LEGISLATIVE COUNCIL

Wednesday, 8 June 2016

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:16 and read prayers.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. J.A. DARLEY (14:17): I bring up the 25th report of the committee.

Report received.

SELECT COMMITTEE ON TRANSFORMING HEALTH

The Hon. S.G. WADE (14:17): I bring up the third interim report of the select committee.

Report received and ordered to be printed.

Ministerial Statement

NATIONAL PARTNERSHIP AGREEMENT ON REMOTE HOUSING

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:18): I table a ministerial statement made in the other place by the Minister for Social Housing entitled National Partnership Agreement on Remote Housing.

Parliamentary Procedure

ANSWERS TABLED

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

Members interjecting:

The PRESIDENT: Order! Cool down.

Question Time

DOMESTIC VIOLENCE SERIAL OFFENDER DATABASE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19): I seek leave to make a brief explanation before asking the Minister for Police a question about crime statistics.

Leave granted.

The Hon. D.W. RIDGWAY: In 2014, the state government committed to establishing a domestic violence database and as recently as last week we heard the South Australian Coroner, Mr Mark Johns, say there was no such database available. Mr Johns said there was the dedicated domestic violence researcher in the State Coroners Office trying to put together their own database but crucially the state government had contributed no funding to the task, despite its 2014 commitment to do so. Unfortunately, the real figure is unknown. Both Mr Johns and the South Australian Attorney-General, the Hon. John Rau, acknowledged, and I quote the Attorney here, 'It is critical for statistics to be available to help address the problem more comprehensively.'

Mr Johns highlighted the importance of tracking domestic violence via a database in reducing or preventing what might ultimately become a domestic violence related death. In light of the Attorney's comments and the aforementioned information, my questions are:

1. Why has the government not committed any resources to establishing or monitoring a domestic violence database?

2. Is the government committed to establishing a domestic violence database? If so, when can we expect that database to be available?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:20): I thank the honourable member for his important question. Of course, the key subject at the centre of the question asked by the Hon. Mr Ridgway is the issue of domestic violence, and this is an incredibly complex area of public policy and one this government has been doing an enormous amount of work on. I think this state government has taken up the very significant policy challenge of taking on domestic violence with gusto.

There is a whole range of measures that the government has been committed to for a substantial period of time to try to improve the visibility the government has over the issue so that, in turn, we can make sure that we are putting towards the effort a substantial level of resources, and that can be done in the way that will have the most effect in terms of addressing the issue on the front line. A good example of this is the Multi-Agency Protection Service, an effort led by SAPOL, which I personally have already had the opportunity to go to have a look at. I have to say the men and women working in that facility are doing absolutely outstanding work. All involved from government, but particularly SAPOL, who have led the initiative deserve an enormous amount of credit in trying to address the issue of domestic violence within the community.

There has also been effort on behalf of the government, I am advised, to establish a repeat offenders database. We are the only state to have done that. That, of course, increases the government's visibility of domestic violence—the frequency of it, the statistics around it—so that we can start to hone our policies accordingly. As to the issue that the Hon. Mr Ridgway refers to in respect of data collection which has been reported in the media recently, my understanding is that SAPOL leadership, the police commissioner and the Coroner enjoy a productive working relationship. They are always working collaboratively to make sure that information can be shared so that we can increase visibility to inform policing and policy generally, and that is being done, and I think that is something that the South Australian community would reasonably expect.

DOMESTIC VIOLENCE SERIAL OFFENDER DATABASE

The Hon. T.A. FRANKS (14:22): Supplementary: in the minister's conversations with SAPOL, have they ever raised the need for legislation specifically about domestic violence being treated as a crime in and of itself, rather than relying on other charges?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:22): As it stands, I cannot recall any specific conversations with the police commissioner along those lines. What I would say generally, though, is that domestic violence is an issue this government takes incredibly seriously and is something that we want to be able to be proactive about. If ever a request is raised by the police commissioner, or anyone else for that matter, which argues legislative change of any nature is necessary in order to be able to better assist them in their important job of being able to police domestic violence, then of course that is something that the Attorney-General and the government generally would consider and provide appropriate attention towards.

SPEED SAFETY CAMERAS

The Hon. S.G. WADE (14:23): My questions are to the Minister for Police. How many average speed safety cameras are operating in South Australia? What date was each camera established? What has been the average speed reduction impact of each camera? How much revenue has each camera raised since being installed?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:23): I thank the Hon. Mr Wade for his questions. South Australia and this government remain absolutely committed to the reduction of speeding within our community. We know from enormous amounts of evidence gathered over a long period of time that speed is a chief contributing factor when it comes to the number of road accidents that occur within our community and also the number of road deaths that occur in the state of South Australia. If we can reduce the level of speeding that goes on within our community, then we would have gone a long way to reducing the likelihood of accidents within the community.

When it comes to speed cameras, they of course perform an incredibly important role when it comes to the policing of speed. We know that if you want to be able to change community behaviour, it is necessary that policing forms a very important component of that. Regarding the specific nature of your question, Hon. Mr Wade, which I understand was asking how many speed cameras we have in—

The Hon. S.G. Wade: Particularly the average speed ones.

The Hon. P. MALINAUSKAS: Oh, the point-to-point? I am advised that there are currently in South Australia 133 fixed safety cameras at intersections that operate throughout the state. In regard to point-to-point cameras, which, of course, are a new addition to the government's armoury when it comes to taking on the challenge of speeding, this is something I will have to take on notice. But these are proving to be an incredibly effectual tool when it comes to monitoring speed, not just at a fixed point, but rather over a distance.

Critically, when it comes to the Community Road Safety Fund, which, of course, all money raised through speed cameras goes towards, it provides, again, an important source of revenue that is spent entirely on efforts within the state regarding road safety. I think the Hon. Mr Wade asked how much money was raised through that, and I am able to advise that, in 2014-15, $81.4 million was appropriated into the Community Road Safety Fund, compared with speeding fine collections of $51.8 million.

For 2015-16 I am advised that appropriations to the fund will be approximately $81 million. The point there being, of course, that we put more money, as a state, into the Community Road Safety Fund, or money is topped up into the Community Road Safety Fund over and above what is raised through speed camera revenue. So what is raised out of speed cameras in the form of fines goes into the Community Road Safety Fund, but that amount in and of itself does not equate to the entire amount that goes into the fund. The state government also tops up money into the Community Road Safety Fund, which is also spent on matters regarding road safety.

I will take the question regarding the number of point-to-point cameras on notice and seek to get that information to the honourable member as quickly as possible.

DOMESTIC VIOLENCE

The Hon. J.S.L. DAWKINS (14:27): I seek leave to make a brief explanation before asking the Minister for Police questions regarding domestic violence offences data.

Leave granted.

The Hon. J.S.L. DAWKINS: As a White Ribbon Ambassador of some eight years standing, along with the Minister for the Environment and Sustainability and the Hon. John Gazzola, I have long been an advocate for elimination of domestic violence in our state and across the nation. Significant headway has been made in this matter, and I note the commitment of $100 million in the recent federal budget to reduce violence against women and children, building upon the Women's Safety Package, which is currently being implemented by the commonwealth.

Here in South Australia, the outstanding work of the South-East LSA of SAPOL in reducing the incidence of domestic violence in the South-East also cannot go unmentioned. However, the data showing the number of victims of domestic violence in South Australia and nationally still paints a harrowing picture, and more must be done at all levels of government and across government agencies and in this parliament to finally eradicate these terrible occurrences in society.

My questions are: firstly, is the police commissioner correct in stating that SAPOL keeps accurate data regarding domestic violence offences; and, secondly, if so, why hasn't this information been provided to the Coroner and to the Social Development Committee of the parliament?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:29): I thank the honourable member for his question, and I am very supportive and do very much applaud his ongoing efforts and commitment to issues around domestic violence, and also mental health, in South Australia. He is an outstanding advocate for these important causes, and for that I offer my sincere congratulations and commendation.

I have no reason to doubt the police commissioner in respect of his statements recently made regarding domestic violence and stats collection. I have no reason to doubt that whatsoever and certainly no evidence has been put in front of me that would suggest that SAPOL is not doing exactly as the police commissioner said.

Regarding the exchange of information, I think SAPOL is an organisation that is proactive in releasing information where it is appropriate and in the public interest to do so. Of course, when releasing stats in the public domain or to other organisations, we need to be making sure that those statistics are hyper accurate. That can take time, I understand; it is not always simple.

People in the chamber who might be familiar with stats collection over the years would know that, while you may have anecdotal information on the face of it on one hand, it needs to be cross-referenced and checked before that information can be shared, particularly if that information is likely to inform public policy outcomes. I would commend any efforts being undertaken by SAPOL that ensure accuracy of information, even if that means occasional potential delays.

I understand, as I mentioned earlier, that the police commissioner and the Coroner do enjoy a productive working relationship, and I very much hope that, where it is appropriate to do so, information is being shared between those organisations and government generally, subject, of course, to ensuring accuracy, which is why I understand some things take time.

VENTURE CATALYST PROGRAM

The Hon. G.E. GAGO (14:31): My question is to the Minister for Manufacturing and Innovation. Can the minister update the chamber on the latest recipients of the Venture Catalyst program?

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) (14:31): I would like to thank the honourable member for her question and for the contribution she has made to innovation in South Australia as a minister in this area. She was a very good and well-respected minister. I have to say that in the innovation area I regularly come across people who talk fondly about some of the programs the former minister put in place.

The Hon. T.J. Stephens: Name one.

The Hon. K.J. MAHER: I don't have time to go through everyone who has talked about how good the Hon. Gail Gago was. We would be here for 48 minutes and I am sure everyone would get sick of that. I would have the Hon. John Dawkins getting up, calling a point of order and saying I had been on my feet for eight or nine minutes saying how many people thought the Hon. Gail Gago was a fantastic minister, so I won't do that.

The state government is committed to supporting the commercialisation of research undertaken in our state's research institutions. That is why we have partnered with the University of South Australia to establish the Venture Catalyst program, which is to support entrepreneurs by encouraging collaboration between Uni of SA students and industry to turn knowledge and ideas into business opportunities.

Students are supported to create start-ups for the commercialisation of products, services or processes in any field of research offered by the University of South Australia. It is entrepreneurship like this that will be a key driver of the state's future prosperity, helping to create high-tech jobs, economic growth and boosting our state's global competitiveness.

Through the program, applicants are eligible to receive grants of up to $50,000 to be used to further develop the product, service or process and take it to market. Since its inception three years ago, the program has been a great success, building our state's economy by increasing the number of university graduates skilled at developing and commercialising new ideas, increasing the number of university graduates motivated to start a new local company, increasing the number of successful start-ups in South Australia and the amount of investment in these start-ups, and boosting employment opportunities for all South Australians.

On Monday, the latest Venture Catalyst award ceremony was held at the University of South Australia's City West campus, and I understand that 14 applications for funding were received for the latest round with three chosen to pitch to the industry-based assessment panel for consideration. The panel of industry experts included Professor Göran Roos, a member of the Economic Development Board; Professor Jana Matthews, Director, University of SA's Centre for Business Growth; Ms Amanda Wood, the National Secretary of the Association for Manufacturing Excellence; Mr Stephen O'Brien, a senior associate at Madderns Patent and Trade Mark Attorneys; and Mr Paul Sandercock, Managing Director of PPS Global.

Two applicants, TC Pinpoint and EcoJet Engineering, were successful, with each being awarded $50,000 in Venture Catalyst funding at the ceremony. TC Pinpoint is a cloud-based software management tool that is the creation of Rachel Kidwell. Rachel has developed this innovative application for use in retail tenancy delivery in shopping centres. I understand that TC Pinpoint is the only product of its type in the market, bringing together all stakeholders involved in the tenancy delivery process on the one platform, and effectively creating a streamlined cost and timesaving approach to the delivery of such retail tenancies.

EcoJet Engineering is a start-up company established by Alexander Wright, Warren Day and James Kim which focuses on realising the potential of an innovative micro gas turbine. By redesigning the turbine concept for power generation rather than thrust applications, EcoJet expect to provide a cheaper and cleaner way to run micro gas turbine than those currently available in the marketplace. The turbine they have created burns hydrogen gas, which effectively creates a very low emissions power source.

These recipients join other Venture Catalyst alumni such as Jemsoft, MyEvidence, Voxiebox and Vinnovate. I was with the founders of a couple of those start-ups at forums this morning. I congratulate the latest recipients of Venture Catalyst grants and look forward to updating the chamber on the success of these start-ups, hopefully, in the future. I also look forward to the next Venture Catalyst round, which will start in the first half of the 2016-17 financial year.

VENTURE CATALYST PROGRAM

The Hon. A.L. McLACHLAN (14:36): Supplementary question arising from the answer from the minister: were the other universities in South Australia given an opportunity to partner with the government, or was this given to the University of South Australia as an exclusive tender?

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) (14:36): This is a University of South Australia program. We have a wide range of programs with all the different universities. There is the Medical Device Partnering Program with Finders University, and we have previously supported a wide range of different programs right across different universities.

You will have heard me in the last few weeks talk about the Premier's Research and Industry Fund (PRIF), which goes across universities. We are very proud of the innovations happening right across our university sector and work very closely with all our universities. In fact, at events this morning, I was talking to people from the technology transfer offices from different universities and representatives from all our universities.

I am very pleased that I spend a lot of time with the New Ventures Industry, for example, from Flinders University, and the Institute for Photonics and Advanced Sensing (IPAS) which the government has financially supported at Adelaide University. I thank the honourable member for his question. I know he will be most pleased to note the very wide range of support we provide for our universities in these sorts of research and commercialisation opportunities.

FORT LARGS

The Hon. T.A. FRANKS (14:37): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Police regarding the Fort Largs site.

Leave granted.

The Hon. T.A. FRANKS: Fort Largs, as members would be aware, is a historic defence site on our coastal shores that was built in 1883. It is a significant feature of our state's defence and veteran history. In the 1960s, it was repurposed for use as the South Australian police academy.

On 30 November 1961, the South Australian Army commander Brigadier Long handed over the keys to Fort Largs to the then police commissioner John Gilbert McKinna, saying, 'We are sorry to leave the fort with its long tradition of service and loyalty,' to which commissioner McKinna replied, 'We promise to maintain those traditions during our occupation of the fort.' In 2012, new police academy housing was constructed on the east portion of the site, and, as of 2014, the west portion of the site, including the historic defence constructions, was slated for redevelopment.

As members would also be aware, the Save Fort Largs group and members of the Port Adelaide National Trust have long campaigned to preserve this heritage. They quite rightly point to interstate examples of coastal forts, such as those in Victoria and New South Wales, proving to be local tourist attractions. In San Francisco, there is a coastal fort nature walk which is a tourist attraction in that region.

Dave Walsh, who is a history enthusiast of the local area, spoke to Sonya Feldhoff on ABC radio yesterday, noting that on his most recent visits, of many visits that he has undertaken, he has never seen such damage and vandalism to the 130-year-old building on that site. He said that the damage is not only occurring as a result of the vandals but also that there has been no gardening maintenance in the past four years (since 2012). So, the tree seeds have dropped into cracks in the building itself and are growing in the brickwork and now actually damaging it in that way.

He also noted that squatters appear to be living there, artefacts have been removed, including century-old military smoke grenades, used military shells and a cast-iron head. They are all missing since his previous visits. He also stated that locks that used to be on doors have now all been removed, doors are open, locks are lying on the ground and the armoury that was previously sealed with steel doors is now open and vulnerable to further vandalism and theft.

He observed security patrols stopping at the entrance but not going into the grounds of the fort, and is concerned that it is now being forced into ruin. It is of course state-heritage listed, and that means that the owner of the property is required to keep it in a reasonable condition. As local groups have long campaigned for, we want to see this used as an attraction, preserving our heritage for our future generations. My question is: why is SAPOL not defending the fort that defended us?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:41): I thank the Hon. Tammy Franks for her question. Fort Largs is an important site in the context of the history of South Australia, and particularly in the context of SAPOL. I had the great pleasure recently to go down to the new academy, essentially adjacent to the old Fort Largs site that SAPOL currently occupy. It is an outstanding facility and a great example of the very substantial investment that the South Australian government has been making into policing in this state, and it is a training facility that I think serves the South Australian public and the people well when it comes to ensuring that our officers remain some of the best trained and well-equipped officers in the world.

Adjacent to the new facility is the old Fort Largs site. From a distance I was able to observe the site and the main historic buildings, which are of enormous public value to the local community and the state more generally. I am advised that the Hon. Ms Franks is right: it is a heritage-listed site, but the government agency with responsibility for the site is Renewal SA. I understand that the responsibility for Renewal SA sits with the Minister for Housing and Urban Development, my colleague and good friend in the other place. I would hope that the South Australian public can gain some clarity on the future of the site pending a decision that is likely to be made in the very near future. This is something to which South Australians should pay a great deal of attention, as it is a significant site.

Regarding the policing issues, SAPOL is the organisation that has operational responsibility for the policing of the site. I am advised that SAPOL regularly sends security patrols around the area. Information that the Hon. Tammy Franks has provided regarding patrols maybe only looking at the external part of the property and the perimeter and not going inside is information I will gladly pass on to SAPOL, and that may or may not help inform them of the effort that they need to put into the

site going forward. I would critically pass on the message to all who are concerned with the site that, if they do witness any suspicious behaviour, or have any concerns around what is occurring around the site, they should not hesitate to call the police assistance line on 131 444.

I have familiarised myself with the remarks made by Mr Walsh on the radio this morning, and very much thank him for his interest in the preservation of this historic site. I hope that going forward Mr Walsh, along with other key members of the community, will be satisfied with government plans and options currently being considered by Renewal SA and the government regarding the site going forward.

FORT LARGS

The Hon. T.A. FRANKS (14:44): Supplementary: could the minister confirm then that it is his advice that Renewal SA currently has ownership of the historic part of the fort?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:44): No, no that is not what I can confirm, Mr President. What I can confirm is that the agent responsible for the sale of the site around Fort Largs is Renewal SA, as I say. I am advised that the entity that owns the land still remains as SAPOL, and I am happy to double-check this, but I am advised that that is the case. But the responsibility regarding what happens to the site in the future, I understand and am advised that that responsibility is being dealt with by Renewal SA.

APY EXECUTIVE

The Hon. T.J. STEPHENS (14:45): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation questions about APY governance.

Leave granted.

The Hon. T.J. STEPHENS: At the end of 2015 the Supreme Court of South Australia found that the removal of Mr Bruce Deans as general manager of APY was unfair and unlawful, for reasons including failure to give Mr Deans notice that his removal was to be considered by the APY Executive and to give him an opportunity to be heard on the question of his removal. Significant taxpayer dollars were wasted by APY in needlessly fighting this case. My questions therefore of the minister are:

1. What notice was given to Ken Pumani of the consideration of his removal by the APY Executive in March 2016?

2. What opportunity was given to Mr Pumani to have recourse through this process?

3. Was the proposed removal of Mr Pumani listed as an item on the agenda for the March 2016 meeting of the APY Executive?

4. Was notice of the proposed removal stated on notice of meeting?

5. Why was the removal of Mr Pumani at the March 2016 meeting of the Executive discussed given that the representative for Turkey Bore, Mr Lewis, was absent?

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) (14:46): I thank the honourable member for his questions. These are matters of the internal working of elected members of the APY Executive. I have not had discussions with the APY about who is represented, and I know that there are grounds for attendance, and failure to attend, and other reasons for people then to be removed as representatives on the APY Executive. I am happy to ask APY those questions. These are things for the internal workings of the APY Executive, which is not an instrumentality of government, but I am happy to refer those questions to the general manager of APY, and see if there is something I can bring back for you and for the Aboriginal Lands Parliamentary Standing Committee as a whole as well.

ADELAIDE INTERNATIONAL BIRD SANCTUARY

The Hon. G.A. KANDELAARS (14:47): My question is to the Minister for Sustainability, Environment and Conservation: will the minister update the chamber on recent events that have celebrated and related to the Adelaide International Bird Sanctuary.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:47): I thank the honourable member for his most important question. It goes without saying that if we can teach more people about the significance of our migratory birds then we have a much greater chance of protecting them long into the future.

I am very proud and pleased that South Australia is doing its part by establishing the Adelaide International Bird Sanctuary. It is important that we continue to engage meaningfully with the public, I believe, because without that direct engagement people will not understand our position in the world in terms of the East Asian-Australasian flyway, and how important that site is for those birds to feed themselves up before they engage in the return journey.

To mark World Migratory Bird Day on Tuesday 10 May, and to raise awareness of our sanctuary, a bird sanctuary movie night was held at the Mercury Cinema. It is great to join a packed audience of nearly 200 people—I think I was told it was 197 people—who helped raise over $2,200 on the evening. That money will be used, I am advised, to hold Nature Play SA children's education workshops in the bird sanctuary, and that will also help the next generation to understand the importance of migratory birds and to help protect the habitat of migratory birds.

It has been almost 12 months since we launched the collective, the leadership group, that is driving this very important initiative. On Friday 3 June, I also had the pleasure of celebrating this milestone with members, to thank them for their work so far. It is interesting, Mr President, to hear how the collective feel that their involvement has helped them and their local communities really to take a sense of ownership over this project. They report, and they said to me, that they found great willingness from their community, from people they engage with, on contributing their thoughts about what they want to see from the sanctuary, and how they want to interact with the sanctuary.

As part of the community themselves, we have representatives from the Vietnamese Farmers Association, District Council of Mallala, numerous birds groups and environmental groups involved, and it is very heartening to see that this is such a broadly supported initiative. The collective has also been engaged with the Kaurna elders, the school students, as I said, members of the Vietnamese community, particularly the Vietnamese Farmers Association, local councils and elected members of parliament, and of course many of our NGOs have been involved as well.

There is no doubt that Collective Impact, the innovative approach to engagement, has sparked people's interest, indeed their curiosity. Collective Impact brings diverse organisations together to work on common goals with the aim of shaping policy and achieving large-scale social change at the same time. Ms Carolyn Curtis, the CEO of the Australian Centre for Social Innovation and chair of The Collective, describes the approach in this way:

> The project's meaningful engagement with local people, business and organisations is what sets this initiative apart from so many others. A one-off consultation will not create change—it is through building the capacity of local communities and giving them permission to shape the future that will make lasting change.

It is also the first time this approach has been used by government in South Australia and possibly the country.

I recently met with Kerry Graham, Australia's leading collective impact expert and director of Collaboration for Impact in Sydney, and she was full of praise for the work that is being undertaken here. She stated:

> The state government's original vision for the Sanctuary is now widely shared across many parts of the community…There is no other initiative like this in Australia and it is definitely one to watch.

I would like to take this opportunity to thank all the members of the collective for their ongoing work. A big thanks also to our partners who sponsored and supported the movie night and continue to support the development of the bird sanctuary, including Birds SA, Nature Play SA, Birdlife Australia and the Adelaide and Mount Lofty Ranges Natural Resources Management Board. Most importantly,

I thank the members of the local communities and the businesses whose contribution is ensuring the success of this very important project.

DOMESTIC VIOLENCE

The Hon. K.L. VINCENT (14:52): I seek leave to make a brief explanation before asking questions of the Minister for Police regarding policies and practice of SAPOL in relation to reporting and file keeping regarding domestic violence issues.

Leave granted.

The Hon. K.L. VINCENT: Issues regarding communication between SAPOL branches and record keeping in relation to specific cases have come to my attention in recent times, following a constituent issue that my office has been following for almost five months now. With this matter, we have found inconsistencies in the way care and concern reports are recorded within files and so on. My questions are:

1. What SAPOL procedures are in place when a care concern report is made about an adult with an intellectual disability in particular, where they are known to reside with a person who has been charged with domestic violence offences?

2. Is the IT used within SAPOL up to date enough adequately to reflect the complexity of policing in 2016?

3. What record-keeping procedures are in place around known domestic violence perpetrators who may reside with potentially vulnerable people?

4. What upgrades in information technology are planned for the near future for SAPOL?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:53): I thank the honourable member for her question. I have already, today, made a number of remarks regarding domestic violence in terms of the government's commitment to ensuring that we are a state which has been at the cutting edge of the development of policy and practices to ensure that we are trying to have a positive effect on the rate of domestic violence that occurs within the state.

The police commissioner on the radio earlier this week—and I think this is well known throughout the community—stated that we have seen a spike in the level of reporting of domestic violence events throughout the state. I think it would be naïve to assume that this is somehow a reflection upon a dramatic uptake in the incidence of domestic violence, rather than the fact that we as a community are only just beginning to learn of the severity and the high level of incidence of domestic violence that exists within the community. I think it is a positive event that people, mainly women, are having the courage to report incidents of domestic violence and put their name to the fact that this is not acceptable behaviour.

Regarding policing and IT, we are a state government that wants to make sure that the South Australian police force has the best available equipment that we can provide them with to ensure that they have all the tools they need to be able to effectively police the South Australian community, and that goes to all issues, but particularly domestic violence. There has been a range of investments the government has made over a sustained period of time to equip the police to be able to do that.

An investment in MAPS in and of itself is a good example of cutting-edge policing methods and effort, not just within SAPOL but across government agencies, to ensure that we are sharing data and information, and there is an innovative IT platform that exists within MAPS that actually enables that to occur. So, whether it be facilitating record keeping out on the front line or in the back end, we have been a government that is trying to make sure that we are investing in SAPOL's efforts and capacity to be able to deal with record keeping regarding domestic violence more generally. Your last question?

The Hon. K.L. Vincent interjecting:

The Hon. P. MALINAUSKAS: In terms of upgrades coming forward, of course there is a whole range of areas of technology that SAPOL is looking at in terms of policing generally, things

like body-worn video and facial recognition technology. There is a whole range of different technologies that are constantly coming online across the globe when it comes to resourcing policing, and we are committed to being a government that makes sure that we are working with SAPOL, in the context of the state budget, to ensure that we are investing in new technologies.

Any time that SAPOL becomes aware of an innovative new technology that they think would assist them in being able to better police the South Australian community, whether it be in the area of domestic violence or otherwise, then of course they should bring that to the government's attention and we will be all too ready to sit down with the police commissioner and ensure that we can try to accommodate any request of that nature, where it is possible to do so.

DOMESTIC VIOLENCE

The Hon. K.L. VINCENT (14:57): Supplementary: can the minister elaborate on what level of training the police have received or continue to receive in terms of identifying where an adult, in particular, might be experiencing domestic violence and might need assistance to communicate that, such as a person with a brain injury or an intellectual disability of some kind?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:57): I am advised that SAPOL is regularly updating its training. As I said earlier, I was down at the police academy only in the last couple of weeks and was able to get a substantial briefing from the committed staff within SAPOL who deal with the training of new cadets, but also the training of ongoing police officers.

One of the great challenges that exists within SAPOL is to make sure that we are constantly updating officers with the changing environment of policing, and this is something that we have to be ready to remind ourselves of as a government and also as a community at large, that policing is not a stagnating effort. The policing methods that SAPOL adopted 20 years ago aren't necessarily appropriate today. We have to make sure, and SAPOL is very committed to making sure, that all their officers aren't just getting trained on what might have been best practice 20 years ago or 10 years ago, but what is best practice now.

Combined with best practice changes, of course, is the changing nature of the challenges and demands that are being put in front of SAPOL. We have seen, over a sustained period of time, very substantial steps forward in terms of community behaviour around particular types of issues. A good example of this is drink driving. Society's attitudes towards issues like wearing seatbelts and drink driving have progressed in an enormous way, which may, of course, mean we need to adapt the policing methods that accompany such policy challenges, and domestic violence is a good example of this.

I am happy to seek further information in regard to training modules that specifically go to the issue of domestic violence, but I just want to assure the chamber and the Hon. Ms Vincent that SAPOL is constantly evolving and constantly adapting and updating their training regimes and their training modules to ensure that not just new cadets but also the police force more generally is at the cutting edge of dealing with new issues as they arise within the community.

DOMESTIC VIOLENCE

The Hon. K.L. VINCENT (14:59): I have a further supplementary question. Further to that, what training do police have to ascertain where a domestic violence perpetrator may have undue influence over an adult with an intellectual disability who is living with them? For example, where a sibling or a friend is listed as the official family carer and might be receiving the carer payment and, therefore, has a vested interest in maintaining control over the adult with the disability so that they remain in the household and therefore continue to receive the additional benefits.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:00): I thank the honourable member for her supplementary question. That is something I will have to take on notice in respect to the specific type of training that we are talking about. Again, I reiterate that the challenge of domestic violence is evolving. Whether there is any more as time goes on about how best to deal with domestic violence is a policy issue generally. We remain a government that is committed to try to do everything we can to address this scourge that causes so much pain and heartache to so many families and

women across this state. We want to make sure that we continue to evolve and adapt, but I am happy to take the specific type of issue that the honourable member is talking about away to see if I can gain some more information to share with the Hon. Ms Vincent.

NORTHERN ECONOMIC PLAN

The Hon. R.I. LUCAS (15:01): I seek leave to make a brief explanation before asking the Leader of the Government about the leader's embarrassing inability to answer even the most simple questions about the Northern Economic Plan.

The PRESIDENT: We all wait for these lovely questions on the Northern Economic Plan.

The Hon. R.I. LUCAS: Thank you.

The PRESIDENT: Thanks very much. Minister.

The Hon. R.I. LUCAS: We're very interested in it.

The PRESIDENT: Minister.

The Hon. R.I. LUCAS: Minister? Can I ask the question first? As members will be aware, the government and the minister have announced the Northern Economic Plan, and the minister and the Premier have promised 15,000 new jobs from that plan. This was released in January, although drafts of the document were circulated to stakeholders in the latter months of last year.

The government advertised last weekend for a strategic coordinator, a senior position, to help implement the Northern Economic Plan, but the key body engaged in the strategic direction of the Northern Economic Plan implementation is a body called the Northern Economic and Social Implementation Board. The government's documents describe that key board as a board that will be formed to maintain consistent direction, to scrutinise and endorse project proposals, and to review and report progress.

The government's documents outline that that board was to be so important and critical that there would be an independent chairperson nominated to chair the board; that the three councils would be providing a nomination; the state government, through State Development, Premier and Cabinet, Treasury and Finance would have nominees on the board; there would be three business representatives as northern economic leaders; the University of South Australia would have a representative; and the not-for-profit sector would have a representative on that particular board as well.

Mr President, this was announced in January of this year. As you know, yesterday I asked the minister who is responsible for this a very simple question as to whether or not he had appointed an independent chair of that board. *Hansard* records the minister's response as follows: 'I will have to check on exactly where that is up to and bring back a reply.' My questions to the minister, now that he has had 24 hours, are:

1. Has any member of the minister's staff now advised him as to whether or not he has actually appointed an independent chair of the Northern Economic and Social Implementation Board and, if he has appointed someone, who is that person?

2. If he has not appointed the person, why hasn't he appointed the independent chair and when does he anticipate the independent chair will be appointed?

3. Can the minister also indicate whether he has appointed the other members of the Northern Economic and Social Implementation Board so that that board, if it has not already, is able to commence and continue the work outlined in the Northern Economic Plan?

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) (15:04): I thank the honourable member for his questions. I am pleased to be able to advise him that the appointment of the chair of that committee will be occurring very shortly. I am also very pleased to be able to further advise him that I am advised that the people who constitute and have been part of the Northern Economic Plan,

the councils and the government, meet regularly—the people who make up the body which he has just been talking about.

I am informed the chief executives and senior representatives from government meet about every three weeks to discuss the implementation, so he will be very pleased about that, no doubt. I would like to thank the honourable member for his questions and continued interest in these sorts of things, his continued carping and negativity. I regularly get questions: why is the Hon. Rob Lucas so negative? Why is the Hon. Rob Lucas always talking down northern Adelaide? Why does the Hon. Rob Lucas not have any ideas of his own? I try to defend him, I really do. I try to defend the Hon. Rob Lucas.

Members interjecting:

The Hon. K.J. MAHER: Yes, I tell people maybe that is how politics was practised 30 years ago, maybe he is just old school and that is all he knows. I have to say it is getting difficult to bear the load of criticism against him and to continue to defend him, but I will keep trying to defend him. I am glad he raises our plan. We have a plan. We have a plan for South Australia.

The sum total of the Liberal Party's understanding, knowledge and ambition for South Australia is—ironically, the Hon. Rob Lucas holds up, as if he is proud of it, their plan, '2036'. In '2036', as to the issues we are talking about in northern Adelaide, we have had a look through and we cannot see a single mention of northern Adelaide in the whole document. There is not a single mention of Holden workers, not a single mention of the automotive industry, not a single mention of submarines, not a single mention of shipbuilding, not simple mention of naval at all—no costings, no details. However, it mentioned about 159 times the word 'believe', so that's good, isn't it? They believe in something, not anything to do with northern Adelaide, not anything to do with jobs, not anything to do with defence, not anything to do with automotive. Apparently they believe in something 159 times.

Members interjecting:

The Hon. K.J. MAHER: We hear them interjecting, as they often do. Well, at least you are talking about it. They think because something is being talked about it means that it is good. For 600 years, people have talked about the black plague; no-one thinks that is any good. People continue to talk about the St Kilda Football Club. Just because they are talking about it does not mean they think they are any good to win a premiership. People continue to talk about the member for Dunstan's speech before the last election when he encouraged the whole of the state to vote Labor. People talk about that. We think that is pretty good but a lot of your mob do not think that is any good. They mistake something being talked about with something being any good.

The Hon. J.S.L. DAWKINS: Point of order: the minister should be referring his remarks, through you, sir. I didn't think you had a mob, and you would remind the minister that he directs—

The Hon. K.J. Maher: He's got a mop. I said 'mop', a mop of hair.

The Hon. J.S.L. DAWKINS: Mob.

The PRESIDENT: Order! The Leader of the Government in the Legislative Council, would you please address all your comments through me?

The Hon. K.J. MAHER: Thank you, Mr President. I have a whole list of stuff that people have talked about, other things, the new flavour of Barbecue Shapes, they are talked about a lot; no-one thinks they are any good. Clairol's Touch of Yoghurt shampoo, that was talked about a lot; no-one has much good to say about that anymore. They mistake things being talked about with something that is any good. Their *2036* plan—they were so upset that they only had a two-page summary on their ambition for South Australia, but they came up with this *2036* plan. Sometimes it is better for people to think you have no understanding, no ambition, than to put it on paper and prove to the whole of South Australia that it is actually the case.

The Hon. J.S.L. Dawkins interjecting:

The PRESIDENT: Order! The Hon. Mr Lucas has the floor.

NORTHERN ECONOMIC PLAN

The Hon. R.I. LUCAS (15:08): A supplementary question: the minister had to read out the response that had been written for him, but my question remains. The minister indicates that he is going to appoint soon the chair. Has he appointed already, or is he also going to appoint soon, the other members of the Northern Economic and Social Implementation Board? That was my question.

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) (15:09): I think I could repeat my whole answer, but the nucleus of that group—the chief executives, the councils and people from the state government—meet regularly and they will be having more people join them in the near future.

NORTHERN ECONOMIC PLAN

The Hon. R.I. LUCAS (15:09): Supplementary question: I am not asking about the nucleus, I am asking whether or not the remaining members of the board—the three business representatives, not-for-profit representative, University of South Australia—

The Hon. K.J. Maher: I just answered that.

The Hon. R.I. LUCAS: No, you didn't. Have you appointed them? Have you appointed those members to the board, and if you have not, when will you be appointing those members to the board?

Members interjecting:

The PRESIDENT: The Hon. Mr Gazzola.

ROAD SAFETY

The Hon. J.M. GAZZOLA (15:09): My question is to the Minister for Road Safety. Can the minister tell the house—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Gazzola has the floor.

The Hon. J.M. GAZZOLA: My question is to the Minister for Road Safety. Can the minister tell the house about the Australasian New Car Assessment Program Board being in Adelaide this week and why Adelaide is a national leader in the testing of pedestrian safety in new cars?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:10): I would like to thank the Hon. Mr Gazzola for his really important question when it comes to road safety in the state of South Australia. Today is a significant day in the context of road safety policy in our great state because at the moment we have the ANCAP Board in Adelaide this week for their board meeting.

ANCAP (Australasian New Car Assessment Program) is a national body. The ANCAP Board is charged with the responsibility of testing all cars that come on the Australasian market with the view to being able to provide South Australian and Australian consumers generally with an easy to understand measure of the relative safety of cars that go onto Australian roads. What is unique about them being here today, of course, is that South Australia provides an incredibly important component of ANCAP's ability to be able to measure the safety of cars that come onto the Australasian market.

Earlier today, I had the opportunity to be with members of the ANCAP Board and I will be joining them later this evening as well, in conjunction with members of the Motor Accident Commission, to attend the Centre for Automotive Safety Research lab in Kent Town with their Director, Mr Jeremy Woolley.

For those of you who may not be aware, right here in South Australia, CASR puts themselves at the very epicentre of road safety research, not only in terms of being able to make a contribution to road safety policy but also road safety ratings for ANCAP because right here in Adelaide at Kent Town there is a facility where every single car that comes onto the Australasian market has to be tested for its safety around pedestrian incidents.

In order for ANCAP to be able to formulate their rating, they commit a component of their rating system towards the safety of pedestrians who may be involved in an accident of some description. The facilities at Kent Town are cutting edge and it is something that the whole South Australian community can be very proud of, particularly the fact that CASR, a South Australian university-orientated organisation, makes such a significant contribution.

ANCAP has published crash test results for more than 570 passenger and light commercial vehicles sold in Australia and New Zealand. The safety rating is between one and five stars, indicating the level of safety they provide in the event of a crash. These days, five-star-rated cars are available at the more affordable end of the market in comparison to what was the case, so buying a safe car does not necessarily mean stretching your budget. I heard the chairman of ANCAP explain this morning that there are now technologies available in low-end priced cars, that is, cars that are between the $15,000 and $20,000 price range, that were once only available in cars that were in excess of $100,000.

At the moment, it is a really important time of the year when it comes to car purchases. As we are leading up to the end of the financial year, we do see a spike in the number of people who purchase cars during end of financial year sales and the like. What we are calling for, as a government today and generally, is to ask South Australian consumers to factor in the ANCAP safety rating when they go about making a decision of what type of car they want to buy because the difference between a three-star car and a four-star car or between a four and a five-star car may end up being the question of whether or not you save your life or the lives of others on South Australian roads.

I would like to applaud the incredible work of CASR in their research, and their commitment to providing information to car manufactures, consumers and the government more generally when formulating road safety research. I also want to pay particular recognition to ANCAP. They are very welcome in Adelaide at the moment. We applaud them for their ongoing work, and we thank them very much for their close working relationship with South Australian researchers in formulating their ANCAP safety ratings, which are so useful to consumers right across Australia and New Zealand.

The PRESIDENT: Supplementary, the Hon. Mr Hood.

ROAD SAFETY

The Hon. D.G.E. HOOD (15:15): Is the minister aware that, under the ANCAP safety rating system, as I am informed, vehicles such as the Mazda MX-5, for example, cannot be awarded a five-star rating because they do not have rear seatbelts, when in fact the car does not have rear seats? Is the minister aware of that, and, if so, will he raise that matter with the appropriate people?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:15): No, I am not aware of that. Without being flippant, I suspect that if the information the Hon. Mr Hood has just provided is true, I would have thought that there must be some explanation for it, because it seems too silly otherwise. I am more than happy to seek extra information regarding that particular issue and provide it to the Hon. Mr Hood if I am able to do so.

CRIME STATISTICS

The Hon. D.G.E. HOOD (15:16): I seek leave to make a brief explanation before asking the Minister for Police a question in relation to rising theft rates in South Australia.

Leave granted.

The Hon. D.G.E. HOOD: Recent police figures published only a few weeks ago, and subsequently published in *The Advertiser* late last month, show that theft offences have risen in South Australia by 9 per cent since last year. The biggest increase of theft offences was seen in the northern suburbs, where theft increased by some 22 per cent to 7,726 offences in total (or, put another way, an extra 21 theft offences per day).

Offences relating to fraud and deception have also seen a 6 per cent increase. In saying that, I acknowledge that other crimes have declined. My question is quite simply: why is theft on the rise in South Australia, and what is the government's plan to curb the rise?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:17): I thank the Hon. Mr Hood for his question, and indeed for his commitment to monitoring the safety of South Australians. It is a commitment that the government shares. When it comes to law and order policy in this state, I am really proud to be part of a Labor government that has taken the issue of crime seriously and is trying to develop a series of policies to be able to reduce crime.

The Hon. R.L. Brokenshire: Crime is on the increase.

The Hon. P. MALINAUSKAS: The Hon. Mr Brokenshire just made the mistake of interjecting and suggesting that somehow we are not doing a good job of this, when we all know that the number of crimes occurring in our community today are a lot less than what was the case when the other mob were in charge, and, of course, when Mr Brokenshire was around. I am going to take the liberty of ignoring the Hon. Mr Brokenshire's interjections, which only divert my capacity to be able to answer the Hon. Mr Hood's questions, which I think are founded in a genuine concern, rather than some sort of political expediency.

Crime stats, I am advised, are down when you look at the long-term trend around theft and robbery. I understand the Hon. Mr Hood's question was particularly around crimes of that nature. I am advised that, with any statistics, the smaller you make the sample, the more a small change can be shown to look larger. I think some cherrypicking of statistics may have occurred with the objective of trying to make a more sensational story recently, as was the case a couple of weeks ago—

The Hon. I.K. Hunter: No, really? Who would do that?

The Hon. P. MALINAUSKAS: —which is something I am sure the Hon. Mr Hunter might have some sympathy towards. In relation to the issue that Mr Hood raises, though, we are not a government that seeks to deny a reality. We have recently seen, on some measures, a little bit of an uptick in some crime stats. I think the key message that we need to take away from that reality, which we do not deny, is that we have to make sure that policing is always moving forward in a positive and progressive way.

It is not an okay assumption to make that what has necessarily worked in the past will always work in the future. Policing is an ever-changing, incredibly dynamic area. We have to make sure as a government that we are supporting the South Australian police force and any efforts they want to undertake to ensure that their policing activities, their policing methodology and their policing structures are evolving in such a way to deal with today's and tomorrow's challenges, rather than just focusing on the ones in the past.

That very much speaks to the effort being undertaken by our police commissioner, Mr Grant Stevens. This is a police commissioner who is committed to not resting on his laurels but to making sure that the South Australian police force is reforming itself, organising itself, to be able to deal with tomorrow's challenges and any challenges that may be starting to rear their head at the moment with regard to crime statistics.

Part of the SAPOL organisational reform method is to make sure that we have as many resources as we reasonably can out on the ground. We want police, where it is possible to do so, to come out from behind the desk and be out on the front line, where it is appropriate to do so. We commend the police commissioner on undertaking some bold organisational reform to try to take on the challenge to which the Hon. Mr Hood refers.

The other thing, of course, goes to government policy questions, and legislation forms a very important component of that. Pieces of legislation that we can bring before the parliament that deal with changing technologies, which may improve SAPOL's ability to be able to go out there and take those technologies and enforce law is something to which we want to remain committed. When it comes to the funding of police, the funding of resources and new technologies, as a government we want to make sure we are making all technologies available to SAPOL to be able to do that. We will continue with those policies, continue to be tough on crime, but also we are going to try to be smart on crime when it comes to policing methods, legislation and dealing with repeat offenders, which do continue to make up a significant component of offending that occurs within the state.

Matters of Interest

MARRIAGE EQUALITY

The Hon. G.A. KANDELAARS (15:22): Today I rise to speak about events that have occurred recently that made me incredibly proud. First, in February my wife and I became grandparents and then in March grandparents again. It was a wonderful and blessed time for our family, albeit a little busier. We now have two grandsons vying for our attention, which is a splendid feeling. Then only a few weeks later my wife and I attended the wedding of our daughter to the love of her life. It was a perfect day, a sunny afternoon, lots of loving emotion, lots of fun, lots of laughing and dancing: I could not be more proud. I am so pleased to see both of my children enter the next stage of their lives and having children of their own, and I was so happy to see my daughter marry her soulmate, the love of her life. I have no doubt that they will enjoy a life just as happy as I have with my wife of over 40 years.

However, despite the amazing, overwhelming joy of these recent events, they remain shaded with a tinge of sadness. You see, my daughter's marriage is not recognised under Australian law. Similarly, in South Australia, as the current law stands, she would not have been able to have received IVF treatment here because our current Assisted Reproductive Treatment Act discriminates against same sex couples. Those two realities are shameful. State and federal legislatures should hang their heads in shame.

I have now seen both my children on their wedding days. I have seen both have children of their own. I can tell you that, from a very personal point of view, there is no skerrick of difference between the legitimacy of either. My son has a beautiful wife, they love each other no more and are committed to each other no more than are my daughter and her wife. They love their son no more than does my daughter and her wife love theirs.

As grandparents we love them no more or less. It is time our laws changed to recognise love of all kinds, just as the vast majority of Australians do. I am also still wondering about the intent of the federal coalition on the issue of marriage equality. Yes, they have committed to a plebiscite on the issue if they win the upcoming federal election. If they do, supposedly the plebiscite will occur by the end of this year, but it is interesting to note that they still have not detailed exactly what question will be put to the Australian voters. I ask, 'Why?'

For those members of the South Australian Liberal Party, I ask them to push their federal colleagues to seek this answer and to make it available sooner rather than later. I also understand that some advocates for a 'No' vote on same-sex marriage, such as the South Australian Christian lobby, are calling on the federal coalition to override antidiscrimination laws during any possible future plebiscite campaign. I ask those opposite again to lobby their federal colleagues against such a move. It would be highly destructive and socially divisive. As I have said in this place before, a child can be loved and nurtured by a mum and a dad; a mum; a dad; two mums or two dads. It appears that much of the discussion about parenting is about the sexuality of the parent, or parents, when, in reality, the issue should be about children being loved, cherished and nourished.

It is time for this place and our federal parliament to treat all citizens equally and remove the obvious discrimination that still occurs within our laws, to ensure that all citizens, no matter their sexuality, gender, race or religion, are seen as equals before the law, and I trust that members of all political persuasions will work with me to see this happen.

BATTLE OF POZIÈRES

The Hon. A.L. McLACHLAN (15:26): This year marks the 100-year anniversary of the Battle of Pozieres. The Battle of Pozieres took place in the Somme Valley between 23 July and 7 August 1916, involving the 1st, 2nd and 4th Australian Divisions capturing the village of Pozieres and Pozieres heights from German forces. In under seven weeks, three Australian divisions suffered 23,000 casualties. Of these, 6,800 men were killed or died of wounds. Of those men who died at Pozieres, 4,112 have no known grave.

As described by the World War I correspondent Charles Bean, Pozieres was 'more densely sown with Australian sacrifice than any other spot on earth'. I speak on this today in order to raise awareness of this battle, the psychological trauma that these brave men experienced, and the

continual need for the Australian community to better understand mental illness as it affects our veterans today. The psychological trauma suffered by those who were part of the Battle of Pozieres and World War I was something Australians did not fully comprehend, understand or acknowledge.

This trauma can be seen through a letter Second Lieutenant John Alexander Raws wrote from Pozieres. Raws described:

> One feels on a battlefield such as this that one can never survive, or that if the body lives the brain must go on for ever. For the horrors one sees and the never-ending shock of the shells is more than can be borne…Several of my friends are raving mad…It is all nerve. Once that goes one becomes a gibbering maniac.

Psychologists at the time described the behaviour exhibited by these men as 'shell shock', believing this was a physical condition at its core, rather than psychologically based. It was believed that some men were born weaker than others and it was for this reason that some men experienced shell shock. Unfortunately, once they returned, many believed these men pretended to be ill in order to claim the pension.

This view of mental illness did not vastly improve during the conflicts that followed. It was not until 1980, when post-traumatic stress disorder—PTSD—was officially recognised in the Diagnostic and Statistical Manual of Mental Disorders, that the behaviours that many veterans had exhibited over the past 70 years were recognised and understood. It is now known that being part of a war zone is among a variety of traumatic situations that can trigger PTSD.

While the official recognition of PTSD was a good first step, more work is required. A 2016 Senate report titled 'Mental health of Australian Defence Force members and veterans' found that since 2000, '108 ADF members are suspected or have been confirmed to have died as a result of suicide'. It was also reported that the ADF rate of suicide was double that of the general Australian population. The most common mental anxiety disorder within the ADF was PTSD.

While not all mental illness in the ADF may be the result of a brutal experience of war, these deaths serve as a poignant reminder of the importance of understanding and treating mental health issues in the community. Sadly, as was the case after World War I, the stigma associated with being diagnosed with a mental illness relating to their experiences in a war zone still continues today.

A recent report by the Australian Broadcasting Corporation has revealed that several members of the ADF fear reporting their PTSD symptoms, as they believe it will affect their chances of career advancement. Consequently, many service personnel are seeking treatment outside of the ADF because of this fear. While many programs have been implemented to treat ADF personnel with mental health illnesses, we as a community need to do more to assure service personnel that we will support them and assist them with their healing.

I also wish to draw the chamber's attention to the Pozieres Remembrance Association, which has been tireless in its dedication over the past 10 years in raising the Battle of Pozieres to national prominence. Mr Barry Gracey and the association have been steadfast in their commitment to ensuring anniversaries are marked every year and campaigning for a memorial path that is being built in honour of those soldiers who fell at the battle. As we approach the centenary of the battle, we should remember the 23,000 Australian casualties, but also the men who returned and struggled with PTSD. We should also continue to progress in destigmatising PTSD for those who are serving, or who have served, who are suffering from this illness.

DRIVER, ARCHBISHOP J.W.

The Hon. D.G.E. HOOD (15:31): I rise to congratulate Archbishop Jeffrey William Driver on his outstanding contribution to the Diocese of Adelaide and his strong commitment to serving his community in a position of leadership. The archbishop's contributions will have a lasting positive effect not only to the Diocese of Adelaide but to the state.

In April this year, the Most Reverend Dr Jeffrey William Driver announced that he will be retiring from his position as the Anglican Archbishop of Adelaide having served for some 11 years. Archbishop Driver's commitment to service and selflessness is unquestionable. Before his appointment to the diocese of Adelaide in 2005, Archbishop Driver served as the Bishop of Gippsland and Victoria, and before that he served as a priest in the dioceses of Melbourne, Bathurst, Grafton, Canberra and Goulburn.

While the Bishop of Gippsland, the Archbishop was also a member of the council of Anglicare Victoria, and when appointed as Archbishop of Adelaide, he continued his work with Anglicare, serving as the president of Anglicare South Australia. There are very few who are not aware of the important role Anglicare serves in communities throughout Australia, providing support to those in need, including disadvantaged youth, domestic violence victims and the homeless, to name just a few, but of course there are many more.

Indeed, Archbishop Driver's CV is impressive. Since the 1970s, Jeffrey Driver has studied theology extensively, studying at the Australian College of Theology and achieving a Master of Theology from the Sydney College of Divinity and a Doctor of Philosophy at Charles Sturt University. Currently, the Archbishop is the chair of St Barnabas' Theological College and is also an adjunct lecturer at Charles Sturt University and the founding head of the university's school of theology. Archbishop Driver is also the author of numerous papers, publications and research in his various fields of expertise.

On a personal level, Jeffrey Driver is described as a man of courage, conviction and compassion. When appointed Archbishop of Adelaide, Jeffrey Driver was instrumental in the formulation of a response to victims of sexual abuse within institutions connected to the Diocese of Adelaide. Archbishop Driver showed strong leadership as the head of the Adelaide diocese while it dealt with these very important and serious issues. Speaking recently on the issue, Archbishop Jeffrey Driver has said that he simply wanted to do the right thing:

> I saw that was something that needed to be done, not just because it was a problem, but because God calls on us to act well in those sort of circumstances.

To his credit, the Archbishop ensured that there were prompt out-of-court resolutions to those affected by the abuse. Also to his credit, there are now practices and protocols in place designed to detect and prevent child abuse and to deal with those affected by it and deal with it quickly. It is now said that the Adelaide diocese, in its response to abuse, is world leading in its practices. Under Jeffrey Driver's leadership, the Adelaide diocese has strengthened and is reinvigorated, experiencing an increase in the number of regular attendees to its services.

A mark of a strong leader is having the ability and courage to speak out and take action when times can be difficult. Throughout his time serving as a community leader, Jeffrey Driver has drawn attention to many issues, including the sexualisation of children in Australian society, global inequality, the problems faced by refugees and asylum seekers, and problem gambling, to name just a few, all current and important issues that society continues to grapple with.

In addition to this, and under the Archbishop's guidance, the Diocese of Adelaide has developed links with the country of South Sudan. Every two years or so, Archbishop Driver leads groups of young South Australians into developing countries, with the aim of making a difference in the lives of those less fortunate. The Archbishop expects to dedicate more of his life to contributing to the church in developing countries in his retirement.

I take this opportunity, on behalf of Family First, to commend Archbishop Jeffrey Driver on his service to the Diocese of Adelaide and to South Australia and to wish him all the very best for the future.

DAIRY INDUSTRY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:35): Getting the South Australian Labor government to spend money in our regions and on our primary industries sectors is almost as difficult as drawing blood from a stone. It is all politics with this tired, old South Australian Labor Party. While the Labor Party does not believe there are any votes for it in our regions, I am afraid these regions will continue to get the raw end of the deal.

The agribusiness sector is the backbone of the South Australian economy, employing one in five South Australians and contributing some $18.2 billion to our state's economy. In 2014-15, wheat was South Australia's biggest export, closely followed by alcoholic beverages. In fact, the agriculture, food, wine and fisheries sectors were responsible for 11 of South Australia's top 20 exports. Yet, time and again, this government neglects and ignores this sector.

As all members are aware, Australian dairy farmers, and South Australian dairy farmers especially, are in the midst of a crisis. While this issue no longer occupies the metropolitan media cycle, make no mistake, this is still an issue very much affecting our farmers and our regions. In times of crisis, it is for the government to show leadership. The federal government did so and announced a $579 million dairy relief package. The Victorian Labor government did so and announced an $11.4 million dairy relief package. Then cue the South Australian Labor government's response: they could only muster a measly $60,000 of support for South Australia's 250-plus dairy farmers. A measly $60,000 of support for an industry that generated more than $930 million worth of revenue for South Australia last year. To say this response was inadequate would be an understatement.

As recently as last week, at the regional summit held in Mount Gambier, our state's dairy farmers were calling for financial relief through a hand in cost reduction, more funding for mental health, and clarity around the regulations in accessing the $5 million of federal government concessional loans available to South Australian dairy farmers. However, as yet, the government has ignored their concerns and has not contributed another cent in providing South Australian dairy farmers with much needed relief.

The $60,000 state government response was enough to get a headline a few weeks ago when this issue dominated the metropolitan news cycle, but is not enough to support our dairy industry. The very least this government could do is to ensure it does not repeat the abysmal failure that was its attempt to roll out the Farm Finance Concessional Loans and Drought Concessional Loans. Under this government's watch, only $3.7 million of a possible $60 million was distributed to South Australian farmers. Only six loans were delivered in South Australia under Labor's watch, six out of a national total of 730—I will repeat that: six loans out of a national total of 730. That is less than 1 per cent of the available funds.

Minister Bignell's department released a statement in March saying that the South Australian government had contributed $500,000 to drought relief measures, and they released that statement as if they were proud of it. Five hundred thousand dollars of financial support to tackle one of the biggest issues to ever face the primary industries sector is just an embarrassment. Five hundred thousand dollars of support for an industry that employs one in five South Australians and contributes more than $18 billion to the state's economy. Five hundred thousand dollars of support at a time when we have seen the lowest ever recorded rainfall in parts of the South-East over the last 42 months. If that statistic does not exemplify Labor's city-centric focus and it's disdain for our regions and our farmers, I do not know what does. Again, there are no votes in the regions for Labor so why would they contribute funding?

Only last week, we saw minister Bignell's childish response to the federal government's forestry announcement. The federal government announced it would invest $4 million for a national institute for forests products innovation. This funding is to be matched by the industry to the tune of $4 million and requires $2 million of funding from the Tasmanian and South Australian governments.

The institute is intended to be based in Mount Gambier in South Australia's Green Triangle region. The Tasmanian government immediately committed the required funding. Meanwhile, here in South Australia, minister Bignell is either hamstrung by his cabinet colleagues or insists on playing politics. In a radio interview last week, the minister said he would not commit to the required funding. He indicated that the government had not been informed nor been consulted on it, yet he was happy to say no without actually considering the program itself.

Minister Bignell's decision comes down to one of two things: either the minister had been told by his Labor colleagues there were no votes for them in Mount Gambier—so they will not be investing the $2 million in that region—or the minister is playing politics in the middle of a federal election campaign; maybe he is just Joel Fitzgibbons, the federal shadow minister's little finger puppet. Either way, South Australian regions and farmers deserve better and they are missing out under this state government.

GREENS' SOLAR ENERGY POLICY

The Hon. M.C. PARNELL (15:40): Today I want to talk about the Australian Greens' federal election pledge to make a solar thermal plant in Port Augusta a reality, as well as outline the Greens' Renew Australia—Powering The New Economy plan. Last week, Greens senators for

South Australia, Sarah Hanson-Young and Robert Simms, announced that if re-elected the Greens will push for a commitment for a $100 million federal grant to help establish a solar thermal plant in Port Augusta. This grant would complement private investment to make this project viable, thereby bringing thousands of jobs to South Australia and setting up SA as a world leader in renewable technology.

In addition to SolarReserve's solar thermal plant proposal, this week Solastor Australia has announced its proposal for a $1.2 billion solar thermal power station in Port Augusta. Solastor's chairman, John Hewson, has said that the project could store a week's worth of energy and would be able to power more than 200,000 homes. This could fill the gap left with the last of Alinta Energy's coal-fired power station shutdown in Port Augusta last month. The solar thermal plant would create 600 construction jobs and more than 100 permanent jobs, which the region so desperately needs.

The Greens have known for many years that a clean energy powered economy is inevitable. However, for Australia to secure all the benefits of lower prices, better technologies, more jobs, competitive advantages and significant export opportunities for innovative Australian technologies and services, building the clean economy needs to start right now. If we do not start now, we will be stuck importing technologies, while our best minds leave to take their ideas to be developed overseas.

To assist with Australia's transition to a new clean energy economy, the Australian Greens have a comprehensive plan entitled Renew Australia—Powering The New Economy. The Greens' plan will ensure that energy generation is at least 90 per cent renewable by 2030 and our energy efficiency is doubled. It will establish a new $500 million government authority, Renew Australia, tasked with planning and driving the transition to a new clean energy system to leverage $5 billion of construction in new energy generation over the next four years. It will create a $250 million clean energy transition fund to assist coal workers and communities with the transition, and it will implement pollution intensity standards to enable the gradual staged closure of coal-fired power stations, starting with Australia's dirtiest, Hazelwood, in Victoria.

The future for the energy market will continue to be a mix of private, public and community infrastructure. To create our new clean economy, the Australian Greens have laid down a detailed road map to achieve at least 90 per cent renewable energy by 2030. With the impressive leaps in technology and the dramatic fall in clean energy costs, it is likely that 100 per cent of our energy needs for our homes, businesses and industry will come from clean power and storage. Our plan to Renew Australia will also allow us to join the world in transitioning from petroleum to electric vehicles and to take advantage of connecting our electricity and transport systems.

Renewable technologies are clean, already create more jobs than coal generation, are driving down power prices and have advanced to a stage where they can provide secure base-load power. Building new fossil fuel-based power stations is already significantly more expensive than wind, and will soon be more expensive than solar. The Greens' plan will meet Australia's energy demand in 2030 more cheaply than business as usual.

Necessity is the mother of invention, and the challenge of global warming will produce exciting technological innovations here in Australia, as we build a fresh pollution-free economy. The Greens' plan includes democratising our energy system and handing the power back to energy users. Consumers of energy are already becoming their own creators of energy. The everyday heroes are those people putting solar panels on the roof of their home or business. In fact, Australia leads the world in rooftop solar installations. Encouraging homes and businesses to generate electricity and trade it directly between each other, will take the power away from big energy companies and return it to the community.

Not everyone has the ability nor incentive to invest in solar panels. Renters, people living in apartments and small-business tenants, all face barriers to getting their electricity from clean energy. To turn Australia's enthusiasm for clean energy into reality, the Greens will put in place policies to allow every home or business that wants to put solar on their roof to do so.

When all types of homes and businesses are able to generate and trade their own power, the democratisation of our energy system will be unstoppable. Jobs will be created and energy bills will be slashed for households everywhere, from public housing tenants to renters to apartment

dwellers. The Greens' plan to build new energy infrastructure and retrofit our cities and regions will create new jobs, attract investment and lower power bills for everyone.

This is a future that the Greens are planning for today. Building a pollution-free future is full of economic opportunities and that means jobs in the new clean economy. All the threats and burdens to our economy lie in not responding to the urgency of global warming. The Australian Greens are calling on the federal government to drive a rapid transition and lead the way in building 21st century energy infrastructure to drive Australia's new economy.

PAINT THE PARKS AND GARDENS READ PROGRAM

The Hon. T.T. NGO (15:45): Recently I had the pleasure of attending the launch of the Paint the Parks and Gardens REaD at the Parks Recreation Centre in Angle Park. Paint the Parks and Gardens REaD program is a community partnership initiative of various government and non-government organisations working in the inner north-western suburbs, where I live and grew up. These suburbs are: Mansfield Park, Angle Park, Ferryden Park, Athol Park and Woodville Gardens.

The program strives to support children and families to develop their literacy skills, taking into account great diversity. It aims to engage the whole community to read, talk, sing and rhyme with children from birth, so that they will be ready for reading and writing at school. Research shows that the foundational early literacy skills learnt before starting school are critical for attaining literacy competency at school which, in turn, is vital for life's successes.

Paint the Parks and Gardens REaD is partnered with a larger national group called Paint the Town REaD Ltd, which was first developed in the western suburbs of Sydney and has since reached many communities across Australia. I have been told that urban, regional and rural communities have found this the most exciting and innovative way to make early literacy and collaborative practice come alive for them—and I can see why, having seen it in action at the launch.

What I experienced on the night amazed me. I was so impressed to see such a multicultural mix of families, including families from Indian, Nepali, Chinese, Vietnamese, African and many other cultural backgrounds—over 200 children under school age enjoying the many activities provided by local community and educational centres.

The families and their children had gathered to welcome the arrival of the mascot Parker the Pelican. The children had been reading, talking and singing to an egg for five months and the egg was ready to hatch. On the night I had a draft speech but when I walked to the front and saw the look of anticipation on the faces of both the children and their parents, I put my notes away. Instead I talked about what I had learnt that night and what I wanted other families from non-English-speaking backgrounds to know.

I read with my eldest son Jayden, who is 4½, whenever I can. As many honourable members would know, with this job we are very often not home to put our children to bed. But he never seems to enjoy me reading in English as he does not have enough vocabulary. Jayden is more interested when I read or tell him stories from the pictures in the books in Vietnamese—and now I know why. If children are read to, talked with and sung to in their home language they will learn English more quickly and accurately when they start preschool and school. I am told we should leave the English teaching to teachers at school. So, this is what I encouraged the parents to do at the launch, that is, to read, talk and sing in their home language with their children from birth so that they will be ready for learning at school. I went home that night and read with Jayden in Vietnamese and will do so with him and my youngest son, Jenson.

I congratulate the Parks Children's Centre, Woodville Gardens Children's Centre, Woodville Gardens Birth-7 School, HIPPY, Goodstart Early Learning, Metropolitan Youth Health Service, CaFHS, Junction Community Centre, Uniting Care Wesley Port Adelaide and Bowden, Uniting Communities, Housing SA, Novita, and Port Adelaide Enfield Council for working collaboratively to put this great program together for children living in the western suburbs. I commend Paint the Parks and Gardens REaD to the chamber and I hope they will be the first of many in South Australia.

SHOP DISTRIBUTIVE AND ALLIED EMPLOYEES' ASSOCIATION

The Hon. R.I. LUCAS (15:50): I want to talk about the hypocrisy of the Labor Party, the SDA and former SDA union bosses Don Farrell and Peter Malinauskas. I refer to the recent scathing decision of the Fair Work Commission on the enterprise agreement between the SDA and Coles, and I quote from that judgement:

> Taking into account all of these matters we are not satisfied that the Agreement passes the [Better Off Overall Test] BOOT. For some employees, particularly those who work primarily at times which attract lower penalty rates under the Agreement when compared to the Award, the loss in monetary terms is potentially significant. The potential loss is likely to be of significance for part-time and casual employees.

The judgement highlights some employees were up to $3,500 worse off. Former union boss Peter Malinauskas, on 1 July 2015, strongly supported the enterprise agreement with Coles. He said, 'The union is not in bed with Coles and Woolworths.' He went on later to say the union was proud that retail workers for the two big chains were getting pay rises of between 2.5 and 3.5 per cent by trading off some penalty arrangements at weekends. He said:

> They have seen negotiations achieve a far higher rate of pay—sometimes $80 to $90 a week above the award pay—but in exchange for that there is a negotiation around penalty rates.

Grace Collier, writing in *The Australian*, has said that about 30,000 of 77,000 workers covered by the SDA agreement were worse off. She also said that an estimate was that those workers had lost about $70 million in entitlements as a result of the cosy deal that has been done between the SDA and Coles.

The hypocrisy of Mr Malinauskas, Mr Farrell and others from the SDA on this issue is stunning and well apparent, and I will refer to that in a moment. The cosy deal with the SDA and Coles, why? The first reason is that Coles pays SDA significant sums, still unspecified, for unspecified training purposes—cash payments from Coles, the companies and others who have signed these agreements with the SDA go into the SDA. What also happens, as Judith Sloan writing in *The Australian* notes, is that this was a dream deal for the SDA:

> Union officials could attend employee induction sessions, the company handed out union application forms and the company deducted union dues from workers' pay. As a bonus, the sole superannuation fund nominated in the agreement is REST, the union-affiliated industry super fund whose union trustees are dominated by SDA officials.

As anyone who is aware of some of these agreements that the SDA has signed, not only with Coles but with McDonald's and others, employers are required or strongly encourage their employees, in particular young students and others, to become members of the SDA. What is the reason for that? Of course, what it does is it builds up the membership numbers of the SDA. It obviously builds up their finances, it builds up their membership numbers and what it does, as members of the Labor Party know, is it gives the SDA more power within the Labor Party in their conventions and in their preselection colleges.

What it does, of course, is it enables them to deliver members of parliament like the now Hon. Peter Malinauskas in this chamber and the potentially soon-to-be senator Don Farrell in the federal election, and indeed many others in both houses that we have seen. What employers are doing is strongly encouraging, on the basis of these particular enterprise agreements, their employees to become members of the union. It increases the power base of the union within the Labor Party and they can deliver their members.

Of course, the ALP also benefits from all of this, because since this government has been elected in South Australia, the SDA has donated $1.1 million to the Labor Party and has also made other contributions of $1.5 million to the Labor Party. So $2.6 million has been contributed by the SDA to the Labor Party since this government has been elected in South Australia.

The hypocrisy of people like the Hon. Mr Malinauskas and others is just stunning. We have a situation where they campaign on their websites and publicly that penalty rates are at risk from a federal government or a state Liberal government, yet it is actually people like the Hon. Mr Malinauskas and soon-to-be senator Farrell who are the ones who have actually dudded their workers according to the independent umpire, that is, the Fair Work Commission. Not according to Liberal opponents, but according to the Fair Work Commission, it is people like the Hon. Mr Peter Malinauskas who, through these cosy deals with Coles and others, have dudded their own

employees, and the beneficiaries ultimately are the SDA and the members of parliament who they elect into this chamber and the federal parliament.

Parliamentary Committees

NATURAL RESOURCES COMMITTEE: NATURAL RESOURCES SOUTH AUSTRALIA BUSINESS PLANS AND REGIONAL LEVIES 2016-17

The Hon. J.S.L. DAWKINS (15:56): I move:

That the report of the committee on Natural Resources South Australia Business Plans and Regional Levies, 2016-17, be noted.

One of the statutory obligations of the Natural Resources Committee of the parliament is to consider and make recommendations on any annual levy proposed by a Natural Resources Management board where a levy increase exceeds the annual rise in the consumer price index (CPI) for the City of Adelaide. Before going further with that, while I am moving that this report be noted, I make it clear that the committee decision to not object to the levy increases was a decision of the majority of the committee and that three members, the member for Flinders in another place, the Hon. Robert Brokenshire and I, voted against the motion to not object. I will refer to that later in my speech once again.

However, it is important to note that all members of the committee strongly supported the terms of the letter that was sent to the minister which outlined significant and serious concerns about the manner in which the levies had been inflicted upon the various boards. I think it is instructive that all members, including all the government members, supported that action. We will await the response from the minister to those significant concerns which I will outline in a moment, and I am sure the Hon. Mr Brokenshire will also do so. This debate will be adjourned today so that the Hon. Mr Kandelaars and others of this chamber can speak further to it at a later date.

This year, of the six NRM regions proposing increases for 2016-17, all of the proposed increases are well above the 1.2 per cent CPI reference rate. The reason behind these uncharacteristically high NRM levy increases was the imposition on the boards of the partial cost recovery of water planning and management charges by the state government.

This round of NRM levy proposals has unsurprisingly attracted unprecedented interest from community members, business operators and elected representatives, including members of parliament—a number of whom have given evidence to the committee—and other elected members of local government.

The committee has been grateful for the level of interest in the respective contributions to its work and to its ultimate deliberations. The Natural Resources Committee received advice in the latter part of 2015 that several of the state's eight NRM regions were planning significant levy increases in 2016-17 in order to pay these charges, along with rises in corporate service fees set by the Department of Environment, Water and Natural Resources.

The committee heard presentations from seven of the eight NRM regions, with six regions forwarding plans proposing levy increases. Reports on the six individual regions proposing levy increases have been tabled concurrently with this overarching report. As a means of summarising the concerns, I would just like to move through the following.

In its meeting on 6 May this year, the Natural Resources Committee made a resolution regarding the NRM levy proposals sent to them by the Minister for Sustainability, Environment and Conservation. The resolution was forwarded to the minister in a letter regarding the levy proposals for the following natural resources management regions: Adelaide and Mount Lofty Ranges, Eyre Peninsula, Northern and Yorke, South Australian Arid Lands, South Australian Murray-Darling Basin, and South East.

Following presentations from all eight natural resources management regions since the beginning of 2016—and I should point out that whether or not there are proposed levy increases, it is a matter of course that the committee invites all the boards to give evidence to us at least once a year, and on a regular basis. We also make regular visits to all of the NRM boards as is physically and financially possible with the resources allocated to the committee from the House of Assembly.

Overall, the committee extends its support to the board members and regional staff—the people who are based in all the regional centres around South Australia. The success of the boards in natural resources management depends on maintaining good relationships within their communities, and the committee acknowledges the work that is done on a broad basis.

After extensive deliberation, the committee remained concerned with the general lack of detail regarding several matters, especially given the relatively short time frame for consideration by the committee. Although the committee began reviewing the draft levy proposals early in the year and has received some clarification of issues, information about a number of matters remained outstanding at the time of writing to the minister, and they included:

- the method of distributing water planning and management (WPM) costs across all the regions;
- the extent to which WPM costs are recoverable;
- which WPM costs are attributable to which impactors;
- the removal of the Save the River Murray levy from the DEWNR budget, and how the subsequent appropriation from Treasury to replace it is to be used towards WPM costs;
- the marked inequality in available NRM funding across the regions; and
- the inclusion of corporate services fees as a sharp increase in proposed expenditures of all boards, and, most notably, the smaller boards.

A number of these matters were raised in the six levy proposals received, as well as in presentations from and meetings with the two boards not included in the list above, being the Alinytjara Wilurara and Kangaroo Island boards. The committee understands that the burden of financial pressure must be shared, but it must be done so reasonably and without hampering the primary work of the boards, which is to manage the state's natural resources in cooperation with the communities and businesses that operate within them.

The expenses imposed on the boards this year are a very heavy burden, and have compromised the ability of the boards to carry out their works effectively, as well as having caused damage to their relationship with their communities. This also has a negative effect of discouraging the next generation of board members, and that is something about which I think all of us who have grown up in rural communities would be most concerned, because the quality of the work you get from an independent board, particularly in rural areas but also in metropolitan areas, is linked very much to the quality of the people who are prepared to serve.

If, as under this whole process, the people who are prepared to serve are hung out to dry in their local communities, if when they go off to the football on a Saturday afternoon they are harangued by people in the local community because it is their board that is putting up these levies, they are getting blamed for something which they had no choice in doing, what happens then? Some of those people say, 'I'm not going to be involved in such a board,' and we then get lesser people appointed to these boards, and quite often they are people less likely to show some independence from government. There has been very little choice in this case, but we need people who are prepared to have some independent advocacy for the community they represent. That will be diminished by this, I have no doubt.

The committee was satisfied that the boards had done their utmost to respond to the challenging circumstances, acting in good faith to carry out the directives of the department and the minister. It is important that we realise that they were directives from DEWNR and the minister, as I will emphasise a little bit later.

It is also relevant to put on the record that the boards have engaged in diligent and thorough consultation, revising their proposals based on feedback in order to minimise any impact on their respective communities. It is another issue that we as a committee have raised with this current minister and the previous one: that the process of consultation that the boards have to go through, and then the time frames of it being referred to our committee, make it very difficult for not only the community but also the boards and then our committee to deal adequately with those proposals.

In fact, some years ago the committee actually received some very good evidence on how to fix that from the Hon. Caroline Schaefer, a former member of this house, who had at that stage been chair of the Northern and Yorke NRM Board. She had evidence in her mind of how it worked from both sides—as a member of the committee and subsequently as the chair of an NRM board. She gave some pretty good evidence that is on the *Hansard* record about how this potentially could be fixed. The previous minister did not take any notice of it, and neither has the current one. They would be well advised to take the advice of the Hon. Caroline Schaefer.

I will at this point once again highlight the fact that, while at the meeting on Friday 6 May a majority of the Natural Resources Committee resolved that it did not object to division 1 or division 2 levy proposals for the regions mentioned before, certainly the Hon. Robert Brokenshire, the member for Flinders and I did not support that. Under the chairmanship of the Hon. Steph Key, I think we actually worked through these issues very well. There was, obviously, pressure placed on certain people to make sure that this went through. We have no doubt about that, but, as I said earlier, I am very grateful for the fact that all members of the committee were agreeable to the concerns that I have outlined there, and there are some more that I will make note of in a moment. They were highlighted in the letter that went to the minister and, as I say, we will be awaiting his response on that.

There were some other issues that I would like to highlight that were considered significant by the committee in evidence and in our own discussions. They included the inflicting, from DEWNR, on the boards, corporate charges. I am sure my colleagues will go into that at greater length. That, combined with the recent incorporation of the boards totally under DEWNR, has seen the ability for the boards to have local procurement of goods and services disappear.

It was interesting that some of the evidence we got from DEWNR was actually quite open in saying that one of the reasons that DEWNR wanted the boards under its control was so that the boards could not go and get stuff from local communities. How outrageous is that? A lot of the major centres actually have really good suppliers. Why shouldn't the boards be able to procure things in Port Lincoln, Mount Gambier, Balaklava or wherever, if the ability to get those goods and services is in that community?

Of course, DEWNR does not like that, and in some evidence it was quite open that that obviously was one of the reasons. The previous CEO of DEWNR and some other people in that system did not like having the boards being independent bodies. That is something that they could not handle at all. Unfortunately, that is where we are at the moment.

I did refer to some of the issues that we still have not received, I think, proper clarification or explanation of. One of those that I raised on a number of occasions was the issue to do with the restoration of the riverbanks along the Murray River, and also the money that was included under the WPM scenario for the money expended on the wastewater management programs and facilities along the river.

There seemed to be a number of cases, which were also highlighted to us by members of parliament, by Primary Producers SA and others, of double counting. We never really got to the stage of getting proper answers on that. As I say, I am very hopeful that, when the minister responds to the committee, which he must do, we will get further clarification which can perhaps help us adjudicate over the increases in the coming 12 months.

The other issue that I suppose I have pushed in asking questions of the various boards is: when we talk about water planning and management costs, as I see it, one of the greatest causes of money being expended in water planning and management is actually where the populations are of greater aggregation and concentration. Certainly, the growing metropolitan area seems to be paying less money towards the WPM costs than the agricultural businesses and irrigation industries.

While I have had some sympathy expressed to me from within government and from within the boards about that, the reality is that, in general, that is not the case. I think we need to examine that more because there is no doubt that, once you put a large concentration of suburban houses in an area that was previously open land and paddocks, the costs of water planning and management increases enormously. So, I think that is something the government needs to turn its mind to.

The cynic in me says that perhaps they may not want to do that because that impacts on people in more of their own electorates, people who might not like it very much, and so it is easier to put those charges onto irrigators and people who live in seats that the government does not hold. Maybe I am not as cynical as some, but there needs to be, as we go forward with further urban development, a way in which those people who are living in those areas fund more of this, if it is the government's continued wish to get the NRM boards to put this money into the system.

I suppose there are some ironies in where we are today. When I was very youthful in my service of this parliament, I served on the Statutory Authorities Review Committee under the chairmanship of the Hon. Legh Davis. One of the things that committee did was an inquiry into whether soil boards and animal and plant boards should be merged, and at the time the suggestion was that the very good Landcare network across South Australia should also be incorporated into a combined body.

At that stage, we discovered, as we went around South Australia, that there were something like 58 soil boards and 59 animal and plant boards. Some of the boundaries were exactly the same but in other parts of the state they bore no resemblance to each other. We were shocked in some places where the chairman of the local soil board did not even know who the chairman of the animal and plant board was. There were instances on Eyre Peninsula where, obviously, some work had been done to spray some weeds on some very light soil without the animal and plant board getting advice from the soil board as to whether it might be better to leave that weed there until times when that soil would not blow away.

I think we have seen some improvement in that area since the whole NRM process has come together. Certainly, the committee has seen some evidence of that work when it visited the Pinery fireground area earlier this year. However, what we have also seen is that the soil boards and animal and plant boards came together. Sadly, Landcare was sort of left out of the picture for a long time, but I am pleased to say that there has been a reinvigoration of Landcare groups in South Australia and, quite recently, there has been an agreement signed between all of the NRM boards and the Landcare Association of South Australia.

However, by the time the report of the Statutory Authorities Review Committee came in, it was handed to the new Labor government in 2002, and the then minister Hon. John Hill decided that this was such a good idea that he was going to roll water into it as well. I think it was one step too far, and what we have now is a very large conglomerate. There is no doubt that good work is done by many of the people who work on NRM boards, but as has been said in the House of Assembly today when this report was noted, there is a suspicion and a general view in some areas that far too much time is taken up by many of the officers in setting and reviewing plans, and perhaps not enough time making sure that certain weeds are controlled or not enough time spent controlling foxes. Some boards undertake these activities very well, but with others some of those activities have been lost in the large conglomerate nature of those bodies.

I was concerned recently, on the Pinery fire trip, when quite a senior officer of one of the local boards, who was leading the trip and sitting at the front of the bus, would have had us lost on several occasions that day had it not been for someone else on the bus, namely me, who had a bit of local knowledge—and this was an area of South Australia that he was supposed to have known well. I will not go into that, but it was very frustrating. At the end of the day, the bus driver thanked me and said, 'Thank God you were there, otherwise we would have been lost.' This does not go down well as far as having people on the ground who should know the area.

I do not intend to delay the house much longer, but it is a very significant issue. I refer to an excerpt on page 11 of the overarching report. This refers to evidence from the relatively new chief executive of DEWNR, Ms Sandy Pitcher. I give her great credit for coming to the committee on at least two occasions and, I think, as someone new to the scene, answering as candidly as she possibly could. The report states:

> The committee heard from Ms Pitcher that the boards did not have a choice in having these costs imposed on them: 'it was certainly not a decision that presiding members had the power to agree or not agree,' she said. 'It is not a question of the boards deciding to lift a levy above CPI. They are the recipients of a government decision to take $6.8 million indexed over the forwards.'

That is from the *Hansard* of the committee hearing earlier this year. Then it goes on further, in a second appearance before the committee, where Ms Pitcher said the $6.8 million received would likely appear as savings in DEWNR's budget but it would 'go straight to Treasury' as a 'direct budget return. We won't see it.' That is the end of my reading of that passage of the report.

I think that is extraordinary. It emphasises the fact that this has been a decision supposedly by the minister to demand that this money is taken from levies into the board so that the boards can then provide it to the government. The minister has stuck by this throughout but I have no doubt that this is all about pressure from the Treasurer. The Treasurer does not have any regard for NRM boards or anybody who volunteers to do anything in communities—he just wants money on his bottom line. I have a pretty good regard for the fact that he has inflicted this on the minister for the environment. The minister has gone about and done it, there is no doubt about that, but it is one of the most disturbing things I have seen in the parliament.

As I said earlier, you have some very genuine people from across this state who give much of their time to serving natural resource management. The presiding member of the South Australian Arid Lands NRM Board, Ms Janet Brook, travels from Cordillo Downs in the far corner of this state to preside over that committee at Port Augusta, the closest to where she lives. She travels many hours to come down to Adelaide to give evidence to us.

People like Janet Brook are in that role because they believe in natural resources management. However, their position in the community, the reputation of natural resources management boards has been damaged by this action and it has allowed some individuals and some groups in the community to advocate for throwing out natural resources management per se. I do not think any of us in this parliament really believe that that is something that we should tolerate.

I am a great believer, however, that the current system needs to be changed. I think there are some suggestions that were advanced by my party and the Hon. Michelle Lensink prior to the last election and there will certainly be more of that to come. I know the Hon. Michelle Lensink intends to speak to this motion.

Certainly those of us who believe in natural resources management do believe that there is a better way than the current way. What started out as quite a good model—it was not a perfect model in any sense but it was a much better model than we have now—has been subsumed into DEWNR, and the boards are strangled really by the minister and the bureaucracy. It is something that we need to fix because if we do not fix it then the voices who resist any form of NRM structure at all will grow in volume and will get more support across the community.

I have spoken for longer than I normally do on these reports, but it is one that has taken an enormous amount of the time of the committee. The committee has given due deference to all those people who have come in and given us evidence. They have been open and honest, but they have been delivering—and I will not swear—an unsavoury sandwich that they have been forced to make. They have had to come in and try to sell to us something that does not taste very nice because they have been made to make that recipe by the Minister for Sustainability, Environment and Conservation but, as I said earlier, I think principally the architect of all of this is the Treasurer. Let's lay it at his feet. With those words, I commend the motion to the council.

The Hon. R.L. BROKENSHIRE (16:31): I rise to advise the house that I will not commend this motion per se because I have serious concerns on behalf of Family First and—

The Hon. J.S.L. Dawkins: We are noting the report.

The Hon. R.L. BROKENSHIRE: Yes—constituents across the state about what has gone on in recent times. I acknowledge the good remarks of my colleague the Hon. John Dawkins. We have a good committee, we have an excellent chair in the Hon. Steph Key, and we have very good research and executive officer capability. However, whatever the intentions of the Labor government were when they brought in the NRM to replace the pest plant and control boards, water catchment authorities and the like, we now have a situation where the NRM is on a slippery slope. As my colleague the Hon. John Dawkins has said, unfortunately the scapegoats for this are mainly the chairpersons from each of the NRM boards and the board members.

What has happened, if you have a look, is that over several years now there has been a deliberate plan by the government—maybe driven by Treasury, there is no doubt about that. It is actually the government, endorsed by the cabinet in its entirety, and through that no doubt the caucus room, so it is all Labor members who have actually supported this slippery slope to the NRM. Of course, in fairness to Labor members, although I do not agree with the rules, we know that even if a Labor member is opposed to what the government may be doing, if they want to stay with the parliamentary opportunity in the Labor Party they are not allowed to protest, they are not allowed to kick and scream.

I think the Hon. John Dawkins alluded to that when he talked about how possibly some of our colleagues from the Labor Party had concerns about what was going on, and to be fair to them I believe they did. When we sent the letter to have the vote, it was a casting vote that actually got the majority but that was all Labor members. It was not Family First—that is, me on the crossbench—or the Liberal members, the Hon. John Dawkins or Mr Peter Treloar (member for Flinders). The three of us did not vote in favour of these increases, and that was duly noted in the letter, and the minister must understand that. I asked the media to clearly look at that and understand that there were three members on the committee who did not support the significant rises.

I commend the whole committee, including the Labor members, for their input into the letter which highlights concerns that the committee has on behalf of the parliament and on behalf of the boards and the community. But what we have, just for the history, is a government that intended a few years ago to deliberately take the independence of the boards and the staff who were employed independently by those boards and they put them all into the Public Service under the Department of Environment, Water and Natural Resources.

That was the start of the slippery slope for NRM. I would suggest that as a result of that, and what we are seeing now, this will be an election issue at the next state election. There is no doubt about that. In fact, certainly, I can only speak for our own party, but Family First will be raising the tempo on this as we go to the next election, because we need to have a proper debate on whether or not we have an NRM structure, as this Labor government put forward, or whether, as the Primary Producers SA has requested, there should be an independent review into these exorbitant increases, or whether, further to that, there should be a review through one of the committees, possibly, I would suggest, our own, as to just where NRM is now, where it was intended to be, and where it looks like it is going into the future, so that the parliament, the community and local government, can have a really close, transparent look at NRM.

So, what we saw was DEWNR taking about 300 full-time equivalent staff, and, for all intents and purposes, they therefore control those staff. They are subservient now to DEWNR, technically not subservient to the boards. Also, what we did see was the actual state board of the NRM dissolved. That was removed by this government. I think that was a wrong move. That took the teeth away from NRM, and, of course, the government and the Premier ran out and said that this was all about reducing red tape. While some of the boards that were removed may have reduced some red tape, I think there was a very important, autonomous and fully independent opportunity there for NRM when they had the state board. That was then the second part of the demise, as I see it, of NRM.

Then, of course, what we have seen now are the grubby fingers of Treasury and the department, that is DEWNR, getting directly and deliberately involved in taking money that I am not convinced is money that they are entitled to take under the act, and I must say that none of the evidence that was put to us—none of the evidence—convinced me that what they are doing is correct, according to the act.

I support the Hon. Rob Kerin, on behalf of primary producers across South Australia, through PPSA, for calling for an independent review, because the minister can come in here every time we ask him a question and say, 'Well, I have offered the books to be looked at by whomever has a concern.' We have had Ms Sandy Pitcher, the CEO of Department of Environment, Water and Natural Resources in. I am not convinced that they are complying with the act. I am not convinced that they are complying with the National Water Initiative agreements that were signed off by ministerial council meetings sometime ago, and it is not black and white, and it never will be black and white, that every state collects a proportion of money back to offset state finances when it comes to the National Water Initiative.

We know that different states do different things. If this state government had chosen not to rip $6.4 to $6.8 million out of the levy to help offset their input into National Water Initiative—and that is $6.4 to $6.8 million this year, and indexed every year into the future. And the reality is that this is not a one-off hit. This is the start of what will become perpetual for as long as we have an NRM levy, and that is that it will be $6.4 to $6.8 million next financial year, and indexed every year thereafter. So this is a big hit to the budget.

I want to put on the public record that this was confirmed time and time again by the board chairpersons who presented to us. Because of time constraints I do not want to spend too much time at all talking about what their plans and strategies are, because, as my colleague the Hon. John Dawkins said, there are comprehensive plans and comprehensive strategies, and perhaps some of the red tape is the nonsense within the act that says they have to review and report each year. We could streamline things for them by having probity/accountability on finances reported each year and the rest of the work tri-funded so they can go on with their plans and concentrate on rolling out projects, because one of the things that most people are critical of at the moment is that they are not rolling out projects because they are too bogged down trying to come up with documentation to sustain their efforts year in, year out.

When the minister says that this is a small take back of the $43 million that allegedly this state government spends on water allocation, planning and management, I do not believe him, and I challenge him to be 100 per cent transparent. I think there is sleight of hand funding coming across there. At the end of the day, the net bottom line to the government says they are getting a significant return on their $43 million. On another occasion we will talk about that when it comes to what is happening with Save the River Murray levies and funds and the amount of money that comes back through the Murray-Darling Basin Authority to the state.

When we look at this other money, I would suggest to the community of South Australia that the government are actually underhandedly going to end up much better off—net bottom line—than they are saying. I do not support this $6.8 million, because if that $6.4 to $6.8 million indexed year in, year out into the future was left in the wallets and purses of the property owners of this state and in the farmers' accounts, it would actually help the economy and it would help these people at a time when it is very tough.

On top of that, we have also seen a situation which another one of my colleagues says is a low figure compared to private benchmarking and that is this so-called corporate services charge. I do not have the luxury in my business as a farmer of actually being able to fund a corporate services charge for each of the people who we employ at home on our farm. We do not have that luxury and I would suggest that most small businesses in South Australia would not have that luxury. However, what we have seen to offset budget cuts in the Department of Environment, Water and Natural Resources is a further amount of money, which is, as best as I can work out, at least $6 million a year for what they call corporate services charges for $21,000 per the full-time equivalent going back into Treasury.

They say that is to offset the cost of some training and to offset the cost of providing them with a vehicle, a computer and all the other things that they provide them with, such as uniforms and the like. Let's say that the average full-time equivalent employee of DEWNR and NRM is on a gross salary of $45,000 to $50,000—I would expect that to be the sort of money they would be on. I struggle to see that you can actually be taking nearly 50 per cent on top of that for corporate services charges.

On top of that, what we also as a committee have not seen yet—and at some point in time I would be asking that we do see this—are the other charge backs from DEWNR to the boards for other advice, services and support that they give, particularly when they are developing a water allocation plan or, indeed, when they are reviewing a water allocation plan. There is a sleight of hand rip-off of money that the good people of South Australia paid for what they thought would be to look after natural resources management that is actually now coming out of the global fund and going into Treasury and DEWNR.

Whether or not the boards agreed with this is irrelevant because all the evidence that came to the committee from any board member that we asked, and particularly the presiding officers, was that they had no choice in agreeing to this. So for the minister or the government to say that these

boards were supportive of this approximately $13 million per year, plus indexation, coming out of their funds is untrue. It is absolutely incorrect.

The only thing the presiding officers were able to do was to collectively sit down and work out how they would accommodate the government's instruction—and that is what I saw it as: an absolute instruction that this money would be syphoned from the NRM levies—and how they would divvy up the allocation of drawback from the fund.

I will come to where it is really hitting hard at the moment, but I also want to say that these boards have done a good job in trying to manage an instruction from the government and also still try to put programs together. We have had evidence to the committee that, in one of the cases, there is a reduction of nearly 10 per cent, meaning that one in 10 projects will not be delivered next year.

Over and above every other way that they have looked at trying to cut their budgets, and cut their cloth to accommodate the government's instruction, they still have to withdraw over 9 per cent of their program funding and commitment. That is a real worry, because I know that there is already a lot of criticism in the community about a perceived lack of delivery of on-ground projects.

When it comes to the water levy, the Adelaide and Mount Lofty Ranges, South Australian Murray-Darling Basin and the South East Natural Resources Management boards are the three areas with the highest water levies and land levies—there are two components to the levy: there is the land levy and the water levy.

A lot of the irrigators who pay the water levy have just started to pay water levies and water licences for the first time. To hit them with the outrageous amounts of money that the government have inflicted on those particular boards would have been an impost that they could not have accepted, and it would have been very hard for the government politically. They actually amortised the money that they had to save to hand to Treasury by significantly increasing the land component, so everybody paid there.

Even in the more remote areas, such as the South Australian Arid Lands NRM Board, they had to have a division 1 (land) levy increase of 48 per cent and a water levy increase of 118 per cent. I am advised that the water levy increases in the South-East are going to be higher than that. In consideration of evidence, as outlined in the South Australian Arid Lands NRM proposal report, the committee heard a very good presentation by dedicated presiding member Janet Brook, who stated:

> …that the quantum increase of the board's water levy comes largely due to the removal of an exemption for water produced via oil/gas production in the region ('co-produced water'), which was exempt from a levy charge prior to 2016–17.

The report continued:

> In essence, this meant the board would be collecting a new levy, with no net increase to regional income.

The report also states that:

> During consultation for the changes to its plan, the board received a submission from the South Australian Chamber of Mines and Energy which did not support the increase as it would mean 'an extra $638,000 in costs for water that would not ordinarily be used by other industries or private users.'

It is ironic that when the government are trying to develop a mining industry in this state, and struggling enough with that—a lot of that is now out of their control; nevertheless, they are looking at that, as it is one of their agendas for driving our economy—they are prepared to hit that economic opportunity in the Arid Lands, for a start, to the tune of that exorbitant amount of money, heading up well over $0.5 million per annum.

The farmers in the South-East have been in drought for three years. I am working with some of those farmers and they are doing it really tough. The banks are reviewing their structured loans at the moment. Financial councillors and drought assistance councillors down there are working flat out trying to help these people, and this government does not care because this government is hitting those South-East farmers for a huge increase.

I believe the backlash will be incredible, and I am saying to all the rural people, 'Between now and the next election, when you're talking to your city cousins and your city friends, ask them what they think of this NRM levy increase, and then tell them what it is doing to those farmers, the

food producers of this state, and remind them of the colour of the government that has instructed that these exorbitant increases occur.' It is the Weatherill Labor government, and I will be doing whatever I can to get that message across between now and the election on the third Saturday of March 2018.

I come to my final couple of points, and these relate to local government. Local government is also a victim. The Local Government Association had a meeting at Coober Pedy about three weeks ago. I met with one of the senior officers from the Local Government Association since then, and I am advised that the resolution from that meeting was that this would be the last year that local government will collect the levy. I have already asked the minister on a couple of occasions what he is going to do if local government says that it will not collect this levy, and the minister's answer is that it is in the act. I said, 'Well, what are you going to do if local government breaks the law? Are you going to gaol all the councillors, gaol the mayors, build a new gaol for them?'

The point is that these councils are getting hammered because four times a year they put out their rates notices—and there is enough criticism about the rates notices as it is for general council rates, and then the NRM on top of that. I could never understand why councils agreed to this in the first instance, because I know that when I was trying to collect—

The Hon. J.S.L. Dawkins: They wouldn't do it with the ESL, Robert.

The Hon. R.L. BROKENSHIRE: No. I know that when I was trying to get them to agree to collect the ESL, they flatly refused. The upside of that is that the government has the computer programs and it would not be hard for them to make a change to a software program to collect themselves, but councils fell for the three-card trick, and they agreed when the NRM levy came in that they would collect.

But, they are sick of being attacked because of this collection. Therefore, I have advised the Local Government Association that we are very happy to have an amendment come into this parliament to remove the obligation of collection by councils and to put it fairly and squarely where it should be, and that is at the feet of minister Hunter and future ministers on behalf of their governments. That is where it should be. I am now getting that bill drafted, and I look forward to introducing it to the parliament.

In summary, the act says that, unless there is a very good reason, the levy increases should be no more than CPI, and that is how it should be. People on wages are battling to get a salary increase at CPI. Farmers rarely see commodity prices increase at CPI.

The Hon. T.J. Stephens: Any prices going up by more than CPI?

The Hon. R.L. BROKENSHIRE: Farmers are battling to get any commodity increases at CPI. As my colleague, the Hon. Terry Stephens says, is anything going up above CPI? Well, yes, there is: state government charges. State government is the only one I am seeing putting up costs above CPI. Enough is enough, and the community is saying that enough is enough, and when they get their first bill after 1 July I encourage them to contact particularly Labor members of parliament and tell them that they are not going to forget this one. They have just had the big ESL increase, and now they are about to get another whammy from the government.

With those words, I look forward to further contributions. We are not voting on this today, I understand. There is plenty of time for other colleagues to contribute. They have broken the NRM system, it needs reviewing urgently, and the government need to come clean and be honest with the people of South Australia.

I am very disappointed to see that the government, notwithstanding all the evidence that has been put before our committee, notwithstanding the reports that have been tabled today, is prepared to go its merry way and hit people unnecessarily with exorbitant increases. We do not support these increases. We note the report. I make that clear—we note the report at this point in time. We reserve options into the future based on what other members may contribute, but we do not support these exorbitant increases. They are not able to be funded by the community, and this government has to learn to cut its cloth, just the way that every citizen of this state has to on a daily basis.

Debate adjourned on motion of Hon. S.G. Wade.

Bills

HEALTH CARE (PRIVACY AND CONFIDENTIALITY) AMENDMENT BILL

Introduction and First Reading

The Hon. S.G. WADE (16:58): Obtained leave and introduced a bill for an act to amend the Health Care Act 2008. Read a first time.

Second Reading

The Hon. S.G. WADE (16:59): I move:

That this bill be now read a second time.

This bill seeks to amend the Health Care Act 2008 to make it an offence for a health employee to improperly access or use health records or personal information. It is tabled as a consultation draft. I will be writing to health professional, consumer and industry bodies to seek their views before considering refinement of the bill. I would also welcome the views of members of this council, either directly to me or through their contributions at the second reading.

Section 93 of the Health Care Act as currently written is directed at where an SA Health employee obtains information in the course of their employment and subsequently discloses that information without authorisation. It is only an offence to disclose personal information. However, a patient's privacy is also breached when a person accesses personal information for their own interest without disclosing that information.

More than 20 employees of SA Health have been found by SA Health to have inappropriately accessed the medical records of SA Health patients in the last year or so. They had no work-related reason to access these records and, as far as we know, none of them disclosed the information they gained. If that is the case, it would not be possible to prosecute them under section 93 of the Health Care Act 2008. The opposition considers that it should be an offence to access a health record. The proposed section 94 in the bill creates an offence where people access a health record without authority, whether or not the information is used or disclosed.

The further offence deals with unauthorised access, including access beyond what is reasonably required for the performance of the person's job. The access charge is placed as a separate matter because it is, in our view, not necessary to particularise the range of matters in section 93 and it would only need to be proven that the person obtained unauthorised access or access beyond what is reasonable for performance of their position.

The second amendment seeks to make it an offence for a person to use information for a non-authorised purpose, even if the person was entitled to access the information and even if they did not disclose it. The need for the amendment is highlighted by the reported case of a security guard at The Queen Elizabeth Hospital.

The Advertiser has reported that a security guard employed by a contractor at The Queen Elizabeth Hospital accessed the personal details of a patient and used it to make contact with the patient in the days following their discharge from hospital. In such a case, access to the patient's personal information may have been authorised but its use was improper. As there was no disclosure of the information and they would not be an SA Health employee, the security guard could not have been prosecuted under section 93 of the Health Care Act as drafted.

Section 93 applies only to public hospitals, the SA Health department and the ambulance service. The opposition proposes that the offence be broadened to apply to privately contracted services at public hospitals, such as nursing and security, and to private hospitals. I think the relevance of increasing the scope to private hospitals is supported by the fact that publicly funded health services are increasingly being provided at private hospitals. Perhaps the flagship service in that regard, at this stage, is the da Vinci robot. The da Vinci robot at St Andrew's Hospital has been the primary access point for public patients for da Vinci surgery for some years now.

We believe the government's response to the patient record scandal thus far has been inadequate. It ignores the fact that our hospitals employ hundreds of workers not subject to Public Service disciplinary processes, such as agency nurses and contracted private security guards.

Also, many of the people who do have access to records are not subject to the health professional regulatory authority and its processes.

This bill does not deal with identifying breaches, but I have already put on the public record our concern that breaches may well be more prevalent than is currently apparent. We are very concerned that we are not getting any details about what proactive strategies are being used to detect breaches. We do not believe that supports public confidence, in fact we think it fuels the fear that the government has a 'don't look, don't find' approach.

Coming back to the focus of this legislation, we believe it is a measured and focused strengthening of the Health Care Act to support the intent that is already there in section 93 to provide a more effective protection of the privacy of patients. With those words, I commend the bill to the house as a consultation draft.

Debate adjourned on motion of Hon. T.A. Franks.

Motions

HOMOSEXUAL CONVICTIONS APOLOGY

The Hon. T.A. FRANKS (17:03): I move:

That this council—

1. Congratulates the Parliament of Victoria on its formal apology for previous laws against homosexual acts made on 24 May 2016; and

2. Calls on the South Australian government to formally apologise for laws that criminalised homosexuality in the state, acknowledging these laws validated hateful views, ruined people's lives and forced South Australians to suffer in fear, silence and isolation.

This motion calls on the South Australian government to make a formal apology for historical convictions of homosexual acts. It congratulates the Parliament of Victoria for their recent formal apology, which was made by Premier Andrews and other members of the Victoria parliament on 24 May of this year. It also calls on the government in South Australia to formally apologise for laws that criminalised homosexuality in this state and acknowledge that those laws validated hateful views, ruined people's lives and forced South Australians to suffer in fear, silence and isolation.

As all members would be very well aware, this is part of a raft of government initiatives in this great year of progress; in fact, a year declared the year of progress for LGBTIQ South Australians (2016), where South Australia now leads the world and has actually eradicated each and every law that discriminates against people on the basis of their gender identity or their sexuality. We are leading not just the nation but indeed the world in this state and that is something to be very proud of.

Members would also be aware that I say all of that in utter jest because like many in this state if we cannot laugh about the way that we now lag on law reform to do with sexuality and gender identity then we would cry. We would cry for the pain and the isolation and the discrimination that we continue to preside over in this state. Indeed, where South Australia once (over 40 years ago) did lead the nation and the world in areas of law reform, we now lag in the area of equality for those on the basis of their sexuality and of gender identity.

We used to lead and when we led the way, and were the first state in this nation to decriminalise homosexual acts, we now lag behind other states on a whole raft of areas that Premier Weatherill, quite rightly, at the beginning of 2015—well over a year ago, some 13 months ago now—got up and presented in his Governor's speech to this parliament that he would redress, that he would change.

Of course, we do have a review of the laws in which we still discriminate against people on the basis of their sexuality or gender identity but, my goodness, we are still lagging. As I have said, waiting for Godot has nothing on waiting for Jay Wetherill's law reforms on the basis of sexuality and gender identity for equality to actually come to fruition in this place. We have yet to see one single piece of legislation pass this parliament as a result of the Premier's speech in February 2015.

We have seen activists on the streets and we have heard fine words in the parliament, but while this government puts itself forward as a friend to those who want to see equality for LGBTIQ South Australians and it puts itself forward as that friend, it continually refuses to stand up for them. On one recent occasion where we did see this government stand up for those South Australians we saw, quite rightly, the striking out of the recorded convictions for historical offences of homosexuality.

But how did we see that done? Did we see that done with the raising of a rainbow flag, with a formal apology in the way that Premier Andrews has just this past month done in the Victorian parliament? No, we saw it done in the dying days prior to the 2014 state election, suddenly arriving on our desks in these chambers with barely a whimper. There was certainly no fanfare, certainly no formal apology and, indeed, it passed quietly and almost without note.

We should have been proud of that day. We should have seen ministerial decrees congratulating this parliament on a step forward and a recognition of the ruined lives that these convictions for homosexual acts have wreaked upon many generations of South Australians. We should have seen an important and powerful day in our parliament but what we saw was simply a few speeches in this place, no championing, no rainbow flag raised and certainly no Premier's apology for those actions.

We could take the lead from Victoria. They have stood up and taken this issue on with courage and with leadership. I quote the words of Premier Daniel Andrews in his apology this past month. It is entitled 'Righting the wrong: apology for unjust and prejudiced laws against homosexual acts', dated 24 May 2016. The words of that motion were as follows:

> I move:
>
> That this house apologises for laws that criminalised homosexuality in this state—laws which validated hateful views, ruined people's lives and forced generations of Victorians to suffer in fear, silence and isolation. These laws did not just punish homosexual acts; they punished homosexual thought. They had no place in a liberal democracy; they have no place anywhere. The Victorian Parliament and the Victorian government were at fault. For this, we are sorry. On behalf of this house, we express our deepest regret.

That is from the Premier of Victoria. That is what we should be seeing here in this state from our Premier. We should be seeing that and hearing those words for those South Australians like those Victorians who were convicted of homosexual acts and homosexual thoughts, Victorians like Peter who states:

> When I was arrested, I didn't know what on earth was going on. The police didn't advise me of my rights. I wasn't given an opportunity to call my parents, let alone a lawyer. I was told it would be 'best for me' if I signed a statement the police had written. When I finally got a lawyer, it was too late. I had pleaded guilty. I was convicted of a homosexual offence. I was only 17. Looking back, I did take on the guilt and shame. It was like holding a terrible secret. There was not another person I could talk to for several years. I just shut down. I fled overseas to escape, and I removed myself from my family, until I found a way to accept myself with pride.

Terry states:

> The police locked me up in Richmond and got two confessions out of me. I was 18. The years went by, and I got over it, but it always came back to haunt me. When I wanted to go overseas, when I applied for a liquor licence, when I wanted to start my own business, there was that dreaded question: have you ever been convicted of a criminal offence? It took me years of part-time study to become a chartered accountant, and when I was almost finished, I got that question again. Have you ever been convicted of a criminal offence? I lied, of course. I wasn't going to let all those years of study go to waste. The phone rang a few years later. It's a call for you, it's personal. It was an inspector from the St Kilda Police Station. He'd found me out. With that question always lurking over our heads, we always had to ask ourselves: just how far can I go today?

The final story that I will share with this chamber is from Noel who states:

> Max was singing an aria from *La Traviata* when the police arrived. A few of the crowd managed to scramble and get away. I didn't. I was the youngest person in the room. I was very naive. I knew having sex with men was against the law but I didn't understand why it was a crime. At the first hearing, I stood in the dock and the judge said, 'You have been charged with the abominable crime of buggery. How do you plead?' The maximum sentence was 15 years. The day-to-day routine inside Pentridge Prison was menacing and dangerous. And I was always worried about Mamma. She was abused by her next-door neighbour for having a son like me. Of course, I was crucified in the Melbourne press. Afterwards, only two people would talk to me. I couldn't go to dance class or get a job. I was a known criminal. It's ironic when I think about it. Eventually I would have been forgiven by everyone if I had murdered Max, but no-one could forgive me for having sex with him.

These are three Victorian men who have had their Premier, their government and their parliament now apologise for ruined lives—quite rightly so. An apology is a powerful thing; it can heal old hurts. We have seen it in other areas.

I want to thank my staff member, Meredith Hennessey, for some of the contribution she has made to my speech today, in particular for drawing my attention, which I will now share with members of this place, to an excellent guide to what makes an effective apology. It was created by Marsha L Wagner, an Ombud Officer at Columbia University. Members are welcome to have a copy of the full text, but I will highlight her advice:

1. A specific definition of the perceived offence.
2. Acknowledging that the perceived offence caused harm.
3. Taking responsibility.
4. Recognition of wrongdoing.
5. A statement of regret.
6. A promise not to repeat the offence.
7. An explanation of why the offender acted this way.

I hope the government and members here find these words useful. Certainly, it would seem that I have had to resort to bringing a motion to this parliament to get the Premier to take this issue on, and I hope that members of the government benches will take this seriously, and take this motion seriously, and that we will see a formal apology in this parliament.

As I raised in question time just recently, in February 2015 I wrote to the Premier after acknowledging his fine words in his speech in that Governor's Address-in-Reply, and also acknowledging that he was calling for law reform across the board on the basis of gender identity and sexuality, and to correct the current discriminations. I also asked if he would make a formal apology, given we had passed into law, just before the 2014 election, a bill that is now an act, which sees the spent convictions of those who suffered under that both discriminatory and despicable part of our history, which could convict people for homosexual acts.

I asked the Premier for a response. I received a note from the Premier's office saying that my correspondence was being taken into consideration and that I would receive a reply. Well, we have not seen a formal apology, and I certainly have not had a reply to that correspondence, so I bring this motion to this place.

We have waited well over two years since the Spent Convictions Act with regard to homosexual acts was passed in this place, and we have we waited 13 months since the announcement of the legal processes to be reviewed to ensure that we have equality on the basis of sexuality, and an end to sexuality and gender identity discrimination in the state, so I think we have waited long enough. It is time for the Premier to make that formal apology and for this parliament to start to take real leadership. Not more words that do nothing, but in fact to start passing pieces of legislation that do bring this up, that do see 2016 as the year that we do celebrate leading, not just the nation but also the world, in eradicating discrimination on the basis of sexuality and gender identity, and a formal apology is a very important part of that.

Because without those actions, these pretty words, these platitudes, do nothing for those we purport to call our friends. I call on the government to follow the lead of Victoria in apologising for the hurt that our laws have caused to innocent people. I do so regretfully, as it is an indication that we have failed these people, but I also do so noting that if we do nothing then we are in no way the friends we purport to be. Finally, I would like to paraphrase the powerful words of Malcolm X, who stated:

> If you stick a knife nine inches into my back and pull it out six inches, that is not progress. Even if you pull it all the way out, that is not progress. Progress is healing the wound the blow made. We haven't even begun to pull out the knife, much less heal the wound. We won't even admit the knife is here.

I call upon the government today, that if you continue to dawdle on making real and meaningful progress on ending discrimination on the basis of sexuality and gender identity, you might as well be

plunging the knife in further, and you should at least admit that the knife is still there. With those few words, I commend the motion to the chamber.

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

DIAMOND HOUSE CLUBHOUSE

The Hon. T.A. FRANKS (17:19): I move:

That this council—

1. Congratulates Diamond House Clubhouse for celebrating its 20th birthday in May 2016;

2. Recognises the significant work of Diamond House Clubhouse in supporting people who have lived experience of mental illness; and

3. Recognises the important role of Diamond House Clubhouse as a safe place to belong, work and return, and the important work it has achieved in providing programs and services in our community for the past 20 years.

I move this motion today commending the work of Diamond Clubhouse which recently celebrated its 20th anniversary in this state. It is part of an organisation that is both worldwide—part of the International Center for Clubhouse Development—and in Australia as part of the Clubhouse movement. It is an important part of our non-government sector mental health services. It is founded on a realisation that recovery from a mental illness must involve the whole person in a vital and culturally sensitive community.

Clubhouses follow a psychosocial rehabilitation model designed to support and encourage people with mental health issues. Clubhouses differ from other psychosocial rehabilitation models in that members have equal rights and representation in all aspects of the day-to-day functioning, maintenance and decision-making processes. The Clubhouse model encourages participation in a work ordered day where members engage in meaningful activities side by side with staff.

In the case of the Diamond Clubhouse in South Australia, that particular organisation recently celebrated their 20th birthday just last month in May. They are currently the only Clubhouse in South Australia and I think worthy of noting for members of this place because it would be good to see Clubhouses expanding their model in our state. I know they are currently undertaking work in Whyalla and are looking to set up there, and I would certainly love to see at least one more Clubhouse in this state sometime soon.

As the only Clubhouse in South Australia currently though, it is a valuable part of the fabric of the NGO mental health sector in a sector that is plagued by underfunding and stigma. They are a valuable and compassionate organisation that assists people who have lived experience of mental illness in achieving social, financial, educational and vocational goals.

Some 20 years ago, in May 1996, it was opened by the then minister for health, the Hon. Michael Armitage MP, and since then it has gone from strength to strength. In the last few years, in furthering their service to the community, Diamond Clubhouse (Diamond House) has formed partnerships with organisations such as Partners in Recovery and the National LGBTI Health Alliance. They have memorandums of understanding with Community Bridging Services, their disability employment partner, and they are currently gearing up for the NDIS to come.

On 27 May, I, along with other members of this council, including the Hon. Stephen Wade, members of the other place, the member for Croydon, the Chief Psychiatrist, the federal member for Port Adelaide, Mark Butler, and the first patron of Diamond Clubhouse, Leon Earle, who I think may be a professor but I will stand corrected, who was actually my sociology lecturer once upon a time—

The Hon. S.G. Wade interjecting:

The Hon. T.A. FRANKS: I understand that Sandra Kanck, the former Democrat member of this place, has also had a long involvement with Diamond House and was there on that day, according to the helpful prompts of the Hon. Stephen Wade. We celebrated, along with current and former staff, participants and members of Diamond House in this significant milestone. As always at Diamond House the catering was sensational because catering is a big part of the activities that they provide there and the work that they do.

The importance on the day of Diamond House was brought home by the speakers, the consumers, who shared their stories quite bravely—stories that are not easy to listen to but are so much harder to have lived through. I will not refer to those particular stories, but I will look at some testimonials about the positive impact, which have been provided by members of the clubhouse. These members illustrate why we need more clubhouses in our state, and why Diamond House has been so important in their recovery and in their ability to have meaningful work and a place to go. Theo states:

> Before Clubhouse I was lost and confused. I had been in hospital many, many times. I spent the early to mid 90's growing up in a psychiatric hospital. However something was missing. I knew I needed more.
>
> I visited my psychiatrist with my mother one special day in 1996. He told me there was a new place called 'Diamond Clubhouse' which was showing promise. Mum and I were excited. We dropped into the Clubhouse on our way back home. This place had promise—I knew it would 'work'.
>
> All these years later I still attend Diamond House Clubhouse. I learn something new here every day and get stronger and stronger as the years go by.
>
> Diamond Clubhouse has made me into a better person: a person who is mature with his feelings, self confident and who has found some inner peace. I see my friends at Clubhouse as an extended family. Life would not be the same without the Diamond Clubhouse.

Another member of Diamond Clubhouse, Heather, states why Diamond Clubhouse is important to her:

> Being in a comfortable atmosphere; saying hello to friends; having a place to go where I feel welcome.

Karen states:

> Getting to know members and Staff, and getting along well with them; being a Member on the board; going to Narnu Farm Clubhouse camps; looking after reception.

Lyn states:

> Working in the kitchen; getting involved and motivated. The people are pleasant and Clubhouse is a safe place to be.

Christine states:

> Chatting with members; making friends; happy company; eating lunches; walks.

Daniel points to:

> Database; publishing; chatting with members; learning from Staff and gaining new skills.

Diamond Clubhouse was not without controversy when it was being set up. There was fear from the local residents and the community as to what it might entail. Twenty years later, they have proven all those fears wrong, and they are a wonderful example of the way that we should be dealing with mental health issues in our state, and supporting consumers and carers. We should support those who have a lived experience of mental illness to have full and productive lives to have options and to be a valued part of their communities, and not fear them.

Diamond Clubhouse has shown that there are great strengths in these models. I pay tribute to Kim Smith, who is the director of Diamond Clubhouse. I have known Kim since my days as policy officer at the Mental Health Coalition of South Australia, and she is a powerhouse. Kim is indefatigable, and is a ball of energy and enthusiasm. Without her, I think the Diamond Clubhouse would be the lesser. The power of the membership model means it would actually go on without her, but I pay tribute to her leadership. I also note that there are many students, volunteers and staff members who support the work of Diamond Clubhouse—in particular, Patjana Turcinov, Deanne Kuhn, Brenton Hutchinson, Tan Haotian, Nina Bozanic, and my friend Trish Leydin, who is among the staff and volunteers.

I was there recently, just before the 20th anniversary, for a wonderful high tea. I certainly had my fill of some delicious cakes and ribbon sandwiches. I also got to draw the lottery and, to the pleasure of Karen, who had been sitting on my table all day and had told me to draw her ticket, I somehow managed to do that. I would like to put it on record, in the parliament, that it was completely random that I drew her lucky ticket out that day. That lottery prize could not have gone to a more

deserving person, because Karen works on the reception and she is at the Diamond Clubhouse day in, day out.

I know that many in that community see it as their rock and a great resource. That is what I hope this parliament will see as they look at this motion and make themselves more aware of the work of Diamond Clubhouse. Hopefully we will see more clubhouse model organisations spread across our state, as they have across the world, starting in New York and across several continents now, and we will see clubhouse in Whyalla some time soon, but indeed in other suburbs of our metropolitan areas. With those few words, I commend the motion to the council.

Debate adjourned on motion of Hon. S.G. Wade.

DEVELOPMENT ACT

The Hon. M.C. PARNELL (17:31): I move:

That the regulations under the Development Act 1993 concerning SA Motorsport Park, made on 28 April 2016 and laid on the table of this council on 17 May 2016, be disallowed.

At the outset I would like to put on the record that this is not some crusade on my part, or on the part of the Greens, against motorsport. In fact, when I first heard that Tailem Bend was being promoted as a spot for motorsports, it seemed to have a lot of merit. There had been an existing motor testing track there for some years. I think that was where Mitsubishi would take their cars. It is certainly outside the metropolitan area, so it does not suffer from the same issues in relation to the close proximity of many neighbours, and, as a person who lived for a brief period at Eastwood during the time when the Formula One was on, I know what it is like to live close to a motor racing track. Tailem Bend, at first blush, seemed to have a lot of things going for it.

But what I think is unacceptable is for this government to abuse the statutory processes that have been set out in relation to pollution, in relation to development and planning, and also in relation to the protection of native vegetation. There were three lots of regulations that were tabled in this place on the same day. I have moved to disallow two of them. I will speak now about the development regulations, and I will speak in a few minutes, in the next motion, about the native vegetation regulations.

I might just say initially that I have not moved to disallow the regulations that relate to noise, and my reason for doing that is that I sort of figured that motor racing is inherently a noisy activity and that standards in relation to noise would be very unlikely to be satisfied by a motor racing facility. We are used to having exemptions for noisy activities. The Grand Prix originally, and the Clipsal, have a statutory exemption from noise standards, but you also have events such as WOMADelaide, or The Big Day Out, a number of events, that get case-by-case exemptions from having to comply with noise laws. So I did not trouble the chamber by moving to disallow the noise regulations, but I will just say that, having said that, it does not mean that there is no problem.

When I had a look at the submissions that were made to the Development Assessment Commission from neighbours, some of the comments that were made included comments from those who live very close to the facility. One person says, 'My block is only about 100 metres from the planned V-8 racing track.' In an environment like this, with a fairly open landscape, that would obviously make for a very noisy environment. Another person wrote:

With the current race meetings that have been held at this premises, the sound of screeching tyres and the smell of burning rubber that often wafts over our house has already been concerning. What will this massive development create? I'm sure that smelling burning rubber is not good for one's health. We would like to know how many meetings per year are envisaged for this application? One weekend a month, every weekend, weekdays, times? Our quiet, relaxed weekends may well become a thing of the past.

Having said that, I am not proposing to disallow those regulations, but I will now turn to those that I am moving to disallow. I will start with the regulations under the Development Act. This is quite a remarkable regulation. It is only very short, and it basically says:

Pursuant to section 7(3) of the act, section 33(1)(a) of the act does not apply in relation to development within the SA Motorsport Park if the development has been approved by the State Coordinator-General.

Those words are gobbledygook to most people, but we need to tease them out. Section 7 of the Development Act does enable specified provisions of the act to not apply in certain parts of the state. Basically, the mechanism for that is through regulations. Section 7 says:

> The regulations may provide that a specified provision of this act does not apply to a part of the state specified by the regulations.

So, then when you look at the regulation, it specifies the part of the state, being the SA Motorsport Park, and the section of the act that does not apply is section 33(1)(a). That section is at the heart of our planning system. That is the section that says:

> A development is an approved development if and only if a relevant authority has assessed the development against and granted a consent in respect of each of the following matters insofar as they are relevant to the particular development:
>
> (a) the provisions of the appropriate development plan.

Again, for those who are not steeped in planning law, that might not make a lot of sense, but, effectively, I will paraphrase what this says. It says that, if the Coordinator-General reckons that it is a good idea to approve a motor racing development at Tailem Bend, he does not need to have any regard to the planning scheme. The planning scheme is at the heart of our planning system. That is the document that says what you can and cannot do in different parts of the state. It is at the heart of it. To have a provision that says that the Coordinator-General is not obliged to follow this provision, which talks about assessment against the planning scheme, is absolutely remarkable.

It is even more remarkable when you consider that the planning scheme was rewritten to accommodate the motor racing facility. There is a special zone—it is a motorsport zone. They created a zone for this activity to go ahead, and now they have passed a regulation to say, 'Oh well, the zone we passed doesn't quite let them do everything they want, so therefore the Coordinator-General doesn't have to have regard to it,' which I just think is remarkable.

When you look at the planning scheme and you look at this motorsport park zone—and this is a bit of a hint to where the government is coming from—it includes a principle of development control, and that principle of development control says: 'Important areas of native vegetation should be protected and, where necessary, restored.' Just one single line in the planning scheme talks about protecting and restoring important areas of native vegetation. I believe that it is that provision that has caused the government, notwithstanding that it has created a whole zone for this, to basically decide that the rules for planning that they themselves have written are not to apply to development applications in this zone, and that is because they have messed up the native vegetation arrangements.

I will now conclude my remarks on the planning disallowance motion, and I will continue very shortly on the next motion, which is to disallow the native veg regulations, because that ties all of this together. I am making the point that, what confidence can we have in a government that not only rezones a parcel of land for a specific single purpose but then passes a regulation to say that the rezoning they have just done does not count for anything? It is absolutely bizarre. No doubt the minister will give the Hon. Tung Ngo, or someone, some notes to read out which try to make sense of this, but it is an absolute mess. It is a sham. It has nothing to do with whether motor racing is a good idea or not, but it is an incredible abuse of the planning process.

Is it any wonder that the system has been brought into disrepute, especially when we look at the brand new bill that we have just passed which tells the community that we (the government) only want you to engage in writing planning policy. Then when they do write planning policy, they pass a regulation which says the planning policy does not count. What a ridiculous way to conduct a system. With those words, I conclude my remarks and I will continue shortly in relation to native vegetation regulations.

Debate adjourned on motion of Hon. D.W. Ridgway.

NATIVE VEGETATION ACT

The Hon. M.C. PARNELL (17:41): I move:

> That the regulations under the Native Vegetation Act 1991 concerning SA Motorsport Park, made on 28 April 2016 and laid on the table of this council on 17 May 2016, be disallowed.

As I said in relation to the previous motion, I think the question of native vegetation is at the heart of why the government has passed these two regulations. What I will be doing is pointing out why the passage of those regulations ought not be supported by the Legislative Council on account of them being an abuse of the process of delegated legislation.

The regulation that I am seeking to disallow is fairly simple. It basically adds an exemption to the native vegetation regulations that authorises the clearance of native vegetation at Tailem Bend for the SA Motorsport Park. In a nutshell, the new regulation adds a new regulation number 5(1)(zo). I make the observation that the government, over the last several years, has now introduced so many exemptions from the Native Vegetation Act that we are now up to paragraph (zo). If my sums are correct, that means we are now up to 41 individual named exemptions to the Native Vegetation Act.

As members would know, the Native Vegetation Act is the primary vehicle in this state for the protection of remnant intact native vegetation, so to now have 41 separate paragraphs of exemptions, with the SA Motorsport Park being the 41st, I think is an indication that the system is not working.

The new exemption provides that if the clearance is undertaken in accordance with a management plan that has been approved by the State Coordinator-General, appointed under the development regulations, and if the State Coordinator-General is satisfied that the clearance is necessary and is satisfied that there will be some environmental offsets or they will pay some money into the fund, then it falls within the exemption category, which means that they do not need approval.

People might be thinking, 'Why don't they just go to the Native Vegetation Council and get their approval if they need to clear vegetation?' The answer is: they did and they were rejected. They went to the Native Vegetation Council. In fact, a number of people have been on a number of occasions, and the Native Vegetation Council has quite rightly determined that clearing some of this land is seriously at variance with the principles of clearance control set out in the act and that means they are legally obliged to say, 'No, don't do it.'

Let's have a look at what is on this site and what the proponents are trying to do. It might be timely at this point to remind people that the proponents are our good friends the Peregrine Corporation, the Shahin family, the owners of the On The Run network who have received a number of beneficial regulatory protections under the Development Act. People might recall that, because they got knocked back on one of their convenience stores and petrol stations, they went screaming to the Premier and got special exemptions written into law so that their petrol stations do not have to go through the normal planning process. That was an outrage. This is the same people using the same trick to get around South Australian law.

I need to put on the record why the Native Vegetation Council, quite properly, rejected the Shahin's application to clear vegetation. I am very grateful to the Nature Conservation Society of South Australia, which has done a lot of work researching the vegetation in this area, and they have provided me with some notes which I want to put on the record. According to the Nature Conservation Society:

> The property is dominated by Mallee Box [*Eucalyptus] porosa* woodland and supports one of the largest…areas of this vegetation type in the district in an otherwise cleared landscape.

And when they say one of the largest, that is 130 hectares. It continues:

> It also provides an important link to the Poonthie Ruwe Conservation Park (241 ha) that was established to protect a significant area of *Lomandra* grassland (immediately west of the application area across the Dukes Highway).
>
> The northern part of the property is extensively covered by native vegetation and contains numerous large old hollow bearing trees that provide important wildlife habitat for 6 state rated fauna species including hollow-nesting birds and regionally rare mammals (possums, bats). Of particular significance is the range of grassy woodland bird species, including several bird species of particular conservation significance, which have been reported on the property during recent surveys including the Diamond Firetail, Elegant Parrot and White-winged Chough…

There is a full list of birds, which is available, but they are some of the most important. It continues:

> These species have declined in woodlands throughout southeastern Australia. Studies have shown that many of these species occur at low density, indicating the importance of retaining large intact areas of woodland habitat such as occur on the property.

The proposed clearance covers 11.2 ha plus 108 scattered trees within the total property area of 700 ha. The assessment report—

That is, the assessment report from the native vegetation management people—

shows that 10.6 ha is considered as intact native vegetation and, therefore, the application would be seriously at variance with a number of Principles of Clearance under the Native Vegetation Act 1991 and the Native Vegetation Regulations 2003, specifically: Principles 1(a) Plant diversity, (b) Wildlife habitat, (d) Rare plant community and (e) Remnancy.

The Assessment Report concludes that Areas 1 and 3 support intact native vegetation and this conclusion was also supported by the Native Vegetation Management Unit because the tree stratum has not been substantially damaged in the preceding twenty years. Under Section 27(2) of the Native Vegetation Act the NV Council cannot give its consent to the clearance of native vegetation if the vegetation comprises or forms part of a stratum of native vegetation that is substantially intact.

Mallee Box…woodland is considered a rare vegetation type in South Australia and rated as Priority 5 for conservation…Areas 1 and 2 form part of an exceptional example of this vegetation type with a relatively diverse understorey, and is unique in the region in that it has not been significantly impacted by past stock grazing.

The application is located within the Hundred of Seymour and the Moorlands Environmental Region which are estimated to retain 12% and 5% native vegetation respectively. These figures indicate that the region has been extensively cleared, and that areas of remnant vegetation with a relatively diverse understorey that have not been significantly impacted by past stock grazing have very high value as a remnant of the grassy woodlands that were once widespread in the district.

I just pause there. Given that this area—depending on whether you look at the hundred as a geographical area or the environmental region—has only 12 to 5 per cent native vegetation left: in other words, 88 per cent to 95 per cent cleared.

What we are talking about is one of the last bits of intact vegetation that is left and the Native Vegetation Council said that it should not be cleared. The developers are not happy with that and they have gone crying to the government and the government has passed special regulations to allow them to clear what our publicly employed vegetation experts said should not have been cleared. Going back to the Nature Conservation Society's notes, they say:

It is noted that the DPA [that is the Development Plan Amendment] has created a new Motorsport Zone within the Coorong District Council Development Plan that includes Principle 7 of Development Control for the 'protection and restoration of important areas of native vegetation.' This is despite comments and input into the DPA and proposed development by the NVMU [Native Vegetation Management Unit] highlighting the importance of the woodland native vegetation in the north of the property.

I know I have put a lot of material on the record but, really, it comes down to a very simple proposition and that proposition is this: the parliament of this state over a period of about 30 years has supported and refined a system for the protection of what is left of native vegetation.

In particular, in areas that have been extensively cleared we have to protect what is left, and the process for protecting it is that we have a Native Vegetation Council and if someone wants to clear they have to go along and get a permit and satisfy the Native Vegetation Council that the clearance is necessary and that it cannot be properly offset through some other mechanism.

The developer in this situation has done that. They have gone to the Native Vegetation Council and the Native Vegetation Council said, 'No, there's hardly any of this stuff left. It's important habitat for birds and mammals. You should not clear it. The property is overwhelmingly cleared. You do not have to clear the last bit of this property for a dragstrip.' That is what this is for: it is for a dragstrip.

What the Shahins have done is what they did with their petrol stations: they did not accept the umpire's decision and did not accept what the Native Vegetation Council said. They have gone screaming to the government and said, 'We need special subordinate legislation, we need special legislative provisions that mean that we don't have to go through that process. We want an exemption.' The exemption that has been granted is to leave it up to the Coordinator-General. Leave it up to a bloke in the planning department, a government-appointed person to decide whether the clearance is necessary and how much money you should have to pay into the fund to do it.

In other words, this is a complete kick in the teeth for the Native Vegetation Council, the people in this state charged with balancing development and environmental decisions. They have

applied the law that we the parliament have set for them, the principles of clearance. They have applied those, they have actually determined that most of the scattered significant trees, even those with nesting hollows, can go. They gave permission for those to be cleared but the intact native vegetation they said should be protected. The developers of the motorsport park have not accepted that, they have gone to the government and the government has passed these regulations.

I think when you look at the rules around subordinate legislation, you look at the ability of either house of parliament to disallow those regulations, when we look at, I would say, the corruption of the process that is inherent in this case, I think the Legislative Council owes it to our hardworking officials in the native vegetation section to debate this regulation, and I would say that it is deserving of disallowance.

If the government wants to come clean and bring back to parliament that native vegetation is no longer important in this state, then that is a separate decision that we can make. With those words, I commend the disallowance motion to the house.

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

Sitting suspended from 17:54 to 19:45.

CHINESE WELFARE SERVICES OF SOUTH AUSTRALIA INC.

The Hon. J.S. LEE (19:46): I move:

That this council—

1. Congratulates Chinese Welfare Services of South Australia Inc. for celebrating its 25th anniversary in 2016;

2. Acknowledges the work and commitment of the committee, staff and volunteers of Chinese Welfare Services for delivering important services to its members and the broader Chinese community of South Australia; and

3. Recognises the importance of their contributions in developing tailored programs and strategic partnerships that are socially inclusive and beneficial to members of the diverse Chinese community residing in South Australia.

I am honoured to rise today to congratulate a wonderful community organisation, namely, Chinese Welfare Services, for celebrating its 25 years of achievements in South Australia. As an Australian with a proud Chinese heritage, it will be no surprise to many that I have known Chinese Welfare Services for the whole time that they have been in existence. Many leaders and founders of the association have known my father and my family for over 25 years.

Every time I walk into a function organised by Chinese Welfare Services, a sense of warmth and happy spirit fills the air. It makes me feel like I am visiting family and friends for a reunion party. There are many respected grandmas and grandpas, uncles and aunties, and brothers and sisters who I call out to. I am grateful for the kindness and generosity of Chinese Welfare Services over the years. The sort of friendship and generosity they have shown me makes me feel very welcome in their community.

I am a proud supporter of Chinese Welfare Services. I feel very privileged to have participated in their activities over the years. I have sang many Chinese New Year songs and birthday songs with them. Every time they celebrate birthdays, I would have 10 different people celebrating their 50th, 60th, 70th, 80th or 90th birthdays. If I blew out all the candles, I imagine I would probably be many years older than I am, but it is always very warm and fun to be with them.

I am a great admirer of the leadership, wonderful work and contribution of Chinese Welfare Services. It is important to put my acknowledgement on the public record in recognising their outstanding commitment, dedication and compassion to serve and improve the lives of their members and so many Chinese migrants in South Australia.

As a not-for-profit organisation, Chinese Welfare Services had a humble beginning. It is through hard work and perseverance that the association has reached a remarkable milestone of 25 years. Over a quarter of a century, current and successive committee presidents, staff and volunteers have worked tirelessly to overcome many challenges and implement many successful and innovative programs for their cult members.

Looking back on the history of various Chinese organisations in South Australia, it is interesting to note that welfare services for migrant communities during the seventies and late eighties were fairly minimal. Back then, the only Chinese organisation assisting Chinese migrants was the Indo-Chinese association. During that period, migrants of Chinese heritage arrived in Adelaide from different countries. That means that these Chinese migrants all had different needs and settlement requirements in Australia.

A number of Chinese leaders recognised the need to establish a new organisation to provide more cult-friendly welfare services to cater for an increased number of Chinese migrants coming to Adelaide. To set up a new organisation at the time was not an easy task. A steering committee consisted of Mr Li Wen Jia, Mr Cui Zhijun, Mr Philip Ng and a handful of overseas Chinese students from China. The steering committee agreed that they needed to be incorporated legally as an SA body to get government grants, if necessary, to run a welfare service. They also recognised the need to demonstrate some results, to show the government that they were capable and committed to providing welfare services.

On 29 June 1991, Chinese Welfare Services was incorporated, and later that year it received its first government grant to assist their community. Once Chinese Welfare Services was formed and incorporated, they applied for a grant in aid funding to enable them to employ a full-time worker to provide services to their members. That then allowed them to employ staff and it allowed the Chinese Welfare Services to provide linguistically appropriate services to its members, and this position has continued over the last 25 years.

Presidents and committees have worked tirelessly throughout their terms to ensure the services and programs of Chinese Welfare Services are kept to the highest standards and are responsive to the needs of members and continue to address the concerns of their members and the Chinese community as a whole.

I wish to congratulate every president and committee member, past and present, on their contribution and dedication to the development and advancement of Chinese Welfare Services and the broader Chinese community. Along with a very successful committee, they also have an army of volunteers who give a lot of their time to develop new programs and things that are interesting and appropriate to the cult members within the association.

In 1989, at the beginning of Chinese Welfare Services, they did not have money to rent an office or employ a social worker to lay the foundations. The organising committee was grateful at the time to the Migrant Resource Centre, which provided a free-of-charge small room for clerical support at their Gouger Street office. Since its inception, a number of presidents have contributed greatly to the association and have influenced and had an impact on Chinese Welfare Services in so many different ways.

I would like to put on the public record my special thanks and acknowledgement to past presidents and pioneers of Chinese Welfare Services. The first president was Li Wen Jia, who operated from 1991 to 1995. Under his leadership the first Moon Lantern Festival was organised, along with a number of other events happening that day. I would like to especially mention that Li Wen Jia was one of the founders, together with Philip Ng and Cui Zhijun, who had the foresight to set up the association.

Mr Cui Zhijun deserves a special mention because, although he was not a president at all, he was the first vice-president and served as the longest vice-president for this association, for 12 years. His commitment has been outstanding.

The second president was Mr Joe Leung; he served from 1995 to 1999. He was the brains behind the first Chinese New Year celebration on Gouger Street in Chinatown. Later we know that other associations have taken up that responsibility to organise Chinese New Year festivities. I recall that in one of the speeches made by Philip Ng that he paid tribute to Joe Leung and said that Joe was his mentor. Joe Leung has guided Chinese Welfare Services to the right path of delivering services in a multicultural society. Joe was certainly quite a giant within the Chinese Welfare Services.

The third president was Mr Philip Ng, from 1999 to 2003. Philip (I would call him 'Uncle Philip', because he was a good friend to my father, and he also learned Chinese kung-fu from my dad, Sifu Lee) spent a lot of time with my brothers when we were teenagers. We had many memorable fishing trips together to the countryside in South Australia. Under Philip's leadership Chinese Welfare Services reached out to the broader South Australian community, and had lots of concerts and other events held during that time. They were also able to secure funding for things like the anti-smoking campaign, funded by the Department of Human Services, and also other lectures and art exhibitions during his term as president.

Mrs Esther Soong took over as president between 2003 to 2007, and under her leadership participation in the Australia Day parade became like an annual event for Chinese Welfare Services. A number of projects were actually established, such as the Living in Harmony Project and the first gambling awareness campaign, and she established a Chinese ethnic school, funded by the Ethnic Schools Board, as well as things like the commencing of the home and community care program, and many very relevant programs that were suitable for the Chinese Welfare Services members.

In 2007 to 2011, the wonderful Vivien Shae took over as president. Vivien was a very caring president. She is one of those most wonderful community leaders who would do everything for their members. She introduced things like the Positive Ageing Learning Cross Culturally project, and she also instigated the relocation of Chinese Welfare Services to Grote Street. She has also involved all the elderly and senior citizens in participating in celebrating the Olympics held in Beijing in 2008. They also ran the Sichuan Disaster World Music Concert in the Town Hall. She was very active and made a great contribution and impact to further the advancement of Chinese Welfare Services. In 2010, the Chinese Welfare Services website was then established under Vivien Shae's leadership. She is another wonderful contributor and, believe it or not, she stepped down as president, and now in 2016 she is back again as the president this year.

Mrs Cathy Chong, another wonderful community leader, is well known not only in the Chinese community but in the broader South Australian community. She took over from 2011 to 2015 as the president, and under her leadership new projects and activities for Chinese Welfare Services helped to engage seniors at a very intimate level. She was able to draw such a big crowd of seniors from Chinese Welfare Services to participate in singing classes, in mahjong, in various activities like dancing, etc. The Positive Ageing elements of the Chinese Welfare Services programs have really extended through the leadership of Cathy Chong.

Under her leadership, they also expanded their services in the Commonwealth Home Support Program with their bilingual staff, which is an increasing area of need because the community, as they grow older, go back to their roots more. They were able to enjoy different aspects of this home support program. It allowed them to be in the comfort of their own home and still get very qualified, insightful information about clinicians and visits to various services.

Students in the ethnic school of Chinese Welfare Services have also grown under the leadership of Cathy Chong. More than 100 students were not just learning about language, they were getting an appreciation about dance and Chinese performing arts. It allows students to participate in a way that connects the new generation back to the Chinese culture. Cathy played an enormous role as the president for Chinese Welfare Services. Under her leadership, Chinese Welfare Services also applied successfully for 13 different grants, besides a commonwealth grant that was given to them. Many of the programs benefited a great deal, for all the families as well as the senior citizens who are members of Chinese Welfare Services.

A community like Chinese Welfare Services would not operate so successfully without so many volunteers. There are about 70 volunteers who assist in all their programs and services. These volunteers have worked day and night to build the reputation of Chinese Welfare Services over the years. I have heard stories from various members I have spoken to that if seniors require help at 7, 8 or 9pm, or even when emergency calls are received at 11 or midnight, the volunteers will actually drop everything, wake up from their sleep if they need to, and rush to assist members within their community. It is that sort of spirit that really is the backbone of the community. I would like to congratulate those hardworking volunteers for their ongoing support to the community.

Obviously, in addition to all the presidents, who are volunteers themselves, there are also people like Kam Chiu, who is the executive officer for Chinese Welfare Services. Kam has been a

key dynamic driver of many programs. His work commitment is just outstanding. My office has worked with Mr Kam Chiu over many years now. My PA, Haley Welch, has said that he is just a wonderful person to deal with. He is always very courteous and any information that is requested of him is never too hard. He is just a wonderful volunteer, as well as the executive officer of Chinese Welfare Services.

Claudia Cream, who is another well-known identity in the Chinese community, has been able to assist with legal services and is a great fundraiser for the organisation. Michelle Dieu assisted with English classes and helped to apply for various governmental grants. Other key volunteers include Mrs Tam, who single-handedly provides Monday to Friday mahjong classes from 8am to late afternoon. It has almost become a full-time role.

Mr Martin Fong, has been a bookkeeper all these years. Mr Alistair Mackintosh has been another volunteer. Apparently, he was the first Australian volunteer of Chinese Welfare Services since its establishment in 1991. Mr Mackintosh's contribution to Chinese Welfare Services was invaluable. He assisted the organisation in applying for government grants and understanding any correspondence from the Public Service and departments. He stated in one of the newsletters in 2010 that:

> Because Chinese Welfare Services is a welfare organisation, it frequently has contact with government departments. This can be different because public service often use their own special language, which is confusing to the general community. When Chinese Welfare Services started I was able to help the committee to understand the pamphlets and leaflets that we received from government departments—

They needed to use appropriate and cultural language—

explaining their words in plain English.

Another volunteer is Yapp Hau Pehn, who needs a mention because he is the honorary legal adviser who has seen all the Chinese Welfare Services' development through the 25 years. Ms Chen, also organised many visitors' groups. Another gentleman I would like to highlight is Bill Bailey. Bill is a longstanding member of Chinese Welfare Services. He said of his involvement in the organisation—he is probably like an Aussie-Chinese now—that everything that the organisation does makes him feel at home. He classifies Chinese Welfare Services as his family.

Because of that family commitment, he presented a very large financial donation to Chinese Welfare Services, in the thousands, and I am not able to disclose the actual amount in my contribution today, but let us say that it is very substantial. To honour Bill's generous contribution, I was delighted to host a parliamentary luncheon last year to acknowledge his generosity. It has been a privilege to host a luncheon with the president and the committee of Chinese Welfare Services.

The Chinese Welfare Services' main objective since establishment has been to assist and support the settlement and social participation of Chinese migrants, as well as promote the Chinese cultural heritage to the wider South Australian community. In addition, it has been a strong voice and advocate for the members of the Chinese community. Through their advocacy, they have contributed to the development of public and government policies that encompass the interests of the Chinese community in South Australia.

Over the last 25 years it has made significant contributions to the cultural understanding and promotion of Chinese culture. It expanded its original membership of 45 in 1991 to now over 1,000 members, which is a significant fellowship of members and supporters. Its strong and unique and tailored programs, that address and continue to support those most vulnerable in the Chinese communities, such as migrants, families, disadvantaged youth and seniors, have been remarkable. So it is great to be able to pay tribute to the work of Chinese Welfare Services.

From providing settlement services to new migrants in the 1990s, Chinese Welfare Services now offers a wide range of services including Chinese language school, aged care, care and support services, with the main focus of assisting the elderly Chinese citizens with activities that enhance better living in our community. Some of the services include centre-based day-care, which involves talk-to-talk senior groups in Cantonese and Mandarin, Friday Fitness, which includes Tai Chi and Qi Gong Kung Fu classes, loving community visiting group, tax help programs, emergency relief, aged-care facility visits, grey power cultural performance at aged-care facilities and volunteer training.

They also conduct Parliament House tours, and I have hosted three of those. It is really lovely to have them in the house because they are very chatty. They want to find out why my chamber here is red and why there are green carpets. They show a lot of enthusiasm when they come through and ask all the questions under the sun, which is wonderful.

One of the major programs offered by Chinese Welfare Services is Home and Community Care—Be a Friend. This is a grant-funded program that provides home support and respite care to seniors who are frail, disabled and suffering from diseases and illnesses such as dementia. The benefit of this program is it enables and encourages those individuals to continue living independently in their own private homes. Many do not need or want to move into aged-care facilities; therefore, such programs assist seniors in staying home longer and more comfortably and really improve their wellbeing.

It is interesting to note that research has shown that many migrants in their senior years revert back to their native language. This can be a problematic issue with migrant seniors unable to be understood when solving day-to-day bills or making appointments to see doctors and for other essential services; therefore, providing multilingual services and programs to this community of Chinese migrants is extremely important. It allows the seniors to live comfortably and safely, of course, without all the stress.

The various projects and activities outlined by me earlier tend to draw seniors out of the house at least twice a week for exercises, for building friendship and mateship, and also for training in various ways. Language training allows them to understand how to access government services, etc. These programs also combine with other welfare associations, which is a core objective of Chinese Welfare Services because it then allows other friendships and strategic partnerships to be built around them.

In 2005, the Living in Harmony and Barriers Removed projects were two of the first community programs that promoted harmony and understanding of other cultures. For example, the project included the visitation of places of different faiths, such as churches and other groups. From this project, Chinese Welfare Services have formed long-lasting partnerships with other communities.

The Barriers Removed project actually linked Chinese Welfare Services with the Latvian, Hungarian and Italian communities. To this day, Chinese Welfare Services' tai chi classes teach more than 60 people, all from different cultural backgrounds. Many, as I mentioned, are from the Latvian, Hungarian and also Italian communities. This cross-cultural network has really benefited and enhanced the multicultural society of South Australia.

Earlier, I spoke about the Ethnic Schools Board. The school of Chinese Welfare Services is funded under the Ethnic Schools Board. The commitment of the school is to teach standard Chinese—Putonghua—and to ensure that such services are available to any child, not just from a Chinese family but any child from an Australian family as well, who wishes to learn Chinese, regardless of their background. The former chair of the Chinese School Management Committee and current president of Chinese Welfare Services, Vivien Shae, has stated that:

> We feel that the work of teaching Chinese language and culture at our school is important for the Chinese community in maintaining our language and culture as a whole for the future of our children. Learning is important for every child's identity and is also a children's right. For some children learning one's home language—

mother tongue—

> also helps in developing literacy and therefore helps in learning English.

The school itself is not only language based. A number of activities that focus on cultural customs are also taught at the school, such as the Chinese lion dance, cultural songs, poetry writing, lantern making and also arts and crafts that involve traditional arts and craft forms.

It is through this teaching and sharing that Chinese Welfare Services have been extremely successful with mainstream Australians and other migrants. Being able to share their customs and cultural traditions through the Chinese school allows the Chinese culture to be preserved and respected in the wider multicultural community in South Australia. I would like to thank Chinese Welfare Services for continuing to share and teach the Chinese language and culture.

Every year, Chinese Welfare Services have their school and dance groups perform at the OzAsia Festival to showcase Chinese culture and their passion for Chinese performing arts through local talents within a growing Chinese community in South Australia. It is great to see the students loving to be a part of OzAsia. They practise every day leading up to the festival. The OzAsia Festival is well known for its objective of promoting cultural harmony and social inclusion. As an ambassador for OzAsia and the shadow parliamentary secretary for multicultural affairs, I am proud and thrilled to see Chinese Welfare Services playing a wonderful role in supporting OzAsia.

Another significant event I wish to highlight that also promotes social inclusion is the World Music Project. The project was organised in 2008. It extended its community reach by working collaboratively with the African Burundian community, the Spanish community, the Greek community, the Italian community and also the Indian community to bring world music together. It is such a wonderful demonstration of working together towards a harmonious multicultural society. I want to congratulate them on this great initiative.

Another event I would like to highlight is the Brighton school concert with the Shanghai Conservatory of Music High School. This particular project brought them together with the legendary Jeffrey Kong, former head of music at Brighton school. Together, they organised a wonderful cultural concert at Park Lok restaurant. Members of the South Australian community were able to participate and enjoy performances by very talented students from Shanghai as well as local talents from Brighton Secondary School. It was an amazing concert. I was honoured to support this event by bringing a number of tables of friends to support this particular event. It is a great example of the collaboration between the overseas Shanghai Conservatory of Music High School and Brighton Secondary School.

With these very extensive remarks about Chinese Welfare Services, I would like once again to congratulate this wonderful organisation and all the individuals involved on such a remarkable voluntary effort in building this organisation to service the Chinese community of South Australia. With those remarks, I commend the motion to the chamber.

Debate adjourned on motion of Hon. S.G. Wade.

MEDICAL TREATMENT CONSENT

Adjourned debate on motion of Hon. K. L. Vincent:

That this council—

1. Notes the recent New Zealand case of Charley Hooper, the now 10-year-old girl whose parents had her undergo growth attenuation treatment, meaning that she will now never grow over 130 centimetres tall, as well as a hysterectomy and ovary removal at the age of seven due to her disability;

2. Notes that this case is not unique; in fact Hooper's parents drew inspiration from the 2004 case of a child with disability in Seattle, known only as 'Ashley X', who was subjected to the same treatment;

3. Notes that the use of growth attenuation and sterilisation as a response to disability is in fact known colloquially as The Ashley Treatment;

4. Condemns the use of medical treatment on the ground of disability without the consent of the person on whom the procedure is to be performed, or significant evidence that the procedure is necessary as all other options, including additional supports, have been exhausted;

5. Calls on the South Australian government to ensure that children and adults with disability in South Australia are legally protected from forced medical treatment (or the denial of medical treatment) without consent or consent by guardians who have a clear conflict of interest;

6. Calls on the commonwealth government to ensure nationally consistent protections around growth attenuation and sterilisation of children with disabilities; and

7. Calls for a total ban on such treatments for which there is no medical indication.

(Continued from 24 February 2016.)

The Hon. S.G. WADE (20:20): I rise on behalf of the Liberal team to support the motion moved by the Hon. Kelly Vincent on medical treatment consent. As Liberals, we have a fundamental commitment to the rights of individuals. As Australian Liberals, we recognise Australia's ratification

of the Convention on the Rights of Persons with Disabilities as an enunciation of the legal, social and political rights and freedoms of people with disability and our obligations under the convention. Article 1 of the convention states:

> The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

I would suggest to the council that two articles of the convention are particularly relevant to the motion before us tonight. Firstly, article 17 supports the rights of people with a disability to control their own bodies. Let me quote it:

> Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

Secondly, Article 25 supports the right of people with disability to consent or withhold consent from medical treatment. It reads as follows:

> States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.

It goes on to say that states parties shall:

> Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;

In supporting this motion, the Liberal Party reaffirms our party's core values and our nation's shared values to respect the rights of people with disability. These rights are fundamental, but the working out of those rights in the real world is by no means simple. The cases of Ashley X and Charley Hooper highlight the conflict that can emerge between the rights of people with disabilities and what other parties, such as parents and carers, believe is in the best interests of the person they care for or provide care to.

This motion highlights the rights of people with disability in relation to an emerging treatment—the Ashley Treatment—which involves growth attenuation and sterilisation. These procedures are extremely invasive and have the potential to have a significant emotional, mental and physical impact on the girls and women to whom it is administered. But let us be clear: you do not lose your rights because you have a disability. You do not lose your rights because you have a cognitive disability. You do not lose your rights because you are a woman. Like other women, females with disabilities, including intellectual disability, have the right to control their bodies and not have its development impeded without their consent.

The issues of consent to such treatment are more complex, particularly when a person with disability lives with a cognitive impairment. One of the ways that our law protects the rights of people with disability with a cognitive impairment is through the Guardianship and Administration Act 1993. Under section 61 of the act, prescribed treatment cannot be carried out on a person with a mental impairment without the South Australian Civil and Administrative Tribunal's consent.

Prescribed medical treatment is a category of medical intervention requiring special consideration. If a person cannot give effective consent because of their mental incapacity, the South Australian Civil and Administrative Tribunal is the only South Australian body that can consent to prescribed treatment on that person's behalf. The person's relative, guardian, enduring guardian or medical agent cannot provide substantive consent.

This motion, by focusing on the Ashley Treatment, does focus on particularly the medical treatments of sterilisation and growth attenuation. Sterilisation is a well-developed area in terms of both law and practice. As a matter of law, sterilisation is a prescribed medical treatment under the Guardianship and Administration Act. If sterilisation is proposed for a person with an intellectual disability, the treatment needs to be endorsed by the South Australian Civil and Administrative Tribunal.

As a matter of medical practice, let me quote the advice of the Royal Australian and New Zealand College of Obstetricians and Gynaecologists:

In addressing issues of fertility control for women with an intellectual disability, the least restrictive option and approaches—

Members interjecting:

The PRESIDENT: The Hon. Mr Wade is speaking on a very important issue here, so please respect that.

The Hon. S.G. WADE: Thank you, Mr President—

which are similar to those one would consider for women of the same age but without an intellectual disability, are the most appropriate. Reversible methods such as long acting reversible contraceptive implants (eg., Implanon or Mirena) should be considered in preference to irreversible surgical options.

Let me reiterate the point that, as a matter of both law and practice, women with an intellectual disability are protected in South Australia. The motion highlights, however, that growth attenuation therapy is not subject to the same oversight. This treatment itself is not new. Similar treatment was administered in the 1950s to girls without a cognitive disability, or should I say not necessarily with a cognitive disability. It was particularly applied to young girls who it was believed might become very tall in an era when tall women were thought less attractive and less eligible brides. So let us not sneer at cultures which valued long necks or small feet, because we have our own peculiarities.

I have a friend who was subject to growth attenuation therapy in the 1950s as a child and she does not have a cognitive impairment. Her father was six foot seven, her son is six foot eight and she was predicted to grow to six foot two. Growth attenuation therapy was administered to her by her parents as a girl and she eventually grew to five foot 11. In other words, the therapy had an impact of three inches. Some may see the therapy as successful because she found a six-foot high man and they have been happily married for 35 years.

I think the fact that growth attenuation therapy has been used on tall girls at risk of becoming tall women is a fascinating historical insight in terms of what is called the social model of disability. The social model of disability says that disability is caused by the way that society is organised rather than by a person's impairment or difference. This model would say, for example, that tall height was being treated as a disability in the 1950s not because young girls or women were being impaired by their height but because society's response to their physical attribute was negative, so they were considered less eligible. As a person who is looked down on by a small woman, and I do not understand that, but apparently that is what was happening in the fifties.

In recent times, growth attenuation therapy is more often sought by parents and carers of children with severe disabilities, but I would suggest that the tall women or tall girls' experience of the 1950s should make us alert to respecting the rights of girls and women with a disability and alert to the fact that our views might be significantly influenced by our social response to the attribute rather than to their needs. On this point, I would share the comments provided to me on this therapy by the Australian Medical Association SA branch. I quote:

Growth attenuation therapy is controversial and inherently poses significant ethical and clinical issues. Like any medical intervention that could be applied for social reasons, it is important to hold the patient's interests as paramount—not the interests of third parties.

Later, the association states its own position in the following terms:

The AMA(SA) does not support medical interventions and treatments that don't have proven benefits for the patient. It cannot support any practice for which there is no medical indication.

The Liberal Party supports this motion. I thank the Hon. Kelly Vincent for turning a spotlight on this important issue. For me, one of the tangible questions that it has raised is whether growth attenuation therapy should become a prescribed medical treatment under the Guardianship and Administration Act. While I am yet to be enlightened by the wisdom of my party room on that particular point, I suspect that it should be. On behalf of the Liberal team, I support the motion.

The Hon. A.L. McLACHLAN (20:30): I concur with the matters raised by my honourable friend Mr Wade and I rise to add my voice in support of the motion. The motion has been moved by the Hon. Kelly Vincent in response to two cases involving forced sterilisation and growth attenuation treatment of children.

The first case, which occurred in Seattle, Washington, involved a child who has been referred to as 'Ashley X'. Ashley was born with a developmental disability and when she was six years old her parents had her undergo a full hysterectomy. She later also had her appendix removed and then underwent and completed growth attenuation treatment. It is important to note that the hospital at which they conducted the hysterectomy later admitted that the procedure was performed unlawfully because it was done without a court order. The second case, which has been brought to the attention of this chamber, is that of Charley Hooper, who was born blind and with cerebral palsy in New Zealand.

In supporting this motion, I note that under Australian law a court order is required before this type of treatment is performed. I also note that, in July 2013, the commonwealth Senate Community Affairs Reference Committee conducted a parliamentary inquiry into this issue. In its report, titled 'The involuntary or coerced sterilisation of people with disabilities in Australia', the Senate committee drew attention to a High Court decision titled Secretary, Department of Health and Community Services (NT) v JWB and SMB (1992) 66 ALJR 300. In that decision, the High Court held that decisions about non-therapeutic sterilisation of children fall outside the scope of parental authority and that court authorisation is required.

The High Court identified two reasons for finding that parents are unable to validly consent to the non-therapeutic sterilisation of their child. I will quote briefly from the judgement:

> Court authorisation is required, first, because of the significant risk of making the wrong decision, either as to a child's present or future capacity to consent or about what are the best interests of a child who cannot consent, and secondly, because the consequences of a wrong decision are particularly grave.

The Senate report found that there was a strong, clear and consistent theme across the evidence to the inquiry that the regulation of sterilisation of persons with disabilities is a human rights issue. The view is held by individuals, academics and members of the medical professions as well as by disability advocates.

I thank the Hon. Kelly Vincent for bringing the issue to the attention of the chamber. There will sadly be occasions where certain treatments may be medically required, and I note that the Hon. Kelly Vincent recognised this when moving her motion by only calling for a total ban on treatments when there is not medical indication. I support the motion.

The Hon. T.A. FRANKS (20:33): I rise briefly on behalf of the Greens to also support the motion and to concur with the speakers before me, the Hon. Stephen Wade and the Hon. Andrew McLachlan, in their observations and to also congratulate the Hon. Kelly Vincent on yet again bringing issues to this place that would otherwise go undiscussed. I think those who are aware of the disability sector are aware particularly of Women With Disabilities Australia's fine work in the area of the much higher rates of sexual abuse of women with disabilities.

The Hon. Kelly Vincent has raised concerns about there being perceived protections, through the use of these procedures, against sexual abuse for people with disabilities. I think and I concur with the Hon. Kelly Vincent, in my interpretation of her speech to this motion, that this is ill-informed, because those who seek to sexually abuse others do not necessarily do so on the basis of the appearance or attributes of the person they sexually abuse. So, that is no protection whatsoever, and should be seen as irrelevant to this debate.

I also note that the Hon. Kelly Vincent, in drafting this motion and doing the research, did meet with the AMA (Australian Medical Association of South Australia) and also drew the words 'no medical indication' from the advice that she received from them. Certainly, this motion draws attention to something that the Greens have raised in this place before with regard to the transportation and harvesting of organs, and that is the rise of medical tourism. It means that not only should we move these protections today in the words of the motion, protecting those who are in South Australia—and this will be within the realm of the government's purview, the ministerial purview, and that of the department—but we should also look to ensure that people are not going overseas to undertake these sorts of procedures.

With those few words, I commend the honourable member for bringing this matter before our chamber, for exposing this issue, and presenting what is quite a sensible approach to it.

The Hon. K.L. VINCENT (20:35): Just to sum up, I would like to thank those who have contributed to this motion, all of whom have indicated their support, and that is very much appreciated.

The Hon. Mr Wade reminded us of some very important factors, including the fact that Australia is a signatory to the United Nations Convention on the Rights of Persons with Disabilities, and I will elaborate on that in just a moment. He also reminded us that while SACAT approval would be required explicitly for sterilisation of people with disabilities, it is not necessarily or explicitly required for growth attenuation treatment. That is something that we need to be aware of, and we will work on that.

I am pleased to hear that I seem to fit the height requirements of Mr Wade's example of women who are deemed to be too tall to be a suitable bride, such that if my ethics should ever change so drastically that I wished to become a bride, it is comforting to know that I have the option. Of course, while that is a somewhat comedic example, it is also a very important one. It shows us how our cultural values as a society and as a community can alter drastically, and I would hope very dearly that in the near future we will look upon the forced sterilisation, in particular, of people with disabilities as something to be dismissed outright in the same way that I hope we would all now dismiss outright the idea that women should be stopped from growing to a certain height in case that stops them from being desirable brides.

The Hon. Mr Wade also pointed out that the Australian Medical Association (South Australia) branch does oppose the use of this treatment where there is no medical indication, aside from the disability, and on that I would like to add a few remarks. Firstly, I would like to put on the record a couple of comments relating to Ms Charley Hooper. My office has been in contact with the mother of Charley, Ms Jenn Hooper, who has stated that she believes I have made incorrect comments regarding the hysterectomy that Charley underwent.

So, I will put on the record again that Charley did have her uterus removed but add that, based on information that I have since received from her mother, Charley showed signs of precocious puberty at the age of four and that by the time she was seven (as her mother puts it) she had a full-sized uterus in the body of a seven year old. Her mother has advised that this put her at risk, if she did menstruate, and that the removal of her uterus was for this reason. Her mother was advised that the procedure was medically necessary because of that condition.

As I have stated in my motion, as other speakers have pointed out, where there is a situation where the treatment is medically indicated, it is appropriate and should be respected. Ms Hooper has also stated that I put nothing on the record about the positive effects of oestrogen therapy for non-weight bearing children, in particular, in terms of increasing their bone strength, therefore reducing their risk of developing conditions like osteoporosis.

Her mother advises me that it was clear that Charley experienced a reduction in her pain after three days on oestrogen therapy and that she has had no seizures since; further stating that subsequent to therapy complete cessation of Charley's epilepsy occurred, which was previously manifesting in some hundreds of seizures a day. I reiterate that where the procedure is proven to have medical benefit and be medically necessary I would support that, and again I would like to make that clear.

When I introduced this motion I spoke somewhat about the cases both of Charley Hooper and Ashley X, in New Zealand and the United States of America respectively, which prompted me to have this philosophical discussion and put this motion up for debate here in South Australia so that we can prevent this from happening unnecessarily in this state. Let me make it very clear why I took this action. I was elected as a member of parliament representing Dignity for Disability, a political party established with human rights at its very foundation.

People with disabilities in this country often—too often—have had our rights, our autonomy, our agency, our ability to be seen as a person first and not just our disability, taken away from us far too often. Yes, we have had many positive strides, among them the Disability Justice Plan, the rollout of the National Disability Insurance Scheme and a decrease in the institutionalisation of people with disabilities, at least no longer occurring in the same fashion that it did quite commonly only a few decades ago.

I put this motion forward to this parliament as an example of just how far we have yet to go because still every day my office works with constituents who do not have access to basic equipment, accommodation, education, employment services or other needs met. We do not have a single accessible changing place toilet here in South Australia which may make it easier for people with conditions, such as the people we are talking about, to live their lives. Students with disability still face exclusion and bullying all too regularly but, of course, one incident of bullying is too many.

It is seen as a revolution when universal design is incorporated in any way in our planning laws, despite the fact that this very term is used in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). As I said earlier (and other speakers have as well) Australia is, of course, a signatory to this convention and further signed on to the ratified protocol. Providing access to the community, to life and to everything else people with disabilities should have access to is not about making us feel good as a society, it is our international legal obligation under the UNCRPD.

I take incredibly seriously my role in advocating on behalf of all South Australians, particularly those with disabilities, conditions, illnesses and other circumstances which may increase their susceptibility of being subjected to irreversible medical conditions or treatment before it is medically indicated, especially where they are not able to consent and their future ability to consent may not have been established. Please note very plainly that while this is not about individual cases, I do want a South Australia where it is ensured that this procedure is banned, again, where there is no clear existing medical indication.

There are many articles from the UNCRPD that support this, including respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities. That is, and I reiterate the same point I made in my original speech, that it is the right of children, whether or not they are disabled, to grow up to their potential physically, emotionally and mentally. Of course, the UNCRPD also reminds us of our obligation to ensure that children with disability have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and their maturity on an equal basis with all other children and to be provided with disability and age-appropriate assistance to realise that right.

The UNCRPD also tells us that every person with a disability has a right to respect for his or her physical and mental integrity on an equal basis with all others, as, of course, the Hon. Mr Wade, in particular, in his contribution has reminded us.

Finally, touching briefly on Article 25, which pertains to health, we, of course, are reminded that we are obliged as a society and as a signatory to the UNCRPD to ensure that persons with a disability have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability, and take all appropriate measures to ensure access for persons with disabilities to health services that are gender sensitive, including health-related rehabilitation. This includes requiring health professionals to provide care of the same quality to persons with disabilities as others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care.

As you can see, all of those articles and sections that I have touched on and potentially some more within the UNCRPD make crystal clear points about the rights of people with disabilities, but it is important to remember also that these are not simply statements. The UNCRPD and any other United Nations' convention for that matter does not achieve rights in and of itself. Members will recall that when I introduced this motion I raised my concerns about a response I had received from the Minister for Health stating his belief that existing measures like SACAT and the UNCRPD provided adequate protection for people with disabilities against this treatment without medical indication. That is me paraphrasing and I hope I have not misquoted the minister.

My point is that the document, the UNCRPD, is just that and it is incumbent on all of us and we are all obliged to make sure that we use that document as guiding principles—guiding principles for actions that must be taken because these rights are not met and these obligations are not met simply by our becoming a signatory. The work is only beginning. There is action that must be taken, so if we do not keep the UNCRPD and all other relevant human rights documents at the front of our

minds at all times and actively discuss them through public discourse on a regular basis, we may well see our rights eroded. It is not without constant surveillance and discussion that we maintain our rights.

With those words, I commend the motion to the chamber, and again make it clear that what I am seeking here is not a personal attack on any one person or family, but a discussion about how we as a parliament and a society maintain our international obligations.

Motion carried.

Bills

FAMILY RELATIONSHIPS (PARENTAGE PRESUMPTIONS) AMENDMENT BILL

Final Stages

Consideration in committee of the House of Assembly's message.

The Hon. T.A. FRANKS: I move:

That the additional amendments made by the House of Assembly to the Legislative Council's additional amendment to schedule A1 be agreed to.

The CHAIR: Do you want to talk about it?

The Hon. T.A. FRANKS: I see no point. We voted on this over a year ago now, June 2015. I would like to get on with the bill.

The CHAIR: I don't have a problem if you don't want to talk; we don't want a lecture. The Hon. Mr Lucas.

The Hon. R.I. LUCAS: As members would be aware, my view has been a minority view on this legislation, but I am interested in the majority view. If the Hon. Ms Franks does not want to explain it, maybe the Hon. Mr Kandelaars might. As I understood it, the last time we were here the majority supported an amendment moved by the Hon. Mr Kandelaars. That was the majority view. But as I understand the position in relation to what the Hon. Ms Franks is now moving—I think she thwarted the Hon. Mr Kandelaars last time—is that the council is now being asked to not support the Hon. Mr Kandelaars' amendment that was supported last time. So perhaps the Hon. Mr Kandelaars could explain whether that is indeed the case and whether he is actually moving from that position as well.

The Hon. G.A. KANDELAARS: Given the Hon. Rob Lucas's prompting, firstly, let us be clear: the amendments made in the other place by the Hon. John Rau essentially did something that was already part of births, deaths and marriages in terms of who could actually access a birth certificate, so he just clarified that. In terms of the second part, which I think was an amendment moved by the member for Newland, it was to, in effect, waiver the amendment that I put that allowed a 12-month leeway in terms of the application of the bill.

To be honest, I only did that for the sake of the fact that there was currently a review being undertaken in terms of the Assisted Reproductive Treatment Act. The thought was that that may ultimately recommend that the register be dealt with by the Department for Health rather than through births, deaths and marriages.

The amendment that the member for Newland put essentially means that the act comes into operation within three months, but should there be a subsequent change because of the Assisted Reproductive Treatment Act it would take over the operation. That explains where we are now. I can indicate from my point of view that I am quite prepared to accept the changes made by the other place. That should put this whole thing into operation.

The Hon. R.I. LUCAS: Can I just clarify? As I understand it, in terms of the schedule of the consequential amendment made by the Legislative Council to which the House of Assembly has disagreed, the House of Assembly has disagreed to one of the amendments that the Legislative Council moved. Am I correct in assuming that that was the amendment moved by the Hon. Mr Kandelaars? I think that is what he just said, but I just want to clarify that that is the case.

And if that is the case, whilst he moved the amendment and the majority supported him last time, he is now of a different view, for the reasons that he has just outlined?

The Hon. G.A. KANDELAARS: Yes, that is correct. Just to clarify, because of the nature of how this will be put to the house the second consequential amendment has to be put to the house in a positive fashion; so once it is moved we will be moving against that.

The Hon. G.E. Gago: Not insisting.

The Hon. G.A. KANDELAARS: Not insisting on the Legislative Council consequential amendment, which was the amendment that I put, yes. That is one of the vagaries of how we put motions in this place.

The Hon. R.I. LUCAS: As I said, my view that I expressed was a minority view on the original legislation. I do not intend to argue again the case. My views on that particular occasion were placed on the record, and it was a minority view rather than the majority view of this council. We then got into this backwards and forwards between the houses with various amendments from the member for Newland, the Attorney-General, the Hon. Mr Kandelaars and others, and essentially the issues that are being pursued—

The Hon. T.A. Franks: Who else moved an amendment?

The Hon. R.I. LUCAS: Well, I could not keep up with all of them, the Hon. Ms Franks, there have been so many going backwards and forwards. As the Hon. Ms Franks indicates, this has been for some 12 to 18 months, evidently, going backwards and forwards between the two houses of parliament. On the last occasion this was debated in this particular chamber, and then again in the House of Assembly, there has been, I think, some confusion from some members in both houses of parliament as to the detailed impact of some of the amendments that were being moved both in the House of Assembly and in the Legislative Council.

I think the fact that the Hon. Mr Kandelaars and others would appear to be actually now voting against an amendment they supported a few months ago is a fair indication that not everyone understood the details of the amendments that were being moved at the time and they have now, on reflection, adopted a different position. That is entirely their prerogative, but I think is an indication that these amendments have created some confusion in the mind of some members.

The essential concern that I and a small number of other members have had has not generally related to the issues that are being pursued in the amendment the Hon. Mr Kandelaars moved, or the amendment the member for Newland had moved. They essentially relate to the substantive issue that was being pursued in the legislation, and I accept the fact that the majority in both houses of the parliament is taking a different view.

For those reasons, this is a complicated process, as the Hon. Mr Kandelaars has indicated, and by way of interjection the Hon. Ms Gago has endorsed as well, in that we will be asked to support some and not insist on other amendments in relation to the actual motion that will be pursued. If those in the minority view, such as my own, vote against this, it does not essentially defeat the legislation, although in the end potentially it drives this piece of legislation to a conference of managers between the houses. That is unlikely because there is not a majority view that will pursue that particular case or support that particular view.

Of course, if you got to a conference of managers and both houses could not agree, then the bill would lapse as a result of that. For those reasons, I will not be supporting the amendments, but I do not propose myself to call divide in relation to them because—

The Hon. T.A. Franks: Because it worked so well last time?

The Hon. R.I. LUCAS: Well, I do not think the Hon. Ms Franks can talk: she, together with others, is actually opposing an amendment they supported last time.

The Hon. G.E. Gago interjecting:

The Hon. R.I. LUCAS: I am entitled to put a point of view.

The Hon. G.E. Gago: We've heard it.

The CHAIR: Order! The Hon. Mr Lucas has every right to make his opinions heard, and the less interjection the quicker we will get out of here. The Hon. Mr Lucas.

The Hon. R.I. LUCAS: Thank you, Mr Chairman. For those reasons, a vote for or against these amendments will not in my view be a vote for or against the principal issues that are canvassed in the legislation. So, for those reasons, as I said, whilst I will not be supporting the various amendments, I personally do not propose to call divide for the reasons I have outlined; nevertheless, I remain opposed to the primary purpose of the legislation, as I outlined a year or so ago.

The Hon. D.G.E. HOOD: Very quickly, I indicate for the record that Family First did not support this initially, and that remains our position.

The Hon. T.J. STEPHENS: I missed the opportunity to speak last time. We went through a process that was a little unusual by continuing to sit past an agreed time, and I would have certainly supported the Hon. Robert Lucas when he would have called divide. I would have been the second voice. I want to be on the record as having said that.

Motion carried.

The Hon. T.A. FRANKS: I move:

That the Legislative Council's consequential amendment to clause 2, page 2, lines 6 to 8 be not insisted upon.

Motion carried.

At 21:02 the council adjourned until Thursday 9 June 2016 at 14:15.

Answers to Questions

COUNTRY FIRE SERVICE

In reply to **the Hon. R.L. BROKENSHIRE** (23 March 2016).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I am advised:

The South Australian Country Fire Service (CFS) is not aware of any personality clashes in relation to the use of aerial firefighting foams, gels and water enhancers.

I am further advised the CFS used 620 litres of Blaze Tamer 380 concentrate to undertake 34 drops (102,000 litres) on the Kyeema and Mosquito Hill fires during this last summer. The CFS stocks and uses Blaze Tamer 380 out of its Cherry Gardens Airbase.

Cherry Gardens is traditionally the busiest airbase in the Adelaide Hills after Woodside and all water enhancer product used from this base is Blaze Tamer 380.

COUNTRY FIRE SERVICE

In reply to **the Hon. A.L. McLACHLAN** (23 March 2016).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I am advised:

Aerial firefighting chemicals are divided into three categories; foams, water enhancers, and retardants. Blaze Tamer 380 is classified as a water enhancer. The South Australian Country Fire Service (CFS) currently uses three different types of water enhancers including Blaze Tamer 380 for aerial firefighting.

Although no Blaze Tamer 380 water enhancing product was used at the Sampson Flat or Pinery fires, I am advised aerial firefighting water enhancing products used at the Sampson Flat fire were taken from existing CFS stocks held at Woodside and Gawler airbases.

These water enhancers are operationally equivalent products to Blaze Tamer 380 and used extensively across Australia and in the Northern Hemisphere. They are also listed on the USDA qualified products list.

I am further advised by the CFS, a decision was made to use aerial firefighting foam during the Pinery fire based on the Air Attack Supervisors' operational assessments, in consultation with bomber pilots and ground crew assessments of the conditions and fire behaviour on-scene.

However, the CFS used 620 litres of Blaze Tamer 380 concentrate to undertake 34 drops (102,000 litres) on the Kyeema and Mosquito Hill fires during this last summer. The CFS stocks and uses Blaze Tamer 380 out of its Cherry Gardens Airbase.

Cherry Gardens is traditionally the busiest airbase in the Adelaide Hills after Woodside and all water enhancer product used from this base is Blaze Tamer 380.