interest, because if there is a problem, if it does not work well, we have an election in a bit under three years now, and I know that seems like an eternity, but it will probably whizz past pretty quickly and it also will give time to see whether the new arrangements are

working, and I suspect that goes for most of the other boards and committees that have been abolished or will be abolished. If there is an anomaly, or something is not working, or the new arrangements are not satisfactory, then we will be the first to say, 'Let's have a look at it to see if we can come up with some better arrangements.'

But the tourism commission board was a bit of a surprise because throughout my travels and with the people I speak to, nobody had complained about the board's decisions and about the function of the board. With some of the decisions, like putting the visitor information centre in a basement in Grenfell Street, there was a bit of duckshoving and handballing as to whether it was the chief executive or the minister; the minister says it was the board. So there were some decisions that were made. I did actually question a board member and asked what was going on and they said to me, 'We had no idea what was going on.' I question whether there was ever enough training about the corporate governance role of the boards.

I am glad the government has come to the decision to keep this particular board. With our proposal I would hope that the new arrangements are that the new board members are made fully aware of their responsibilities as a board and to make sure that they do probe and ask questions to avail themselves of all of the information.

It is interesting when I look at a letter that was written by the tourism minister, the Hon. Leon Bignell. I guess it gives us some insight into where I perhaps think we should go with the tourism commission board. This is a letter that he sent out to most tourism stakeholders in South Australia, and I will just quote from it:

> The South Australian Tourism Commission Board is to be replaced with an industry panel, designed to provide all members of the tourism industry with a strong voice, decisions taken by the SATC.

He claims that we get some savings of around $200,000 a year. It is interesting that we are seeing every few a weeks another million dollar advertising campaign rolled out by the government, which I am sure was not budgeted for, and it is having little effect attacking the federal government. I know that they have issues with the federal government, but I am not sure that it is a wise use of taxpayers' money to spend a million dollars every few weeks on another advertising campaign. So, they can quickly save five or ten times what they have attempted to save from the Tourism Commission board by just desisting from pointless, meaningless advertisements. He says:

> While I will continue to work with industry to determine the exact make-up of the panel, it will include: Adelaide Airport, Education Adelaide, at least two regional representatives, South Australian Tourism Industry Council, the West Beach Trust, the Adelaide Convention Bureau, the Australian Hotels Association, the arts and the Australian Tourism Export Council.

I said to minister Bignell, in a briefing we had with him, that I would expect that, if the parliament is insisting on retaining a board—he has already outlined the sorts of background and representatives he would like on an industry panel, so clearly he has a view of the sort of people and the industries he wants represented on his panel—I would expect him to follow that when he appoints a new board. Reading the act I think there is some requirement to have at least two women and at least two men and, apart from that, some broad guidelines on industry background.

If we had won the election and I had the good fortune to be the minister, I would have had people like the chief executive of the industry council on the board so the small operators have a voice on the board. With regional representatives, I know that all the regional boards have regional chairs and they meet and elect a chair. At the moment it is Mr Pierre Gregor from Kangaroo Island. I am not sure whether he should be the representative or the chair of the chairs, but maybe the regions should elect a couple of people.

If minister Bignell is saying that he would like two regional representatives, then it would be appropriate in my view for the regions to elect those regional representatives, or at least offer some suggestions to the minister so that they have people in whom they have faith and confidence to represent their views around the board table. Obviously, the Conventions Bureau, the Hotels Association and others just make common sense. It was also interesting that in this letter minister Bignell said:

> These decisions haven't been taken lightly, and have come about from discussions I've had with hundreds of people throughout South Australia during the past 20 months.

It is interesting: I have not heard from anybody who supports the abolition of the Tourism Commission board. I move about South Australia, and last year in October-November either the Leader of the Opposition, Stephen Marshall, or the deputy leader, Vickie Chapman, in the House of Assembly indicated that we would not support the abolition of the Tourism Commission board, yet I got not one bit of correspondence, phone call or email saying, 'You guys have got it wrong, you've got to get rid of it'.

So I am a bit surprised that the minister says that he has spoken to hundreds of people and that this is the view he has come to. I am a little surprised he would say that. I was a little surprised also, in the briefings I had with him, that he was asserting that various people had changed their mind, including some of the industry groups and stakeholders. It is fair to say that, when I contacted those people, they had not changed their mind: they had decided they would not be vocal in opposition to it, but they still had a view.

I think it was the Hotels Association that still had a view that they did not agree with the minister's decision, but that they were not going to be vocal and out there beating the drum. I recall a copy of a letter I received from the minister that he had written to Mr Peter Shelley, the Managing Director of the Australian Tourism Export Council. The council says that they are opposed to it, and minister Bignell was writing to them and was quite scathing. He said:

> I am disappointed in your comments which show a severe lack of knowledge and understanding of the South Australian tourism industry.

He went on to say:

> The Chair of the South Australian branch of the Australian Tourism Export Council, Mr Paul Brown, was included in this process and is supportive of the government's decision.

He goes on to say:

> Mr Brown has accepted a position on the new industry panel.

Of course, he could well be one of the regional people. It was interesting, because I think that Mr Brown was lying on the beach in Bali on holiday when he got a phone call from the minister saying, 'Will you be on a new advisory panel?'. He really had no understanding of exactly what was being proposed. It is interesting that at times minister Bignell has stretched things a fraction when it has come to exactly who agrees or does not agree with the decision. Nonetheless, we are delighted that this Tourism Commission board is now going to be retained.

Of course, one of the big areas that I think the government has been quite keen to progress just recently is the events space. I think that is something that we all need to look at. Just on Sunday, we saw an article written by Sheradyn Holderhead about new events:

> South Australia has an arts calendar the envy of many, a motorsport festival unlike any other, and a world-acclaimed bike race that goes from strength to strength.
>
> But with Mad March now behind us, the State Government is calling on the public to help shape the next big act to cement Adelaide on the tourism map.

It is interesting that they say that, because then they go on and talk about investment in events and quote minister Bignell:

> Tourism Minister Leon Bignell said Tour Down Under was a perfect example of a successful event started from scratch. 'The government didn't think of that, a cyclist did. The ideas don't rest with us, they rest with everyone,' he said. 'When we talk about major events they don't necessarily have to stop the city. Some of the best returns we get are for things like the University Games.'

About 2½ years ago, a group came to me with a proposal to stage the world waterski championships in South Australia. I have looked at that events article and I also think: what do we have here that is unique? We saw the Victorians steal the Grand Prix; they built a track and they were able to do it. There is always the constant threat that somebody is going to take away the Tour Down Under, although I suspect we are reasonably secure because of our geography and the fact that the cyclists and their teams can stay in the Hilton every night.

But one thing we have in Adelaide that no other capital city has—and I think you will all be a little surprised that this—is that the western end of the Torrens lake is one of the most perfect bodies

of water for waterskiing anywhere in the world, and better than any other capital city in Australia. I will just quickly elaborate on that. For that level of competition, they need a body of water that is not tidal, is not flowing and has reedbeds along the side so the wash from the wake does not come back and so the water is still and flat again in a very short period of time.

Of course, in Melbourne they have the Yarra, in Sydney the harbour; there is the Brisbane River in Brisbane, the Swan River in Perth and the Derwent in Hobart. They are all tidal; they are all beautiful, lovely parts of Australia, but what we have in the western end is a unique geological environmental asset that is perfect for waterskiing.

The president of the world waterskiing federation has visited Adelaide and could not believe that we had a body of water which was walking distance from several big hotels, right in the middle of the city. I think last year's world championships were either in Chile or Argentina, and it was a two-hour coach ride for the athletes from wherever they were staying out to the lake, which I guess was probably up in the foothills of the Andes somewhere, where there was a solid body of water.

So we have this unique environmental asset. The water skiing community here has been to the city council. The city council has signed off that, yes, they are happy to do it and have it there. They propose to do it in September, so it would not be in Mad March. I think they also had some discussions with the Kaurna people, and the Kaurna people are comfortable and relaxed with the event being held on the Torrens; they are not fussed about the timing of it.

So we have an event that is ripe for the picking and in the last few days has become riper than ever. It was scheduled for 2015 to be in Italy, but the Italians are unable to host the event, so the world waterski federation is now looking for a host city for 2015. We were to bid for the 2017 world championships. Unfortunately, the word got out that we had a perfect body of water and when it came to bidding, nobody else bid for the 2017 games, because they all expected Adelaide to bid for it.

We have not bid for it, and I know there are a few issues in and around that. I think there is a $50,000 bid fee, which is a bit like a deposit; you pay it and then get it back once you have run a successful event. There are some staging costs. As an example, there are naming rights sponsors; there is a whole range of sponsors. In Darwin, we have the SkyCity Darwin Cup. I know that the waterskiing community here has had some discussions with the Casino here, and so I am sure that whether the Casino wants to be the naming rights sponsor or however they would like to be involved, they will be on the water's edge, effectively.

It is interesting that, when I recently met with Mark Beretta—members would know that he is a sports reporter for Channel 7 and a waterskiing enthusiast himself—he told me that he had emailed Hitaf Rasheed at Events SA and said, 'This is a great event. You need to get on and back it. Given that the world president and all of his cronies have seen Adelaide as such a perfect location for it, here you have a golden opportunity.' It may have been somewhat of a throwaway line, but he said to me, 'Channel 7 will come in and broadcast it now.' Channel 7 would have to obviously program that in, but the way he spoke was that it would be a big event. I am told that it has a viewing audience of some 200 million or 300 million. It is one of the biggest participation sports in South Australia.

I was interested to see that only last week, when this bill was being debated in the House of Assembly—I think somebody might have interjected minister Bignell in relation to the World Waterski Championships and why we were not doing it, and he said that it was an extra cost of $1 million dollars. So, this week we asked the Minister for Recreation and Sport, further to his comments last week, could he detail the $1 million of costs associated with the World Waterski Championships, but he could not do so. So, last week he said in parliamentary debate that it would be extra $1 million of costs, and this week he said:

> I thank the member for the question. Yes, I can bring back some information about the World Waterski Championships.

The member for Chaffey went on to ask:

> Given the event will attract participants from an estimated 45 countries, what support is the government going to provide to this potentially lucrative major event?

Minister Bignell went on to say:

> We have been having discussions…for a couple of years—

I know that, Mr President—

> We are well aware of the potential for the event but we are also aware of the potential risk for the government and the taxpayers of South Australia in hosting the event. We have asked the organisers for some further information and we are still waiting on that. The last I heard, when I spoke to the South Australian Tourism Commission, they were still waiting on that information to come back from the organisers.

What I am saying here is that we have an event that fits the bill perfectly. It is not in March, we are going to capitalise on a unique environmental asset we have, it has support from both sides of politics and I suspect probably from the crossbenches as well, the city council supports it, and my understanding is that the local Kaurna are happy with it. I would urge minister Bignell and Premier Weatherill to go back and have a closer look at this.

One of the other things I think is possible is that, because the Italians have dropped out of hosting this year, we may well be able to do a deal with the world waterski federation and host back-to-back world championships, one in 2015 and one in 2017, which would defray some of the costs the minister is talking about.

Also, there is a strong indication that the Australian body will have what they call a pro series, where they have a championship event a bit like the V8 supercars: they rotate around the nation. They would have a pro series, and they would like to start that with an Adelaide event in September-October each year. So we could see, with a little bit of imagination and a little bit of investment, an event that has the world championships maybe this year and in 2017 and then a regular event, being the Adelaide leg of the Australian championships for waterskiing.

They have done all of the testing. The water quality at that time of year is the best. It is at the end of the winter cycle, so it as fresh as it can be. The water is deep enough, and it is long enough. They have had some discussions with the private schools, with all the little rowing sheds for the contestants to put their skis and all their gear and then lock them up. Then there is the Intercontinental, the Stamford and The Playford. There are still plenty of hotels in walking distance, and I expect that we will see some new hotels built around the city as well over the next little while. So, it really fits perfectly, and I would implore the minister and the Premier to have another look at that particular event.

I am sure that the Tour Down Under, the Clipsal and all the other things we have done over the years that have had some longevity did cost some money initially. I think it was $160,000 or $170,000 the Hon. Robert Brokenshire said it cost to build the temporary grandstand and tent on top of Willunga Hill for a race that goes past for one day in a week-long event.

These waterski championships will be a week-long event, so it would provide an opportunity to showcase the Riverbank. We are all proud of the Riverbank, and it will develop and continue to evolve over the next 10 or 15 years. The backdrop for the television coverage of the waterski championships would have the new hospital, SAHMRI and the other research facilities and then the Convention Centre, the Intercontinental, the Casino and whatever the final development is behind here, the Festival Theatre refresh and then, of course, swinging around to Adelaide Oval.

So you can see that it will be a wonderful way to showcase Adelaide to the world, with the opportunity to host two world championships, probably within a couple of years of each other. I encourage the minister and the Premier to have a much closer look at that particular event. With those few words—probably not few words—but with those words I indicate that the opposition will be supporting the bill and I look forward to further stages of the debate.

Debate adjourned on motion of Hon. T.T. Ngo.

At 16:55 the council adjourned until Tuesday 5 May 2015 at 14:15.