

LEGISLATIVE COUNCIL**Tuesday, 22 March 2016**

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:18 and read prayers.

The PRESIDENT: We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia and their connection to land and community. We pay our respects to them and their cultures and to the elders, both past and present.

*Bills***STATUTES AMENDMENT (RIGHTS OF FOSTER PARENTS, GUARDIANS AND KINSHIP CARERS) BILL***Assent*

His Excellency the Governor assented to the bill.

ROAD TRAFFIC (ISSUE OF FREE TICKETS BY PARKING TICKET-VENDING MACHINES) AMENDMENT BILL*Assent*

His Excellency the Governor assented to the bill.

YOUTH JUSTICE ADMINISTRATION BILL*Assent*

His Excellency the Governor assented to the bill.

TOBACCO PRODUCTS REGULATION (ARTISTIC PERFORMANCES) AMENDMENT BILL*Assent*

His Excellency the Governor assented to the bill.

VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL*Assent*

His Excellency the Governor assented to the bill.

*Parliamentary Procedure***ANSWERS TABLED**

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

PAPERS

The following papers were laid on the table:

By the Minister for Employment (Hon. K.J. Maher)—

Determination and Report of the Remuneration Tribunal No. 4 of 2016

By the Minister for Police (Hon. P.B. Malinauskas)—

Rules of Court—Magistrates Court—Magistrates Court Act 1991—Civil—Amendment
No. 11

*Ministerial Statement***ROYAL ADELAIDE HOSPITAL**

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 table a copy of a ministerial statement, made in the other place by the Minister for Health, entitled New Royal Adelaide Hospital.

*Question Time***EMPLOYMENT FIGURES**

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:24): My question is to the Minister for Employment. Given that South Australia has a highest unemployment rate of 7.7 per cent, the highest underutilisation rate of 17.4 per cent, the second lowest employment to population ratio in Australia (and equally the participation rate), will the minister tell us when the government will start delivering improvements on South Australia's job crisis?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:25): I thank the honourable member for his question and his interest in these matters. We have a range of initiatives that are tackling this very problem. We have our economic priorities, our 10 economic priorities. We also have the Northern Economic Plan that was released only this year, an ambitious plan to increase employment in the north. It is interesting to contrast that with what the opposition offer us.

We saw the Hon. Robert Lucas happily waltz in here today with his Marshall 2036 plan under his arm as if that is something to be proud of. The number of times that that plan mentioned the northern suburbs, automotive workers and Holden was zero—not once. This is the combined wisdom of the opposition after 14 years and not one single mention of it. I know the Hon. Robert Lucas is fond of quoting things in this chamber—

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Order! Allow the minister to finish.

The Hon. K.J. MAHER: —so I thought I might quote a couple of things about their plan, their plan for the whole of South Australia, the sum total of their wisdom and ambition. The award-winning journalist Daniel Wills talks about their plan that the Hon. Rob Lucas is so proud of and states:

It's hard to find much to say about the 2036 vision Mr Marshall has handed down...There wouldn't be a single person who doesn't believe in 'a stable job in a growing economy', 'vibrant regional communities' or having the 'best schools in South Australia'.

That award-winning journalist finishes by saying that, until the Liberal Party actually brings some detailed and costed policies to the public, it will remain what it is—a flashy new prop but little else. The award-winning journalist Tom Richardson talked about this last week and said:

For starters, the obviously implication is that, so futile are their electoral aspirations, the Libs have already completely given up on 2018 and set their sights further afield, to a year in which there isn't actually a state election.

I think there is a very stark contrast between what this government is doing, what are our ambitions and what the opposition is doing.

POLICE STAFFING

The Hon. S.G. WADE (14:27): My question is to the Minister for Police. Does the minister agree with the police commissioner, Grant Stevens, that if the government intends to fill its election commitment to recruit an additional 313 police officers the police budget will need to be increased by \$8 million a year?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:28): I thank the honourable member for his important question regarding the police resourcing that this government remains

absolutely committed to. I think now on more than five occasions I have been asked the question in this chamber regarding this government's ongoing commitment to resourcing the police force.

This government remains absolutely committed to honouring our commitment regarding Recruit 313. I am very proud to report to this chamber again that the South Australian police force is one of the most well-resourced police forces in the nation. Indeed, it is a statement of fact to say that, on a per capita basis per 100,000 of population, SAPOL has more police officers than any other state in the country. On a per capita basis, we have more police officers than in any other state in the country.

This government's commitment to retain its position as one of the most well-resourced police forces in the country remains ongoing, which is why we are committed to continuing to increase the number of police officers on the ground. Let me be clear: under this government we have more police, we have an increasing police budget, we are increasing the wages and conditions of the police officers who serve our state so proudly, and we remain committed to increasing them into the future.

On average, this government has been increasing SAPOL's budget on the basis of around about 9 per cent per annum since this government came to office: an extraordinary commitment that demonstrates our absolute passion for keeping this community safe and our outstanding commitment to making sure that we have police on the ground. We are committed to Recruit 313 and it is this government's intention to deliver Recruit 313 and we will be doing everything we can to make sure we honour that commitment.

POLICE STAFFING

The Hon. S.G. WADE (14:29): Supplementary: if the government is committed to 313 and is committed to not directing the police commissioner as to how they spend resources, I gather the government is committed to giving the police an extra \$8 million this financial year.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:30): I don't know how I could be any clearer: this government is committed to honouring our Recruit 313 commitment. We are increasing the number of police officers that this state has. It is the most well-resourced police force in the country. We have more police officers per capita than any other state in the country, and we're going to continue to improve our position by continuing to increase the recruitment of police officers.

Of course, it's a statement of the obvious that there will be additional resources required to honour our election commitment but we are committed to doing that. It will come as no surprise to any person with a brain that if you employ more police officers that will require additional resourcing, which is why we remain a government that is committed to increasing SAPOL's budget. We continue to do that into the future and we will continue to make sure that as we increase SAPOL's resources, as we always have, that we are also expecting a higher degree of service with that, which means we remain committed to exploring innovative ideas that the police commissioner might have to ensure we have more police on the front line.

POLICE STAFFING

The Hon. J.A. DARLEY (14:31): Supplementary: I understand what the minister is saying when he says that South Australia has more police officers per hundred thousand of population than any other state, but does that mean that our key performance indicators are superior to what occurs interstate, or are we playing catch-up?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:31): I thank the honourable member for his important supplementary question. My advice is that we are very much a nation leader when it comes to the resourcing of SAPOL, whether that be resources regarding front-line police officers or, indeed, resources more broadly around capital requirements that our police force has.

We are doing incredibly well when it comes to other key indicators that demonstrate this government's commitment to community safety. An important one, of course, is crime stats. We have had a reduction in crime throughout the life of this Labor government, and that is something we want

to continue to pursue. We think policing or resourcing our police force well is an important component of being able to do that, which is why we remain committed to increasing SAPOL's resources, whether that be through Recruit 313 or other exercises. We remain committed to doing that and that is exactly what we will deliver on.

POLICE STATIONS

The Hon. R.L. BROKENSHIRE (14:32): Supplementary: given the minister's answer, can the minister therefore explain to the house why he is allowing the closing of police stations, including the McLaren Vale Police Station, and the removal of night patrols from the Aldinga Police Station?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33): I thank the honourable member for his question. This is now the second time that the Hon. Mr Brokenshire has sought to ask a question that he should know better about. He is a former police minister who I know all too well fully understands the importance of having a degree of confidence in the police commissioner to be able to perform his functions and his duties in a way that is removed from the political process.

The member should know better than anybody the importance of there remaining a degree of separation between the police minister instructing the police commissioner or not. He should appreciate that more than anyone. He should appreciate the fact that when it comes to making decisions about what is essentially operational matters we should be removed from that process and place our confidence in the police commissioner doing his job effectively.

That said, the honourable member has asked about the question of closing police stations. SAPOL is undertaking a review of the way it best allocates its resources. We are a government that has been increasing SAPOL's resources and it is a reasonable expectation of the community and, indeed, this government to make sure that we have an efficiently operating police force. It is not okay for SAPOL or any other bureaucracy or agency, for that matter, to sit back and accept increasing resources but not have a good hard look at themselves to make sure that they are set up and structured in a way that is relevant to a modern community. Things change.

We would reasonably expect agencies of all nature to be looking to make sure that they are delivering their services in the most efficient, productive way. They shouldn't be resting on their laurels. We wouldn't want to see any government agency be the recipient of more taxpayer funds, more resources, and then use that as a means to rest on their laurels and not explore the opportunities to improve their service delivery, which is why I endorse the police commissioner actively looking within their own organisation to see if there aren't ways we can improve service delivery, albeit in an environment of increasing resources; hence, he is undertaking an internal SAPOL review. I actively endorse him doing that.

I actively encourage him to be innovative in any ideas that he can come up with about delivering more efficiently and more productively all those resources that this government has made available to SAPOL. We await the outcome of that process. We would actively encourage any member of the community, whether that be the Hon. Mr Brokenshire or other members of the community more broadly, to actively play a role in that consultation process that SAPOL themselves are engaging in.

We will await the outcome of that review. It is something that I am keeping abreast of. Indeed, I've got a meeting with the police commissioner tomorrow to receive the most recent update about the work that he is undertaking. It is a process I encourage, and I have confidence that, when it comes to making the operational decisions in relation to the police force, our police commissioner will do the right thing. I would hope and expect that the Hon. Mr Brokenshire understands the importance of letting the police commissioner make the key operational decisions that he should.

POLICE STATIONS

The Hon. R.L. BROKENSHIRE (14:36): Supplementary: given the minister's answer, if it is an operational matter to close the Hallett Cove Police Station, how can it be not an operational matter for this Labor government to announce that they were going to open the Hallett Cove Police Station only a few years ago?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:36): Mr President, I have been holding back from doing this, but I feel compelled. Since the Hon. Mr Brokenshire persists in wanting to allow political interference into the police force, he should be reminded of words that he himself said on 27 September 2001. I've been sitting on this. He said, and I quote:

Separation of powers is one of the fundamental principles of the Westminster system. It is one of the fundamental principles of democracy and justice. It is about giving the police force integrity, and it is about stopping political interference.

Of course you cannot do that and nor should you. I intend to honour the words of the Hon. Mr Brokenshire back in September 2001. I will acknowledge that what he said back then was right—acknowledging the separation between this government when it comes to the police being able to perform their duties operationally in a way that they think is in the best interests of community safety. I have complete confidence in this police commissioner being able to make the appropriate operational decisions, and I would encourage all members to do the same.

SOUTH AUSTRALIA POLICE

The Hon. A.L. McLACHLAN (14:37): If the police are successful in their search for innovation and find savings, will they be able to keep the savings and apply them to other initiatives in policing?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:38): I think the best way to answer that question is to remind the honourable member of the fact that this government remains committed to increasing SAPOL's budget. We are increasing SAPOL's budget. Since this government has come to office we have increased SAPOL's budget on average by 9 per cent per annum—extraordinary growth, an extraordinary sign of this government's commitment to increasing SAPOL's resources so they can get on with the business of keeping our community safe.

When SAPOL undertake their internal review, as they are, with this government's complete confidence and my endorsement as police minister, we will want them to do that so they can find ways so they can continue to allocate the resources, the extraordinary level of resources that this government has made available to them, in the most efficient, productive way possible to ensure that this community's safety, the South Australian community, continues to be preserved and indeed improved.

COMMISSIONER OF POLICE

The Hon. J.A. DARLEY (14:39): Supplementary: I fully understand the separation of powers between the minister and the police commissioner, but how is it then that when I wrote to the police commissioner about an operational matter I received a reply from the minister?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:39): I am not familiar with the specific correspondence that the Hon. Mr Darley refers to but, as I have said on more than one occasion, of course I have no dramas for my office to be a conduit for information between honourable members in this chamber or elsewhere and the police commissioner.

I am more than happy to take that on notice, or get some specific details about the correspondence that Mr Darley refers to and make some inquiries to ascertain what the nature of the information was that the Hon. Mr Darley required and see if we can get an answer back to him as promptly as possible.

UNEMPLOYMENT FIGURES

The Hon. R.I. LUCAS (14:40): My question is directed to the Leader of the Government. Will the minister and the Weatherill government now finally admit that after 14 years in government they must accept, at the very least, some responsibility for the 7.7 per cent unemployment rate in South Australia?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive

Transformation, Minister for Science and Information Economy (14:40): I thank the honourable member for his question, his interest in this area and his repetition of his leader's question from earlier on. It is a display of how disunited they are that we get exactly the same question as the first question and the third question.

South Australia is facing some very significant challenges. We are, like Western Australia and Queensland, facing the effects of a massive slashing of world commodity prices that has had a significant impact on the South Australian economy. We have also faced, as Victoria is facing, a very changed environment in our manufacturing. We have talked about this, about why this is, and about the withdrawal of modest support, by world comparison, for the automotive industry of the Hon. Rob Lucas' Liberal mates in Canberra.

We are, in response, doing a number of things, doing a large number of things. I will inform the Hon. Rob Lucas once again of some of the things we are doing. We have a plan, a very comprehensive plan, for the South Australian economy. Some time ago, we set down 10 economic priorities to transition this state from some of these old economic activities to some of the newer ones.

The 10 priorities include: unlocking our resources, energy and renewables sector; premium food and wine exported to the world; a global leader in health and ageing research; the knowledge state, attracting students and commercialising of our research; a destination of choice for travellers; growth through innovation; the best place to do business; Adelaide, the heart of a vibrant state; international connections and engagement; and access to capital global markets for small business.

In many of these areas there are numerous policies that go towards meeting those aims. Overall snapshots of these targets that were set down in 2014 show that 25 of these objectives in 2015 have been met and 24 are on track. These objectives are bold objectives. We have put in place targets to meet these objectives. In addition, we have our jobs plan that, in particular, supports the automotive manufacturing sector to transition to a new economy and to diversify what people and businesses in the automotive sector have done.

We are putting plans in place. I will not go through it again, but it stands in very stark contrast to the plan that the Hon. Rob Lucas seems to be so proud of. Their plan, their Marshall plan for 2036, can be summed up by the phrase, 'It would be good if we did better stuff.'

PHOTONICS

The Hon. G.A. KANDELAARS (14:43): My question is to the Minister for Manufacturing and Innovation. Can the minister inform the chamber about opportunities in photonics and advanced sensing that may deliver for South Australia?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:43): I thank the honourable member for his question and his interest in this area and in areas that are providing future industries and future prospects for South Australia. Last week, I had the opportunity to attend the Institute for Photonics and Advanced Sensing at Adelaide University (IPAS), which I have been to a number of times over the last 12 months or so. While there are a number of distinguished research institutions in South Australia, IPAS is a standout, engaging in cutting-edge research and development with game-changing potential across many areas of industry and technology.

The state government is proud to have partnered with IPAS to deliver the Photonics Catalyst Program, which is connecting South Australian manufacturers with emerging laser and sensor technologies being developed by the institute. The seeds we are sowing with programs such as the Photonics Catalyst Program are creating a positive impact for South Australian companies and companies such as Austofix and Trajan.

Trajan has been working with the Institute for Photonics and Advanced Sensing to fabricate novel ion transfer tubes for mass spectrometry that are then used to undertake chemical analysis in the medical industry. The company, Trajan, has committed to entering into a strategic alliance with IPAS that will initially result in the establishment of a new office within the IPAS facility at Adelaide University. I understand that they are also investigating the possibility of undertaking larger scale

manufacturing in South Australia which may include the transfer of some of the manufacturing that Trajan do elsewhere around the world.

The IPAS event last week was a great opportunity for representatives from South Australian companies to hear from several leading speakers about the transformative potential of photonics, sensing and this sort of measurement. Case studies were presented by Anne Collins from Trajan Scientific and Medical; Chris Henry from Austofix, whose company is engaged in the advanced manufacturing of orthopaedic implants; Dr Gordon Frazer from DSTG, which is involved in the development of things such as the over-the-horizon radar system.

The variety of the companies represented at this event signified the breadth of current applications of these technologies for industry, but equally there are applications that are yet to be fully explored. At this event I also had the opportunity to speak with international photonics expert Dr Bob Lieberman, who is President of the International Society for Optics and Photonics. Photonics is a disruptive technology with the potential to be a game-changer for many companies, including South Australian companies, to solve problems for local, interstate and global customers.

Photonics devices, such as lasers, sensors and optical fibres, are applicable to a number of important local industries, including resources, medical, defence, food and environmental industries. We know that the photonics global market is estimated to be worth around \$540 billion and is expected to grow to \$950 billion by 2023, so this industry represents a great opportunity for our local research and local advanced manufacturing.

That is why the South Australian government is committed to maximising the opportunity for this state. The government recently provided \$200,000 to the University of Adelaide to undertake a photonics value chain analysis to determine the feasibility of further establishing South Australia as a world recognised location of photonics excellence.

Through this financial contribution, the Institute for Photonics and Advanced Sensing at Adelaide University has appointed the international photonics expert Dr Bob Lieberman to deliver the photonics value chain analysis. Very simply put, Dr Lieberman's work will help the state to develop a road map for light-based technologies in a partnership with the University of Adelaide's Institute for Photonics and Advanced Sensing.

This project will deliver a comprehensive analysis of South Australia's existing photonics capabilities within research and industry; an understanding of current and future global market opportunities that utilise photonics technologies and areas where these can be matched to existing capabilities; the necessary actions and projects for industry, research and government to build a photonics industry in South Australia; and research alignment to industry needs and specific projects to take commercial ready or near commercial ready technology to the market.

The road map will provide an important analysis of current and future local, national and international market opportunities relating to photonics. South Australia has globally recognised research expertise in photonics at the University of Adelaide, the University of South Australia, Flinders University and at the Defence Science and Technology Group. We must capitalise on these significant opportunities in this emerging market and the benefits that might present themselves for the South Australian economy.

It is expected that this work will provide the foundations for the Institute for Photonics and Advanced Sensing proposed Photonics SA cluster. I look forward to informing the house in the future on the outcomes of Dr Lieberman's analysis and the very real opportunities this technology offers for industry in South Australia.

SHARED SERVICES

The Hon. J.A. DARLEY (14:49): I seek leave to make a brief explanation before asking the Minister for Police, representing the Minister for the Public Sector, questions regarding employment at Shared Services.

Leave granted.

The Hon. J.A. DARLEY: On Friday 18 March 2016, I was contacted by a constituent who had just received the following text message:

ASO2 Customer Service role currently available at Shared Services, based in the CBD. MUST be able to start 22/3, full-time until 30/06/2016. Must have excellent Excel, Microsoft and Office skills as well as having an excellent phone manner and ability to communicate verbally. Please send an updated CV...URGENTLY to be considered for this role.

The text message was from a recruitment company and effectively, on a Friday afternoon, it was requesting someone to start on the following Monday. My questions are:

1. How is it that management at Shared Services needed someone to start at such short notice?
2. Was this a result of bad management at the recruitment company or Shared Services?
3. If it was a matter of the recruitment company failing to fill a position even though they were given adequate notice, has Shared Services taken any action against the recruitment company? If so, can the minister provide details?
4. If it was a matter of Shared Services' management failing to identify that a position would be vacant, has this matter been investigated to avoid such occurrences in the future, and what action is being taken against management?

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 his most intriguing question. I undertake to take that question to the minister in another place and bring back a response on his behalf.

RED-LIGHT CAMERAS

The Hon. J.S. LEE (14:51): I seek leave to make a brief explanation before asking the Minister for Road Safety a question about red-light cameras.

Leave granted.

The Hon. J.S. LEE: In *The Advertiser* last week, the state's largest monitoring organisation, the RAA, called for the state government to direct the revenue from red-light camera fines to road safety. In the past two years, the number of speed camera expiations has increased by almost 58,000 in South Australia. For instance, in 2012, the number of mobile and fixed speed camera expiations was 131,484 but, in 2014, this number has increased to 189,566. Over the last three years, red-light cameras have generated more than \$50 million in fines revenue. My questions are:

1. Can the minister advise what percentage of red-light camera fines is directly funding South Australia's road safety infrastructure?
2. Can the minister advise when the state government will conduct an audit of traffic cameras to make sure they are operating for safety purposes rather than revenue raising?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:52): I thank the honourable member for her question. There are a number of elements to her question, but I think we should start with the premise on which she based her question which, of course, is the inquiries that were made by the RAA recently regarding what happens to revenue that is raised from red-light camera offences.

The first thing, of course, is that these are not revenue-raising measures. These are entirely a safety exercise, and there is a whole swathe of evidence that demonstrates that speed cameras and red-light cameras have been incredibly effective in changing people's behaviour. Speed was a contributing factor in 27 per cent of all fatal crashes last year. In over a quarter of all fatal crashes that occurred last year, speed was a variable or a contributing factor, which is an astonishing statistic.

That is why this government remains committed to doing everything it can to change people's behaviour and not allow people to speed. The reality is that speed cameras and red-light cameras are a very effective tool when it comes to changing behaviour. In regard to the RAA's inquiry around red-light cameras, I have been advised that all money raised from red-light cameras—no different to speed cameras—does indeed go into the Community Road Safety Fund.

Money from red-light cameras, as I understand it, as I have been advised, is treated exactly the same as money raised through speed cameras and, ultimately, it ends up in the Community Road Safety Fund, which last year was approximately \$81 million. All of that money is allocated to measures and efforts to improve road safety. Those can come in a number of forms, whether they be around training within our schools to promote key messages around not speeding and not running red lights or any other behaviour that can compromise people's safety on the road.

Indeed, some road maintenance programs are beneficiaries of the Community Road Safety Fund. Only on the weekend I was at a similar project at the intersection of North East Road and Sudholz Road. There are a whole range of programs that this government undertakes that are aimed to improve road safety. All of the money that is raised from red-light cameras and speed cameras goes into that Community Road Safety Fund to try and improve road safety.

I just want to say one thing in regard to this suggestion about revenue raising. I understand that people get frustrated when they receive a speeding fine. I understand that people hurt when they receive a fine from a red-light camera. No-one likes to receive a fine, and I for one am incredibly sympathetic to those people, particularly those people on low incomes; when they get a fine, it's a real hit—it hurts. It hurts their budget for a weekend.

But we need to understand why that fine is there: it is there to try and change people's behaviour, and we have been incredibly effective at doing it. I for one would be very happy to see that revenue raised from red-light cameras and speed cameras to go down to zero. If we didn't raise a single zack from red-light cameras and speed cameras, then that would be a great result because it would mean that no-one is speeding and no-one is running red lights.

And if no-one was speeding and no-one was running red lights, sure, there wouldn't be that money, but it would mean that our roads would be safer, less lives would be lost tragically—all of those things that of course cause a massive cost to the economy in any event. We would be very happy to see these things decline,

The reality is that if we were to remove every speed camera, if we were to remove every red-light camera tomorrow, you can lay London to win a brick that speeding rates would go up and people would start to run red lights. I know honourable members opposite wouldn't like to see that occur, so I would ask people to be a little bit responsible when they start throwing around lines like 'revenue raising', which it is not. This is entirely an exercise in trying to make sure that our roads are safer.

RED-LIGHT CAMERAS

The Hon. R.I. LUCAS (14:56): Supplementary question arising out of the minister's answer: does the minister believe that he was driving dangerously when he was caught with six traffic infringements, including driving whilst using a mobile phone?

The PRESIDENT: Can I just say: how does that arise out of the answer?

The Hon. R.I. LUCAS: The minister talked about safety.

The PRESIDENT: You don't have to answer that if you don't want to. It's not arising out of—

The Hon. D.W. Ridgway: Who is the judge—you or him?

The PRESIDENT: If he wants to answer, he can answer.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:57): Mr President, I am more than happy to answer it because I've been brave enough to be honest about the indiscretions I've made in the past. I was asked a question on FIVEaa radio about if I've got anything to admit. I was more than happy to admit to the fact that there have been occasions where I've received a speeding fine. I'm not hiding that. Am I proud of that? Absolutely not.

To answer your question directly, which I'm more than happy to do, do I think that that behaviour should be happening? Of course not. When anyone speeds, of course they are jeopardising the safety of other road users, which is why we don't want to be speeding, which is why no-one should be speeding. Do I think that I am infallible? No. Do I think that people opposite are infallible? Of course not, which is why we have to be diligent about policing speeding and we have

to be diligent about policing people who run red lights. And I for one hope that I have learnt my lesson so that when I am driving around in the community I learn my lesson, don't seek to pay any more fines and drive safely.

Of course when people speed, of course when people are running red lights, they are not engaging in safe driving, which is why we need to stamp it out, which is why we need to do things to police it, which is why, when people opposite start throwing around words like 'revenue raising', they think they are scoring a few political points, but all they are really doing is undermining people's confidence in a very important tool to make sure that our roads continue to remain safe.

RED-LIGHT CAMERAS

The Hon. R.I. LUCAS (14:58): Supplementary question arising from the minister's answer: can the minister indicate for the traffic offences for which he was caught how much above the speed limit he was travelling at the time, given he has indicated that he was driving in a manner which was dangerous to other road users?

The PRESIDENT: Minister, it's up to you whether you want to answer that question.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:59): The Hon. Mr Lucas thinks he is being very clever and cute by asking these sorts of scurrilous questions.

I have been very honest about the fact that I've been caught speeding sometimes. I don't have those numbers at hand because I know it wasn't particularly large over the speed limit. I know that Mr Lucas thinks he's very clever. I'm not too sure what Mr Lucas's driving record is like. I'm not too sure if he wants to start declaring every single driving offence that he's had. But I've been honest about my indiscretions; I've got absolutely nothing to hide. Of course I have learned my lesson and I will be doing everything I can to continue to drive safely.

RED-LIGHT CAMERAS

The Hon. R.I. LUCAS (14:59): Supplementary arising out of the minister's answer: how many, if any, of the minister's traffic infringements were red camera related?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:00): To the best of my knowledge, none.

RED-LIGHT CAMERAS

The Hon. R.L. BROKENSHIRE (15:00): Supplementary, based on the minister's answer: where he said that he supports red-light cameras and other speed detection devices and would not be removing any, can the minister tell the chamber whether he actually supports the important road safety initiatives of traffic police and, if he does, why have so many traffic police been removed from the traffic police division?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:00): Well, let me just peruse back to 27 September 2001. This was a rather extensive answer back in 2001 and, when the honourable member walked past my desk previously, he pointed out the fact that it was a very good answer. You know what? He is absolutely right, because it is not the duty or the responsibility of the police minister to be telling the police commissioner where best to place his resources.

The duty and obligation of this government is to make sure that SAPOL is well resourced. Again, I refer the chamber to the fact that, since this Labor government was first elected in 2002, on average we have been increasing the SAPOL budget by approximately 9 per cent per annum—very substantial real growth to ensure that SAPOL has the resources it needs to be able to keep our community safe. I have to say that up to this point I think they have been doing a very good job, but of course we want them to continue to improve, which is why we continue to increase their resources.

How the police commissioner allocates those resources is an operational manner. It is, in very many respects, his prerogative. I am sure that the Hon. Mr Brokenshire does not want the Minister for Police to be sitting around every morning with a big map saying, 'I want police officers

on this intersection, I want police officers hanging around Mount Compass, I want police officers hanging around Rob Lucas's home to see if I can catch him on something silly.' He does not want to see that happen. No-one wants to see that happen.

What we want to see happen is the police commissioner making the appropriate operational decisions that all South Australians want him to make, which is to make decisions about what is best likely to achieve an improved community safety, which means that I will not be jumping at every opportunity to intervene in what are legitimate operational police matters, and I am pretty sure Mr Brokenshire, in the cold light of day, would not want me doing that either.

EDIACARA CONSERVATION PARK

The Hon. G.E. GAGO (15:02): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister inform the chamber about the recent announcement to expand the Ediacara Conservation Park that was made during the recent country cabinet?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:02): I thank the honourable member for her fantastic question. I am very pleased that she did not do to me what I did to her when she took a question without notice on Ediacara and fossils many years ago from myself. I think, from memory, I actually took a very interesting story about Ediacaran fossils from, I think, *Nature* or *New Scientist*—I cannot remember, but one journal.

It carried a front page on South Australia's Ediacaran fossils, and I approached the minister in the chamber with a question. Luckily, she was prepared for it, she knew all about the Ediacaran fossils. I think she had just been up there and seen them for herself. We had a lovely time talking about the science of Ediacaran fossils, which I am here to do again today. So, I thank her for her question; it is very exciting.

The Hon. S.G. Wade interjecting:

The Hon. I.K. HUNTER: Well, it would be, the Hon. Mr Wade, but a few things have happened since then, so I will update the chamber on that.

In February and early March, cabinet travelled to the northern Flinders Ranges for a series of meetings at Port Augusta, Quorn, Leigh Creek and Parachilna. Ministers had very busy programs, including meetings with individual community members and groups, a community barbeque, a public forum in Port Augusta, discussions with pastoralists and with Alinta workers and families at Leigh Creek, and a visit to the Aroona Dam (for myself at least) outside Leigh Creek.

The community, I am hoping, enjoyed the opportunity to share their views and voice their opinions to government, just as much as government ministers and chief executives enjoyed the opportunity to engage with groups and those individuals. I would like to thank everyone who participated in the recent country cabinet and made it such a big success.

As part of the country cabinet program, on 1 March we visited the Ediacara Conservation Park, located 25 kilometres west of Beltana. The park protects places of significance to the Adnyamathanha people and has an important South Australian mining industry history, as well as its world-renowned Ediacara fossil deposits. These fossils, which I think I have talked to the chamber about previously, were first discovered by Dr Reg Sprigg in 1946. They are soft-bodied organisms dating back up to about 635 million years ago.

At the time of the discovery, Dr Sprigg could not really get a lot of interest generated about the discovery. No-one believed that soft-bodied creatures could fossilise as they did and, indeed, they did not very often. There are a number of places around the world—I think three or four—where they have the same period of fossils but none as brilliant as they are preserved here in South Australia, certainly none as accessible as they are here in South Australia.

They are the first known radiation, I am advised, of multicellular animal life. They relate to the first geological time period to be recorded in history for the Southern Hemisphere. The discovery of these fossils provided scientists with a new understanding of the evolution of life on earth. It was so significant that an entire geological era was named after the old Ediacara minefields and the Ediacara Hills where they were first found.

While many of the fossil outcrops can be found inside the park, a number were also located on crown land outside the park's current boundary. I think we can all agree that we have an obligation to protect this heritage and it was therefore very pleasing to be able to announce during our visit that the state government will more than double the current size of the Ediacara Conservation Park. The fossil site and its surrounds were declared a conservation park in 2007, the same year they were given national heritage listing. The state government has now added 2,500 hectares of land to the north, bringing the total protected area to 4,765 hectares, I am advised.

This will significantly assist in the protection of these fossils and complement our other strategies, which include: restricting park access to geologists and palaeontologists, student groups and conference excursions; investigating options for establishing an interpretive site at an alternative location where visitors can view fossils without impacting on the fossils within the park itself; and working cooperatively with the Beltana and Nilpena stations and the South Australian Museum to appropriately manage access to the fossil sites.

Due to the significance of the Ediacara fossil deposits and the geological significance of areas such as Arkaroola and Brachina Gorge and other northern Flinders Ranges reserves such as Ikara-Flinders Ranges National Park, Vulkathunha-Gammon Ranges National Park, the state government is exploring opportunities for world heritage listing of the Flinders Ranges, with a focus on geology and early life.

The expansion of the Ediacara Conservation Park adds to the state's growing protected areas. Over the last 13 years, this government has proclaimed 69 new parks and added land to 76 existing parks. In addition, when Labor came to government in South Australia in 2002, there was just 70,000 hectares of South Australia that had wilderness protection status—just 70,000 hectares. We have increased this to 1,843,448 hectares. What a massive increase: from 70,000 hectares to 1.8 million hectares.

South Australia now has the largest percentage of both public and private protected land of any Australian mainland jurisdiction, approximately 27,675,000 hectares. I am advised that is equivalent to the size of the state of Victoria. That is something I think we can all be very proud of indeed. This state government is very concerned to look after our precious heritage and we will be coming back with further plans about how we will improve on that into the future.

SA WATER INFRASTRUCTURE

The Hon. R.L. BROKENSHERE (15:08): I seek leave to make a brief explanation before asking the minister responsible for SA Water and the environment a question.

Leave granted.

The Hon. R.L. BROKENSHERE: We have seen a very hairy-chested minister in the last couple of weeks when it comes to denying negligence on behalf of SA Water for a large number of victims in the Paradise and surrounding areas regarding mains water bursts. The minister said that they had their own private insurance and that they should go and see their own private insurance companies.

The reality is that now Mr Ringham has admitted, belatedly, that there was negligence on behalf of SA Water and that those victims, not customers, have had an horrendous time. My questions therefore are:

1. Will the minister look at bringing in his own legislation to better protect victims when victims are flooded and have property damage, or will he look at supporting the bill that I am about to table?
2. Has he gone out there to apologise to those people now that clear evidence has come forward that they are victims?
3. If these people, as victims, were having to go to private insurance companies rather than offset the balance sheet bottom line of SA Water, as the minister always expresses concern when I ask the question, does the minister agree that all insurance payers in this state would be unfairly treated, because obviously if there are costs in claims they go on to the assessments for premium costs for all insurance payers?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:10): I thank the honourable member for his question. On 7 March 2016, there were four bursts which occurred on a 450-millimetre cast-iron water main in the north-eastern suburbs: two in Campbelltown, one in Paradise and one in Newton. While bursts on a mains network stretching over 27,000 kilometres (I think the update is now) are of course unavoidable, these incidents are stressful times for those whose homes are impacted and whose lives are inconvenienced.

I am advised that, in total, approximately 40 properties were affected, with seven having experienced internal flooding (all of which were located at Willow Drive). I am further advised that two vehicles located in Willow Drive were also damaged by the burst. Our immediate focus was on assisting affected property owners with their immediate needs and ensuring repairs to the network were completed as a matter of priority.

SA Water's alliance partner, Allwater, is contracted to maintain the metropolitan network and had staff on site on the night of 7 March to offer temporary accommodation to affected customers. All residents were able to arrange temporary accommodation, I am advised, with family and friends, except for residents of one property, who had temporary accommodation arranged by Allwater at their request. Five Allwater crews were dispatched to the burst, with four remaining on site to carry out repairs—

Members interjecting:

The Hon. I.K. HUNTER: The honourable member says that it takes five minutes to answer the question. As the Hon. Mr Dawkins just said, it took him five minutes to ask the question. Of course, it is a very serious question and it deserves a very serious response. Honourable members opposite would do well to listen in silence.

Five Allwater crews were dispatched to the burst, with four remaining on site to carry out repairs. All known bursts were repaired by Thursday 10 March. I am advised that cleaners arrived on-site at approximately 7pm on 7 March to commence the clean up of the affected properties. Cleaners have since undertaken initial clean-up work, with more to be carried out. Approximately 40 customers' supply was affected and impacted during the repairs carried out on Tuesday 8 March on Clairville Road, Campbelltown, and cartons of water were delivered to each affected customer, I am advised.

SA Water's customer liaison staff were on-site and doorknocking the affected area on 8, 9 and 10 March and again on the 17th, making contact with customers to ensure they were being provided with information and assistance as required. SA Water is committed to working with customers and their insurance companies on a case-by-case basis to ensure that temporary accommodation meets the needs of each individual. In addition, as I have said, cleaners have been organised to clean up affected properties.

As I have told the chamber previously, I visited Willow Drive on 8 March to inspect the site and meet with affected property owners, and have indicated that the state government and SA Water will work with them and their insurers to ensure that they are provided with every possible assistance. Residents of one property indicated concerns about the timeliness of their insurer's response, and I was very pleased to be able to assist them to have that matter expedited. SA Water's customer liaison team will continue to work with customers and insurers to ensure that repairs are progressed as quickly as possible and temporary accommodation is offered where required.

We appreciate that failures in water mains can be frustrating; however, in reality, South Australia's water main failure rates are below ESCOSA standards, compare favourably with interstate counterparts and, despite the sensationalised claims from occasional members of the chamber, are relatively stable.

I am advised that over a 10-year period, failures averaged 3,952 per year and, over a 15-year period average, 4,063 per year. For December 2015, I am advised that there were 140 failures. This is on par with the 25-year average of 139 failures for the month of December. For January 2016, there were 146 failures. This is down on the 25-year average of 179 failures for the month of January.

Between 2011-12 and 2014-15, SA Water spent, on average, \$51.4 million a year on direct routine maintenance and repairs in addition to an average investment of over \$300 million a year on the renewal and upgrade of its pipe networks, treatment plants, water storages and other related infrastructure. I could go on with quite a bit more, but I am sure the chamber has heard some of this previously. If they do want me to, I can come back with further information.

SA WATER INFRASTRUCTURE

The Hon. R.L. BROKENSHERE (15:15): I have a supplementary question, given that I never get my questions answered. As a result of Mr Ringham admitting liability and negligence, can the minister assure the chamber that all damage and all assets of these residents will be met and fully covered one way or another by SA Water?

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 think I gave the honourable member this answer in a previous question he asked of me. Let me just say that I am advised that SA Water has completed a root cause analysis into the burst water main which caused the flooding of the residential properties in Paradise, Campbelltown and Newton last week. I released that, I think, last Friday.

I am advised that the results of the report indicate that the cause relates to a planned water storage tank inspection and cleaning process, which was being undertaken at the Hope Valley water treatment plant. I am further advised that it appears that the valves which were being operated to drain one of the storage tanks were operated in the incorrect sequence, resulting in a pressure surge in the water main.

This pressure surge was likely responsible for the burst experienced further along the 450-millimetre diameter water main. SA Water will be reimbursing affected residents who have experienced damage or loss. I have since called for SA Water to immediately review its incident response processes, particularly around attending incidents to assist and talk with affected residents to help them work through what are highly distressing situations for them, alongside the very prompt response from the technical crews.

I am advised that SA Water has already determined that their response to future incidents should be aligned to the state's disaster recovery process, and they will be responding to me shortly. SA Water is continuing to work closely with the impacted customers to ensure that they can return to their homes as soon as possible.

I say again that we understand and sympathise with the trauma that these people have gone through. We were on the ground as fast as possible. But we do need to come back to the facts. I know that for some honourable members in this chamber facts are cheap; they do not mean very much, but when you compare the failure rate of water mains of interstate providers it demonstrates how favourably in comparison SA Water performs.

The National Performance Report compares the failure rate, and the new performance report was released just last week. It compares the failure rate of water mains of utilities between comparable interstate providers with a customer base of over 100,000 customers—that is so you can compare apples with apples. Overall, the statewide water main failure rate has been quite stable for the past 10 years, which is largely due to the comprehensive sustainable asset management proactive strategy for water mains.

In 2014-15, SA Water had a burst rate of 14.2 bursts per 100 kilometres, compared to 39.3 for the Yarra Valley in Victoria; 37.1 in City West in Victoria; 32.2 in south-east Victoria; 29 in Barwon in Victoria; 28.94 for Hunter Water, now in New South Wales; 28 in Brisbane; 26 for Sydney Water; 15 for the Water Corporation metropolitan network, in WA; 14.2 for Icon, in the ACT; 7.1 on the Gold Coast, Queensland; and 6.5 in Logan City Council.

The Hon. R.L. Brokenshire: I am not interested in listening to number studies.

The Hon. I.K. HUNTER: The Hon. Mr Brokenshire says to the chamber that he's not interested in listening to these facts.

The Hon. R.L. Brokenshire: These are false figures.

The Hon. I.K. HUNTER: He's now saying that these nationally prepared figures by the Bureau of Meteorology are false figures. Goodness gracious! What does it take to convince this man about facts? Bureau of Meteorology scientists aren't good enough for the Hon. Mr Brokenshire.

The PRESIDENT: The honourable minister, don't get side-tracked by the Hon. Mr Brokenshire. Answer the question and we will get onto the next one.

The Hon. I.K. HUNTER: The Hon. Mr Brokenshire is one of many in this chamber who deserve to be educated with facts ad infinitum and, if I had my way, I would.

So, we say that whilst our immediate concern in relation to this incident is about helping the affected residents, we need to understand that there are breaks in every water system around the nation and, indeed, the world. SA Water does particularly well with its ongoing maintenance program to keep the numbers of breaks and bursts that we have in South Australia to a minimum. Compared to interstate comparisons, we do remarkably well, and that is not even discussing the handicap we have with Bay of Biscay soils. With those reactive clay soils—

The Hon. R.L. Brokenshire interjecting:

The Hon. I.K. HUNTER: We hear the Hon. Mr Brokenshire, not believing they actually exist; he can join the Hon. Mr Ridgway in that belief. We don't have Bay of Biscay soils in Adelaide according to those two people, but indeed we do, and we have to deal with that. SA Water do a fantastic job year on year, keeping those breaks well below the ESCOSA set standard and well below comparative water utilities interstate. You only do that with comprehensive maintenance programs—that's what we've got, that's what we've put in place and that's what we will maintain.

POLICE RESPONSE TIMES

The Hon. T.J. STEPHENS (15:20): I seek leave to make a brief explanation before asking the Minister for Police questions about non-peaceful protests.

Leave granted.

The Hon. T.J. STEPHENS: Honourable members would be aware of the incident on Friday in which acts of violence and vandalism occurred in the electorate office of Cory Bernardi, Senator for South Australia. The actions of this group of students, members of the Socialist Alternative and related clubs and political parties, forced staff at the office to seek safety and to press a duress button which is used to initiate an immediate response by the Australian Federal Police.

The AFP then requested a response by local South Australian police, who did not attend the scene until some time after the initial call. Once at the scene, South Australian police apparently questioned those responsible. No arrests were made despite many offenders being clearly identified and sighted by both media and police. My questions are:

1. Does the minister believe this is an adequate response by SAPOL to the presumably urgent requests made by the AFP?
2. Why were no arrests made or charges laid on those perpetrators identified at the scene?
3. Is the minister happy to see this sort of incident go unpunished?
4. Will the minister seek clarification from the police commissioner as to why this incident seemed to generate very little urgency? Was it an issue of lack of staff availability? If so, why?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:21): Thank you to the Hon. Mr Stephens for his important question. Let me say from the outset that I was appalled, absolutely appalled, at the activities that took place last week in Mr Bernardi's electorate office. Although there would be a range of issues that I would not agree with Mr Bernardi on politically, we operate—

The Hon. J.S.L. Dawkins: He's actually a senator.

The Hon. P. MALINAUSKAS: —Senator Bernardi—while there are a number of issues I may not agree with Mr Bernardi on, Senator Bernardi, that behaviour is totally unacceptable. We are very privileged to be living in a free country, in a country that values the principles around democracy and the freedom of speech.

Senator Bernardi is an advocate for his views and a different constituency within the electorate, and he should be able to articulate and advocate his views on a whole range of issues free of intimidation or protests that are of a nature that vandalise the property of the Australian taxpayer. His staff, very importantly, should also be able to work for Senator Bernardi in an environment that is safe and free from the persecution of those people who violated their safety by running into the office the way they did and vandalising.

I will seek a briefing from the police commissioner and SAPOL as to the activity that they have undertaken. It would certainly be my expectation that SAPOL would treat this matter as seriously as I think the South Australian public would reasonably expect. We do not want to have a situation where lawlessness somehow starts defining our political discourse. I think all members of our community regardless of their views should have the opportunity to articulate their position on a whole range of issues free of feeling unsafe, free from vandalism. I appreciate the tone of the Hon. Mr Stephens' question.

As I said, it would be my expectation that SAPOL would deal with this or treat this matter just as seriously as we would have expected had it been any other political office, or any other workplace for that matter, that suffered from a protest of this nature. I am more than happy to seek a briefing from SAPOL and share the outcome of that briefing, if it is appropriate to do so, with the public at large and certainly the Hon. Mr Stephens.

POLICE RESPONSE TIMES

The Hon. T.J. STEPHENS (15:24): A supplementary: I thank the minister for his answer. Minister, given that you are meeting with the Commissioner of Police tomorrow and given that this incident was reasonably prominent, could we expect an answer or could I expect some indication from you tomorrow as to answers to my questions?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:24): I am more than happy to share out information where it is appropriate to do so. The only reason I put that qualification on there is that it is, I suspect, a matter that is under investigation by SAPOL; I don't know that, but there is a legitimate possibility that it is. In any investigation, of course, SAPOL has to make a decision about what is in the interests of the pursuit of that investigation.

It might not be in the interests of the investigation itself to be out there publicly sharing information, saying, 'We're looking at this person or looking at that person.' But if it is appropriate to disclose information that SAPOL thinks it is appropriate to disclose, I am more than happy to do that. The only reason I put that qualification on there is that it might not be appropriate to disclose a matter that is under active investigation.

What I would reiterate is that I think Senator Bernardi and his staff should not be subjected to the sort of behaviour that occurred last week. I think every free-speaking person in this country, whether they be an elected official, a member of staff or a member of the public more broadly, should be able to articulate their genuinely held views in an environment that is free from intimidation and vandalism.

In that context, I will make inquiries at my meeting with the police commissioner tomorrow. Just bear in mind that if I'm not answering questions directly, it may well be a consequence of SAPOL not being in a position to share information publicly.

The PRESIDENT: Supplementary, the Hon. Ms Franks.

The Hon. T.A. FRANKS: It's not a supplementary; it's my question.

The PRESIDENT: I have down here the Hon. Mr Ngo.

The Hon. T.A. Franks interjecting:

The PRESIDENT: That's the order I have here. The Hon. Mr Ngo.

WORLD SOCIAL WORK DAY

The Hon. T.T. NGO (15:26): Thank you, Mr President. My question is to the Minister for Correctional Services. Can the minister tell the council why World Social Work Day is of such significance to Correctional Services?

The Hon. S.G. Wade: I'm glad we didn't miss this one!

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:26): Neither you, Mr President, nor the Hon. Mr Wade should be disappointed about this question because the Hon. Mr Ngo has asked a very important question and for that I am grateful.

Last Tuesday marked World Social Work Day. The theme of this year's celebration was 'Promoting the dignity and worth of peoples'. I want to take this opportunity to pay tribute to those social workers within the Department for Correctional Services who do an extraordinary job, something that is often a thankless task.

It takes a pretty impressive individual or a special person to be able to work with an offender. To acknowledge that an offender has done wrong but then to go on and work with them constructively to create a different path to ensure a different future I think is an admirable profession. As a result, social workers in Corrections make an incredibly important and often unrecognised contribution to our community.

The Department for Correctional Services employs approximately 150 social workers. Social workers are employed across Community Corrections, intervention workers within our prisons and our people and business services. Social workers are at the fore of our mission to deliver a safer community and to rehabilitate those people who are in the state's custody. They contribute to public safety through the safe, secure and humane management of offenders and provide opportunities for rehabilitation and reintegration.

When an offender, mandated by the courts or the Parole Board, reports to the Community Corrections officer at one of our 16 centres throughout the state, it is more often than not a social worker with trained skills who will contribute to the lives of those offenders and, ultimately, the positive outcomes of their interactions keep our community safe. Whether they are performing risk-based offender assessments or performing evidence-based case management practices, our social workers play an important role in contributing to public safety, public confidence, offender responsibility and, of course, one of the most important things—the rights of victims.

It is our social workers working within the department's Offender Development Directorate who play an important role in facilitating the department's criminogenic programs throughout our prison system that contribute to the rehabilitation of our prisoners. It is our social workers working within our prisons on a daily basis who play a vital role in making sure our system is managed effectively.

Ensuring that prisoners are provided with one-to-one intervention and have access to higher-quality skilled people who are trained to deal with crisis intervention is incredibly important. Whether it be assisting someone on a mission or facilitating their reintegration into the community upon their release, our social workers are always there.

The theme of this year's World Social Work Day is, 'Promoting the dignity and worth of peoples'. I am happy to say our corrections system is all the better for the work that these special people do. I look forward to personally thanking them for their work as I continue to visit our state's institutions within the correctional services department. We appreciate their work; we honour their work; it is often thankless, but I think it's important that this place acknowledges their significant contribution.

*Motions***PARA WIRRA RECREATION PARK**

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:30): I move:

That this council requests His Excellency the Governor to make a proclamation under section 33(3) of the National Parks and Wildlife Act 1972 to abolish the Para Wirra Recreation Park.

Para Wirra Recreation Park covers 1,512 hectares and is located approximately 40 kilometres north-east of Adelaide. The proposed reclassification will allow the park to receive better recognition for the significant natural and historic values it protects and will be consistent with the government's intention to reflect how sustainable recreational opportunities are provided within the conservation framework.

The government is committed to the ongoing provision and development of recreational opportunities in parks, and this is clearly demonstrated by the release for consultation of South Australia's nature-based tourism action plan. To allow for the change in category, the National Parks and Wildlife Act 1972 requires that a recreation park be first abolished and that the subject land then be proclaimed as a conservation park. The abolition of the recreation park may only occur by a resolution passed by both houses of parliament, and notice of a motion for this resolution must be given at least 14 sitting days before the motion is passed.

The Para Wirra Conservation Park will not be used for mining purposes. The government will proclaim the park under section 30(1) of the National Parks and Wildlife Act 1972, and not with a section 43 proclamation permitting mining access. I would like to congratulate the Friends of Para Wirra Recreation Park and the broader community for agitating for this change, and I am very pleased; I think I have the support of the majority of members for this change to go forward.

The Hon. J.S.L. DAWKINS (15:32): I rise to support the motion on behalf of the Liberal Party, and I am delighted to do so. I have had a long association with not only the Friends of Para Wirra group—

The Hon. I.K. Hunter: Life membership I think.

The Hon. J.S.L. DAWKINS: No, not life membership—honorary membership I recently had bestowed on me, which I am not sure I deserved. I am pleased to say that there are a number of representatives of the Friends of Para Wirra group who are in the gallery, and that may be out of order, but I wanted to put that on the record because I am delighted that those people who have put so much work and effort into the Para Wirra park over a very long time are here to at least see this council abolish the current status, which will then allow for the conservation park status to be gazetted.

I should also put on the record my long association with the park. Like many people from the Adelaide Plains, and, I suppose, in my youth the days when Elizabeth and Salisbury were developing, the number of recreational facilities in that part of the world were pretty limited. The Para Wirra park had quite a deal of recreational facilities, and so it was a popular place for people to go for a range of events. My early recollections are of going up there for Sunday School picnics. I suppose it was at that stage that I first became intrigued with the neighbouring Humbug Scrub property.

Of course, some years ago I worked with the Friends of Para Wirra group in relation to the crown land at Humbug Scrub becoming part of Para Wirra. At that stage, there seemed to be no good reason why that should not happen, other than that there were some delays in that process.

We have had some delay in this process relating to where we have got to today, but I want to commend the minister for taking on board, I suppose, the questions and advocacy I have placed in this house and also the goodwill and great integrity of the people of the Friends of Para Wirra, who at no stage have done anything other than seek to get, I think, the classification that that park in its current state deserves. It is in that current state because these good people have worked tirelessly—I should not put it in the past tense—and they continue to work tirelessly to make that significant parcel of land as much an example of what that part of the northern Mount Lofty Ranges looked like before European settlement.

I know the Natural Resources Committee of the parliament visited the park two or three years ago and had a look at some of the terrific work that has been done not only in the restoration of native grasses and other flora and fauna, but also at the tireless work done to actually eradicate many of the pest plants that are throughout that area, or have been throughout that area, particularly in those areas that have been used at different times for farming or for domestic purposes.

The classification that will follow the passing of this motion will well fit the current nature of the park. That is very much due to the terrific work by the Friends of Para Wirra, and I know they give great credit also to the staff members of DEWNR. I suppose over many years the name of the department for which those national parks rangers work has changed, but I know the volunteers are very grateful for their consideration and work in relation to the park.

I reiterate my delight that we finally have got to this stage. It is probably a couple of years after most of us would have hoped it would happen, but it is a great thing and I am very happy to support the motion.

The Hon. M.C. PARNELL (15:37): The Greens are also pleased to support this motion and we add our congratulations to the Friends of Para Wirra Recreation Park for their advocacy in seeking and now obtaining an upgrade of the park. As part of my research into this issue, I asked the parliamentary library to look at the 1972 act and to see whether they could work out from *Hansard* why Para Wirra was given special mention in the act as a place that was not to be messed with, unless both houses of parliament agreed. Whilst *Hansard* is quite thin on that particular issue, it seems that, from the earliest of days, this park, along with Belair, were two that were seen to be particularly important and needed to be protected, so they were given extra protections.

Para Wirra is the only one in the act now because Belair of course, as members might remember, was a recreation park and on the centenary of parks, the date of which escapes me (but I was there—it was in the 1990s), the park was abolished and reproclaimed a national park, and that was in honour of the fact that it was in fact the centenary of parks in South Australia, and Belair was the first park in South Australia.

So, the process the government needs to go through, at first blush, looks a little sinister, when the motion before us is simply to abolish the Para Wirra Recreation Park. If we go to the minister's media release from November last year, he makes it clear that his intention is to upgrade the status of the park and to reproclaim it as a conservation park.

I hope members will not suspect my natural cynicism in these matters. Having worked in the conservation sector for very many years and being an environmental lawyer by training, I became aware of the fact that once the park has been abolished as a recreation park, it will be open to the government, on reproclaiming it to be a conservation park, to also use section 43 of the National Parks and Wildlife Act and to use what is known as the joint proclamation provisions to declare the park open for mining.

I raised this matter with the minister as a courtesy, and he has put on the record of *Hansard* that the government is not going to do that (I never suspected that they would) but simply out of an abundance of caution—which is also born out of the fact that many of these old historic mine sites (and there are historic mine sites up in the northern part, as I understand it, of Para Wirra) have come to the attention of mining companies and they are looking to reagitate those mining tenements.

The Bird-in-Hand mine is one example. The people of Macclesfield became quite worried, when they saw great tracts of farmland around their town under mineral exploration licences, to discover that the companies behind those licences were simply going to look back through the old data, look at old mines and see if they were worth redeveloping.

I took that knowledge of the act and my knowledge of environmental law and went to the Friends of Para Wirra web page and, conveniently, Patsy Johnson, the president, has her home phone number on the web page, so I rang up and they basically had no suspicions and I had no reason to suspect anything. Nevertheless, out of an abundance of caution, I did ask the minister to put on the record the fact that it is going to be reproclaimed as a conservation park with no mining to be seen.

On that note, again, I add my congratulations to the Friends for their past work and their ongoing work. I congratulate the government on upgrading the status of this important park, and I look forward to this part of our conservation estate remaining in good hands and in good condition for the times ahead.

Motion carried.

Bills

PLANNING, DEVELOPMENT AND INFRASTRUCTURE BILL

Recommittal

In committee.

Clause 1.

The Hon. K.J. MAHER: I would like to thank all members for their contribution during the committee stage of the bill in the last sitting week. Honourable members have debated at length and have worked hard to make amendments which members generally believe improve the framework, the structures and the processes of the proposed new planning system. Some of the amendments have done this; however, in the government's view, others, such as those dealing with significant trees, early commencement and the assessment framework, for example, have consequences that not only wind back the clock on the planning process but in some cases make them unworkable.

We must reconsider these measures to ensure that we deliver an effective, efficient, enabling planning system for the South Australian community and business and industry needs. Accordingly, the government will now seek to recommit this bill, and there will be debate on a number of clauses.

The Hon. D.W. RIDGWAY: I am not quite sure where to start. I will perhaps reiterate some words that I used the last time we sat. In closing I said:

If there are new amendments—not just recommitting existing amendments where we supported the Hon. Mark Parnell but now we might change our mind, or the other way round and we did not support him and we might change our mind—if it is not new material, then that is one set of circumstances; however, if there is new material or new amendments proposed we need to be given a reasonable amount of time to consult with industry on them.

I then went on to say:

I am fearful of what we saw last year when the minister did not have any consultation, and we have gone now for 11 or 12 days, about five weeks, of sitting, I think, because the minister failed to go through the normal process of going out to industry and consulting with a draft bill. I just want to put on the record that we will be very happy to progress the recommittal in an orderly fashion, but we ask the minister and the government, if there are new amendments or changes to the amendments we have seen, that we are provided with them in an early enough time frame, with the expectation that we will be given a reasonable amount of time to consult with industry.

Members would also know that the Liberal Party room has a party process that we go through when we are dealing with these types of matters. Minister Rau provided an email copy to the Leader of the Opposition and I think the shadow minister for planning late on 17 March—it is in a tabular format—and they would likely be some of the amendments that we are likely to see. We got an email today from one of the minister's hardworking advisers, Mr Chris Kwong. I know he is sitting over there listening at the moment. He wrote:

Dear Members

Attached to this email are all four sets of amendments filed by the government (my apologies to some who I may have earlier quoted three).

Set 5 deals with various amendments largely set out in the Minister's earlier letter dated 17 March 2016.

I am a little alarmed at that word 'largely'. We do recall that last sitting week it took me a day and a half to get the correct answer out of the minister on infrastructure levies. I am sure they thought they 'largely' had the answer right but, as it turned out, in the end I was certain that what he was telling me was incorrect, and eventually, after they had spoken to industry, he came back and confirmed it was incorrect.

We have then seen today (I have them here) now some 23 pages of amendments that have been filed.

The Hon. R.I. Lucas: At 3 o'clock.

The Hon. D.W. RIDGWAY: Yes. Some of them were filed at 2.33pm, some at 2.24pm, so after we had started sitting. I think the other ones were at 2.21pm, and there was another set at 1.59pm, so basically from the time the House of Assembly sat to about half past two.

I think I made it pretty clear when we last sat that we were happy to progress this. I expect we can probably progress it this week, but it is a bit rich, having already put on the record that we would like some time to consider these things. I know the Hon. Mark Parnell agreed, at the time the Hon. John Darley agreed and, while it is not on the record, I think the Hon. Dennis Hood was of the same view.

We are happy to progress things, we are happy not to be obstructionist, but at the end of the day we have these four sets of amendments. We have only received them since we started sitting. I have my staff, which the government knows is two—and I am lucky in the opposition because I have two; most only have one. I have two up there, although one does not have a particular passion for the planning area.

It just seems to me to be a very arrogant abuse of the parliamentary process. We do our best, we like not to be seen to be obstructionist. We put on the record a fortnight ago that this was what we expected. I did that because I knew that this was what we would get. I had a robust discussion with the Minister for Planning about this. In particular, the area that interested me was their amendments that were, I think, the Hon. John Darley's initiation around the environment and food protection areas and not so much the boundary.

I think everybody understands that there are different points of view, but on the disallowance process we all know here in this place that when you disallow regulation you can give notice and it effectively stops the clock. I have not had a chance to look at the amendments, but my understanding is that we will have a different process of disallowance for this. It will not stop the clock to be a set number of days that parliament has to deal with it and then it extinguishes it; it either lapses or it is disallowed. I actually have not had a chance to look at that.

I know there is a view, 'Let's put all of the urban growth boundary and the environment protection area amendments to one side and deal with the rest.' As I think the Hon. Mark Parnell says, we will end up having recommittal No. 2. We will have to recommit again because we are going to be doing things on the run.

I think other members have some things to say, but I flag now that it would be my intention to give the government some undertaking that we are going to sit tomorrow morning and I think tomorrow night and probably on Thursday morning. I think we all hope that we will be finished by the end of question time on Thursday because it is Easter, and tradition has been that we do not sit during the week leading up to Easter.

We can give a commitment that we will try to finish the bill, but I think it will almost be impossible to do it this afternoon, simply because it is no different from what we did before Christmas—a fistful of amendments as we are sitting. We really have not had a chance to digest them, so I flag that I may well move to report progress, but I will let other members have a say before I do so.

The Hon. M.C. PARNELL: I would like at the outset to say that the process that we went through in the first committee stage of this bill was certainly time consuming, but I think it was well conducted, a new minister having to come to grips with the bill for the first time. I think we did as well as could be expected under a very flawed Westminster system that does not allow for 'genuine' committee debate on bills. I use the word 'genuine' committee. I still think we need a scrutiny of bills process where we can get the various protagonists in the room and we can quiz them; we can ask them questions, get the Local Government Association in the witness box, as it were. That is a debate for another day, but I think that is a better way to do legislation, and I will agitate that in the future.

In terms of what the Hon. David Ridgway has just said, I accept what he is saying and I have been in exactly the same position when I have been given amendments at 2 o'clock and expected to debate them at 3 o'clock. It really is insufficient time to deal with them properly. Having said that, there are a couple of issues that are probably well agitated that we might be able to deal with.

I know from earlier discussions with the Clerk that there is perhaps an intention to deviate from the normal course of practice and to skip vast chunks of the bill and pick some bits off that we think we can deal with today. I am open to trying that, but I am also very open to what the Hon. David Ridgway said: if it is starting to look as if we are being asked to make decisions on things that people have not properly considered, then reporting progress is the way to go. I agree with the Hon. David Ridgway. I do not have any great desire for this to go longer than it needs to. We have agitated most of these issues, so this is a finetuning exercise. Having said that, it behoves us to get it right.

In terms of the issues and to give an overview of the issues, as to the urban growth boundary, certainly we had the position that the committee last reached which was that there is no urban growth boundary. The Hon. John Darley put forward an alternative proposition and now we have a government variation on that theme. I guess that is how I understand it, but I have not been through it in any great detail. I do not fully understand the repercussions of the minister's latest version of the urban growth boundary, so that is one we are going to have to postpone.

It has been mentioned that some of the significant amendments that I secured might not be long for this world. I am disappointed but I will accept the will of the house, and I see that they are included in the government's set No. 5. As to the issue of development assessment panels and who should serve on them, my expectation is that there appears to be a majority of members agreeing that a maximum of one member on the panels is probably where we are going to land.

The Hon. D.W. Ridgway: Up to one.

The Hon. M.C. PARNELL: Up to one—zero or one. But there is also then the issue of members of parliament, even though it was never really agitated because I do not think any members of parliament were particularly itching to be on these development assessment panels, but I see there are amendments before us now which make it clear that MPs are not to be on panels.

The Hon. R.I. Lucas: That's to keep you off.

The Hon. M.C. PARNELL: The Hon. Rob Lucas seems to be insinuating that I have some alternative career aspirations to be a development assessment panel member rather than be in my current important role as a legislator, and I can assure him and other members that I am happy doing what I am doing for the time being.

We may be able to resolve panels today, if we have agreement on that. In terms of development pathways, which was another heading, I have certainly discussed this with the minister and the minister's advisers, and I have accepted some changes that they have proposed which I think satisfy some of the concerns I had. I think there were some drafting ambiguities; I think that is now clarified. We may or may not be able to deal with that.

Certainly, as to the Adelaide Parklands protections measures that are towards the end of the bill, I am keen to hang on to those protections. I have in discussion with the government accepted that there is one potential anomaly in what we have put through and that is that the Adelaide High School sits on the Parklands. It is not my intention to make any expansion to the tuckshop or the science lab a tortuous exercise to get that approval done, so I am happy to add the Adelaide High School to the list of places that are not covered by the protections that I have built in.

However, the issue of a new city high school is an entirely different matter; if any part of that is to be outside of the existing institutional zone and is intended for the Parklands, then I have some serious problems with that. My feeling is that the Parklands measures are probably not something we are going to deal with today.

There is more, but I thought I would just put that on the record at the outset. If we have issues that have been fully agitated and no member can say they are taken by surprise with the details, then I think we can deal with them now, but anything that does not fall into that category we will have to do tomorrow morning. That might mean we get 15 minutes into this bill or we might get an hour into it. We will see how we go but, from a Greens' perspective, we will be supporting the reporting of progress if it looks as if we are starting to get into turf where people have not had sufficient opportunity to look at the detail.

The Hon. D.G.E. HOOD: I rise to present Family First's position on whether or not we debate the amendments to the bill. I would like to largely endorse the comments of the Hon. Mr Ridgway and the Hon. Mark Parnell. We see it very similarly. I think the Hon. Mr Parnell is quite sensible in his suggestion that we should seek to debate what we can where members are comfortable to do so and then, if there are moments where even an individual member is not up to speed with a particular issue, then I think Family First would be happy to report progress at that time.

I say this with respect for the minister, because I think, frankly, this minister has done a good job in this debate. It has been a difficult and long debate, the longest since I have been in this place, which is some 10 years now. Can I say that it is a bit rich for the government to put amendments and file them at 2.33pm, I think, which was the last one this afternoon, whilst we were in question time. I left the chamber to try to read them through. Mostly it is finetuning, but not all of it is finetuning and this is very significant legislation.

I suspect that we will end up reporting progress soon. I notice that the minister circulated a note requiring sitting from 11 tomorrow morning and Thursday morning and, sir, I would say we support that. That seems to be a very sensible way forward. That is our position: we are happy to debate what we can this afternoon. I suspect we will support reporting progress after not too long and come back and do it properly tomorrow.

The Hon. M.C. PARNELL: A quick matter—I am looking at the amendments before us and it may be that the answer is self-evident and I have just missed it. We now have references to page numbers and line numbers and clause numbers. I just want to check what they refer to. They cannot be references to the original bill as tabled because that bill has added material and there are now different page numbers, so I am trying to work it out. I do have a departmental courtesy copy of a 'track changes' version of the bill, colour-coded with the different amendments, and I am trying to work out, as we work through these amendments, what version we are looking at.

The CHAIR: I am advised, the Hon. Mr Parnell, they are to the original bill.

The Hon. M.C. PARNELL: The original bill? All of them? Okay.

The Hon. K.J. MAHER: Apparently that is the process parliamentary counsel use, notwithstanding that we are debating the bill that—

The Hon. M.C. PARNELL: That is fine.

The Hon. K.J. MAHER: I thank honourable members for their contribution. In relation to the question just raised by the Hon. Mark Parnell, I am advised by a nod of heads that the line numbers and references in amendments are to the original bill and that is the process that is used, notwithstanding that what we are debating now is the bill as it was chopped and changed and, in some cases, butchered as we went through the process of this house, as it currently stood.

I thank honourable members for their contributions. I take their points and we will obviously submit to the will of this chamber. I think it is sensible that we progress those areas that we can today. A number of things we are doing seek to restore the bill that was passed to the original bill that was introduced, and members will be familiar with the issues that were agitated at the time and the merits of the various arguments in relation to those.

Obviously, if there are individuals and parties who feel they need more time, I am sure that the house will decide to report progress or not deal with those matters and deal with other matters. As members pointed out, we have Wednesday and Thursday morning to sit—and, I suspect, Wednesday night—to go through these things to give everybody enough time, if we are not dealing with them today, to deal with them on Wednesday and Thursday.

The Hon. D.W. RIDGWAY: Just quickly before I test things perhaps, of the four sets of amendments we have received from the government today, I think one is in relation to the infrastructure levy and some clarification of questions I asked. I think set 7 is to do with the infrastructure levy. I know that that is further into the bill, but this is one of the ones we received at 2.24pm. I think it was done in consultation with the UDIA—certainly there was some discussion with the UDIA—but I do not know whether other industry groups have seen it. Some supported infrastructure levies and some did not.

It is all very well to say that we could start and chop and change, but I think that will be a dog's breakfast. I think we would be far better off to start at 11am tomorrow, having had 24 hours to look at these, and even that is a particularly short period of time. If we start at 11am tomorrow we have some prospect of working for a couple of hours on it and then if we sat until 10 or 11 o'clock as on the last Wednesday that gives us three or four hours.

I do not expect that there is a huge amount of private members' business for Wednesday afternoon, and of course we have Thursday morning. I do not think anybody wants to be here after question time on Thursday, but we do have some time, I suspect, on Thursday afternoon if we have to. With those words, it is the opposition's intention that we will not frustrate the debate this week, but we do wish to move to report progress now so that we have time to consider the matter.

I make the point also that the Hon. Dennis Hood is the spokesman for Family First and then there is the Hon. Mark Parnell. We have a different arrangement: Steven Griffiths, who has done a great job, is up in my office. I actually do not have my bill folders with me because we are trying to make sure that what we have been given in letters and assurances by the government actually matches the amendments. I have no idea whether they do or do not at any stage.

I do not want to continue to labour the point, but last sitting week we had some issues with the answers the minister was giving, so I need to know what I am talking about before I can come here and question the minister to get some answers. Accordingly, I move to report progress.

Progress reported; committee to sit again.

DOG AND CAT MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee.

Clause 1.

The Hon. T.A. FRANKS: The first topic I wish to address is the topic of desexing. Regarding desexing, will precommitment to desexing be built into the purchase price of an animal, a dog or a cat?

The Hon. I.K. HUNTER: I imagine that will be a decision of the person who is selling a dog or a cat. I know from personal experience that that is certainly built into the purchase price if you buy an animal from the RSPCA, in my case, and I assume that applies also to the Animal Welfare League. If it is a matter of a private breeder, I understand again that normally those animals are sold desexed anyway because, unless a person wants a dog for showing purposes for these breeds, then the owner, the breeder, normally does not want to have a large pool of fertile dogs out there from which others can breed. My advice is that they are usually sold desexed anyway, and that cost is built into the purchase price currently. I do not imagine anything in this bill will change that situation.

The Hon. T.A. FRANKS: Could the minister inform the committee which breeds of dogs will be exempt by regulation with regard to the exemptions on mandatory desexing?

The Hon. I.K. HUNTER: My advice is that there will not be any breeds that will be exempted. There will be exemptions based on the function of the animal.

The Hon. T.A. FRANKS: That then leads to my question: would the exemptions apply to working dogs, and what would be the definition of that? Obviously we have amendments to move to the bill with regard to this area. There may not be breeds, but will they be applied to working dogs?

The Hon. I.K. HUNTER: The government's intention is to include the definition of what is a working dog in the regulations, and the regulations, as I understand it, are being consulted on very broadly, particularly with those organisations representing people who use working dogs. The definition recommended by the Dog and Cat Management Board, in consultation with industry groups, is broadly consistent with definitions used in New South Wales, Queensland and Tasmania, I am advised.

A working livestock dog means a dog usually kept or proposed to be kept and/or worked on rural land and/or by an owner, breeder or lessee who is a primary producer, a person engaged or

employed by a primary producer, and primarily for the purpose of herding, droving, protecting, tending or working stock.

The Hon. T.A. FRANKS: Thank you, minister. I am now moving on to a separate topic. On the topic of euthanasia of dogs and cats in this state, in the second reading speech of this bill and in the media release announcing this legislation, the opening lines were that 'at least 10,000 dogs and cats are euthanased in this state each year'. Can the minister detail where that figure comes from and what information we have specifically about the wastage rates of greyhounds each year in this state?

The Hon. I.K. HUNTER: In relation to the question about 'at least 10,000 dogs and cats are euthanased' every year, I am advised that information comes to me via the Dog and Cat Management Board which has collected information from various organisations, including the RSPCA, the Animal Welfare League and other sources—presumably also councils—to arrive at that figure.

The estimate is just an estimate. It is believed that the euthanasia rate may be higher than 10,000, hence the phrase 'at least 10,000 animals'. In relation to the greyhounds my understanding is that greyhound racing is administered under a separate act, the Greyhound Racing Act I think it is called, and is the responsibility of another minister.

The Hon. S.G. WADE: So the number of 10,000 does not include greyhounds.

The Hon. I.K. HUNTER: The Dog and Cat Management Board is now telling me that, no, it does not include greyhounds.

The Hon. S.G. WADE: Could I seek clarification. The minister I think used words to the effect that it probably includes local government. Could we have more precision about the scope of the 10,000? We are wanting to get some sort of scientific estimate, shall we say, of the extent of the issue.

The Hon. I.K. HUNTER: I can only reiterate my advice. It comes from the Dog and Cat Management Board. They collect figures, I understand, from the RSPCA, the Animal Welfare League and other sources, which presumably include councils. It may also include veterinarians. I know they did a body of work in the lead-up to the citizens' jury which was conducted on these issues, and it may well be that they collated some information through that process as well. That is how that figure was arrived at is my understanding.

The Hon. S.G. WADE: So, in spite of the fact that this bill has been under consideration for a long time, we are not getting clarity about how this data is collected.

The Hon. I.K. Hunter: You have all the clarity I can give you.

The Hon. S.G. WADE: With all due respect, minister, 'probably local government' does not instil me with any confidence that we are being given clear advice.

The Hon. I.K. HUNTER: I am not seeking the honourable member's confidence. They are not my figures; they are figures that are relayed to me by the Dog and Cat Management Board. As I say, they collect statistics from the RSPCA and the Animal Welfare League and, presumably, councils. I do not know if they collect them from all councils or the big councils; I do not have that information.

The Hon. T.A. FRANKS: In asking this question, I remind the minister of his own words to this council in response to a question I raised in question time on the topic of greyhound wastage and this piece of legislation. I asked the minister whether or not this piece of legislation would address those issues. The minister replied that the establishment of an independent body is a racing issue and a matter for the Minister for Racing. However, he went on to say:

I am advised that Greyhound Racing SA requires licensed persons to establish and maintain records of all births, sales and deaths of greyhounds. Greyhounds are also microchipped at the breeding establishment to ensure that tampering of these records does not occur.

So I ask the minister why the Dog and Cat Management Board does not have the figures for the deaths of these greyhounds.

The Hon. I.K. HUNTER: I do not know how much more simply I can explain to the honourable member that it is because they are not administered under the act we are dealing with. They are administered under a separate act. There is no requirement in South Australia to report euthanasia statistics—I think we all understand that.

In South Australia, euthanasia statistics are not provided by others involved in euthanasing dogs and cats, such as police officers, emergency services personnel, dog or cat breeders, farmers, veterinarians and those involved in the culling of wild dogs and feral cats, such as park rangers, for example. Those people do not report on euthanasia rates.

The Dog and Cat Management Board currently receives euthanasia statistics from the RSPCA and the AWL pursuant to confidential agreements with those bodies. The board has asked councils to provide their euthanasia statistics in preparation for the citizens' jury—I alluded to that. Councils do not systematically disclose euthanasia statistics, I am advised.

The board has some existing powers to have statistics and other information provided to them should it choose to use them. Further investigation is required to determine if this would ever cover all circumstances of euthanasia. My view on that is it probably does not. If we refer back to those people I referred to in the first paragraph—i.e. police officers, emergency services personnel, dog and cat breeders, park rangers, veterinarians, farmers and those involved in the culling of wild dogs—I am pretty sure the Dog and Cat Management Board would not be able to get information out of most of those, even if they asked to.

Again, we come back to the information that is available to me through the Dog and Cat Management Board. We have information from the RSPCA and AWL. Some councils provided information to the Dog and Cat Management Board through their citizens' jury approach; that is how they have come up with a figure of at least 10,000. We have never claimed it to be the top limit, we have never claimed it to be precisely accurate; that is why I have used the phrase 'at least 10,000 animals'.

The Hon. S.G. WADE: I am glad the minister has suddenly found some information to—

The Hon. I.K. HUNTER: It is exactly the same as what I told you before.

The Hon. S.G. WADE: No, the previous comment, minister, was 'probably local government'. To tell us now that councils are approached in the context of the citizens' jury is information that you did not provide to us before. I ask the minister: what proportion of councils provided information in relation to the citizens' jury process and—

The Hon. I.K. HUNTER: I do not have the advice.

The Hon. S.G. WADE: If I can be given the courtesy of finishing my question, then the minister might choose to answer it. What proportion of councils provided responses to the citizens' jury, and was the 10,000 figure extrapolated for, shall we say, the non-responding councils, or is it a response-only figure?

The Hon. I.K. HUNTER: My advice is that the Dog and Cat Management Board asked for information from all councils, and my advice is approximately 90 per cent of them responded.

The Hon. R.L. BROKENSHIRE: To clarify for the record, what the minister was saying on this clause about euthanased cats and dogs, I support and understand the fact that the minister is saying that farmers, as an example, need to euthanase feral cats. I would love to see 10,000 feral cats, out where they are getting into the environment and causing damage, taken out as often as possible because there are tens of thousands out there. My question is: can the minister assure the house that farmers will not have any reporting processes into the future with this legislation in regard to them destroying feral cats on their farms?

The Hon. I.K. HUNTER: It is not the government's intention to bring such reporting arrangements into this legislation, but I understand some amendments standing in the name of the Hon. Tammy Franks may in fact do that, and we will deal with those as we get through the bill.

The Hon. T.A. FRANKS: Returning to the greyhound issue and the lack of information held by the Dog and Cat Management Board with regard to those wastage numbers, the minister has previously informed this council that those deaths are recorded but held—

The Hon. I.K. Hunter interjecting:

The Hon. T.A. FRANKS: You informed this council in an answer to a question I raised with you with regard to greyhounds and this piece of legislation:

I am advised that Greyhound Racing SA requires licensed persons to establish and maintain records of all births, sales and deaths of greyhounds. Greyhounds are also microchipped at the breeding establishment to ensure that tampering of these records does not occur.

So this information exists, but the Dog and Cat Management Board currently does not have access to it; that would be my understanding. My question is: given that we are reforming this legislation, and given that there has been a commitment to reduce the euthanasia rate of dogs and cats in this state, why does this bill not consider ensuring that the Dog and Cat Management Board actually receives information about the death of those greyhounds?

The Hon. I.K. HUNTER: They have their own legislation. It is not appropriate to put instruments in this bill to impact on an industry that is being regulated through its own legislation. If that is what the honourable member wants to do—and good on her for trying, I absolutely support her right to do that—she should be opening up that bill and imposing the changes into that bill, not into this one.

The Hon. T.A. FRANKS: Why then does this legislation have a specific section on greyhounds? If the minister is not willing to look at the desexing and microchipping of greyhounds, why doesn't the minister also collate that same information that is provided by the AWL, the RSPCA and, as he has said, some councils to the Dog and Cat Management Board and which was provided for the purposes of the citizens' jury? Why is the greyhound industry not also required to provide that information that it is already required to collect? Why are the citizens of this state not entitled to know those numbers, and why does the government seem to not care that those numbers are kept hidden from the people of South Australia?

The Hon. I.K. HUNTER: The section on greyhounds is about public safety. It is about ensuring the safety of greyhounds in the community. It goes to issues about the muzzling of greyhounds and how greyhounds are exempted, for example, from wearing muzzles in public. That is the intention of that, and because we actually want to rehome these greyhounds as well. By actually having them rehomed—as I am told, that happens particularly well here in South Australia compared with other states—the intention in the act is to talk about community safety, public safety. That is what the act is about, as well as animal welfare. The greyhound racing industry is managed through a separate entity, a separate instrument, and if the honourable member wants to go to that, she should open up that bill, not this one.

The Hon. T.A. FRANKS: I think it is very disappointing to hear the minister wash his hands of any responsibility for the wastage, the unnecessary euthanasia of greyhounds, and to argue in this place that somehow we as a council, and as a state government leading this legislation about the euthanasia rate of dogs and cats, are concerned but somehow do not consider greyhounds to be dogs. Does the minister have any commitment to this government progressing any legislation that reduces the wastage rate of greyhounds in this state?

The Hon. I.K. HUNTER: I must say that I take a little bit of offence at the tone of the honourable member in asserting that I have no interest in the welfare of these animals. It was me and my colleague in the lower house who changed the Animal Welfare Act and brought those changes into this chamber for debate, creating new offences for participating in live baiting, for example, and increasing the maximum penalties up to \$50,000 and imprisonment for up to four years.

It was minister Bignell and myself who sat down with the RSPCA and Greyhound Racing SA to talk them through a suite of changes to the guidelines, which are not a part of this act; they are part of another act, and a part of the guidelines that Greyhound Racing insisted that its own members operate under.

Greyhound Racing advises that the industry is working towards improving the welfare of their greyhounds. The Dog and Cat Management Board and Greyhound Racing SA, I am advised, do not object to the disclosure of statistics in principle. However, they seek that such disclosure is

undertaken responsibly, probably in the very same manner that those disclosures are made by the RSPCA and the Animal Welfare League to the Dog and Cat Management Board.

I have to say that the Hon. Tammy Franks wants to single out this organisation. I understand why she is doing that, but I just say to her: this is not the right bill to do that in. If you want to prosecute these arguments, absolutely, all power to you, go off and do it; that is your right, but do it in the right legislation.

The Hon. S.G. WADE: I am acting shadow for the Hon. Michelle Lensink—who I know has worked with the minister for some time to progress these issues—and if I can I would like to get a bit of late education.

My very quick reading of the act is that greyhounds, as dogs, are part of the responsibility of the board in terms its function being 'to plan for, promote and provide advice about, the effective management of dogs and cats throughout South Australia', but the reason euthanasia of greyhounds would not be a matter for the board is that section 21(1)(b) provides that it oversees the administration and enforcement of the provisions of the act relating to dogs and cats. It is not responsible for enforcing greyhounds.

If that is not the case, I seek clarification on the Hon. Ms Franks' point that, if greyhounds are dogs, is the exclusion of greyhounds because they do not come within the provisions of the Dog and Cat Management Board as of now, and the honourable member's amendments would bring them within that scope?

The Hon. I.K. HUNTER: I thank the Hon. Mr Wade for his remarks. I do not have much to say about those; I do not have that advice in front of me. I could turn to the act, I suppose, but he, being a lawyer, would have a better ability to read that than I would, without getting advice.

In terms of euthanasia, I understand completely where the Hon. Ms Tammy Franks is coming from; I have had discussions with her several times. However, this act, these amendments, are about trying to drive down the euthanasia rate at source. They are about trying to drive down the operations of puppy farms which just churn through births of dogs and cats and turn them out into the system, and it is about microchipping and desexing.

Again, these are aimed at making dogs much easier to identify and return to the owners when they are lost, as well as being traced through the system so that people can find out who the breeders are and people can make sure they are getting an animal from a reputable breeder. The desexing part of it is also about making sure that we put downward pressure on those unwanted litters that flood in time and time again throughout the year, which obviously increase the euthanasia rate.

This is how were trying to do it, at source. We are trying to attack the issue in this bill through that process. If the Hon. Tammy Franks wants to go off and do some work on euthanasia being reported on I commend her for that, but I have concern about her amendments, which we will get to when we come to those clauses—and I should say, in advance, that the government will not be supporting her amendments.

However, this legislation and the amendments to this bill are about trying to drive down the euthanasia rate by putting downward pressure on litters, on unscrupulous breeders, making sure that we keep the operators of these wonderful organisations—the Animal Welfare League and the RSPCA—putting down as few animals as possible. That is ultimately the key ambition of the amendments to this bill.

The Hon. S.G. WADE: I respect the sincerity of what the minister is saying. I think there are two issues that we will be discussing in this bill: the transparency of the processes to monitor euthanasia and the public transparency in terms of the reporting of that monitoring. If a function of the board is to plan, promote and provide advice about the effective management of dogs and cats throughout South Australia, it cannot do its job without collecting relevant data, and I think the parliament has a right to know what processes the board has in place to make sure it is doing its job.

The minister was irritated when I was exploring that element of compliance with the roles and functions of the board which is in the act, but I make the point that the parliament is not just in the business of putting laws in place, we also want to make sure they work effectively. The whole

parliament shares the minister's desire to reduce euthanasia rates. We want to make sure that the board is fulfilling the functions that this parliament has given it.

The Hon. T.A. FRANKS: I wish to make an observation that when I was asking if the minister had the intention of bringing forth legislation with regard to greyhound wastage, it was a genuine question: it was not a reflection on his intent, which of course would be unparliamentary. I move:

That progress be reported.

Progress reported; committee to sit again.

LOCAL NUISANCE AND LITTER CONTROL BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 December 2015.)

The Hon. A.L. McLACHLAN (16:36): I rise to speak to the Local Nuisance and Litter Control Bill 2015. I speak on behalf of my Liberal colleagues in relation to this bill. The Liberal Party will be supporting the second reading and at this stage does not envisage any amendments. I know that the Leader of the Labor Party in this chamber likes my quotes and poetry, so I thought I would give him one this afternoon. It is a quote from John Stuart Mill that says: 'The liberty of the individual must be thus far limited; he must not make himself a nuisance to other people.' It is relevant to the consideration of this bill.

The bill is the government's response to the ongoing calls for the improved method of dealing with nuisance issues at a local level. There has been criticism and confusion surrounding the delineation between state and local government roles and responsibilities related to local nuisance issues. The government has stated that South Australia is the only state in which local government responsibility for nuisance issues is not legislated at least to some extent.

In 2012, the Statutory Authorities Review Committee handed down a report that originated from questions raised about the Environment Protection Authority's role in site contamination. The report recommended that:

The Minister should consider the possibility of legislative reform to clearly define the roles and responsibilities between the EPA and other authorities (e.g. local councils) when dealing with minor/local environmental nuisances.

Following this, the Local Government Association established a local excellence expert panel in 2013. One of the panel's recommendations included:

The responsibility for investigating and resolving matters of local environmental nuisance be accepted as part of the function of a regional Council on condition that the EPA provide support in the form of expertise and equipment.

The bill before the chamber is the government's response to these recommendations. The bill provides for a greater role for councils in managing local minor nuisances and littering in South Australia. The ultimate aim is to reduce litter and illegal dumping throughout South Australia, which will in turn provide improved amenity for all our communities.

'Local nuisance' is defined in the bill as 'any adverse effect on an amenity value of an area that—is caused by' the following: noise, odour, smoke, fumes, aerosols, dust and animals, whether dead or alive. It also includes:

(b) insanitary conditions on premises that unreasonably interfere with or are likely to interfere unreasonably with the enjoyment of premises occupied by persons in the vicinity;

As well as:

(c) unsightly conditions...on premises caused by human activity or a failure to act; or

(d) a contravention of, or failure to comply with a provision of an environment protection policy...

The government informs us that the bill will improve the management and consistency of nuisance and littering offences. It seeks to achieve this by the following provisions in the bill: providing local councils legislative power to manage nuisance and litter issues; reinforcing that the Environment

Protection Authority must manage any nuisance matters that occur on EPA-licensed sites; imposing harsher penalties for illegal dumping; establishing three distinct classes of litter to differentiate between the seriousness of various types of offending; improving usability of surveillance for evidence gathered related to illegal dumping; enforcing the liability of vehicle owners for offences committed in association with or from their vehicle (which brings South Australia in line with other states); requiring non-government organisations to undertake compliance activities; providing for courts to order civil remedies where appropriate; permitting councils or administering bodies to enter into a negotiation, or apply to the relevant court for a civil penalty rather than applying to the court for a criminal penalty (therefore providing for a lower cost alternative to prosecution); establishing compliance standards by regulation; allowing for the sharing of authorised officers between councils and administering bodies to act on behalf of one or more councils; and establishing a public litter reporting scheme.

Whilst it is currently possible to report littering that occurs in South Australia to the South Australia Police, there is currently no public litter reporting program in place. The bill, in addition to applying responsibility to the owner of a vehicle, also outlines a process for citizen notification of littering. The provision in the bill stipulates that the contents of a notification may constitute evidence of the offence, and allows expiations to be issued as a result of a public litter report. This provision will bring South Australia in line with other jurisdictions across Australia.

I understand the EPA conducted extensive public consultation meetings across South Australia on behalf of the government as part of this process. In response to the feedback and concerns raised, particularly by the Local Government Association, significant amendments were made to the draft version of the bill. For example, serious concerns were raised regarding the extensive list of hazardous substances prescribed in the draft bill as class A hazardous materials.

Councils expressed a lack of expertise in being able to identify and handle these materials—for example, various liquids which authorised officers would not be aware existed, let alone identify. Following this, all class A substances were removed from the bill except for asbestos. The reason asbestos remains in the bill before the chamber is because asbestos dumping has become a serious issue in the South Australian community, with dumping offences occurring frequently across the state.

In order to facilitate greater community resistance to this practice, it was felt that it should remain in the bill. Furthermore, councils already have responsibility to clean up asbestos that has been illegally dumped. It remains open to expand the list of class A substances on the list at a later date through regulation.

Councils also expressed concern about the additional responsibility they will now have in managing litter and nuisance issues and expressed a need for support and resources in order to effectively manage these activities and implement the associated new procedures. I note that currently four full-time equivalent staff (FTEs) are responsible for local nuisance and litter within the EPA.

In response to these concerns, the EPA has indicated that the four FTEs will remain in these roles to provide the equivalent support to local councils and one FTE will relocate to the LGA in order to provide a greater level of support internally. The EPA has also indicated further resources will be provided, such as a centralised telephone complaints line operated by the EPA to direct complaints, training for council officers and the use of EPA equipment.

As a result, the LGA has now indicated that it will not oppose the passage of the bill but notes this is largely due to the changes that were made to the proposed bill and the assurances that the EPA has made to the LGA that it will provide ongoing support and additional resources to assist with the implementation of the new obligation. I commend the bill to the chamber.

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

STATUTES AMENDMENT (HOME DETENTION) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 March 2016.)

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:46): I thank those honourable members who have contributed to the debate on this bill. As noted, this bill seeks to expand the existing home detention program which has been successfully operating in South Australia since 1986. It will remove existing restrictions to enable suitable prisoners, who have been sentenced to imprisonment to be served in a custodial environment, to be released on home detention earlier and thus spend a longer period of their sentence on home detention than is currently permitted.

It also seeks to establish home detention as a sentencing option for a court when imposing a sentence of imprisonment. In the hierarchy of sentencing options, home detention will sit between a suspended sentence and a custodial sentence of imprisonment. The present sentencing regime does not permit a court to directly sentence a prisoner to a period of imprisonment to be served on home detention.

Currently, if a period of imprisonment is to be imposed and good reason does not exist for that sentence to be suspended, the only option available to the court is to impose a custodial sentence. This overlooks prisoners who do not satisfy the criteria for a suspended sentence but who, at the time of sentencing, no longer pose a risk of reoffending or a threat to the community such as those who have perhaps made significant inroads to rehabilitation or for whom the court is satisfied that offending represents an isolated incursion into criminal conduct.

The safety of the community remains the paramount consideration. This is explicitly stated in the bill. The bill does not exclude particular classes of offence or lengths of terms of imprisonment; this is intentional. The government is of the view that the sentencing court should have the discretion to impose a sentence of imprisonment to be served on home detention in those cases where the individual offender has been assessed as posing a low risk of causing harm to the community or of reoffending where suspension of the sentence would not be appropriate. This allows the prisoner to maintain important community ties, including keeping employment, and enhance opportunities for engagement with appropriate treatment and counselling services.

The bill ensures that suitable restriction on the liberty and monitoring are in place to ensure the safety of the community. As stated, the bill does not exclude particular classes of offence or lengths of terms of imprisonment. The sentencing of an offender is a task undertaken by a judicial officer. The government believes the sentencing court should retain its discretion to impose an appropriate sentence upon consideration of all the relevant facts and circumstances.

The government and our community place great trust in our judges to undertake the difficult task of sentencing every day. The government has confidence that our judges, having all the facts of the offending and circumstances of the offender before them, are best placed to exercise this discretion guided by the requirement to ensure that their paramount consideration in doing so is the safety of the community.

The government notes that the opposition has moved an amendment that seeks to impinge on the discretion of the sentencing judge by excluding certain categories of offenders from the operation of the bill. This will have the consequence of excluding some offenders who may be ideal candidates to serve their sentence of imprisonment on home detention. The government will be resisting this attempt to remove the discretion of the sentencing court.

The Hon. Mr McLachlan has asked me to address various issues raised by the Law Society in their correspondence on 22 October 2015. I note that the Deputy Premier has already done that in the other place; however, I am happy to do so again. The Law Society supports the extension of the use of home detention as both a sentencing option and by way of early release. I also note that the Law Society does not raise any concern regarding the classes of offences whereby home detention is available.

The society has expressed concern that the bill in its current form may not allow sufficient flexibility for the variation of a home detention order, in particular where a person is no longer able to reside at a nominated address without triggering an application for breach of a condition under proposed section 33BD. Proposed section 33BC(3) of the bill gives a court power to vary or revoke

a condition of a home detention order. This will allow a person subject to a home detention order to vary his or her place of residence without giving rise to any application for breach of proceedings.

If a nominated address becomes unavailable or unsuitable and no other suitable address can be found, the court must revoke the home detention order and order that the sentence of imprisonment that the person was serving be carried into effect. The requirement of the bill to give paramount consideration to the safety of the community when imposing a home detention order means that an order cannot remain in force if there no longer exists a suitable address at which the offender can be housed and monitored.

However, the bill gives a court power to excuse a breach if it is found that the failure to comply with the conditions of the home detention order was trivial or that there were proper grounds upon which the failure should be excused. Where such a finding is made, a court may refrain from revoking an order and may impose a further condition or vary or revoke a condition of an order. The provision will thus allow a court where appropriate to impose an alternate residential condition on an offender where that alternate address has been secured a short time after the breach occurred.

In practical terms, a court will not likely dispose of a breach application immediately. If an offender has not been able to secure alternative accommodation immediately, the court could in appropriate cases permit a short adjournment of the breach proceedings to enable that to occur. This will allow an offender some time to secure alternative accommodation where an offender has not been able to secure alternative accommodation and the period of imprisonment is called into effect. The only impediment on the same offender being released at a later date at the discretion of the chief executive to serve the balance of the sentence on home detention would be the operation of the ministerial direction as to the operation of the chief executive's discretion.

The law suggests that the exercise of the CEO's discretion to revoke a home detention order under proposed section 33BE will require careful monitoring. Section 33BE(1) permits apprehension without warrant and subsequent detention in custody if the CEO suspects on reasonable grounds that a person has breached a condition of home detention order. Section 33BE(2) already makes provision for monitoring; that is, it requires a person so arrested to be brought before a court not later than the next working day. Accordingly, there is court oversight of the CEO's discretion.

The Law Society raises the question of whether an offender will be remanded in custody or released on bail when charged with a breach of home detention conditions. The bill does not prevent a person charged with a breach of a home detention order from being released on bail pending determination of proceedings. Indeed, a release on bail is explicitly contemplated by the proposed sections 33BD and 33BE. It will be a matter for a court in consideration of all the relevant facts and circumstances to determine the question of custody status of an offender who is charged with a breach of a home detention order pending the outcome of the proceedings.

The Law Society asks that the parliament give consideration to a provision that allows a court to have regard to any period that a person has spent on home detention bail if that person is then ultimately sentenced to a home detention order. It is already a well-established sentencing principle that a court has discretion to take into account the time an offender has spent on home detention bail when imposing a sentence of imprisonment. There is no intention or need for a court to adopt a different approach under the provisions of this bill.

The Law Society suggests that in order to be effective the scheme will need to be supported by increased capacity for supervision and monitoring of those on home detention, particularly those living in rural and remote areas, so that people living in certain areas are not precluded from accessing the scheme. They note that this is particularly pertinent to Aboriginal communities.

The Department for Correctional Services manages 16 community correctional centres and other outreach services which are located across the state and which provide supervision of offenders who are subject to community-based orders. The department's transition to GPS electronic monitoring equipment has increased the ability to rigorously monitor and supervise people in the community, including prisoners released into home detention.

Offenders in the Far North and north-western regions of South Australia are supervised at six locations: Port Pirie, Port Augusta, Whyalla, Ceduna, Port Lincoln and Coober Pedy. Approximately one-third of offenders supervised within the Far North and north-western regions of

the state identify as Aboriginal; some live in remote traditional communities that are a significant distance from a community correctional centre. As a consequence, the department operates regular outreach services in order to service those offenders. This outreach includes visiting the APY lands.

The Law Society also raises the issue of sufficient administrative support for the home detention program. They suggest cost savings from increased use of home detention should be applied to increase rehabilitation programs for those serving community-based sentences. It is acknowledged that there will be impacts and associated costs for the Department for Correctional Services in assessing, supervising and monitoring these offenders in the community. However, the proposals in the bill may represent a subsequent and commensurate decrease in cost necessary and associated with accommodating prisoners in custody.

The Law Society also raised the issue of increased housing support where home detention orders can be served by those who are otherwise suitable for home detention but who do not have an appropriate address. On 3 August 2015, cabinet approved a preferred tenderer and budget for a bail accommodation support program. This service will be provided by a not-for-profit organisation that will own and operate the facility and provide associated wrap-around services. The program will capture offenders who are often remanded for short periods of time and will specifically assist disadvantaged groups. The facility should come online in the third quarter of the 2016-17 financial year.

Whilst the bail accommodation support program is not associated with home detention orders, it is a good example of partnering with other service providers to achieve an alternative to custody for some offenders who simply lack suitable housing. It is a great program. In addition, the Department for Correctional Services' integrated housing exits program is coordinated by the department utilising Housing SA stock and is designed to reduce exits into homelessness and the incidence of recidivism by improving the accommodation outcomes for people exiting custodial settings.

There are 60 properties available to prisoners scattered around the metropolitan area and some limited country locations. Participants are able to stay in a property for a period of 12 months. In special circumstances, a further 12 months can be approved. Work is also underway to scope evidence-based best practice accommodation options to further expand housing for those who, at sentencing or on transition back to the community, require suitable and supported accommodation.

The Hon. John Darley has expressed concern that, while there are restrictions for those already serving custodial sentences to be eligible for home detention, there are no restrictions on the courts. As I have already stated, the bill quite intentionally does not exclude particular classes of offence or length of terms of imprisonment for court-sentenced home detention. The sentencing of an offender is a task undertaken by a judicial officer. Judicial independence is fundamental to our justice system.

The government believes the sentencing court should retain its discretion to impose an appropriate sentence upon consideration of all the relevant facts and circumstances. The government and our community place great trust in our judges to undertake the difficult task of sentencing every day. The government has confidence that our judges, having all the facts of the offending and circumstances of the offender before them, are best placed to exercise this discretion, guided by the requirement to ensure that their paramount consideration in doing so is the safety of the community.

There is a vast difference between the decision of an independent judicial officer to impose a sentence upon someone and the decision of a non-judicial officer to make an administrative decision to release someone, who has already been sentenced to a custodial sentence by a judicial officer, on home detention. Again, I thank honourable members for their contributions and support, and I look forward to dealing with this bill expeditiously through the committee stage.

Bill read a second time.

HEALTH CARE (MISCELLANEOUS) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 10 March 2016.)

The Hon. T.A. FRANKS (17:02): I rise on behalf of the Greens to speak to the Health Care (Miscellaneous) Amendment Bill 2015. This bill seeks to regulate stand-alone private day procedure centres (DPCs) through various licensing arrangements, and sets standards for construction, facilities and equipment. At present, South Australia and the Northern Territory do not regulate stand-alone DPCs.

Examples of these day procedure centres include: plastic surgery; reconstructive and cosmetic surgery; ear, nose and throat surgery; fertility treatment and family planning; dental surgery; renal dialysis; and cardiac treatments. I believe there are some 30 or so stand-alone private day procedure centres in South Australia that have been declared as day hospitals. Currently, the state government issues licences for private hospitals under part 10 of the South Australian Health Care Act 2008. There are currently 27 licensed private hospitals operating across our state.

If a stand-alone private day procedure centre seeks to obtain a provider number, they can do this under the Private Health Insurance Act 2007, a commonwealth act, and SA Health does have an arrangement with the federal Department of Health to undertake an assessment and the inspection processes required. However, as has been indicated to me, the issue is that, beyond this, there is no further monitoring of those private day procedure centres by SA Health.

The absence of a licensing regime applicable to those private day procedure centres does present some health risks, which the government seeks to address with the introduction of this bill. With that, the Greens are convinced of the need for this piece of legislation. The government has informed us that, by licensing stand-alone and private day procedure centres, it will increase the ability for South Australians to access these DPCs, and imposing of the specific licensing conditions will address the potential safety concerns and mitigate risks. However, I do note with that there is not an enormous risk at present as all South Australian DPCs are currently registered with the federal health department and adhere to rigorous standards.

I have some questions arising from the minister's second reading to which I would like a response, because I would imagine that, should this legislation come into effect, it will potentially apply to an organisation known as The Purple House. My specific questions are: what arrangements have been made for this legislation with respect to the potential renal dialysis centre in community on APY lands in Ernabella and whether or not work has progressed between SA Health and the money that is on the table, federally, to ensure that we see in-community renal dialysis in Ernabella? Will we see that very worthwhile project going ahead in time to be captured by this legislation when it passes the parliament? With those few words, I commend the bill.

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

MOTOR VEHICLES (TRIALS OF AUTOMOTIVE TECHNOLOGIES) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 3 December 2015.)

The Hon. D.W. RIDGWAY (Leader of the Opposition) (17:06): I rise on behalf of the opposition to speak to the Motor Vehicles (Trials of Automotive Technologies) Amendment Bill. Of course, this is about the government's new passion for driverless cars. The government claims that it aims to place South Australia ahead of the curve and be the lead jurisdiction in the real-life trialling of driverless vehicle technology in Australia. It is sort of consistent: we mostly have a driverless government, so driverless cars fit pretty nicely with this government.

It is interesting that we have failed to be competitive on a world stage when it comes to regular cars, but nonetheless the government believes that this is an opportunity for jobs in our great

state and that this can be part of a package to keep jobs in South Australia, although we have seen no plan identified around driverless cars to keep jobs in South Australia.

When you actually look at it, of the 1,000 or more taxi drivers we have in South Australia, driverless cars will put all of them out of work. If you take it to its fullest extent—and we saw the subcontracting transport operators go past today very upset with things that the federal Labor government had done in the dying days of their government in relation to subcontractors and payment of drivers which, of course, makes most subcontractors unable to compete—you could eventually expect to have driverless trucks as well. So, there is another whole stack of people who would be put out of work.

I am not sure the Premier's passion for driverless cars is going to be a job-creation industry, but nonetheless the opposition is always happy to look at new technology and embrace new technology. Obviously, we have on many farms GPS-guided tractors and vehicles, and the operator only has to miss the odd tree and turn around and go back the opposite way when they reach the other end of the paddock.

While there is some intervention from a human being, again, it has brought tremendous efficiencies to agriculture with big, wide machineries. Whether you are overlapping with cultivation, seeding, or spraying chemicals such as herbicides, fungicides or insecticides, on a big farming operation that little bit of overlap can be quite expensive. If your chemical bill is \$100,000 a year, with a 5 or 10 per cent overlap, that could amount to \$10,000. So there are clear examples where technology can make you much more efficient and productive in going about your business.

We have this passion from the government about driverless cars. We saw minister Mullighan run over a blow-up kangaroo in the first trial, so clearly that was not particularly successful. Maybe that was done as a bit of a stunt to get some media coverage. This bill does not permit driverless cars to operate on South Australian roads outside of the trials individually approved by the minister, so it will be a very strictly controlled process. There are some South Australian and Australian companies and organisations involved in these trials; however, the details of how much investment and how many jobs this initiative will bring to South Australia is unclear. We have a government that has, as I said, a passion and interest in this particular technology, but we are not sure how many actual jobs are coming to South Australia as a result of it.

I am sure there will be a whole range of issues that come from trying to adopt this technology. I am sure there will be some safety initiatives when you incorporate the technology with existing cars with drivers. We even notice it now in the latest cars that we purchase that start to brake automatically when you get too close to the car in front of you, that indicate when vehicles are too close in the blind spots and those that park themselves. Clearly, there is a lot of technology that makes us safer without actually being completely driverless.

I would be concerned if I were a taxi driver, an Uber driver, a courier driver or a delivery person. Clearly, you could be put out of business by having a driverless taxi you could ring that could come to your door. Of course, you would be able to put five people in it because there would be no taxi driver so it would actually be 20 per cent more efficient, but, sadly, the poor old taxi driver is out of a job, so there are some issues with this technology. On one hand, people are saying, 'This is great, it's exciting, it's new, it's innovative, we need to embrace new technology, we need to be the smart economy.' But we might find that being this smart actually costs South Australians jobs.

Of course, we have to talk about the fact that this bill does not change legislation for driverless cars to operate outside of strict test conditions and in consumer markets. Internationally, a great deal of thought has been given as to what laws are necessary for the general operation of these driverless vehicles. Their widespread operation will pose complex legal challenges, especially to determine the liability in the event of any accident, and I think that is where the next step is. You can obviously have a driverless car that can run down the Southern Expressway on a designated route where there are no other vehicles interacting with it, but what about when you have people interacting with it?

We had examples today where the police minister was questioned about his speeding record. How does a driverless car deal with the Treasurer in his younger days when he got the nickname Turbo Tom? Clearly, you would expect driverless cars are not going to be speeding and

behaving recklessly. There is a whole range of people on our roads who do not obey the road rules, so that interaction between the driverless cars and cars driven by drivers does pose a particularly interesting legal issue as to who is at fault and who is to blame when it comes to the liability for any accidents.

Maybe the next step for the Premier is to have 20 of these things on the grid at the Clipsal so we can have a driverless car race, or 20 of them built by each manufacturer—and there are several in the world, as there is Volvo, and General Motors have one, Ford has one and there are a couple of others—so that maybe we could have a race around the Clipsal track to see which one can handle themselves the best in race conditions. A lot of our technology in gearboxes, automatic transmissions, tyre technology and aerodynamics has all come from race cars, so maybe there is an opportunity for some of this technology to be advanced further by having these vehicles running around in the Clipsal.

As I said at the outset, the opposition has always been happy to embrace new technology and we are certainly not going to stand in the way of this. We think it is worth exploring, but we really do question whether it will be the economic saviour for the state that the Premier claims is to be. With those few words, we support the bill.

The Hon. D.G.E. HOOD (17:14): I rise to indicate Family First's support for the second reading of this bill. I think the Hon. Mr Ridgway raises a number of pertinent points. I too wonder about where the jobs come from with driverless cars, for example. What is next? Perhaps it could be pilotless planes, driverless trains, etc., etc. One wonders where this finishes. Whilst I think there are efficiencies potentially—clearly, there are efficiencies—the real jobs opportunity in something like this rests in governments or jurisdictions getting on board early in terms of manufacturing these things or somehow setting up the software that governs them. That is where the jobs lie in large numbers, I suspect, and no doubt the government is aware of that.

On the other end of that, as the Hon. Mr Ridgway rightly points out, there will be job losses as a result of this sort of technology. We need to act as a state and as a parliament in order to make sure we have the legislative framework in place to move early. My feeling about this particular bill is that is exactly what the government is trying to do, and for that reason we support it. This bill enables the minister to authorise trials of automotive technologies and allows the minister to issue exemptions from relevant provisions within the Motor Vehicles Act 1959 or any laws that regulate drivers or the use of motor vehicles on our roads.

The autonomous vehicle technology is widely considered to be the main innovative focus of the car industry for the foreseeable future. Virtually all major car manufacturers are investing significant amounts of money to advance autonomous vehicle technology but, not surprisingly, technology giant Google is leading the way with its Google Self-Driving Car Project. Next year, Google is expected to be the first to reveal an integrated autonomous software system, with major car manufacturers expected to release fully autonomous vehicles by 2020—not far away: just four years away.

Globally, it is estimated that the autonomous vehicle industry will be worth some \$90 billion by 2030. I think the early adopters will be the greatest beneficiaries. Indeed, many countries are anticipating the new wave of autonomous vehicles by removing regulatory barriers to allow for on-road testing in a bid to tap into the billions invested into the industry. Just in March this year, the UK government announced its budget, which included plans to legislate to enable road testing of autonomous vehicles as we are doing here or have done in the past in this parliament. The UK government also committed to the construction of a connected corridor roadway which would allow autonomous vehicles to communicate with one another and the road itself.

In addition, the United States, earlier this year, announced its intention to invest some \$4 billion over the next decade into autonomous vehicle infrastructure. The US proposes to accelerate the acceptance of driverless vehicles on its roads in a bid to reduce traffic congestion and road fatalities. Experts say that over 90 per cent of motor vehicle accidents are caused by human error, hence the role for driverless vehicles, and there is evidence that suggests self-driving cars will reduce the frequency and severity of these accidents. A potential flow-on effect of this, not counting the many lives saved, obviously, is a reduction in the cost of insurance and the saving of millions for the state in areas such as health care and other infrastructure works associated with it.

Trials of autonomous vehicles can offer many benefits to the state, and there is no doubt that driverless technology will be a key focus of the automotive industry for the next few decades. Domestically, the government has predicted this technology will be worth \$9 billion to our state within 10 to 15 years. Let us hope that is right, sir. There is a clear opportunity for South Australia to capitalise on the developments in autonomous vehicle technology. Welcoming this technology does appear to be mutually beneficial for those involved. However, it is worth considering what immediate benefit trials of automotive technologies can have for our state.

First of all, the question most South Australians want to know the answer to is: how does driverless technology directly benefit our state in terms of creating real jobs for real South Australians right now? At the moment, it is unclear exactly what these jobs would look like. Would they be in the manufacturing of the devices, the infrastructure construction, testing of them, supporting it through administration or other as yet unknown areas? With job losses in manufacturing, energy and resources and an unemployment rate that sits at the highest in the nation, securing employment and employment growth in this state is clearly our main priority. Certainly, our state is not lacking in skilled personnel in the automotive or manufacturing industries. Our unemployed population, rather than workers brought in from overseas, should be first in line for these jobs.

Furthermore, will trials of this technology bolster our current automotive and research and technology industry that already exists? Evidently, there are locations which have been working on this technology for decades so, whilst we might be the first state to trial fully automated cars in Australia, we are in fact behind other countries in terms of the manufacture and research and development of these products. The government needs to clarify its intentions regarding driverless vehicle technologies and whether it intends to invest in the R&D, focus on the road testing or an investment in all aspects of this technology. Put simply: what exactly is the plan?

To conclude my second reading contribution, Family First is supportive of this bill and what it seeks to achieve, although there are matters that need to be carefully considered. This bill is certainly a step in the right direction. I take the opportunity to commend the government for taking the necessary steps to ensure our state is at the forefront of these technological developments. History has shown that early adopters do best in these areas.

South Australia was the first jurisdiction in the Southern Hemisphere to allow driverless cars on its roads. In the current economic climate we need to encourage innovation and ideas that would boost our economy and employment levels, and this proposal certainly seems to tick those boxes. We support the second reading and look forward to the committee stage.

The Hon. K.L. VINCENT (17:20): On behalf of Dignity for Disability, and on top of the comments that have already been made, I am happy to support this bill to let South Australia have trials of driverless cars. Even though we usually think of driverless cars at the moment as being something new, I understand that this technology has been researched for some 30 years so far, but it has only recently reached the point where people are becoming interested in it and understanding it more and more in many different countries across the world.

I understand that this bill is a very small interim step to make sure that we can legally allow tests of driverless cars on roads in South Australia, and I think it is important to support this idea because I think the change in technology could have lots of benefits for everyone in our community, even especially for people with disabilities. These benefits may also apply not only to users of driverless cars but to all taxpayers, to all users of roads and to the environment.

I understand that some people are quite nervous about the idea of driverless cars as they think that a machine could make mistakes, and of course it could, but so can humans. I have been told, as I think the Hon. Mr Hood said, that at least 90 per cent of current car accidents are caused by human mistakes, and various statistics in different parts of the world have arrived at different conclusions about this. Nevertheless, anyone who has received or witnessed the tragic news of a death or injury on South Australian roads will, I am sure, conclude that human error does play a part. Human error, such as not paying attention, speeding and driving under the influence of alcohol or drugs, does play a big part in how frequently we see accidents on South Australian roads.

Technology like driverless cars appears to have the potential to reduce the likelihood of road accidents because driverless cars are not subject to those human failings that I have listed, and

many more I am sure. Of course, no option is perfect, and there will probably always be mistakes, whether it is a human or a machine making the decisions.

A research report done in 2015 by the University of Michigan showed that self-driving cars may have a higher rate of crashes than some conventional vehicles during the transition period, when both types of vehicles are sharing the road, so if cars with and without humans driving them are sharing the road. The research stated:

One main concern during this transition period is that drivers of conventional vehicles [that is, vehicles with a human driving them] would have certain expectations about the likely actions of other vehicles.

In other words, some human drivers might need to adapt to how cautiously and correctly cars without drivers would be driven. So, we would still very much need to be wary of how we use and share the roads with each other.

Having a trial of driverless cars in South Australia will give us the opportunity to work out these problems and more with driverless cars, improve the technology and ultimately decide whether or not we should continue with this in the future. This trial will be a great opportunity to embrace new technology and new ideas and, because we have so many people currently unemployed in South Australia, and leaving jobs with older more traditional technologies behind, it is really important that we look at how we can come up with new ideas to provide new and exciting job opportunities in the future.

There are more good things that could come from developing and using driverless cars more often, and these include better fuel efficiency and reduced emissions due to more efficient driving, so less impact on the environment. The practice of platooning enables trucks and cars in automated mode (without a driver) to follow close behind a truck or a car with a driver which they are electronically connected to. The vehicles in the platoon gain an aerodynamic effect and thus save fuel and also lower their environmental emissions, as far as I am told. It is all a bit too scientific for my brain, but I understand that there is a benefit there.

Finally, automated vehicles may of course allow improved, more readily available mobility for people who, like myself, are currently unable to drive because of a disability or other medical condition, or another reason. I understand that the development of vehicles and legal systems that allow the completely driverless operation of cars may be 15 to 20 years away, but I am still very excited by that possibility.

Before I started speaking to you, Mr President, the Hon. Mr Wade and I were having a chat and he said that he was worried I might become a bit of a pest if I had a driverless car more readily available to me. I was quick to remind him not to worry as this will mean that I am able to visit him more often. I tell you, Mr President, he was numb with excitement; the look on his face at the idea of me knocking on his door more frequently—he was numb with excitement. I am sure we are both very much looking forward to that.

The use of driverless cars also has the potential to reduce traffic hazards for people using wheelchairs or other mobility aids and this, again, could be a positive. As has been mentioned, there are a number of impacts that will need to be considered. Like other speakers, I would like to know how this would impact employment in South Australia, where those extra jobs might come from and what they might look like, and how many new jobs this new technology might create.

I do not know whether the minister can provide any information on that now. If he can that would be appreciated but it may well be that we need to wait to have a trial to figure out exactly what the impact on employment may be and, of course, the impact on things like the taxi industry, as mentioned by previous speakers, would need to be considered.

As I said, I think this is a very exciting opportunity to figure out these problems and improve the technology so that we can reap the benefits. The way that technology is improving, it is not too hard to imagine an urban world transformed by driverless vehicles, including car-share schemes where the vehicles are utilised around the clock. Like other speakers, I commend the government's initiative and proudly throw Dignity for Disability's support behind the wheel. Let's get this right and reap the benefits for everyone in our state.

Despite a small hiccup on the parade ground, which I am sure we all remember, South Australia is clearly ready to drive into the future. I commend the second reading of this bill to the chamber and look forward to the exciting opportunities that this could provide for our state.

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

STATUTES AMENDMENT (COMMONWEALTH REGISTERED ENTITIES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 3 December 2015.)

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (17:28): I move:

That this order of the day be discharged.

Motion carried; bill withdrawn.

HEALTH AND COMMUNITY SERVICES COMPLAINTS (BUDGET REPORT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 February 2016.)

The Hon. S.G. WADE (17:29): I rise to indicate the Liberal Party will support the Health and Community Services Complaints (Budget Report) Amendment Bill 2015. The bill seeks to amend the Health and Community Services Complaints Act 2004 by repealing section 15 and therefore removing the requirement of the Economic and Finance Committee to review the commission's annual budget. Currently, section 15 requires that the commission's proposed budget for a financial year be examined by the Economic and Finance Committee of the parliament by the end of the preceding calendar year.

The Liberal Party, in considering this bill, has consulted with a range of stakeholders. Originally, the requirement was put in place to support accountability. It is noteworthy that the Economic and Finance Committee does not currently examine the budget of any other statutory officer. The opposition considers that accountability of the commissioner and of the government as funder is adequately ensured by other mechanisms. The commissioner is already required to give an annual report to the parliament which includes information on the budget and the actual expenditure of the commissioner.

Additionally, the requirement has proven to be impractical. As highlighted by the commissioner, it is impossible to ensure that the information required by the act is always provided, given that the office budget is often not confirmed until October of the year. Secondly, functions of the Economic and Finance Committee are not consistent with the requirement to undertake an examination such as this. Similarly, the Social Development Committee is not a suitable body to be dealing with such a review. In this context, the Liberal Party supports the suggested amendments and the referral of the responsibility on the committee.

In closing, I would like to affirm the important work of the commissioner. All members of this place and the other place would have contact with constituents in relation to their concerns in relation to health and community services, and the commissioner undertakes an invaluable role for both parliamentarians and society in providing practical advice about health-related issues and a review mechanism which ensures that health and community service users are provided with the opportunities to have their issues and concerns addressed.

Debate adjourned on motion of Hon. T.T. Ngo.

SOUTHERN STATE SUPERANNUATION (PARENTAL LEAVE) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 8 March 2016.)

The Hon. R.I. LUCAS (17:33): I rise on behalf of Liberal members to support the second reading of the Southern State Superannuation (Parental Leave) Amendment Bill. This is one in a series of bills where the government has introduced legislation, got the parliament to pass it, then changes its mind and either seeks to rescind it, withdraw it or, in essence, repeal it. As I said, we have had another recent example of this in the current session of parliament.

The explanation for this particular bill is that up until 2012 superannuation had been payable to members of the Triple S scheme on parental leave payments.

However, in 2012, the state Labor government introduced a bill into the parliament which amended the definition of 'salary' so that superannuation did not have to be paid on parental leave payments. That legislation, as I said, was introduced by the government, it was supported by the opposition and, whilst I have not checked the actual debates, I do not believe it was opposed by any of the minor parties or Independents in the parliament in 2012.

At the time, the government argued they had to introduce the legislation because of the requirements of the commonwealth Superannuation Guarantee (Administration) Act 1992. That is the background. The government introduced the bill, the parliament supported the bill, the government said they had to introduce the bill because it had to be brought into line with the requirements of the commonwealth legislation and, on that assurance, the parliament passed the legislation.

This bill was introduced just over three years later and it seeks to reverse the 2012 decision by reinstating superannuation to members of Triple S on parental leave payments. We are given very scarce information on the reasons why, and I understand this is going through tonight, and I guess we will be able to explore some of these questions in the committee stage of the legislation. In the second reading, the government claimed that some states (and they listed Queensland, Tasmania and Western Australia) had continued to pay superannuation on parental leave despite the federal legislation.

One can only assume on that basis that, whilst we were told here that we were required to be in accordance with the federal legislation, clearly other states had different legal advice, I assume, or they were acting unlawfully, and I guess the minister can outline the reasons the government was given as to why three states (Queensland, Tasmania and Western Australia) operated outside the provisions of the federal legislation. One can only assume, although it is unstated in the second reading, that the other states (that is, New South Wales and Victoria) complied with the federal legislation, as we did in the 2012 bill.

The second argument—and, again, we can explore this in committee—is that the government claims that various enterprise agreements that existed at the time of the 2012 bill included provisions that existing conditions of employment would not be reduced. Whilst that was clearly understood at the time, I am assuming the government, when it acted in 2012, was aware of the provisions of the enterprise bargaining agreements that existed at the time and it obviously had legal advice at the time, but I would assume that the parliament is paramount—that is, if the parliament legislates for something, it overrides various enterprise agreements. I can only assume that was the advice that the government had in 2012 when it asked the parliament to pass the legislation.

Whilst I see the reference in the second reading, I will be seeking answers from the minister as to what the legal advice to the government was in 2012 and what the difference in the legal advice was in 2012 which has led to them putting that in the second reading explanation as one of the reasons this needed to be reversed. The government also proposes that the bill be made retrospective to November 2012, and I seek an explanation from the minister on why that is the case. In a very curious explanation, the government claims that this 2012 decision will have no budget

impact. On the surface, that is hard to understand because, clearly, if you are paying superannuation on a broader definition of 'salary', clearly you need to find additional money to do that.

There are a number of persons who are on parental leave arrangements, as well as agencies, and I will ask the minister questions in terms of what advice Treasury has given them. One big agency is the health agency, and the Hon. Mr Ngo, with his past experience as a very senior adviser to the Minister for Health, would be very familiar with the length and breadth of the health portfolio and the importance of parental leave arrangements in that portfolio, particularly with the significant volume of nurses and other staff and allied health professionals in the health agency. The education department, for that matter, has a very large percentage of teachers and support staff in schools who are female. That might be another agency that would have a very significant usage of parental leave arrangements.

The government claims that there will be no budget impact from this reversal of the 2012 decision, which is a curious claim. As best as we can understand it—and there is only a little bit of detail provided in the second reading, and again the minister, I am sure, will be able to provide answers in the committee stage—no budget reductions were made to agencies in 2012, which is again curious.

For anyone with any knowledge of treasuries, under either a Labor or Liberal government, if a decision is passed by the parliament which clearly has a savings impact because it has reversed a previous situation in relation to the payment of superannuation for a large number of people, it seems curious that Treasury would not insist on those savings being either recouped back to general revenue or at least accounted for in some way during the budget bilaterals between those agencies and Treasury. But, no, the government claims that no budget reductions were made.

That obviously begs the question: the parliament passed the law in 2012; did agencies such as education and health just ignore the rule of law? Did the government of the day and Treasury just ignore the decisions the parliament took? That is, the parliament said, 'Thou shalt not pay superannuation on certain aspects of salary.' Is the government saying to the parliament that those agencies, CEOs and others acted outside the law of the state; that is, they just ignored it and continued to pay superannuation? I think that is an important question that needs to be answered before debate on this bill is concluded this evening.

There is nothing new in these questions. I am sure that the minister's advisers, who are here, will be well briefed and able to provide the minister with answers to these questions. I would like to know, for example, what the potential budget impact would have been on the education and health portfolios on the basis that the legislation passed in 2012 and, clearly, the reversal of that through this particular legislation.

The other issue—and again, those familiar with budget bilaterals will understand this—is that even though Treasury might not have clawed back the savings, to use a Treasury phrase, let's say that as a result of the 2012 change of law by the parliament which saved potentially \$5 million over a financial year because they did not have to pay superannuation on the parental leave payments, the government is claiming in the second reading that no budget reductions to Health were made.

Again, anyone who understands bilaterals will understand that if, for example, Health is required to achieve \$150 million in savings because of efficiency dividends and a variety of other things, they will have to sit down and try to come up with \$150 million worth of savings. Part of those savings might have been attributed to \$5 million of superannuation payments as a result of the parliament's decision. That is, it was used by agencies to offset their savings task. While it was not clawed back to Treasury by a reduction in their appropriation, Health would argue to Treasury, 'We have achieved our \$150 million in savings and \$5 million of those savings are as a result of this new legislation, which means we do not have to pay superannuation on parental leave payments.'

I think they are the simple questions that the minister and his advisers need to respond to this evening as we go through the committee stage of the debate. They are not unreasonable questions, given that within the space of three years the government says, 'We need to pass the legislation,' and we do, because of federal requirements, and then three years later it says to us, 'Well, no, we have changed our mind. We are not going to comply with the federal arrangements. We want to reverse the decision that we asked you to take just three years ago.'

In the consultation the Liberal Party has undertaken, limited as it may have been, as one would expect the PSA supports the bill. From my recollection, I assume that back in 2012 the PSA opposed the bill; I have not had the opportunity to go back and check my files on the 2012 debate, but I would assume that was the case. However, even if it were the case, the government decided to proceed in the knowledge that the PSA would have opposed the legislation back in 2012. With that, I indicate Liberal Party support for the second reading but outline the wish to pursue some of those questions and seek some answers during the committee stage.

The Hon. T.A. FRANKS (17:46): I rise very briefly on behalf of the Greens to indicate our support for this bill, the Southern States Superannuation (Parental Leave) Amendment Bill. This bill relates to the industrial relations portfolio, of course, and seeks to reverse the 2012 decision which resulted in public sector employees not having any superannuation payments made while on paid parental leave. This unintended consequence had a significant negative impact, on women in the public sector, in particular, who accessed parental leave.

This bill will ensure that any affected employees will have an outstanding superannuation payment paid following the passage of the bill, and we acknowledge that is retrospective legislation in that way. We have had information from the Public Service Association that it does support this bill, as do the Greens. We think it is only fair and just that those workers have their just entitlements.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.I. LUCAS: I put a series of questions to the minister. I am happy to repeat them, but the advisers were in the chamber at the time so I invite the minister to respond to some of the questions I put.

The Hon. P. MALINAUSKAS: There are a number of questions that the Hon. Mr Lucas, I understand, referred to recently. I will attempt to deal with advice that I have received in respect of the budget, which was, I think, a significant component of the honourable member's questions. My advice is that back in 2012, when this change initially took place, Treasury did not account for any positive budgetary impact as a result of the payment of superannuation on parental leave concluding, and therefore that has been a prevailing logic in respect to what is occurring this time round with respect to any prospective budget impact.

That said, I have been advised to give the honourable member some clarity in terms of the number of people who are likely to be affected in any one year across the Public Service. Our advice is that that number is in the order of 990 FTEs who would have this new amendment apply to them across the public sector in any one year. If there are any other specific questions that the honourable member had, I am more than happy to answer them as he goes through them.

The Hon. R.I. LUCAS: I am happy to go back through the questions. Perhaps we can stay with the budget questions firstly, I guess. Can the minister confirm whether, when parliament passed the decision in 2012, agencies complied with the law of the state and stopped paying superannuation on parental leave payments?

The Hon. P. MALINAUSKAS: I understand that the honourable member has asked these questions in writing previously. The appropriate department has indeed received correspondence to that effect, answering those questions, but nevertheless I will attempt to answer them consistent with the advice that I have received.

I have been advised that employees were still being paid the superannuation guarantee contribution up until 2015, when it was picked up that these payments were not being made, and hence the need for the bill that is before the parliament at the moment. I am advised that up until 2015 Shared Services continued to pay the superannuation guarantee for those people on paid parental leave.

The Hon. R.I. LUCAS: I am sure that even though the minister is a new minister he would recognise that that is an extraordinary response that he has been given to give. I accept that it is not

his answer; it is the nature of the advice the advisers are providing. But, put simply, what the minister is saying on behalf of the government is that the parliament passed legislation and government departments and agencies just ignored it.

He says that there are nearly 1,000 full-time equivalent public servants who would benefit from this, so the parliament, on the recommendation of the government said, 'Stop paying superannuation to these 1,000 people for their parental leave payments because that is what the federal legislation requires.' The government comes in, the Liberal Party supports it—and, as I said, I think the Independents and minor parties supported as well or did not oppose it—and what the minister is saying to the house is that the chief executives, the Treasurer, the Shared Services group, just said, 'Stuff you, we're going to continue to pay the superannuation to these 1,000 people even though the parliament said no.'

As I said, the minister is relatively new in the chair and I make no criticism of him personally for the response he has put on the record on behalf of the government. He was not here in 2012 and I think he is probably grateful that he wasn't, but this is an extraordinary position that the government has now acknowledged. There is no reference at all in the second reading explanation to this. There are weasel words and there are mealy-mouthed explanations. I was provided with advice from a whistleblower who indicated there is something that needs a closer look at in relation to this legislation and the reasons why the government has reversed it and, as a result of the questions that we have put, the government acknowledges now that for three years Public Service bosses, Treasury, Treasurer—I mean, clearly Treasurer Koutsantonis was just asleep at the wheel.

Parliament passes the legislation, he is in charge of the Treasury, he has chief executives and departments just saying, 'Stuff you, I am not going to abide by the law of the land. Just because the parliament tells us to stop making these payments to these 1,000 public servants, we are not going to abide by that decision. Who does the parliament think they are? We are the public servants. We are the Treasury. We are the ones who run the state. The Hon. Tung Ngo, the Hon. Russell Wortley, the Hon. Rob Lucas, just because you pass a law and change it, does not mean that we have to comply.'

It would be a good way to run your business wouldn't it, Mr Chairman? The parliament passes a law and you just say, 'Well, stuff you.' Then what happens is the government, under Treasurer Koutsantonis and Premier Weatherill, comes into the parliament and tries to cover up the breach of the law by reversing the decision and making it retrospective to 2012. That is what they are asking us to do, to in essence say, 'Look, we passed the legislation in 2012, but they all refused to implement the legislation in 2012, without actually telling you this.'

As I said, if the government fessed up in the second reading explanation or in the debates and said, 'Look, we passed the legislation but the Public Service bosses refused to implement it,' or if there were some other explanation, we could have had, 'There was an amazing mess-up with Treasurer Koutsantonis, that is, the Treasurer made a huge blunder, he forgot to implement the legislation, even though he voted for it, but as the Treasurer, he forgot to implement it. As he went through the budget processes in 2014 and 2015 with his Treasury officers, he forgot to implement it'—as opposed to deliberately ignoring it.

The parliament would have at least been apprised that we had further evidence that we had an incompetent treasurer and incompetent Treasury officers, or Shared Services officers within the government, and accept the responsibility, 'We would like you to help us; you, the parliament, to help us fix up the mess,' but we get none of that. We get these mealy-mouthed weasel words in here which say that there were various enterprise agreements in 2012 which included provisions that existing conditions of employment would not be reduced.

The government knew that in 2012. The Hon. Tung Ngo would have been aware of that in relation to enterprise bargaining agreements in the health sector or the PSA agreements—all of those were known at the time. There is nothing new that has been introduced into those agreements. I would like the minister, as a result of those decisions, and the fact that it is 6 o'clock now, to report progress.

I would like to receive from the government a fuller explanation, now that this truth has been revealed, of how we got ourselves into this situation. I want to know whether any agency actually

complied with the law, or is Shared Services and Treasurer Koutsantonis saying to us now that every agency in the state just refuses to abide by the law of the land? Is it just some of them that refuse to abide by the law of the land? I would like to know—and clearly Treasury would know, if they had done the figures, that there are nearly 1,000 public servants who are impacted—what the annual budget cost is, the budget differential of this particular issue. What is the annual figure that we are talking about?

Progress reported; committee to sit again.

EMERGENCY MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

YOUTH JUSTICE ADMINISTRATION BILL

Final Stages

The House of Assembly agreed to the amendment made by the Legislative Council without any amendment.

ABORIGINAL HERITAGE (MISCELLANEOUS) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the bill without any amendment.

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) (PUBLIC MONEY) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

Second Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (18:04): 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.

The *Nuclear Waste Storage Facility (Prohibition) Act 2000* was passed by the South Australian Parliament to protect the health, safety and welfare of the people of South Australia and to protect the environment by prohibiting the establishment of certain nuclear waste storage facilities in this State.

Section 13 of the *Nuclear Waste Storage Facility (Prohibition) Act 2000*, states:

'Despite any other Act or law to the contrary, no public money may be appropriated, expended or advanced to any person for the purpose of encouraging or financing any activity associated with the construction or operation of a nuclear waste storage facility in this State.'

The Government has formed the view that the repeal of section 13 is necessary to remove barriers that prevent consultation with the community about the findings of the Nuclear Fuel Cycle Royal Commission.

The repeal of section 13 is necessary because it has potential to inhibit public consultation on the merits of a nuclear waste storage facility once the Nuclear Fuel Cycle Royal Commission hands down its final report to Government on May 6 2016.

Once the Royal Commission hands down its final report, there will be a period of extensive community engagement that is expected to involve the commitment of public resources to facilitate the process.

The repeal of section 13 does not signal a shift in the Government's policy on nuclear storage, and does not pave the way for a nuclear waste facility in South Australia. Section 8 of the Act, which prohibits the construction or operation of a nuclear waste storage facility in South Australia, is retained in its current form. This means that any such policy decision would require new legislation to be brought to the Parliament.

The Bill is consistent with Government's commitment to South Australians that Government will discuss and deliberate on the risks and opportunities of further participation in all aspects of the nuclear fuel cycle.

The Bill includes a retrospective commencement clause to take effect from the date of introduction into Parliament. The retrospective commencement date is to enable effective government planning to support public deliberation on the Royal Commission's final report.

The Royal Commission released its tentative findings on 15 February and will deliver its final report to Government by 6 May. The Government will then consult on the report's findings before a position is reached by the end of 2016.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be taken to have commenced on the day on which it was first introduced into the Parliament.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Nuclear Waste Storage Facility (Prohibition) Act 2000*

4—Repeal of section 13

Section 13 is repealed by this clause.

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

LEGAL SERVICES COMMISSION (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

At 18:05 the council adjourned until Wednesday 23 March 2016 at 11:00.

*Answers to Questions***SAFE SCHOOLS PROGRAM**

10 **The Hon. D.G.E. HOOD** (9 December 2015). Can the Minister for Education and Child Development advise—

1. Has the Department for Education and Child Development taken legal advice regarding the potential liability of schools who engage the Safe Schools Program?

2. Does that advice extend to any potential liability flowing from endorsements of groups or organisations by the State Schools Coalition, such as the Minus 18 site which provides advice on various issues including penis tucking and chest binding?

3. What actions, if any, has the government taken to limit liability as a result of the Safe Schools Program?

4. What oversight does the government provide to the Safe Schools Coalition in South Australia to ensure that the practices and policies they are promoting accord with current medical research and best practice?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change): The Minister for Education and Child Development has received this advice:

1. The Commonwealth Department of Education and Training funds the Foundation for Young Australians (FYA) to deliver the Safe Schools Coalition Australia (SSCA) program. The Australian government ensures that FYA meet the requirements of the Funding Agreement and that resources align to the intent of the program.

DECD supports the implementation of the SSCA Program in SA schools. The SSCA program supports Department for Education and Child Development's commitment to create positive, inclusive and supportive schools for all young people regardless of their sexuality or gender identity.

There is no 'potential liability of schools who engage in the Safe Schools Program'. The 'potential liability' is in not providing a safe, supportive and inclusive environment free from discrimination, bullying and harassment regardless of intersex status, sexual orientation, gender identity or gender expression.

2. DECD is not involved in the endorsement of organisations or groups supporting SSCA.

SSCA is independently supported by a broad range of national and state organisations, including beyondblue, headspace, Australian Secondary Principals' Association, Victorian Equal Opportunity and Human Rights Commission, SHine SA and Minus18. These organisations 'believe that schools should provide a safe and inclusive environment for all students, so that they can learn, grow, and reach their full potential—free from bullying and discrimination'.

The SSCA does not provide any materials that discuss or recommend specific health or medical advice for same sex attracted, intersex or transgender people.

Information about penis tucking and chest binding is not part of any SSCA resource.

3. This is not relevant to the South Australian state government.

4. The Commonwealth Department of Education and Training has oversight of the SSCA program. The Australian government ensures that FYA meet the requirements of the funding agreement and that resources align to the intent of the program.

The Australian government supports education systems to ensure safe learning environments are fostered where individual needs are met and every student has an opportunity to learn and succeed.

The SSCA program is part of a national strategy to deliver on the aims of the National Safe Schools Framework (NSSF) The NSSF provides schools with a set of guiding principles to help them develop positive and practical student safety and wellbeing policies.

Materials developed by the SSCA draw upon national and international research and best practice.

HANSON BAY

In reply to **the Hon. J.A. DARLEY** (5 June 2014). (First Session)

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change): I have received this advice:

Yes.

GOVERNMENT CONSULTANTS

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (15 October 2014). (First Session)

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy): I am advised of the following:

Out-of-pocket expenses may be paid for consultants, as specified in the Contract Terms and Conditions. Reimbursement for out-of-pocket expenses is made in accordance with the Contract Terms and Conditions.

A cap can be specified in the Contract Terms and Conditions.

GOVERNMENT CONSULTANTS

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (16 October 2014). (First Session)

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy): I am advised of the following:

1. Out-of-pocket expenses may be paid for consultants, as specified in the Contract Terms and Conditions. A cap can be specified in the Contract Terms and Conditions.

2. The department advises that the relocation and associated costs are consistent with those previously paid to attract people with specialised knowledge and skills to the South Australian public sector.

3. The fibre chain value study was considered a highly specialised area with limited market. An exemption was given by the Accredited Purchasing Unit for the department to undertake a select tender approach. VTT was considered to have a unique global expertise in research and industry application of cellulose fibre technology and provide connection to global networks, including commercial market opportunities for South Australian industries.

APY LANDS, GOVERNANCE

In reply to **the Hon. T.J. STEPHENS** (7 May 2015).

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy):

Mr Richard King was appointed to the role of General Manager on 9 September 2015 for a period of 3 years.

APY ELECTIONS

In reply to **the Hon. T.J. STEPHENS** (17 June 2015).

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy):

I am advised that Mr Richard King was appointed to the role of General Manager on 9 September 2015 for a period of 3 years.

NORTHERN ADELAIDE FOOD PARK

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (1 July 2015).

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy):

The Economic Development Board has advised me that the land owned by the Walker Corporation was one of three sites short-listed by the Food Park Assessment Panel during the Request for Information (RFI) process. Information on potential sites prepared by the proponents were circulated to industry members attending the Food Park Industry Consultation Forum on 20 July 2015.

Following extensive review of the submissions received, the outcomes of the industry consultation and all supplementary information, the panel made recommendations to the state government. The two sites that were considered in the site evaluation process are not owned by Walker Corporation.

AUTOMOTIVE SUPPLIER DIVERSIFICATION PROGRAM

In reply to **the Hon. A.L. McLACHLAN** (22 September 2015).

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy):

I am advised that the Automotive Transformation Taskforce staff are responsible for receiving and reviewing the reports in detail.

PINERY BUSHFIRES

In reply to **the Hon. J.S.L. DAWKINS** (10 December 2015).

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change): I received this advice:

1. This government and its agencies are working together to provide the necessary supports to those directly affected by the terrible bushfires at Pinery. Thus far, the coordination between agencies and with non-government organisations has been nothing short of remarkable. Those involved are to be commended for their ongoing efforts.

Through a Memorandum of Understanding with SA Health, Australian Red Cross volunteers provide psychological first aid in relief and recovery centres, which are attended by people affected by the fire.

Volunteers from the Disaster and Recovery Ministries (a venture coordinated by the Uniting Church) provide emotional support through care and comfort in relief and recovery centres. In conjunction with the Red Cross, they are also undertaking home visits to provide emotional support. If required, people are connected to additional services, including mental health and suicide prevention.

SA Health is providing a free dedicated mental health counselling service through Northern Health Network and Country and Outback Health to assist all affected persons who require support and to provide linkages to other relevant community organisations.

In addition, SA Health is providing representatives to local community meetings and is supporting local councils with public health and environmental health issues, as well as including information on its website on all health issues arising from the fire.

The Primary Health Network has a suicide prevention program, which can be accessed through the Northern Health Network and Country and Outback Health clinicians referred to above.

Access to the 24-hour Emergency Mental Health Triage Hotline is available seven days per week and the Chief Psychiatrist is providing advice to the affected community through media channels.

Staff in attendance at the Gawler Recovery Centre are working to connect affected people to other services including emotional and clinical mental health support. The recovery website includes information on mental health and on how to access relevant services. This information is also available on the recovery hotline.

2. The government recognises the importance of providing support to employees and volunteers during this terrible time.

Staff who were personally impacted by the fire have been identified and provided with necessary supports as required. All government agencies provide staff with access to an employee assistance program, which generally includes confidential counselling and website resources.

The Department for Education and Child Development (DECD) has deployed social workers and employee assistance support workers to schools known to be affected by the Pinery fire. Where necessary, follow-up appointments and support structures have been arranged.

DECD also intends to implement further measures at the commencement of the school term in February 2016, to address any issues that may have arisen over the school holidays.

The Country Fire Service provides a Stress Prevention and Management program for staff and volunteers. This includes a helpline and website resources on anxiety, conflict, incident and stress management.

Department of Environment, Water and Natural Resources employees also have access to the Country Fire Service's Stress Prevention and Management program. In addition, pre-incident training sessions guide managers to prepare crews for distressing incidents and to monitor staff after such incidents.

The Australian Red Cross and the Disaster and Recovery Ministries have made their own support arrangements, whilst also having access to DSC's employee assistance provider.