LEGISLATIVE COUNCIL

Wednesday, 27 July 2016

The PRESIDENT (Hon. R.P. Wortley) took the chair at 12:03 and read prayers.

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

Bills

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL

Conference

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) (12:04): I move:

That the sitting of the council be not suspended during the conference on the bill.

Motion carried.

Parliamentary Procedure

SITTINGS AND BUSINESS

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) (12:04): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers, question time, notices of motion and orders of the day, private business to be taken into consideration at 2.15pm.

Motion carried.

Bills

HOUSING IMPROVEMENT BILL

Committee Stage

In committee.

(Continued from 26 July 2016.)

Clause 11.

The CHAIR: Following on from yesterday, we are up to clause 11, and we have two amendments that have been moved, one from the minister and one from the Hon. Ms Lee. Minister.

The Hon. I.K. HUNTER: After a lot of incredible work last night I can report to the chamber that we have peace in our time. Due to the great efforts of the Hon. Jing Lee, ministerial adviser Mr Jeremy Makin, departmental advisers Mr Paul Reardon, Julia Mangan and Linley May, we have come to a compromise position which I think we can all agree on. Just to advise the chamber what that will look like we will go through the motions now.

We are resuming debate at clause 11. I think amendment No. 1 has been accepted already. The government intends to withdraw amendments Nos 2 to 6, based on an agreed revision of amendment No. 2 to be filed by the Hon. Jing Lee, which I think has happened, and then we will move on to further amendments after that.

The Hon. J.S. LEE: Thank you to the minister for his very wise cooperation and also the ministerial staffers for working closely with me on these issues. For now we are dealing with the set

of amendments [Lee–3] of today, 27 July, under my name. Amendment No. 1 is a technical amendment.

The CHAIR: That has already been done.

The Hon. J.S. LEE: Yes, done. The second amendment that we are now dealing with relates to clause 11(1)(a). Under the current legislation a government employee will be able to turn up at a private home unannounced and use reasonable force to enter that home if they suspect a dangerous situation. In order to give some protection to owner-occupiers we feel that this not giving of notice amounts to a massive infringement on the rights of the home owners and a breach of privacy if there is no requirement to give any form of notice of an inspection. Therefore this amendment reads as to enter the premises for the purpose of carrying out an inspection of the premises provided that if the authorised officer believes on reasonable grounds that the premises pose or may pose an imminent risk of death or serious injury or illness—

The CHAIR: Can you seek leave to withdraw your current amendment—clause 11 amendment No. 2 [Lee-2], the one you moved yesterday.

The Hon. J.S. LEE: I seek leave to withdraw amendment No. 2 [Lee–2].

Leave granted.

The CHAIR: Minister, do you want to withdraw yours as well?

The Hon. I.K. HUNTER: Yes, Mr Chairman, and thank you for that guidance. The government seeks leave to withdraw amendments Nos 2 to 6.

Leave granted.

The CHAIR: Hon. Ms Lee, you can now move your new amendment No. 2.

The Hon. J.S. LEE: I move:

Amendment No 2 [Lee–3]—

Page 10, line 27 [clause 11(1)(a)]—Delete paragraph (a) and substitute:

(a) enter the premises for the purposes of carrying out an inspection of the premises, provided that—

(i) if the authorised officer believes on reasonable grounds that the premises pose or may pose an imminent risk of death or serious injury or illness to occupiers of the premises—the owner or occupier is notified prior to the proposed entry; or

(ii) in any other case—at least 5 working days notice is given to the owner or occupier of the proposed entry (or such shorter period as may be requested or consented to by the owner or occupier);

As indicated before, the reason for moving this amendment is to allow owner-occupiers to receive notification to enter the premises, as a courtesy, as well as allowing the owners, just in case there are pets in the house and there are other things and children who need to be taken care of, to do something about it prior to an officer entering the premises. Also, we believe that in any other cases when there is no imminent risk, five working days should be allowed so that owner-occupiers can apply for leave to their work and have plenty of time to organise things prior to an officer entering the home.

The Hon. I.K. HUNTER: We congratulate, again, the Hon. Jing Lee on this very sensible compromise position. We will be supporting this amendment. This amendment recognises the circumstances where there is a risk of serious injury or death which will require immediate action. We are grateful for that position, but then, in the other situations, we recognise also that five days is reasonable notice when there is no urgent need. On that basis, we are happy to support the amendment.

The Hon. M.C. PARNELL: Whilst I appreciate the congratulations and thanks all around, those of us on the crossbench who were not party to these negotiations do need to satisfy ourselves in relation to the agreement that was reached. I will address my questions to the minister, I think, rather than to the mover.

The question before us was: how much notice must be given? The starting point, I think, is that, in relation to residential premises, notice is not usually a problem because it is most likely the tenant who is complaining about the condition of premises, and they are going to welcome an officer coming to visit and to check out the problem. The notice period is more likely to be a live issue in relation to owner-occupied dwellings.

The compromise amendment that seems to have been reached here is a two-standard process. The default position of notice is five working days. The discussion that we left it at yesterday was whether it was going to be a prescribed period or a reasonable period of notice. We have now got five days, but the exception to that general rule is where the authorised officer believes, on reasonable grounds, that the premises pose, or may pose, an imminent risk of death or serious injury or illness to occupiers of the premises.

What I would like the minister to do is to explain a little more, if he can, that test, because it seems to me a very high bar: imminent risk of death. When I had my briefing with departmental officers, they referred, for example, to a chimney that might topple over and might injure someone, or might fall onto a public place, or might fall onto an adjoining property. What I am not sure about is: I wonder how often that threshold will be met, where premises pose an imminent risk of death or serious injury? It would seem to me that, whether you have a wall or a chimney or something that may fail at some point—in fact, it probably will fail at some point—it is unstable, it is going to fall, whether it falls will depend on the weather. For example, does the wind blow the wall over or blow the chimney over? How does the minister expect that test will be interpreted: imminent risk of death or serious injury?

The Hon. I.K. HUNTER: I thank the honourable member for his question, teasing these things out. My advice is that most often the person residing in the premises has initiated the complaint and would be welcoming of quick action. However, we believe that the words do give us the ability to act because the officer—who will be trained in these things—will have to form a reasonable view, or a view on reasonable grounds, that the premises may pose an imminent risk, not just of death but, if you read on, serious injury or indeed illness. So, for example, the chimney that the honourable member mentions, which was mentioned to him, and there could be other situations you could think of—for example, load-bearing joists that have been eaten out by termites and could collapse; supporting beams; verandas—which do offer some imminent risk of death or serious injury in the view of a trained officer who would form an opinion based on those reasonable grounds.

The Hon. M.C. PARNELL: I will just keep going on that line, if I can. I thank the minister for his answer. Just to make it clear, the time period in this situation, where the authorised officer believes that the premises pose or may pose an imminent risk of death or serious injury, the notice period basically is any period. In other words, the notice period is that the owner or occupier is notified prior to the proposed entry.

Is there no scope for an authorised officer to enter and inspect premises, even if the premises do pose an imminent risk of death, if no-one is home to talk to, there is no way that the authorised officer can undertake an inspection, if that inspection involves entry on to the premises? Can I get the minister to clarify that there is no capacity for any authorised officer to attend without having given at least some notice to an owner or occupier?

The Hon. I.K. HUNTER: My advice is that if you read further on into the bill, page 11, clause 11(3) under Powers of authorised officers. This clause does allow an authorised officer to use reasonable force to enter any residential premises for

(a) on the authority of a warrant issued by a magistrate; or

(b) if the officer believes, on reasonable grounds, that the circumstances require immediate action to be taken.

There is another opportunity for immediate action, where you do not need to supply notice.

The Hon. K.L. VINCENT: For the sake of clarity, could I seek from the minister some definition of 'serious injury' for the record. At what point does a person cross the threshold from injury to serious injury?

The Hon. I.K. HUNTER: My advice is that it is impossible for us as legislators to predict every set of circumstances and allow for it in legislation like this. This is why we leave these judgements up to that of a trained officer, to make a decision based on their experience, based on their training and based on past legal precedent too about the definition of such things. They would have training in that area and make a judgement based on that experience.

The Hon. M.C. PARNELL: I am not going to press this point too far but I will just make the point that often when these things are done on the run there are unintended consequences. The amendment that we are about to pass relates to the threshold question of whether a person is allowed to enter premises. The subsection that the minister just referred to is in relation to the manner of entry, being a forced entry. It strikes me that these two things together mean that, unless somebody is home, the authorised officer cannot just break down the door, regardless of whatever suspicion they form, because the threshold question of their entitlement to entry is not met, therefore the question of the manner of entry, either by invitation or by force, does not arise.

I am not going to make a big deal of it. I do not think it will arise in very many circumstances. I just make the point that, whilst I appreciate that members have got their heads together to try to work out a solution, I do not think they have got it quite right. I do not think any great harm is done by it, so the Greens will be supporting the amendment.

The Hon. I.K. HUNTER: I take the points and the concern that the honourable member raises but my advice is that notice could be a knock on the door and a conversation or a letter in the letterbox. I am sure there is past precedent on this. Notwithstanding that, we are reasonably confident, on my advice, that should there be an imminent risk there would be the ability for an officer to make entry.

The Hon. D.G.E. HOOD: I would like to take the opportunity to commend the Hon. Ms Lee in this situation. She presented the amendment some time ago on this legislation and she has stuck firmly to her guns and been resolute in her commitment to achieving a change in this bill, which I think is not probably exactly what she wanted, but nonetheless it is probably 80 per cent there and I think it is an example of some good work having been done. We had intended to support the amendment in its original form. I indicate that we will be supporting it in its new form.

The Hon. K.L. VINCENT: Again, just for the sake of clarity, members will recall that Dignity for Disability was not inclined to support the previous Liberal amendment because we were concerned that safety officers may not be given enough flexibility to intervene where a house could potentially impose on the safety and wellbeing of the residents in other houses around that house. Because we did appreciate the intent of the original amendment, we are happy to see that a compromise has been reached. We congratulate Ms Lee and the opposition on that, and we are happy to proceed with the newly proposed amendment.

Amendment carried.

The Hon. J.S. LEE: I move:

Amendment No 3 [Lee–3]—

Page 11, after line 5—After subsection (1) insert:

(1a) An authorised officer's powers under subsection (1) are qualified as follows:

(a) the authorised officer must not exercise the power of entry in relation to residential premises unless there are reasonable grounds to believe that the premises—

(i) are or may be unsafe or unsuitable for human habitation; or

(ii) are occupied under a residential tenancy agreement;

(b) if, after entering residential premises, the authorised officer forms the view that the premises are not unsafe or unsuitable for human habitation, the officer must leave the premises immediately.

Initially, the legislation did not provide any reasonable grounds for any officers to actually enter the premises. We argue that instead of it being like a witch-hunt, issuing any orders for any officers to enter premises, we need reasonable grounds to be prescribed under the act.

The Hon. I.K. HUNTER: This is virtually the same as amendment No. 3 [Lee–2], so in that case we support the amendment.

The Hon. M.C. PARNELL: The Greens will support this amendment. I appreciate that the power of authorised officers needs to be exercised at least in accordance with some notion that there is something to be found, rather than just entering premises for the sake of it. I think this does make sense. I think also it is probably fair to say that we are talking about, effectively, a complaint-driven regime, and so the authorised officers' reasonable grounds would come from the fact that someone has complained, whether it be a neighbour or, in most cases, a tenant.

It does make sense to limit their ability to willy-nilly enter any premises just to see if there is something wrong. They have to at least have a starting position that someone has complained. Also, the authorised officer could form a view from the exterior of the property. You could see from the street that it looks like something where someone should go and have a look inside to see what is wrong, but it cannot be just an arbitrary attendance at the premises, so I think this amendment makes sense.

Amendment carried.

The Hon. J.S. LEE: I move:

Amendment No 4 [Lee–3]—

Page 11, lines 29 to 41 (inclusive) [clause 11(7) and (8)]—Delete subsections (7) and (8) and substitute:

(7) Despite any preceding provision of this section, a person is excused from answering a question or providing information or a document under this section on the ground that the answer to the question, or the information or document, may tend to incriminate that person or expose that person to a penalty.

This provision was discussed with the Hon. John Darley and to some extent with the Hon. Dennis Hood as well. I thank both members for their contribution. This is an area where incrimination of the person exposes them to penalties, so we feel that that ought to be included as a form of protection. The Hon. John Darley particularly wanted this to be included.

The Hon. I.K. HUNTER: We are happy to support this amendment, because in our eyes the condition of housing is something that can be visually inspected and does not require any intensive interrogation or provision of documentation.

The Hon. M.C. PARNELL: The Greens will also support this amendment. Again, like the minister, I am trying to work out in what circumstances self-incrimination might be involved. The only example I can think of is that an authorised officer might want to ask whether certain extensions to the home or certain home improvements have actually been properly authorised through a development approval or a building consent through the local council.

Of course, building without consent is an offence. Therefore, when faced with shoddy work, whilst the authorised officer might want to ask whether an approval was granted, the person is not obliged to answer. Again, the information could easily be obtained from the council by inspecting their records, so I do not think this will have a lot of work to do, but the principle against self-incrimination is important and it makes sense to incorporate it into this bill.

Amendment carried; clause as amended passed.

New clause 11A.

The Hon. J.S. LEE: I move:

Amendment No 5 [Lee–3]—

Page 11, after line 41—After clause 11 insert:

11A—Offences by authorised officers etc

An authorised officer, or a person assisting an authorised officer, who—

(a) addresses offensive language to any other person; or

(b) without lawful authority, hinders or obstructs or uses or threatens to use force in relation to any other person,

is guilty of an offence.

Maximum penalty: $5,000.

The new clause is being included after discussion with the Hon. John Darley. We feel that an authorised officer must not, while acting in the duty of entering the premises, use any form of offensive language or abuse their power in such a way. If it is found that the authorised officer is in breach of those provisions, then they will be guilty of an offence. It is just a preventative measure in order to protect owner-occupiers.

The Hon. I.K. HUNTER: The government supports the amendment.

The Hon. M.C. PARNELL: The Greens also support the amendment. There should be no circumstances in which authorised officers using offensive language is called for. Similarly, it is hard to imagine circumstances where using force against a person is called for, although I do note, as has been pointed out before, that authorised officers do have the power to break in.

You might get a situation where someone puts their body in between the authorised officer and the door, and that might raise interesting questions about the level of appropriate force that can be used. But, again, I would like to think that this clause will have absolutely no work to do, because the authorised officers will be so well trained and so professional that their behaviour is never called into doubt.

The Hon. K.L. VINCENT: Just to assist the council, I hope it would be obvious that Dignity for Disability would support this amendment. Again, I hope it will not be necessary for it to actually be enforced but, if having it there gives people peace of mind, then we are happy to support it.

New clause inserted.

Clause 12.

The Hon. J.S. LEE: I propose to withdraw amendments [Lee-3] 6 to 11. However, I would like to ask a question to give us all peace of mind. Can the minister give some examples of circumstances where a minister may actually revoke or vary a housing improvement order or housing assessment order?

The Hon. I.K. HUNTER: I thank the Hon. Jing Lee for withdrawing the amendments and asking: when may the minister revoke an order? My advice is, when the order has been complied with—i.e., repairs have been completed—or if the minister receives further and better information, such as an engineer's report, then an order may be revoked regarding, say, a structural integrity issue. If SACAT orders a revocation, then the particular order would be revoked, for example. There may be a class of orders, I am advised, of a similar issue to the SACAT ruling. In that case, other orders might also fall into the scope of revocation, but they are the general categories.

Clause passed.

Clauses 13 to 58 passed.

Schedule 1.

The Hon. M.C. PARNELL: I move:

Amendment No 3 [Parnell–1]—

Page 37, lines 33 to 38 [Schedule 1, Part 2, clause 8]—Delete clause 8 and substitute:

8—Repeal of section 60

Section 60—delete the section

I will speak now to amendment Nos 3 and 4. I know that they will be moved separately, but I want to speak to them together because they both relate effectively to the same issue, and that is the issue I have raised in this place in the past, and I fully expect I will raise it again in the future, unless of course we fix it today, in which case I will be a very happy person.

The issue relates to tenancy agreements, whether under the Residential Parks Act, which is my amendment No. 3, or the Residential Tenancies Act, which is my amendment No. 4. The question is: in what circumstances ought a landlord be able to end the tenancy agreement? As members

would be aware, under both those pieces of legislation there are a range of grounds set out that are regarded as legitimate grounds for ending a tenancy agreement, and we are fairly familiar with what they are.

They are things like the owner wanting to sell and needing to sell with vacant possession—you end the tenancy agreement. The owner might want to conduct substantial renovations that require the property to be empty—a valid reason. The owner might want to move back into the property themselves—a valid reason. The owner might have a family member who wants to move back into the property—a valid reason. The tenant might have caused damage—again, another valid reason for ending a tenancy agreement. The tenant might not have been paying their rent or might have been in some other breach of the residential tenancy agreement or the residential parks agreement—again, valid reasons for ending a tenancy.

However, when there is no valid reason, when the landlord can find no particular identifiable valid reason to end a tenancy agreement, we have these remarkable provisions in these two pieces of legislation where, without any reason being given, the landlord can simply give three months' notice and that is the end of the matter, the tenancy agreement is over. This provision is being dismantled in other jurisdictions, and I think it is time that we dismantled it in South Australia.

I want to take a few minutes to read onto the record, in relation to both these amendments, an open letter that was written by Shelter SA to members of parliament basically urging MPs to support what is effectively my amendment No. 4, but the arguments are the same for amendment No. 3, that is, the repeal of the 'no cause eviction' clauses in this legislation. I want to put it on the record because they have gone to the trouble of writing this letter and securing some important signatories to this letter, and I want to put those names on the record as well.

Whilst the letter that I will read shortly talks about Shelter SA's position, I am pleased to advise that it has also been endorsed by the Aboriginal Legal Rights Movement, the Youth Affairs Council of South Australia and the Tenants' Union of New South Wales. I just pause there to say: would it not be great if we had a proper tenants' union here in South Australia. Most other states have them; it is something we should work towards.

Another peak body supporting this approach is Anti-Poverty Network South Australia. A number of other organisations supporting this approach are the St John's Youth Service, the Women's Community Centre, the Salvation Army—Towards Independence Network of Services, and UnitingCare Wesley Bowden. These peak bodies and organisations have all signed on to the Shelter SA Open Letter to all Members of SA Parliament. The letter states:

> It is time to remove Section 83 'no cause evictions' from the Residential Tenancies Act.
>
> Shelter SA is the peak body for housing in South Australia. Our vision is for every South Australian to have an affordable, safe place to call home. We advocate for improved policies and systems for all citizens, particularly those that affect people living on low incomes. We are writing to you to urge you to support Mark Parnell's amendment to the Housing Improvement Bill to repeal Section 83 of the Residential Tenancies Act—the right for a landlord to evict a tenant without cause. Mark's previous speech about Section 83 is attached as Appendix 1.

For the record, that was about three years ago. The letter goes on:

> It is Shelter SA's position that the no cause eviction voids the rights and responsibilities outlined in the Residential Tenancies Act…The Act outlines in detail the rights and responsibilities of landlords and tenants, as well as procedures and standard terms of residential tenancy agreements.
>
> Residential tenancy agreements serve as a contract between landlords and tenants. The no cause eviction renders that contract useless, as the landlord can exit the agreement without giving reason.
>
> The profile of private renting has evolved since the Act came into effect in 1995. In the past, private rental was a transient option. However, long-term renters are becoming increasingly common. Today, more than one in four households in South Australia rent, and the number continues to steadily grow. The cost of home ownership is rapidly becoming unaffordable. The Act must reflect these changes to housing affordability in South Australia. Currently, Section 83 of the act provides landlords with the power to evict tenants without giving a reason. The no cause eviction disrupts security of tenure, renders the rights outlined in the Act useless, is unnecessary and ignores interstate and international best practice. A better balance of landlord and tenant rights is possible and will not decrease interest in the housing market, as suggested by some of our parliamentarians the last time the Act was discussed.
>
> Security of tenure is an assurance that, if a tenant complies with their rental agreement they have a legal right to rent the property for as long as they wish. The Gratton Institute illustrates the impact of not having security of

tenure by focusing on the lives of children. Without a stable location that is afforded through security of tenure, children can be forced from their friends, school and community, which has a negative impact on their development. A greater chance of eviction also means the family has a greater chance of facing homelessness, as finding an affordable new rental can be difficult in a competitive, expensive housing market. The no cause eviction destroys security of tenure and creates a living arrangement where eviction is an ever-present threat for tenants who comply with their lease agreements. The no-cause eviction is creating negative social and economic consequences for South Australian families.

National Shelter has previously stated concerns about no cause evictions and retaliatory evictions. A tenant is less likely to exercise their rights under the act if they fear a no cause eviction. Retaliatory evictions through the no cause eviction effectively limit or remove the right of tenants under the Act.

The no cause eviction is unnecessary. If a landlord is not satisfied with the behaviour or financial performance of a tenant, there are various avenues within Part 5 of the act that give power to the landlord to lawfully evict a tenant. The avenues to evict are exhaustive and capture any unsatisfactory tenant behaviour. The only reason a landlord would need to rely on the no cause eviction would be to evict a tenant who has performed reasonably and appropriately. Tenancy laws that allow for no cause evictions consequently allow for the evictions based on retaliation and discrimination.

One defence for the no cause eviction is that its removal from the Act will cause some landlords to disinvest in rental housing. Examples through Europe, where renting has become a common, long-term, accepted dwelling type, present an ethical balance of rights between landlords and tenants without affecting the market. Germany has a robust housing market that relies substantially on small-scale investment, however it has managed to provide ample security of tenure to renters. In Australia, the States are beginning to rescind the no cause evictions in their legislation. Tasmania has taken the first step, strictly limiting the circumstances in which a landlord can use the no cause eviction. There are international examples, and interstate leaders. South Australia must be next.

A fair system would involve listing all reasonable grounds for eviction in the legislation, as opposed to providing an open, 'catch all' provision through the no cause eviction. Such a system would allow landlords to evict tenants who do not comply with their lease agreement, but grant security of tenure to those who do. Law reform that provides reasonable grounds for termination would neither require nor entail a change to the structure of the rental market or the investment strategies of landlords.

For landlords that wish to repossess the house for their own or a family member's occupancy, or out of necessity, there must be checks and balances to ensure that the eviction is bona fide.

The system must change to ensure reasonable security of tenure to tenants. The Residential Tenancies Act must change to guarantee that evictions are only a last resort.

Shelter SA is currently gathering signatories to this letter in South Australia which will be published in future. We will look forward to your response and would be pleased to provide you with any further information you require.

Yours faithfully

Dr Alice Clark

Executive Director

Shelter SA

The South Australian peak body for housing

I thank the house for its indulgence in allowing me to put that on to the record. As I said, I expect I know where this amendment is going. I also note that the Residential Tenancies Act is on our *Notice Paper* for other purposes, so it may be we revisit this question sooner rather than later.

I just make the point that if a landlord has a valid reason to end a tenancy, then let them state that reason. The idea that on a whim, out of discrimination and out of retribution, they can simply provide three months' notice and get rid of a tenant who has perhaps sought to enforce their rights, is an outrageous principle. This bill is an excellent opportunity for us to delete both these clauses in the Residential Parks Act and in the Residential Tenancies Act, and I commend the amendments to members.

The Hon. I.K. HUNTER: This bill, as it stands, does make consequential amendments to the Residential Parks Act 2007. Just to clarify, section 62 states that where a housing improvement order or notice applies to the property, a tenancy cannot be terminated without specifying the ground of termination, and so I can see the opening that the Hon. Mr Parnell has tried to drive his truck through in this regard. I say at the outset that the government will not be supporting either of his amendments, and I tempt him to reagitate this matter at another opportunity. I congratulate him on that, and I fully understand it, but the government's position is that this is the wrong place to do it.

We say that Mr Parnell's proposed amendments extend beyond the ambit of the Housing Improvement Act. At the very least, we would require extensive consultation with some key stakeholders. Of course, the government has to consider all of the impacts of proposed legislative change—and impacts that come up here in the form of amendments that would have ramifications for a range of stakeholders really need to be consulted on rather thoroughly. In this case, we think this would be one that would need to be consulted on thoroughly.

So I do I invite him to raise this matter again with the minister—he already has his eyes on another opportunity that is coming before us—but at this point in time the government will not be supporting either amendment.

The Hon. M.C. PARNELL: I was not proposing to divide, necessarily, but if the only contribution that is going to be made is from the government then I would be missing an opportunity, because the Liberals may well be keen to support it and my hands will be tied and I will have to call for a vote. So, I would not mind hearing any other contributions.

The Hon. K.L. VINCENT: I think I am sympathetic to what the Hon. Mr Parnell is suggesting, but can I just ask for a point of clarification. It may be one that is already quite obvious and covered, but I would rather make sure. What would the impact be of this amendment in the case, for example, where a landlord has some medical issues, or goes through a divorce, or something that might have a severe impact on their life and might have to evict a tenant at quite short notice. Is the Hon. Mr Parnell of the view that they could easily state that and that would be covered, and the tenant would not have grounds for claiming discrimination, or is there a grey area there?

The Hon. M.C. PARNELL: I thank the honourable member for her question. It is an interesting one. There are hardship provisions that relate to people making applications to what used to be the residential tenancies tribunal, now SACAT (the South Australian Civil and Administrative Tribunal), but I guess I would phrase the issue slightly differently. If someone is having serious personal issues and they are a landlord and they want to dispose of the property, if their issues mean that they need to get rid of the property—they do not want to own it anymore—then that is already covered. If there are issues in relation to their ability to manage the property, I guess there are other options. Most residential tenancies are managed by agents rather than individually by the landlords.

In the circumstances the honourable member raises, if the person is unable to manage the rental property themselves then usually that would be partnered with wanting to get rid of the property altogether, which is the situation that is already covered. Whatever issues they were facing, if they wanted to evict the tenant so they could get a more compliant tenant in, for example someone who did not insist on their rights, then that is exactly the sort of situation that I am trying to sort out here.

I appreciate the member's question. I do not think it is really a live issue because it would normally be partnered with another valid reason, and, at the end of the day, there is always the hardship provisions that could be relied on.

The Hon. J.S. LEE: The Liberals indicate that we will not support Mr Parnell's amendment. We believe the rights of landlords need to be protected in some sense. I also believe that this is beyond the object of the Housing Improvement Bill that we are currently discussing. I agree with the minister that further consultation needs to be considered because we do not understand the full repercussions if this is agreed to today.

The Hon. D.G.E. HOOD: We can see where the numbers are. This amendment will be defeated, obviously, but I just indicate to the chamber that Family First is not closed to supporting this particular amendment at some future time. I agree with the comments that have been made in general. I do not think this is the right bill for this amendment necessarily. We have another opportunity that has already been indicated on the *Notice Paper* where this might be further explored.

There are a number of things I could list off, but I will not detain the committee, because there are some legitimate questions about the amendment. That said, as I indicated, it is something we would not rule out supporting in the appropriate legislation, if you like, the appropriate bill. Before indicating support, though, I would, of course, want to consult with the Real Estate Institute and other bodies representing landlords in order to hear their perspective. I think the motivation for the

amendment though is worthy and something that we should not rule out supporting in a more appropriate piece of legislation.

The Hon. K.L. VINCENT: All I really wanted to say was to thank the Hon. Mr Parnell for his points of clarification. I did suspect that I was correct in the kinds of situations I mentioned before that would be covered by things like the hardship clauses, but I just wanted to be absolutely clear. Given that we can easily see where the numbers lie, I will keep that information in mind and look forward to, hopefully, with the proper consultation and all of that pending, being able to support the amendment under another bill at a different time.

Amendment negatived.

The CHAIR: I will put the next amendment. Do you want to put that separately or do you want to speak to it?

The Hon. M.C. PARNELL: For the record, I will move the amendment, but I am not going to speak to that separately. It is the same issue. I am happy to accept the result of the last amendment. I move:

Amendment No 4 [Parnell–1]—

Page 39, lines 17 to 22 [Schedule 1, Part 3, clause 16]—Delete clause 16 and substitute:

16—Repeal of section 83

Section 83—delete the section

Amendment negatived; schedule passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (12:47): I move:

That this bill be now read a third time.

Bill read a third time and passed.

APPROPRIATION BILL 2016

Estimates Committees

The House of Assembly requested that the Minister for Employment (Hon. K.J. Maher), the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter) and the Minister for Police (Hon. P.B. Malinauskas), members of the Legislative Council, attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill.

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) (12:49): I move:

That the Minister for Employment (Hon. K.J. Maher), the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter) and the Minister for Police (Hon. P.B. Malinauskas) have leave to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

Motion carried.

ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 July 2016.)

The Hon. J.A. DARLEY (12:50): The Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment Bill seeks to change the APY Executive Board. The bill makes changes to the composition of the board, the way in which the board is elected, establishes new electorates and who is eligible to vote and be nominated for the board.

I understand these changes were brought about as a result of a targeted review which was headed by Dr Robyn Layton. I, along with my other colleagues, have been contacted by stakeholders who raised concerns that the bill which is presented before parliament today is quite different from the bill that was presented for consultation. The government has provided a response to these issues; however, I want to put on the record a number of matters which may still present a problem.

First, I am concerned about the electoral roll which will be kept by the Electoral Commissioner and the method of voting. I understand that the Anangu will need to be enrolled to be eligible to vote and that the voting system has changed from one which involved marbles and pictures of the candidates. In our briefing, the government explained that this would allow a greater number of people to vote, especially when they are absent from their electorate as Anangu will not have to physically be at the polling booth to cast a vote. However, I hold concerns that low literacy rates of Anangu may result in a smaller number of voters due to the failure to enrol or a lack of understanding of how to cast a vote correctly. If the minister has details of the campaign that will be undertaken to advise Anangu of the new requirements I would be happy to hear them.

Stakeholders have also raised issues with the expansion of offences which are defined as a serious offence as these now include drug, alcohol and gambling offences. The concern is that the inclusion of these offences may exclude a large number of people who, with the exception of making bad decisions in their past, would otherwise make great community leaders. I understand that the offences listed are not summary offences but a person must be found guilty of a serious offence and that these offences are consistent with the APY by-laws. I hold concerns that this list of offences are able to be changed by regulation at any stage and I am not supportive of this.

Whilst I am not putting into question the current minister's intentions, the sceptic in me could see a situation where a future minister could use this as a tool to deliberately exclude an individual or individuals from standing for the board. It is becoming more and more common for this government to say that they will put details into regulations. This is bad practice. It avoids parliamentary scrutiny and many matters are changed at the discretion of the minister or at the whim of the government.

Again, I am not specifically indicating that this will be the case for regulations relating to clause 4 of the bill but I am just putting on the record my objection to this practice of dealing with matters by regulation. With that, I support the second reading of the bill but reserve my position on the bill.

The Hon. T.T. NGO (12:53): I rise to speak on the Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment Bill 2016. This bills seeks to amend the APY Land Rights Act which legislates for the overall governance and administration of the APY lands by the APY Executive. The act itself was enacted 30 years ago and established what is now referred to as the APY Executive, an elected body comprising and representing all Anangu.

In 2013, a limited review of the act was conducted, headed by a former Supreme Court judge, the Hon. Robyn Layton QC. It made a number of important recommendations. Most notably it recommended, first, that a gender balance was required on the APY Executive Board. Secondly, that the electoral process improve representation for all Anangu. Thirdly, as well as changes to candidate eligibility requirements for election to the board.

As the Chair of the Aboriginal Lands Parliamentary Committee, along with fellow members of that committee in this place—the Hon. Tammy Franks and the Hon. Terry Stephens—we have come to understand some of the difficulties that have existed in the administration and financial accountability of the APY Executive. I want to specifically acknowledge minister Maher's contribution to addressing these concerns. Since taking up the portfolio, minister Maher has implemented further conditions on the release of government funding to the APY Executive, including:

- Implementing strict delegations for approving payments, with only the general manager having authority over approval.

- Undertaking of an independent audit of financial accounts for the period July 2014 to December 2014.
- Requiring specific documentation to be provided on the APY website, including minutes of the APY Executive Board meetings, monthly financial reports and annual reports.

Whilst I am supportive of this bill and the nature in which it has come about, I note that Sue Tilly and Paper Tracker have raised a number of concerns, and I thank the minister for responding to all of those. One of the key recommendations of the Layton review was that the number of APY Executive members should be constituted by 50 per cent women and 50 per cent men. This is certainly another desirable outcome.

I am supportive of this bill on the basis that it will result in improved outcomes for the Anangu people, with improved parameters to facilitate the election of future APY executives.

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) (12:56): I wish to thank all members who have made a contribution to this bill and certainly other members from another place and more generally who have also spent extensive time discussing this bill. I note that there are matters that are not always easy to wrestle with in terms of governance of the APY lands. It is a culture that survived tens of thousands of years, whose institutions and traditions do not always easily mesh with what we have in terms of government structures.

I know in my dealings with APY, on and off for about a decade and a half, I have come to very well appreciate that we try with the best of intentions, but we regularly need to refine what we do in terms of how we relate to APY. Certainly, I do not think it would be wise to ever say any changes to the APY act are a finished product and that is all that we need to do. This bill has been subject to a significant amount of consultation. Those consultations, along with the recommendations from the Layton review, have informed the development of the bill that is in front of us at the moment.

The consultation was started by the former minister in 2013 through the commissioning of an independent limited review of the APY act. This review looked at improvements to the election process and the make-up of the board. The independent review panel consulted extensively on the APY lands throughout 2013. The panel visited the APY lands eight times for 24 separate meetings. In April 2014, the panel submitted a final report; it was provided to the APY board.

The recommendations from the Layton review were a core part of the development of the draft 2015 bill for consultation. From December 2015 until May 2016, consultation on the 2015 bill was undertaken by departmental staff, who conducted 22 feedback sessions with key APY leadership groups on the APY lands and in Alice Springs, including the APY Executive, members of the Law and Culture Committee and chairs of community councils. Consultation also occurred with government and non-government stakeholders in Adelaide and Port Augusta and also with a range of other groups.

I want to now address some of the specific matters that have been raised by members in their second reading contributions in this place. I might just list through the issues and give a response to each. An issue raised by the Hon. Tammy Franks was in relation to section 130 of the APY act, that is, the suspension of the executive board and appointment of an administrator.

The view that there should be a 12-month sunset clause I think has previously been agitated, and removed perhaps altogether as part of deliberations, and I understand the opinion of the honourable member and, as I said earlier, it is not always easy, and reasonable people will have different views on how to achieve the best outcomes. The Hon. Tammy Franks' view is not one that I or the government shares and we do not intend to water down the provision in relation to the administrator in the act.

The manner of conciliators being appointed was raised by the Hon. Tammy Franks and certainly there have been discussions over the last month with the opposition in relation to this, and I will foreshadow government amendments that we intend to lodge this week. In relation to the appointment of conciliators, those amendments will have the effect of appointing conciliators who have qualifications and experience in law or mediation to ensure the appointment of conciliators of a

high standard, who have relevant professional qualifications and a practical understanding, and on receiving application for conciliation the minister must refer the matter to a member of the panel for conciliators for them to determine whether the matter has merit. This ensures that the merits of any application for conciliation will always be determined by an independent and impartial professional.

If the matter has merit, then the minister must appoint a conciliator from the panel, but not being the conciliator who made that initial determination. This will ensure that the conciliator appointed to hear the matter comes to it with fresh eyes, without being influenced by previous inquiries into the merits of the matter. I believe these amendments will strike the right balance between taking the decision to decide whether a matter is frivolous or has merit out of the minister's hands and putting it into the hands of a relevant professional.

The minister's power to remove a conciliator is necessary in circumstances where, for example, a conflict of interest arises during the course of conciliation or the conciliation is failing to find a workable solution. Having the flexibility to appropriately respond assists in more timely and satisfactory conciliation processes.

There was an issue raised about the number of people currently on the APY lands rights electoral roll compared to the state electoral roll. This was also a matter raised by the Hon. Terry Stephens in his contribution. An APY land rights electoral roll does not exist. There is no such thing, and that was certainly one of the central criticisms arising from the Chief Justice's judgement in the recent case of Richards v Paddy, which the current amendments seek to address.

I can inform the chamber that I am advised that there are 1,459 electors enrolled on the state electoral roll for a locality on the APY lands. I must caveat that by saying that the state electoral roll does not identify if an elector is Anangu, so included in that 1,459 would be a very small figure of non-Anangu people living on the lands: schoolteachers and other such service providers. In the 2014 state election, 619 electors voted at polling places on the APY lands. I will talk later about the electoral roll and using the state roll.

There were concerns raised about the wording of the three-month residential requirements and how they will operate. Using the state electoral roll as the base, it will be the same as it is for state elections. In state elections, being able to vote in a particular electorate is evidenced by being on the electoral roll in that electorate, and that is what we will apply for APY elections. There have been discussions with the Electoral Commissioner, who, I have to say in my experience, has been very professional and diligent in running elections on the APY Lands, and they will run an election campaign in the lead-up to the first APY election which, for the first time, will use—

The Hon. T.A. Franks: Educational campaign.

The Hon. K.J. MAHER: —an electoral roll. An education campaign, indeed. There were a number of questions raised by the Hon. Terry Stephens. Taking them in order: why has an administrator not been appointed, especially when the power was given by this chamber some time ago to do so? I will reiterate, as I think I have said a number of times in this place, a number of times to APY and a number of times to the media, when I have been asked, that there is no doubt that improvements in government's accountability and transparency are being made by APY and the administration, but I still consider the appointment of an administrator an option should those improvements stall or not continue. I am not opposed to an administrator being appointed, but while there have been improvements and those improvements continue, there is not a necessity. But I do not have any opposition to appointing an administrator, should it be necessary.

The Hon. Terry Stephens then asked why there is urgency in this bill and why we are keen to have fresh elections conducted under these new rules, given that there are three years remaining of the current term of the executive board. I do not agree with the proposition that the changes are being made suddenly. I think this bill is the culmination, as I outlined at the start, of a number of years of consultation, and a lot of consultation in relation to these changes. I do agree that proper processes should be adhered to, but I do not think that these changes should be unnecessarily delayed.

Certainly, I think it was made very clear before the last APY elections that once those recommendations from the Layton review were implemented there would be fresh elections. I think everyone who was elected last time would be aware that as soon as these changes were

implemented, the intention was to go to fresh elections. Ideally, I would like to see changes implemented and fresh elections held this calendar year. Given the nature of the remoteness and the necessity for education campaigns, I can see that if we do not have this through by the winter break that will not happen. If that does not happen, I am keen to have elections held as early next year as it is practicably and culturally possible to do so.

The Hon. Terry Stephens asked for a detailed answer on what consultations the minister himself had had with Anangu, not only on the recommendation about equal gender balance but also on this version of the bill. Over the last 18 months, I have spent a great deal of time in the APY lands. I think I have made about half a dozen visits, ranging from short stays of only a couple of nights to longer stays of nearly two weeks, staying in communities across the APY lands. I have had a range of meetings over the last 18 months in all the major communities: Indulkana, Mimili, Pukatja, Kaltjiti, Murputja, Kanypi, Nyapari, Pipalyatjara, Kalka and a whole lot of smaller communities and homelands in between Indulkana and Pipalyatjara and all other points. I have also had a lot of meetings in Adelaide with Anangu and representatives of Anangu.

It is fair to say that in the many meetings I have had these proposed changes to the APY act have been raised with me quite a number of times. There are a few messages that have been pretty consistent with everything that has been raised with me, firstly, on the issue of gender balance, which was the first part of the question. The overwhelming views that have been expressed to me and that I have sought out when talking to people about this are of very strong support. Of the dozens of times that the issue has been discussed with me directly, I could count on one hand the number of times any objection has been raised to the issue of providing gender balance. I have actually been surprised at some of the meetings I have had that the elders who I thought might have been opposed to it have come out strongly and supported it.

One of the other clear messages is a very strong desire for there to be that prequalification, that is, the recommendations in the Layton review and what is in the bill in terms of criminal history checks for people to be qualified to be a member of the APY Executive. The third thing that has been most strongly related to me is very strong feedback for some form of electoral roll, for some way for APY not to be treated differently from most other groups when they vote in these sorts of things, whether it be local council, state or federal elections.

As I said, there was very broad support for equal representation of men and women as outlined in this bill. The version of the bill that is currently before the house reflects the outcomes of not just my consultations but the original consultations with the Layton review that the department has done and also consultations with service providers and people like the Electoral Commission to come to the version of the bill.

I said it when I introduced the bill, but I think it is fair to say that Anangu now expect us to implement this bill. Some of the comments on the last round of consultations have been to the effect of, 'We've told you what we think. Why won't you do what we say now?' It is always about striking a balance between enough consultation involving Anangu in the decisions that affect them but also striking that balance between not going back and not keeping faith with what you have been told and implementing it.

The Hon. Terry Stephens asked about gender balance on the APY board. I will just reiterate, as I said earlier that, in all my discussions and in discussions that others have had, that has been overwhelmingly supported. The Hon. Terry Stephens also raised an issue about one vote and one value and differences of populations across the APY lands. Under the proposed bill, the establishment of the seven electorates and their community composition was recommended by the APY Executive, taking into account cultural considerations about groupings of communities and homelands.

The proposed electorate populations are now much more closely spread than they have been in the past. The population of the previous 10 communities or electorates ranged from very small electorates, with 14 in the smallest—and, of course, not all of those 14 voted—to large electorates like Amata of close to 500. Four of the 10 of the communities or electorates as it currently stands had less than 120 people in them.

With the creation of seven electorates, the population is now much more evenly spread, with the smallest community of Kanypi, Nyapari and Watarru being 151 people, but I acknowledge that there will always be some variance. The nature of communities—where certain communities go and where you draw a line, particularly with homelands and smaller communities—will always present some difficulties. Having the exact numbers in each electorate would be an extraordinarily difficult task but I am pleased with what is proposed. It makes those seven electorates much more even in their populations.

The PRESIDENT: May I just say, Hon. Mr Maher, we are getting on a bit.

The Hon. K.J. MAHER: I will wind up very quickly, Mr President. The Hon. Terry Stephens also asked about the requirement to review electoral boundaries. It is the intention of the bill to smooth the process of electoral boundaries, ensuring the boundaries reflect the make-up at any time. I can inform the honourable member that, among the amendments that we have foreshadowed this week, we will lodge an amendment to make sure that that happens prior to every election to make sure that we reflect the current make-up at any given time.

The Hon. Terry Stephens also asked about the offences of drinking or supplying liquor or gambling on the lands. There were very strong views from Anangu in consultations particularly on breaching the by-laws or to exclude people. They made it very clear that members of the APY Executive ought to be persons who would abide by the law and, particularly, be role models in the community.

The original intention was that the scheme would operate so that once someone was elected, there would be a police check. One of the things that Anangu pointed out was that it would be much better if that was a qualification for nomination, not election, so that you would not have a situation where someone is elected and then the second most popular person got in or someone was embarrassed because they might not have realised they were not going to pass. That is something we have changed as a result of consultation.

The Hon. Terry Stephens also asked: might that lead to people maliciously preventing people being elected to the board? That is not the case. These are objective things that are set down. It is not that someone can use a certain conviction against someone else. There will be a police check and you either do or do not satisfy that. The honourable member asked about conciliators. As I foreshadowed, we will have an amendment, so there will be a panel appointed. The minister must refer something to a conciliator in the first instance to see if it has merit and it must be investigated if it has merit.

There was talk about the electoral roll for the APY lands, which the Hon. John Darley mentioned as one of his two concerns. The basis for the electoral roll being created for the first time will be the state electoral roll. Evidence, like it is everywhere else about your residency and the time of residency, will be from what is stated on the electoral roll, together with all those qualifications that go with a right to be on the electoral roll.

The final issue was about voting. A number of people raised the voting method. The Electoral Commissioner has offered to be available to answer questions on that when we go in to the committee stage on this bill—hopefully, next week. I know the shadow minister has had the opportunity to talk to the Electoral Commissioner about this. Very briefly, the scheme that is envisaged is that, instead of using marbles, the electoral process will be aided by electronic means. It will be a legislative requirement that Anangu will have two separate votes in each electorate, one for a man and one for a woman.

The Electoral Commissioner intends to use a touchscreen system with a photograph on the screen, where an Anangu voter can vote for the person of their choice by touching a picture of them on the screen and then printing that out and putting that vote in the ballot box. I think that sounds like a pretty good compromise. As the Hon. John Darley pointed out, literacy and numeracy is not at the same level on the lands as it is in many other communities, so being able to do that while also having the security of a paper-based system that can be scrutinised and checked, as all of us have come to expect, is a good compromise.

As I said, the government will lodge amendments later this week to take into account a number of things that I have talked about, such as the matter of a conciliator. We also intend to lodge amendments to make the regulations allow for maps to be produced so that it is very easy to see which communities fall into which particular electorates, and to ensure that there is a review of those before each election. There are also a number of minor procedural matters that may or may not be necessary but, out of an abundance of caution, we want to remove any ambiguity to further clarify eligibility and make absolutely certain that the same electoral roll requirements apply for people who are voting as they do for nominating.

The final foreshadowed amendment relates to the two serious offences listed in the definition covering the same type of offence, so that will be clarified into just one. Having said that, I thank all honourable members for their contribution. I know there is a genuine desire to see an improvement in the way the APY lands operate, and I look forward to taking this through the committee stage in the next sitting week.

Bill read a second time.

Sitting suspended from 13:17 to 14:17.

Petitions

MARTINDALE HALL

The Hon. R.L. BROKENSHIRE: Presented a petition signed by 125 residents of South Australia requesting the council to urge the government to prevent the sale and redevelopment of Martindale Hall and to honour the intention of the original bequest of the Mortlock family by ensuring that Martindale Hall remains in trust for the people of South Australia.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Reports 2015
    Torrens University Australia
Government Response to the Inquiry into the Environment Protection Authority's
    Management of Contamination at Clovelly Park and Mitchell Park

ANSWERS TABLED

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. G.A. KANDELAARS (14:18): I bring up the 28th report of the Legislative Review Committee.

Report received.

Question Time

POLICE RECRUITMENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19): I seek leave to make a brief explanation before asking—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: We have not even started!

The PRESIDENT: That's right.

The Hon. D.W. RIDGWAY: Speaking of tasers, I think you should have one to taser you when you open your mouth. I seek leave to make a brief explanation before asking the Minister for Police a question about police recruitment.

Leave granted.

The Hon. D.W. RIDGWAY: On 6 July, the Attorney-General, the Hon. John Rau, introduced three bills into parliament: the Police Complaints and Discipline Bill 2016, the Public Interest Disclosure Bill 2016 and the Independent Commissioner Against Corruption (Miscellaneous) Amendment Bill 2016. Common sense would dictate that one should consult key stakeholders before introducing a bill into parliament—that is a key responsibility of all of us as legislators.

In a letter from the President of the Police Association that arrived today, Mr Mark Carroll (a key body representing the 4,600 police officers) makes it clear that the Police Association was not consulted on any of these bills. I was confused, so I called Mr Carroll to get some background. Mr Carroll advised me that on Monday 4 July he met with minister Malinauskas in respect to another matter and, in passing, I think the minister asked the Police Association if they were aware of the aforementioned government bills. They advised the minister they were not, and that they were only aware of legislation that had been introduced by Vickie Chapman, the member for Bragg.

At 6.25pm, on that same night, the Police Association were sent what they called a settled copy of these bills, with my recollection of the conversation being, 'There may be just a few minor amendments, but these are the final copies, or settled copies, of these bills.' However, in an outrageous cloak-and-dagger move—less than 48 hours later, on Wednesday 6 July—the Attorney-General introduced significantly amended versions of these bills. It appears the Police Association was deliberately misled.

Previously, Mr Carroll has publicly stated that the Police Association has lost trust in Premier Weatherill, and his government, to deliver on the 313 recruitment promise. I dare say this devious, deceitful and unethical move will further diminish the trust and confidence that the Police Association has in the government. My questions are:

1. Why did the minister only consult the Police Association less than 48 hours before the bills were introduced to parliament and, may I dare say so, almost in passing?

2. Why was the Police Association sent versions of the bills that were significantly different from those introduced to parliament less than 48 hours later?

3. Has this action further destroyed the relationship between the Police Association and Premier Weatherill?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:21): Let me say from the outset that I have enormous regard for the Police Association of South Australia. They are an important union in our state. I think they do a very good job of going about the business of professionally representing police officers in this state. As police minister, I have to say that, in my view, they are a valued stakeholder and make important contributions to policing policy in the state of South Australia.

I think that I enjoy a good working relationship with the Police Association of South Australia. I have received correspondence, just in recent days, for another regular meeting that I am having with the Police Association. I look forward to discussing this issue, amongst many, and I look forward to that ongoing relationship succeeding in the future to ensure there is open and regular dialogue between the government and the Police Association regarding all matters to do with police.

POLICE RECRUITMENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:22): Supplementary: can the minister please explain why the Police Association, a key stakeholder and a union that he values—and we all value the contribution they make—was sent bills significantly different to the ones that were tabled in parliament less than 48 hours later?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:22): Of course, it is entirely appropriate that the Attorney-General puts bills before the parliament for its consideration—that is an open and transparent public process. There are plenty of opportunities for the Police Association to be able to express a view to the Attorney-General regarding those bills once they see them.

Naturally, of course, a copy may have been provided to the Police Association which was amended subsequently because of, maybe, other representations that were made. There may have been representations made by the police commissioner or others. Of course, I know the Attorney-General shares my view, that if the Police Association or any other key stakeholder in the community would like to make representations about a bill that is before the parliament, then they are welcome to do so, and I am pretty confident that the Attorney-General would share my view about the Police Association being a stakeholder that is entitled to be able to express a view.

POLICE RECRUITMENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:23): Police deal with complaints on a daily basis, so do you think it's satisfactory to give them a copy of a bill, as minister, that is significantly different 48 hours later? Is that the sort of relationship you think is a working relationship with the association?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:24): The honourable member is asking questions regarding the government's relationship with the Police Association. All I can say, and I am more than happy to repeat this answer because it is an important one and it is one that represents a genuinely held view, and that is that I certainly welcome—and I am very confident that the Attorney-General will welcome—any ideas, thoughts, contributions that the Police Association would like to make in regard to the bill that is before the parliament.

CEDUNA WATERS

The Hon. J.M.A. LENSINK (14:24): I seek leave to make an explanation before directing a question to the Minister for Sustainability, Environment and Conservation regarding legal proceedings by his department.

Leave granted.

The Hon. J.M.A. LENSINK: I will attempt to give the briefest summary I can of the events as I understand them. In 2008, Carramatta Holdings cleared and levelled sand dunes in a locality known as Ceduna Waters. Upon an intervention by the local council and the Coast Protection Board, Carramatta was forced to cease works as development approval had not been sought. Despite Carramatta's attempt to rectify the issue, in October 2008 the Coast Protection Board, together with the Native Vegetation Council, instituted proceedings in the Environment Court which made interim orders in November that year requiring Carramatta to collect sand which had originated from the levelled sand dunes and move it to designated stockpile areas. Carramatta undertook the sand removal works.

In September 2009, a council-commissioned report was released setting out a rehabilitation plan which involved the construction of three large sand dunes on the impacted land which was accepted by the Coast Protection Board and the Native Vegetation Council. Implementation of the plan was delayed from 2010 to 2012 due to delays within the Native Vegetation Council. In 2001, the plan was reviewed and concluded that, due to regeneration and other changes, a complete revision of it was required. The revised report was provided to Carramatta and the Coast Protection Board in March 2012 which was subsequently rejected by the Coast Protection Board and the Native Vegetation Council.

Following this, both Carramatta and the residents of Ceduna Waters wrote to the Coast Protection Board supporting the variation of the rehabilitation plan. The council also wrote to the Coast Protection Board in November 2012 supporting the submissions of the residents' group. The matter then bounced around the courts until the Magistrates Court ruled in June 2016 that proceedings against Carramatta be permanently stayed due to Carramatta's sole director being unfit to stand trial.

I understand that during the government's 2014 country cabinet, the Premier and the minister both met with the residents' group to discuss solutions. The residents' group expressed to the government that under no circumstances did they want the sand dunes returned to the area, as outlined in the original rehabilitation plan. My questions to the minister are:

1. How much has the government spent on legal and other expenses pursuing Carramatta Holdings?

2. Does the government intend further pursuing this matter?

3. Given that the Coast Protection Board does not have enough funding to undertake proper protection of our coastline at the moment and cuts to the Native Vegetation Council under this government, is this an appropriate use of taxpayer funding?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:27): I thank the honourable member for her most important question and her excellent summary of events to date. I think I have given quite a detailed response to a similar question on this matter in previous years. It has been going for some time. Whilst there are many things that I would like to say, I am, in fact, constrained.

Criminal proceedings for breach of section 26 of the Native Vegetation Act 1991 have commenced, I am advised, and hearings are ongoing. Given the court proceedings, I will not be providing any commentary on this matter, except to provide a very broad comment that the government remains committed to seeking the best possible outcome for local residents, the environment and the wider community.

MOONTA POLICE STATION

The Hon. J.S. LEE (14:28): I seek leave to make a brief explanation before asking the Minister for Police a question about the Moonta police station.

Leave granted.

The Hon. J.S. LEE: In the *Yorke Peninsula Country Times*, it was reported that Moonta residents are continuing their push for the town's police station to be reopened. The police station was closed in 2007, with police based in Kadina, 18 kilometres away, rostered for regular patrols of the area since 2014. The local community does not believe this is good enough. Residents of the local area, particularly Josie Welk and Jennifer Halse, are organising their second petition for 2016, with almost 1,000 signatures presented to parliament in March by my hardworking colleague Mr Steven Griffiths, member for Goyder in the other place.

Residents said, 'We want to see the police station reopened and a permanent officer stationed there.' With Moonta's population around 5,000 in non-peak periods and doubling up in holidays, a stronger police presence is needed to serve the community, as requested by the locals. My questions to the minister are:

1. Will the minister consider reopening the Moonta police station?

2. With strong community support calling for a permanent officer at Moonta, can the minister outline what the local community has to do in order for its voice to be heard?

3. What review process will the minister undertake to reopen the Moonta police station?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:30): I thank the honourable member for her questions, although much of the premise of the questions is utterly flawed by virtue of the fact that it is not my decision nor should it be my decision to determine how operational police matters are determined in this state.

This is a matter that has come up repeatedly, I have to say, over the last few months and I suspect that it will continue to come up. However, I would encourage the honourable members opposite to start listening to the answers to those questions because it is not a decision of the government, it is not a decision for me as minister to determine what police stations are opened and

what police stations are closed—that is a decision that is entirely within the prerogative of the police commissioner of South Australia.

We want the police commissioner to be making decisions on the basis of what is the most efficient and appropriate use of the very substantial resources that this state government has provided to him. We have provided the police commissioner with the largest police budget in the history of our state. We have provided the police commissioner with the largest police force that has ever been in existence in the history of South Australia. He has more resources than ever before, but we do not want the police commissioner just taking it for granted. We want to make sure that the police commissioner is able to allocate those resources in a way that is the most efficient and most productive when it comes to reducing crime in the state of South Australia.

Of course, the police commissioner has to take into account a whole range of variables in doing that. I think the police commissioner has a commitment to the regions in South Australia and the existing LSA model within the regions. I have every confidence that the police commissioner will take on board any public feedback that he is in receipt of.

If the honourable member is willing to share her petitions or her representations with me I am more than happy to pass them on to the police commissioner. However, it is important that the honourable member understands that when she asks the question, 'What will I do to open the police station?' that it is not my decision. It is not my decision; it is a decision of the police commissioner. If the honourable member has representations from the local community that in her assessment are genuine, heartfelt and worthy of consideration I will gladly pass them on to the police commissioner as soon as that information becomes available to me.

ROYAL ADELAIDE BEER AND CIDER AWARDS

The Hon. G.A. KANDELAARS (14:32): My question is to the Minister for Manufacturing and Innovation. Can the minister inform the chamber about how the Royal Adelaide Beer and Cider Awards are recognising top shelf beverage manufacturers in South Australia?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:32): I thank the honourable member for his very important question and his longstanding and ongoing interest in matters to do with beer and cider. Indeed, it was my great pleasure, along with the Hon. John Gazzola, to open the Royal Adelaide Beer and Cider Awards—

The Hon. D.W. Ridgway: So it was a two-man job.

The Hon. K.J. MAHER: —earlier this month, celebrating and recognising our thriving beer and cider industry. I thank the Leader of the Opposition, who has not resigned quite yet, for his interjections. I note his longstanding interest and I know that very occasionally, on celebratory occasions, he can be half full of flat, warm beer. Very occasionally he does like a tipple, and I thank him for his interjections.

The increasing interest in craft brewing is continuing, presenting new opportunities for innovation across the sector and paving the way for small brewers in this state to enter the market. With more than 200 producers in Australia now helping to satisfy the growing thirst for craft beers, this is an important industry that has the potential for growth. The cider industry is also growing and industry experts—

The Hon. D.W. Ridgway: What about the whisky industry? Why don't you support that?

The Hon. K.J. MAHER: —predict that this will continue. The demand has positive impacts for local manufacturers and producers. And, again, I thank the Leader of the Opposition for his interjection and talking about obviously all the functions that he occasionally goes to and the different drinks that they represent.

For example, the growth in cider consumption is also seeing an increase in demand for locally sourced fruit. Australia's breweries attract tourists from around the world. A recent international and national visitor data survey revealed that the visitor economy has hit a record high, and with so many breweries located in regions experiences such as tasting tours are a great

opportunity to showcase our premium beer and cider products. Last year, the 2014-15 financial year, South Australian exports of beer and wine were worth approximately $75 million, with interstate trade worth an additional $78 million, I am advised.

I am told that the Royal Adelaide Beer and Cider Awards this year had 200 entries from 42 brewers, and South Australian brewers performed very well at the awards, cleaning up most of the trophies:

- For Champion Australian-style lager—Cooper's Premium Lager;
- For Champion Pilsener—Prancing Pony Brewery, Achtung Helles;
- For Champion India Pale Ale—Pirate Life IPA;
- For Champion Traditional Australian Style Pale Ale—Cooper's Sparkling Ale;
- For Other Ale—Smiling Samoyed Dark Ale;
- For Champion Wheat Beer—Goodieson Wheat Beer (another very good local brewery);
- For Best Perry—Barossa Valley Cider Company, Squashed Pear Cider;
- For Champion American Style Pale Ale—Pirate Life Pale Ale;
- For Champion Stout Beer—Southwark Old Stout;
- For Champion Porter Beer—Goodieson Brown Ale;
- For Champion Hybrid Beer—Woolshed Brewery, Judas the Dark;
- For Champion Reduced Alcohol Beer—Coopers Premium Light;
- For Champion Other Lager—Vale Amber;
- For Best Cider in Show—The Hills Cider Company Apple Solera Series;
- For Best New Exhibit—Pirate Life IPA;
- For Champion Small Brewery—Goodieson Brewery;
- For Champion Medium Brewery—Modus Operandi Brewing;
- For Champion Large Brewery—Pirate Life Brewing;
- For Best South Australian Cider Exhibit—The Hills Cider Company Apple Solera Series;
- For Champion South Australian Beer Exhibit—Smiling Samoyed Dark Ale; and
- For Most Outstanding Beer in Show (the big prize)—Smiling Samoyed Dark Ale.

I congratulate all those producers and all those involved. It is pleasing to see South Australian brewing in such safe hands. I would also like to recognise some of the people who made this event possible. First of all, the Royal Agricultural & Horticultural Society of South Australia, in particular its President, Rob Hunt, and CE, John Rothwell. The society is made up of a lot of good folk who are good eggs and do a good job promoting primary industries and organising events like this.

I would also like to congratulate, in particular, Adelaide Beer and BBQ Festival manager, Gareth Lewis. Something like 10,000 people were expected to attend the festival a couple of weeks ago and I am told this makes it the second largest festival of its type in the nation. Gareth is also a premium food and wine ambassador and an advocate from South Australia who is making a significant contribution to this industry.

In conclusion, I would like to say that I was told that the beer awards were first held in 1844, until they were suspended in 1913. The event was relaunched in 2011. I am sure all would agree that it would be a great pity if we went almost another century without these awards.

ROYAL ADELAIDE BEER AND CIDER AWARDS

The Hon. A.L. McLACHLAN (14:37): Supplementary: how many people are employed in the industry at present?

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) (14:37): Many!

ROYAL ADELAIDE BEER AND CIDER AWARDS

The Hon. A.L. McLACHLAN (14:38): Further supplementary: can the minister be slightly more specific and provide me with a number in relation to the number of people employed—given it is such a great industry that he has described?

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) (14:38): Quite many and growing. As I have said, the value of the exports are some $75 million of exports, and another $78 million to interstate exports. I will see if there is a figure that takes in totality the industries that also support the beer and cider industries, like the fruit-growing industries that go directly to those. If there is such a figure, I will bring it back to the honourable member.

ROYAL ADELAIDE BEER AND CIDER AWARDS

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:38): How many of the craft brewers at the event that he opened will be representing the state at the Chiemgau beer festival in August?

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) (14:38): That is an excellent question. I thank the honourable member for his question. I think the honourable member highlights, now, the very strong contribution the Minister for Trade is making. The Hon. Martin Hamilton-Smith, in the other place, makes a terrific contribution to this state. I will find an answer for him because I know he works exceptionally hard at making sure South Australian businesses can export to the world and their products are showcased. I thank the honourable member, who must agree what a good egg and great advocate he is—you could say he is an egg and advocate sandwich for this state.

LANDS TITLES OFFICE

The Hon. J.A. DARLEY (14:39): I seek leave to make a brief explanation before asking the Minister for Police, representing the Attorney-General, questions with regard to certificates of title.

Leave granted.

The Hon. J.A. DARLEY: In about 1990 the Bannon government decided to computerise the Torrens Certificate of Title Register. The manner in which this was undertaken did not require the whole register to be computerised at once, but rather certificates of title were digitised whenever a transaction occurred on that title. Recently a decision was made to computerise all the remaining paper certificates of title. However, I understand the staff who undertook this task may have lacked the necessary experience in the Torrens Title system, as quite a number of errors have been discovered. I am advised by members of the conveyancing profession that the error rate can be as high as 8 per cent to 10 per cent.

1. Can the minister confirm this error rate and, if so, what action is being taken to correct these errors?

2. In view of the recent decision to remove the duplicate certificates of titles, which was a cornerstone of the Torrens Title system of registration, to be replaced only by a receipt, if requested, can the minister advise what proportion of all certificates of title have no action on them within a 20 to 50 year time frame and how are these errors ever going to be detected and therefore corrected?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:40): I thank the honourable member for his questions, particularly on a subject I know he has an enormous degree of passion and interest in. Obviously, I will refer the question to the responsible minister in the other place and seek to get a response as quickly as practicable.

ID SCANNERS

The Hon. T.J. STEPHENS (14:41): I seek leave to make a brief explanation before asking the Minister for Police questions about ID scanners.

Leave granted.

The Hon. T.J. STEPHENS: I refer the minister to a recommendation of the review into the Liquor Licensing Act, mandating the installation of ID scanners for all venues seeking to trade after 1am. The cost of these scanners to venues has been estimated to be up to $10,000. My questions to the minister are:

1. Have ID scanners proved beneficial to police inquiries into late-night incidents at or around licensed venues?

2. Does the minister think it is fair for licensees to wear this cost at the government's behest?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:41): I thank the honourable member for his question. Obviously, the government has a great interest in this state about doing what we can to reduce the likelihood of alcohol fuelled violence late at night in and around licensed premises. Obviously the government is going through a process at the moment with a very substantial review, being led by the Attorney-General, of course, in respect of liquor licensing in South Australia and that will present an opportunity for people to make a contribution and comment on to the extent that this relates to that.

Regarding the specific question around figures from SAPOL in terms of the experience thus far, I have not received a briefing on that, from recollection, but I am more than happy to go back and look at if I have received a briefing and to share the information, if it is appropriate to do so. If I have not received one, I will seek one and look into the information that the honourable member is asking for.

NATURE PLAY SA

The Hon. J.M. GAZZOLA (14:42): My question is to the Minister for Sustainability, Environment and Natural Resources. Will the minister update the chamber about the great work being undertaken by Nature Play SA to get South Australian children and families enjoying unstructured play outside?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:43): I thank the honourable member for his very important question and, of course, he has a longstanding interest in unstructured play outside.

Members interjecting:

The PRESIDENT: He's had a fair bit of unstructured play in here as well.

The Hon. I.K. HUNTER: He did indeed, Mr President. The scientific evidence is pretty unequivocal. It tells us that spending time in nature is good for all of us, particularly important for today's generation of young children because of the typically sedentary lifestyle many of them lead. Research has shown that unstructured outdoor play improves physical and mental health, has positive effects on a person's ability to concentrate and learn, to solve problems, to think critically and to be creative. This is why the state government established Nature Play SA as part of their healthy and strong children policy released in 2013.The South Australian government funded Nature Play SA with about $2 million as a commitment at the last state election.

In August, Nature Play SA will be celebrating its second year and it is timely to reflect on the great things that have been achieved. Nature Play has worked very hard to build its public profile. In the past few years Nature Play has produced almost 200 media items. Along with a media presence, Nature Play has established a successful social media presence with over 19,000 active Facebook followers and 1,300 Instagram followers.

This has led to steady growth in the uptake of its programs and events. For example, Nature Play SA has developed a very successful workshop program which has attracted around 600 South Australian educators, community members and local government representatives. It has also held a national conference that was attended by over 450 participants and presenters, and has presented talks about nature play to over 5,000 people across South Australia.

Since it was established, Nature Play SA has also distributed, I am advised, about 145,000 Nature Play passports to South Australian children. These passports are a great way to get young kids aged from three to 12 to undertake exciting missions and to explore, climb and discover their outside surroundings. Once the children complete certain activities, it is stamped in their passport, giving them a sense of achievement. Over 10,000 people so far have participated in Nature Play SA's extensive calendar of free events for South Australian families designed to stimulate and encourage activities in nature.

One recent example was the free event held at Bonython Park on 29 June to celebrate International Mud Day. This is the day when people around the world get muddy to raise awareness about the importance of connecting children with nature. Playing with mud is an important sensory experience that helps people develop a connection with nature. Indeed, I was reading just the other day an article about how playing with dirt in particular—but I am pretty sure it is similar to playing with mud—has incredible improvements for children in terms of reducing allergies and allergic reactions and training the immune system.

I am sure there are a number of other articles that I have not come across yet that have a similar approach to playing with dirt. In fact, another one I read said that playing with dirt actually improves your mood. It can have an impact on how you are feeling and reduce impressions of depression. It is amazing what getting outside and doing a bit of gardening can do to lift your spirits. It was great that around 600 children and adults took up the opportunity to play with mud and other objects that were supplied, and sculpt things out of clay on International Mud Day.

On Thursday 21 July, I had the enormous pleasure of joining thousands of children for Nature Play's second annual Cubby Town event in Belair National Park. This two-day event is the culmination of regular cubby building opportunities that Nature Play offers at various events throughout the year. Children get the chance to apply the skills they have learned to build the largest cubby town ever seen in Belair National Park and, of course, the state. I am told that over 5,500 people attended this great hands-on event that fosters children's imagination, teamwork skills and creativity. Seeing some of the very young tackers trying to walk around with massive tree limbs was a sight to behold.

South Australian families can look forward to taking part in the Nature Play Festival during the October school holidays that will again offer a wide range of nature play activities. Details about all of Nature Play SA's upcoming activities and events, I am told, can be found on their website at natureplaysa.org.au. The website contains a wealth of information, including tips for turning your garden or schoolyard into natural play spaces for children and a list of 25 things to do outside with children during the winter months.

I would like to congratulate Nature Play SA for their fantastic work and great achievements over the last two years. I encourage everyone to spread the word about Nature Play SA and link to it on your Facebook pages. If you do community newsletters, put some reference in there because our community just loves the work that they do and they are getting great support year on year. I can look forward to them going on to even greater heights.

SOUTH AUSTRALIA POLICE

The Hon. R.L. BROKENSHIRE (14:48): I seek leave to make a brief explanation before asking the Minister for Police a question regarding the South Australian police and the South Australian police department.

Leave granted.

The Hon. R.L. BROKENSHIRE: It is no secret that South Australian police face unprecedented budget cuts to the tune of $260 million into the forward estimates. It is no secret that South Australian police have a record now similar to the former Bannon government record on the third arterial road, where three times at elections promises are made about increased police numbers and they do not occur. We all know that in 2010 the now Labor government made a commitment to what they called R313, which was an increase of 313 police officers into the forward estimates.

We also know now that whether there is $16.1 million or not in promises financially, there will be no fulfilment of that commitment before 2020. We also know that this government is closing police stations and privatising and civilianising our South Australian police. My question, therefore, to the minister is: for transparency and to restore confidence in what the government is doing with policing, will the police minister support a select committee into the South Australian police?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:49): I thank the honourable member for his important question. I know the honourable member has an important interest in police, particularly in light of his previous service as the minister for police. Let's just take a moment to reflect on that. When the former minister for police the Hon. Mr Brokenshire last held that office, I am advised, the budget within SAPOL was around about $369 million. Now, it is $882 million.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Brokenshire, you have asked the question; now listen to the answer.

The Hon. P. MALINAUSKAS: I know the Hon. Mr Brokenshire has a passion for facts, so let's just trot out a few. The current police budget in 2016-17 is $882 million. That differential, notwithstanding the passage of time (and it has been some time, I know) represents very substantial real growth over that period—real growth over and above the rate of inflation.

The honourable member refers to budget cuts to SAPOL. I think that is a really unfair misrepresentation of the facts, because we know that, over the life of the forward estimates, during this budget period, the police budget increases in real terms. That is an amount that is over and above the rate of inflation. Any suggestion that this government does not have a high commitment to funding SAPOL is a complete misrepresentation of the truth.

We have massively improved and increased the level of expenditure within SAPOL and, of course, we know that that has been a wise investment on behalf of the state government because we have seen substantial reductions in victim-reported crime in this state. There has been a whole range of contributing factors to that result. One of them, of course, is the incredible hard work being done by our men and women serving our state within South Australia Police.

In regard to police numbers, again, it doesn't hurt to look at the facts. The size of the police force has substantially increased since the Hon. Mr Brokenshire was the minister for police. We have more police officers out on the ground now than was the case then, and we remain committed to again increasing the number of police in South Australia over coming years. The Hon. Mr Brokenshire refers to the delay in respect to Recruit 313. I don't resile from that. I have been open and transparent regarding the circumstances that led to that decision being made and I am happy to refresh the honourable member's mind in respect of that.

I was advised by the police commissioner that reaching the Recruit 313 target by 2018 would necessitate the active recruitment of police officers from overseas, as has been the case in previous years, to be able to rapidly recruit additional police officers into the state of South Australia. We have seen a number of police officers recruited from the United Kingdom who are doing a very good job currently within the South Australian police force.

But in light of his advising me of that information and in light of the employment challenge we have in this state, which this government remains incredibly committed to addressing, a conscious decision was made by the police commissioner in conjunction with myself to stop the

active recruitment of police officers from overseas in order to ensure that South Australians have the largest possible opportunity to serve in the South Australian police force.

A consequence of that decision is that the Recruit 313 program has to be delayed by two years. I acknowledge that that is not ideal but, on balance, those of us within government have to make responsible decisions in light of the circumstances at the time and we are a government that is committed to South Australian jobs. We want to be a government that makes sure that we have as many South Australians working in the South Australian police force.

I think that is an honourable objective. I think it is a wise decision that the police commissioner and I have made together and we are very committed to making sure that we honour the 313 target by 2020. Of course, the government's commitment in respect to that is represented by the extra $16.1 million that the Treasurer has made available in the budget to ensure that that target is reached.

SOUTH AUSTRALIA POLICE

The Hon. R.L. BROKENSHIRE (14:54): Supplementary: based on his answer, will the minister agree to an independent multipartisan select committee into South Australia Police being formed in the Legislative Council?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:55): I think that the government's record in respect of policing in this state stands for itself: an increasing police budget, an increasing number of police officers, police officers' wages and conditions improving continuously, as represented by a 97.5 per cent yes vote by SAPOL officers themselves. This is a government that is committed to a well resourced police force and a continuing increase in the size of the police budget, and I am more than happy for the government's record to stand for itself.

SOUTH AUSTRALIA POLICE

The Hon. R.I. LUCAS (14:55): Supplementary question arising from the minister's answer: has the minister received any advice that the decision that he has outlined to the house has a favourable budget impact in terms of the impact on the net operating balance?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:55): I think all the numbers in respect to the budget are within the budget papers for all and sundry to read, including the Hon. Mr Lucas. The numbers regarding the police budget are there. The $16.1 million is available. It is principally aimed at doing a couple of key initiatives within SAPOL: one, to reach that 313 target as outlined, but also to provide the police commissioner some flexibility for him to be able to employ some civilians so we can have more police officers out on the front line of our police force.

SOUTH AUSTRALIA POLICE

The Hon. R.I. LUCAS (14:56): Supplementary question arising out of the minister's answer: prior to the release of the budget, did the minister receive any advice that the decision that he says he jointly took with the police commissioner would assist the police commissioner and SAPOL in meeting their budget targets?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:56): I am not at liberty to reveal any cabinet in confidence documents that come to my attention. The figures in respect to the budget, as I have already previously answered, are available for all and sundry to see. The police commissioner and I regularly talk about his budget to make sure that it is on track, and I've got to say that SAPOL has an outstanding record when it comes to keeping within budget

SOUTH AUSTRALIA POLICE

The Hon. R.I. LUCAS (14:57): Supplementary question arising out of the minister's answer: given that the minister has previously said that operational decisions are taken by the police commissioner, can the minister indicate, in relation to this, how he has explained that this was a decision jointly taken by him and the police commissioner? Did the police commissioner make recommendations to the minister which he then approved?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:57): It won't surprise honourable members that I am in regular conversations with the police commissioner. Operational matters, as I have stated on many occasions within this place, are entirely within the purview of the police commissioner. I enjoy a good working relationship with the police commissioner; it represents a professional relationship, the type of professional relationship that should exist between the government and the police commissioner.

Regarding police policy in this state, of course the size of the police budget is a matter that is within the purview of the government, so of course the government works closely with the police commissioner about how those dollars—or the amount of dollars that exist and so forth. It won't surprise anyone, I hope, that the police commissioner and I talk about matters that are related to the budget, and Recruit 313 fits squarely in that category and in that respect is part of government policy.

The police commissioner and I had a discussion regarding how the Recruit 313 target was tracking. He explained to me the difficulties that I spoke of earlier, that in order to be able to meet the 2018 target it would necessitate overseas recruitment. He and I had a discussion about ways that that could be achieved without doing that. I was advised that, in order to be able to reach the 313 target by 2018, that would necessarily involve overseas recruitment. Subsequently, the police commissioner and I, after having discussions, arrived at the view that it was better to delay the target by two years to maximise the likelihood of having South Australians in the South Australian police force. I would have thought that a pretty wise decision in the context of what is going on in South Australia at the moment.

SOUTH AUSTRALIA POLICE

The Hon. R.I. LUCAS (14:59): Supplementary question arising out of the minister's answer: is there a document that includes a recommendation from the police commissioner for the delay by two years, and was that document approved by you as minister?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:59): There are enormous amounts of correspondence, information and papers that go between the police commissioner's office and mine: I am more than happy to go and look at those records.

SOUTH AUSTRALIA POLICE

The Hon. R.L. BROKENSHIRE (14:59): Based on the minister's answers, has the minister got any advice for mature and young potential enrolees into the South Australia Police department as to what they do for income and employment for the next four years whilst they wait for the reinstatement of R313, because many of them are desperate to get in and get a job?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:00): Do I have advice for young people in this state who want to get a job in South Australia Police? Yes, I have some advice: vote Labor, because we are a government that is doing everything we can to make sure that SAPOL has the largest number of resources—

Members interjecting:

The PRESIDENT: Order!

The Hon. P. MALINAUSKAS: —the most dollars available and more police officers than any other group that has been responsible for the police budget of South Australia. The other advice I give—

Members interjecting:

The Hon. P. MALINAUSKAS: —for those who care to listen, is that SAPOL has a very substantial effort going on in terms of recruitment at the moment. They are constantly having recruits in the system. I am advised that there are somewhere in the order of 154 cadet intakes occurring this financial year. There are plenty of opportunities for South Australians to apply for jobs through

South Australia Police. I encourage them to go to the SAPOL website and look at the information regarding recruitment activities going on within SAPOL.

NORTHERN ECONOMIC PLAN

The Hon. R.I. LUCAS (15:01): My question is to the Leader of the Government: does the minister have an answer to a question I asked two months ago in relation to how much of the $24.6 million announced in the January 2016 Northern Economic Plan release was already part of the $93 million over four years announced by the Premier on 18 October 2015?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:01): I thank the honourable member for his question—the political genius on the other side, the political genius who gave us the Fisher by-election result, the man every single Labor member desperately hopes runs the campaign against them. It was interesting: I only had discussions with people who were working at the last federal election, and noted that, on the Woodville booth the honourable member was on, there was a massive swing against them. Not only is every Labor member hoping he runs a campaign against them, but that he staffs booths on the day against them. In terms of his question: all new money.

The Hon. D.W. Ridgway: What's your answer?

The Hon. K.J. MAHER: I've said it: if you were yelling and not listening, that's your problem!

The Hon. R.I. Lucas: I didn't say anything.

The Hon. K.J. MAHER: I did; I've just answered the question.

The Hon. D.W. Ridgway: You are a disgrace. You should resign!

The Hon. K.J. MAHER: For the benefit of *Hansard*, the $24.6 million is new money.

Members interjecting:

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

ROAD SAFETY

The Hon. T.T. NGO (15:03): My question is to the Minister for Road Safety. What is the government doing to improve the safety of motorcycle riders who commence riding after an extended period away from riding?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:03): I thank the honourable member for his important question regarding road safety, a subject that remains very important to this government. Motorcycle rider safety is an important aspect of this government's road safety strategy. We are all very aware that motorcycle riders are vulnerable road users, and riders are over represented in road trauma statistics.

On average, over the five-year period from 2011 to 2015, 14 motorcyclists were killed and 140 seriously injured on South Australian roads. While road user trauma has generally decreased, motorcyclist road trauma is decreasing at a slower rate. While total fatal and serious injuries in South Australia over the past five years have, on average, trended down by 4.1 per cent per year, fatal and serious injuries amongst motorcyclists have, on average, only tended down by 1.5 per cent per annum. In the past five years motorcycles comprised around 4 per cent of registered vehicles, whilst motorcyclists represented 17 per cent of serious injuries and 14 per cent of fatalities on our roads.

Analysis of South Australian motorcyclist serious casualty data was undertaken to determine how many riders involved in casualty crashes were likely to be returning riders, meaning riders who rode a motorcycle in the past, and after an extended period of not riding decided to take up riding again. The analysis indicated that for the period of 2007 to 2012 around one fatality, 13 serious injuries and 28 minor injuries, on average per year, may have been a returning rider. It is possible that some of these casualty crashes could have been avoided if the riders involved had undertaken a riding skills refresher course.

Encouraging returning riders to undertake a motorcycle skills refresher training course is a key action in South Australia's Road Safety Action Plan 2013-16. The Rider Safe Returning Rider Course was developed in 2015 and is designed for motorcycle licence holders who have not ridden a motorcycle for some time. This cohort may face increased crash risks as a result of not maintaining safe riding skills, particularly if they are riding a more powerful or different style of motorcycle than the one they used to ride in the past.

The returning rider course is a voluntary motorcycle skills refresher course that allows participants to practise riding skills and techniques that are essential for riding on the road. An analysis of registration and licensing data was undertaken to identify possible returning riders. Letters were sent to these people advising them of the road safety risks, and inviting them to undertake the voluntary Rider Safe Returning Rider Course.

The returning rider course is delivered by the Department of Planning, Transport and Infrastructure, which also conducts mandatory motorcycle riding courses required to obtain a licence to ride a motorcycle on the road. The returning rider course runs for 3½ hours and includes a range of motorcycle handling skills required to ride safely on the road network. It consists of classroom briefing sessions and discussions followed by a practical range of riding practice sessions, which allows the instructor to make the assessments and provide feedback.

The course was developed in consultation with the Motorcycle Reference Group, which comprises key road safety stakeholders and motorcycle industry representatives. The course is being promoted through a brochure sent to motorcycle licence holders identified as potential returning riders and South Australian motorcycle associations through the state government's My Licence website and via social media. In May 2016, the returning rider course was expanded to cater for moped riders and letters were sent to registered moped owners encouraging them to undertake this training.

DPTI is continuing to work with the Motor Accident Commission, road safety stakeholders, and motorcycle industry representatives to promote the course to returning riders and moped riders. I have to say that having had the pleasure of meeting the Motorcycle Riders Association—a very considered and passionate group who pragmatically go about the business of advocating the interests of motorcycle riders—I would like to thank them for their feedback into this process, and we always encourage motorcycle riders to remain safe and undertake all the appropriate actions they can to reduce the likelihood of injury or death should they suffer a fall. Taking this course could be an appropriate course of action for plenty of people who have not ridden a motorcycle in some time.

INDIGENOUS YOUTH INCARCERATION

The Hon. T.A. FRANKS (15:08): I seek leave to make a brief explanation before addressing a question to the Minister for Correctional Services and Police on the topic of Indigenous youth in incarceration.

Leave granted.

The Hon. T.A. FRANKS: As members would be well aware, the *Four Corners* program this past Monday night portrayed horrific cruelty inflicted on children as young as 10 years old in the Don Dale juvenile detention facility in the Northern Territory. Of course, this is in the context of acceptably and inequitably high youth incarceration rates in this country, and comes some 25 years after the Royal Commission into Aboriginal Deaths in Custody, with its 339 recommendations. My questions to the minister are:

1. Have any children from the lands, or from South Australia, ended up in Northern Territory juvenile detention in the past 10 years, because, of course, there is a transient nature (particularly in Alice Springs) that the minister is aware of?

2. Has the minister been approached or has he initiated conversations about issuing a letters patent to participate in a royal commission into this particular matter as announced by Prime Minister Turnbull?

3. What is the percentage currently of young people in detention in our state?

4. What is the status of the implementation of the Royal Commission into Aboriginal Deaths in Custody in our state?

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 honourable member for her important question. I think any decent Australian would have been horrified at the report on Monday night. I have to say that I watched it and was somewhat shocked to see that that sort of treatment of children could occur in our country today. I think many of us within the community who care about correctional services, and I know the honourable member is certainly one of those people, would have been horrified to see that this sort of thing has been going on in modern Australia.

Of course, as the honourable member would be aware, I am not the responsible minister when it comes to juvenile detention, so for the parts of her question that are best addressed to the honourable member in the other place, I am more than happy to do that. But she did touch on a few questions that I think I may be able to help with, not necessarily in a juvenile context, but in an adult context.

Regarding the question of the letters patent, I am not aware at this stage of any such request. Of course, if one were to be made then that would be considered by the government as appropriate to do so. I understand that the royal commission at this stage is being aimed at what is happening in the Northern Territory, although it may be the case that those terms of reference are expanded and if that occurs, of course, the government will consider any requests from the commonwealth that are made.

In terms of the percentage of prisoners, a figure that I have referred to in the past in this forum and one, of course, which is rather concerning is that, as of 30 June this year, I am advised that 22.6 per cent of the adult prisoner population in South Australia is Aboriginal. It is a massive over-representation. I know that many of us are concerned about that. Of course, that is in comparison to an Aboriginal population in the state of South Australia, which I understand is around about 3 to 4 per cent, so it is a massive over-representation.

Regarding the other parts of the *Four Corners* report, I am happy to advise the chamber that I have had a number of discussions only this morning regarding this issue. Naturally, I have had a discussion with my chief executive, although that is in respect of adult prisoners. I am currently the acting minister for minister Bettison from the other place who is currently overseas, so I have urgently sought a meeting and had one this morning with the relevant chief executive and his key executive directors regarding this issue and we have had discussion about that.

I am also in the process of writing to them formally on behalf of the government to seek assurances that the sort of behaviour that we saw on *Four Corners* on Monday night is not happening in South Australia. The information I have received thus far, which has only been verbal, gives me every indication that there is no reason for concern, but as a government we are going to go through a process to seek more information regarding that because it is an important issue to all Australians in light of what we saw on Monday night.

CCTV CAMERAS

The Hon. T.A. FRANKS (15:13): Arising from the minister's answer—and I share his concerns about the behaviour of some of those detention centre officers—if a correctional services worker in this state was to try to cover a CCTV camera, would a penalty apply for that action?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:14): A number was given to me this morning. It is a very large number of CCTV cameras that exist in our relatively new juvenile detention facilities in South Australia. It is very large. We also have obviously a large amount of CCTV cameras in adult prisons as well. If a DCS employee, a correctional services officer, attempted to cover up a CCTV camera with the view to obviously try to hide some actions they were engaging in, that would be something of great concern to me.

As it stands right now, I am not familiar with what the immediate consequence of that would be for a DCS employee. Of course, the disciplining of that employee should they attempt to do such

a thing would be a matter immediately before the chief executive. What I am happy to undertake, so that I can provide some more information to the honourable member, is what the rules and procedures are around CCTV footage in Corrections and, again, I am happy to share that information assuming, of course, that it is appropriate to do so.

BUSINESS TRANSFORMATION VOUCHER PROGRAM

The Hon. A.L. McLACHLAN (15:15): My question is to the Minister for Manufacturing and Innovation. In answer to my question on 5 July this year the minister indicated that to date there have been 64 successful applications to the Business Transformation Voucher Program. Can the minister advise the chamber how many of these successful applications came from businesses based in northern Adelaide?

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) (15:15): I thank the honourable member for his question. He always asks very good questions. When the current Leader of the Opposition the Hon. David Ridgway furnishes his resignation, which looks like being imminent, we know that there will be quite a scrap but I am confident that the Hon. Andrew McLachlan will be one of the contenders for that soon-to-be vacant leadership position. On our side we are blessed with many potential leaders as there is much great talent on this side. Andrew McLachlan does reasonably well but he is the outstanding new talent on that side of the chamber.

The honourable member asked about the recipients of the Business Transformation Voucher Program and how many of those are within northern Adelaide. I don't have a number of the specific geographical locations of where businesses are and how many are in particular postcodes, but what might be of benefit is that I am happy to go through some examples of the companies that have received funding under the Business Transformation Voucher Program. The honourable member, who is exceptionally diligent, which is why he is the obvious leadership contender on that side, I am sure will have a look and see where those companies are.

In fact, he is very diligent and he might know a number of these companies. They include companies such as Sunfresh Salads Pty Ltd, WBC Group Pty Ltd, Huntsman Chemical Company Australia Pty Ltd, Williams Metal Fabrications Pty Ltd, Bowe Pty Ltd, IPC Granite Pty Ltd, Precise Advanced Manufacturing Group, Mitolo Group Pty Ltd, Techno Plas Pty Ltd, Smart Fabrication—I have visited Smart Fabrication and it is located in what would be the catchment area for what most people would regard as northern Adelaide. I assume from the question that he might mean the areas that are subject to the Northern Economic Plan. Is that what the honourable member means?

Members interjecting:

The Hon. K.J. MAHER: To get that level of preciseness. He was quite precise but not quite there so I am glad I can help him out on narrowing that down. Others have included Quality Plastics & Tooling Pty Ltd, Street & Park Furniture Pty Ltd, Tucker's Natural, Munns Lawn Company—who many would be familiar with for providing turf and lawn products—Riviera Bakery, Prancing Pony Brewery, who we have heard about. They were one of the attendees at the Beer and Cider Awards which I referred to earlier in question time.

There are other names that everyone will be familiar with, as I am sure most are familiar with Prancing Pony Brewery located between Littlehampton and Hahndorf in the Hills. There are companies like Haigh's Chocolates that many would be familiar with. I am sure the Hon. David Ridgway is very familiar with Haigh's Chocolates in his portfolio areas. He would come into contact with some of these premium manufacturers regularly. Mitchell & Cheeseman Pty Ltd and Udder Delights have been the recipient of a business transformation voucher. As I have said, I am going through some of the winners, and the Hon. Andrew McLachlan, I am sure, will have a look through to see the locations of some of these winners.

The Hon. S.G. Wade interjecting:

The Hon. K.J. MAHER: The Hon. Stephen Wade correctly, I think, points out that Udder Delights is located in the Adelaide Hills. This is a great example of just how far and wide these business transformation vouchers are benefiting South Australian businesses. I thank the

Hon. Stephen Wade for his interjection that allows me to talk about just how far and wide these are benefiting South Australian companies right across this great state. Other companies have been included: Jedmar Pty Ltd has been a recipient; Gelista has been a recipient; and B.-d. farm Paris Creek Pty Ltd, which the Hon. Robert Brokenshire knows a lot about. This is a great example—

Members interjecting:

The Hon. K.J. MAHER: —of just how far and wide these business transformation vouchers have been of benefit. I don't agree with the interjections that we should not be supporting things in our regional areas. I think we should be supporting companies right across South Australia.

Members interjecting:

The Hon. K.J. MAHER: I disagree with the interjections we're hearing, Mr President. We should be supporting companies right across South Australia. Others include Jurlique International, which I think is based in Mount Barker—again, great support for areas other than in the metropolitan area—Maggie Beer Products, Peats Soil & Garden Supplies, which I think is in the McLaren Vale area—

Members interjecting:

The Hon. K.J. MAHER: Sturm's Mechanical Engineering, Moose Industries, Cronin Fabrication Pty Ltd—I do not hear the Hon. Stephen Wade complaining, 'Oh, you are giving stuff outside the city.' I don't hear him complaining about that now—Electrolux, Sentek, 4 Ways, Moo Premium Foods, Australian Fashion Labels, KJM Contractors, Kennewell CNC Machining, Krix Loudspeakers, which I have visited recently in the outer southern suburbs, providing fantastic speakers and speaker systems right across Australia and internationally into cinemas. Detmold Holdings, The Green Dispensary, Ferguson Australia, Goolwa Pipi Co, Key Tubing, Strath Pastoral, Micromet, Enzos at Home, Panda Honey, Stairlock International—these are an example of the companies that have benefited from our Business Transformation Voucher Program.

I thank the Hon. Andrew McLachlan for his well thought out, well reasoned question. When he is leader he will get to ask many more questions like this.

Matters of Interest

CLIPSAL 500

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:22): Yesterday, I very happily gave some students from St Therese School a tour of Parliament House. One of the first things I teach students on these tours is that parliament is modelled on the Westminster system. One of the core principles of this system is ministerial accountability. Perhaps the ministers of this Labor government need to come on a tour of Parliament House with me to learn about their ministerial accountability. It is an absolute disgrace that no minister has come forward to comment on the government's dodgy Clipsal contract.

This story has been manifesting for more than a week now and the minister ultimately responsible, minister Bignell, has not released a written statement, let alone appeared for public comment. Every time there is a good news story in tourism, minister Bignell puts himself front and centre in the media. However, when taxpayers and small businesses are being ripped off, he is nowhere to be seen. Whatever happened to ministerial accountability?

It is unacceptable for the minister to be there for the good times but, when the going gets tough, minister Bignell gets going. Only last month, minister Bignell happily stood in question time for four minutes answering a Dorothy Dixer in the House of Assembly about the Clipsal. He stood there for four minutes and pumped up his tyres and even had the gall to say:

> It's tremendous to see a record figure of $65.6 million of economic benefit into the South Australian visitor economy. We must remember that that money trickles through the taxis, through the hotels and through our retail shops and restaurants, and it is very important in terms of creating jobs and sustaining jobs.

He said this knowing full well that South Australian businesses had been ripped off and many may have to shed jobs. I have a letter in my possession from the minister acknowledging the fact that he knew Elite Systems was in financial trouble and had entered external administration on 27 May.

Mr Bignell knew these businesses were not going to get paid as unsecured creditors, yet just over one month later he had the audacity to stand in parliament as an elected member and talk up the event which has so far left South Australian small businesses and taxpayers, I might add, $1.7 million out of pocket. Mr Bignell must stop being a coward and must come out of hiding and address this issue. There are at least nine small South Australian businesses that we know of that are out of pocket. They deserve an answer from the minister. This government knows nothing about ministerial accountability.

By way of chronology, the South Australian Motor Sport Board signed a $1.5 million contract with a Victorian company called Elite Systems in April 2015. At this point, minister Bignell was the minister responsible. As of 30 June 2015, the minister made the decision to abolish the Motor Sport Board and the Clipsal event management was transferred to the South Australian Tourism Commission. I might add that the opposition expressed some concern with this, but nonetheless we supported the abolition of the Motor Sport Board but did retain the tourism commission board. When it did transfer to the tourism commission, minister Bignell was the responsible minister.

We have been told that in August 2015 the South Australian Tourism Commission became aware that Elite Systems was in financial trouble. The contract commenced on 14 December 2015. The Victorian company, Elite Systems, subcontracted a host of South Australian small businesses that did the right thing. They did the work that they were asked to do, they paid their workers, but they never ever got paid by Elite Systems. There are nine companies that we know of that are collectively owed over $1 million. On top of this, we know taxpayers of South Australia are owed more than $650,000.

On 27 May 2016, Elite Systems entered into external administration. The state government has failed in their due diligence. How can a company enter external administration within five months of the contract starting date, or offer a six-year contract? To date the government has refused to compensate these small South Australian businesses and has not provided any details around their due diligence and the process that ensued. The SATC has released a statement to that effect; that is, 'We are not responsible for Elite's third-party arrangements and these companies should have conducted their own due diligence.'

These small businesses understandably relied on the fact that Elite Systems had a brand new contract, a six-year contract with the state government, a contract with the Crown. That is all that small businesses should need and the onus is on the state government to conduct thorough due diligence. A simple Google search would have shown a chequered past of one of the company directors, Mr Lea Adams, who was in court in the UK for a previous business failing. The government and Mr Bignell are attempting to wipe their hands of this.

The Westminster system and the fundamental principle of ministerial accountability says the buck stops with the minister. Mr Bignell must offer to compensate these small South Australian businesses. If he will not, then he should at least have the guts to come out of hiding and explain himself.

NEUDECK, DR RUPERT

The Hon. T.T. NGO (15:27): It is with great sadness that I rise to speak on the recent passing of Dr Rupert Neudeck, one of the world's greatest philanthropists. Dr Rupert Neudeck was born on 14 May 1939 in Gdansk, Poland. He was a refugee at a young age when he and his family were forced to move to Germany, due to the turmoil of war-torn Europe. After the fall of Saigon in 1975, millions of Vietnamese became refugees and fled the country on unseaworthy fishing boats to find freedom.

In February 1979, Dr Neudeck founded a private charity committee called Cap Anamur to carry out search and rescue missions of Vietnamese boat people along the South China Sea. He used donated funds to operate a cargo ship to pick up Vietnamese boat people. The first Cap Anamur ship began rescuing boat people in February 1980, and by late 1989 the Cap Anamur saved the lives of 11,300 Vietnamese boat people and provided medical care for another 35,000 refugees in South-East Asian refugee camps.

Most of the boat people rescued were exhausted, soaked with sea water and filled with terror. Before being rescued, many of them encountered armed pirates who robbed and raped the boat people and wrecked their boats. This is truly a momentous humanitarian effort, led not by a government but by a courageous and inspiring individual who was moved by the suffering of the boat people.

In my maiden speech in this house I spoke about my rescue from the brink of death by the Cap Anamur, along with 31 other Vietnamese, while our boat was leaking and sinking. I and many other Vietnamese throughout the world owe our lives to Dr Neudeck. His courageous actions have had a direct positive impact on Australia through the successful integration into Australian society of Australian Vietnamese. Many of them have since sponsored their other family members to come to Australia.

Other rescued refugees have migrated to all different parts of the world, including countries such as Dr Neudeck's native Germany, the United States and Canada. Due to the far-reaching benefits of his work, Dr Neudeck has been awarded many honours in recognition of his service. While the committee was born out of Dr Neudeck's initiative in rescuing boat people, to this day it continues to run development projects and humanitarian relief in more than 40 countries in Asia, Africa and the Middle East.

Dr Neudeck demonstrated leadership and understanding in a period of time when the established norms that we accept today did not exist. Dr Neudeck did not just save people, more importantly he challenged Western society's disposition to the plight of boat people. Dr Neudeck openly publicised the impoverished conditions of people he rescued, raising public recognition of the plight of refugees in western countries, particularly in Germany. His humanitarian work in helping boat people also raised the need to find solutions for other problems, such as the slave trade, as pirates not only looted from boat people but also abducted many women.

I am very grateful to have made contact with Dr Neudeck recently, to thank him for saving me and thousands of other refugees. Dr Neudeck's death comes as a loss to humanity, though his legacy lives on through the many associations and committees that assist refugees fleeing persecution today. Dr Neudeck will be forever remembered as an advocate for refugees. Dr Neudeck once said: 'If you are aware of a tragedy of human lives, then you have to do something at once.' He embodied courage, commitment and compassion in its purest form. For a great many of us, Dr Neudeck is a hero. I pass on my condolences to Dr Neudeck's wife, Christel, and his three children. May Mr Neudeck's soul rest in peace now that he rests in God's care.

ONLINE BETTING TAX

The Hon. T.J. STEPHENS (15:32): I rise today to speak about the government's proposed wagering 'place of consumption' tax. On an empirical level, it is very disappointing to see that the government's solution to everything seems to be further taxation. Another tax is not what this state needs. In fact, a more efficient taxation system would improve the economic system here dramatically, but I diverge. This unimaginative Labor government has decided that it will cure its budget disease with more revenue, rather than doing the hard yards to reduce the entire public sector to a sustainable and necessary size. The newest idea to raise revenue is a 15 per cent tax on every online bet taken in South Australia.

As would be expected, the businesses involved are outraged by an opportunistic money grab without prior consultation. The Treasurer admitted this in his budget speech, where he declared that the government would consult the measure over the next six months. This appears a lot like the 'announce and defend' tactics of the Rann Labor government, rather than the 'consult and decide' promised by the Premier when he came to office. Perhaps the Premier no longer controls the government, given all the scandal that he has attracted recently.

There are a number of identified problems with such a measure, which I will endeavour to outline. My understanding of the measure is that it will only apply to Australian online bookmakers, which of course will only see punters move to online bookmakers based overseas who are outside the reach of the South Australian government, as they will not have to pass the cost of the tax on to punters and presumably can therefore offer better odds.

The Treasurer has stated that this measure is about the companies paying their fair share of tax, but the companies already pay GST and company tax to the commonwealth as well as other business taxes in the jurisdiction in which the company is registered. These companies do not dodge their obligations. This is about a greedy government saddled by unprecedented levels of public debt. The Treasurer further stated that this measure will ensure funding is committed to gambling rehabilitation programs at the same proportion as other state gambling taxes, but what exactly is that proportion?

According to SACOSS's 'Losing the jackpot' report, which first called for a place of consumption (POC) tax on online betting, only 12 per cent of gaming tax revenue is diverted to the four funds identified under the Gaming Machines Act of which the Gambling Rehabilitation Fund is only one. Clearly, that defence of the tax is spin at best.

Online bookmakers based in Australia currently pay product fees to the governing bodies of the events on which they run betting markets. However, offshore bookmakers do not. As their competitive edge increases, these offshore operators will be taking more and more of the Australian betting market and have a greater interest in Australian sport, without the same scrutiny that Australian operators receive. This could have serious repercussions on the integrity of the events, with the advent of complex spot-fixing schemes being exposed in many sports in recent years.

Furthermore, there is a risk that, should bookmakers choose to pass on this tax to punters by withholding 15 per cent of winnings, for instance, suddenly everyday South Australians are being robbed. It is an outrageous thought that, on Melbourne Cup Day, a South Australian punter would receive 15 per cent less of his winnings than a Victorian punter. This anticompetitive move by the government will only open the door for illegal gambling to operate in this state.

Finally, this measure will have an actual effect on competition, investment and jobs in South Australia. By introducing this tax, the government has heightened the sovereign risk to companies such as Sportsbet and bet365. Sportsbet is reviewing its proposal for a $20 million data centre in Adelaide as well as the technology scholarships it offers university students in this state. Bet365 has stated that it is considering withdrawing from the South Australian market altogether, which would significantly reduce competition and, therefore, the integrity of online betting markets.

I am interested to hear what the racing industry, which relies more heavily on gambling investment than most other sports and events, believes but, if any of the warnings of these online bookmakers are to be believed, it could mean more harm to an industry that this Labor government has failed to support year after year. It is disappointing that the government has buried this measure in the budget, as it deserves the full scrutiny of the parliament. This is another disappointing example of the Weatherill Labor government's incompetence.

IONIC INDUSTRIES

The Hon. J.A. DARLEY (15:37): I rise today to speak about Ionic Industries and graphene technology. Ionic Industries is Australia's only company focused on the commercialisation of graphene technologies. After achieving a range of critical milestones over the past five years and a number of recent successes, they are currently planning for their next stage of growth and progress toward developing real applications for graphene-based technologies in the fields of energy storage, nanofiltration and water treatment.

This is an Australian company developing cutting-edge technologies with potential application across diverse sectors, including electronics, industrial processing, telecommunications, renewable energy, defence and aerospace. Ionic's base technology is graphene oxide, which is produced in commercial quantities in its pilot plant at the new Tonsley high-tech industrial precinct.

Graphene and its oxide have many extraordinary properties. It is extremely thin, transparent, and is considered one of the strongest materials in the universe. It is conductive and heat resistant. Ionic's strategy for exploiting graphene's unique characteristics is to modify the chemical, structural and electrical properties of graphene to tailor its performance to the application.

Their research and development team have experience with customising graphene in innovative ways and are developing three primary graphene-based product ranges that can be applied in many industrial contexts. The first is SuperSand which can be used in various forms as

cost-effective water filtration solutions for removal of different pollutants and organic compounds. It will compete very effectively in activated carbon markets worth approximately $5 billion globally.

The second is nanofiltration membranes, which have extraordinary properties applicable in a range of industries including water treatment, mining, pharmaceuticals and food processing. These membranes have very high chemical resistance, making them safer and lower maintenance; are 10 times higher flux than polymer membranes, resulting in much greater efficiency; have very high mechanical strength for reduced maintenance and lifetime cost; and are highly modifiable during manufacture, which enables precise customisation for different applications.

The third product range is high performance supercapacitors that will provide unique performance characteristics targeting a number of high-value energy storage applications, including those currently addressed by lithium ion technologies. There has been a lot of media attention on graphene in recent times and there has already been a number of success stories outside of Australia.

Ionic is pursuing the commercialisation of technologies and is taking its next developmental steps in South Australia. The South Australian government has been very supportive of Ionic Industries, and they believe that the incubative environment that the government is creating at Tonsley will generate a range of opportunities as Ionic moves towards the commercialisation of its technologies.

Furthermore, there are skills, equipment and resources available in South Australia that will be able to be leveraged to the mutual benefit of all stakeholders. South Australia will be better able to maintain its position as a leader in the defence sector by leveraging existing expertise in manufacturing and turning it to new innovative applications. Within the right environment, this could lead to many opportunities for the state and increase employment whilst clearly identifying South Australia as a state that supports innovative technology and manufacturing.

SURROGACY

The Hon. J.S.L. DAWKINS (15:41): Most members of this place would know that my first surrogacy bill passed through the parliament in late 2009. Honourable members would also be aware that, from November 2014 to May 2015 in this place, we considered a bill that I was proud to have moved, the Family Relationships (Surrogacy) Amendment Bill 2015, which was introduced to expand access to, and improve protections involved in, the surrogacy process in this state.

This bill was carried on the voices in this chamber on 6 May last year and expeditiously transmitted to the other place. I wish to put on the record my sincere thanks to the member for Morialta in another place, who handled this bill in that chamber. The bill was again carried in the other place on the voices on 2 July 2015, and royal assent occurred on 16 July 2015.

Mr Acting President, you and other members could rightly be asking why, after so much time, I would be speaking about this bill again. Within this piece of legislation, agreed to by the parliament, were provisions which required the Attorney-General and his department to draft regulations so the law could operate in a practical sense and therefore even more prospective parents across the state could access surrogacy in South Australia.

However, to my dismay, over more than 12 months later I have neither seen nor heard anything coming close to even a draft of these regulations. This is despite putting myself and my office at the disposal of the Attorney-General and writing to him on several occasions asking for meetings and an update.

For the benefit of honourable members, I will put on the public record which areas of the legislation required the Attorney-General to lift his pen and draw up regulations. Clause 4 of the bill inserted a Part 2B Division 1A which, after section 10F in the act, now provides:

Division 1A—State Framework for Altruistic Surrogacy and Surrogate Register

10FA—State Framework for Altruistic Surrogacy

(2) The Framework is to be prepared by the Minister in accordance with this section.

10FB—Surrogate Register

(1) The Minister must establish a register (the Surrogate Register) of women who are willing to act as a surrogate mother within the meaning of section 10HA

In summary, the minister, according to the law passed by this parliament, must do two things: one, establish a state framework for altruistic surrogacy via regulation so that incidents such as those relating to Baby Gammy do not occur again, and two, establish a surrogate register and make it practically work via regulation.

Now, over one year on, after my consistent attempts to have the Attorney-General complete the task this parliament assigned to him, I come to the council to plead on behalf of those South Australians who want and need these regulations to start and complete their families, and plead that the Attorney-General finish drafting these regulations and have them tabled in the parliament quickly.

These reforms are substantial, and I understand regulations such as these cannot be drafted overnight. However, after nearly 13 months, only one meeting and follow-up correspondence from my office to the office of the Attorney-General on 19 October and 30 December last year and 3 June this year, as well as my taking the opportunity to speak to the Attorney-General when I could, to his staff and also to the Premier whenever the opportunity presented itself, I think the time has now come for the Attorney-General to shape up and deliver these regulations.

It was clearly the will of this parliament that these changes be made: both houses approved these changes without division. It is apparent from my conversations with the Attorney, including very recently, that very little, if anything, has been done. I remain, of course, willing to assist, with my limited staffing resources, in expediting the development of these regulations. Unfortunately, almost 13 months has been lost for the families wishing to utilise this legislation to be able to develop their own family unit, and I urge the Attorney-General and the government to follow through on these regulations.

BROWN, MR V.J.

The Hon. R.L. BROKENSHIRE (15:46): It is a pleasure today to place on the public record, *Hansard* of the South Australian parliament Legislative Council, my personal appreciation, and that of hundreds of South Australians and Australians, for the work, life and commitment to South Australia, and, broader than that, to certain aspects of Australian sport, of Victor John Brown, OAM, from Ardrossan, born 24 March 1936 and sadly passed away on 28 May 2016. He was a cherished and much-loved husband of Meg Brown, also rightly an OAM, and father of four beautiful children—Stephen, Nick, Linda and Joanna—their partners and, importantly, 13 grandchildren (12 granddaughters and one grandson, Benn).

Vic Brown started from humble beginnings as a farmer doing it tough, with little capital and having to support his father and family at a very young age. He soon developed into being one of South Australia's most proactive farmers in the Ardrossan region, and grew that farm to a significant farming enterprise. He was a very good businessman: he knew that you should not go out and borrow more money than you could afford to repay, and he was always focused on repayment of capital.

He could see the opportunities at Rogue's Point and James Well down from their farm, at Rogue's Gully, for development, and made a bold decision with his family to buy land on the beachfront, and eventually was able to rightly be rewarded for his family's efforts and his vision in the development of a subdivision that gives pleasure today and into the generations of the future with holiday homes and tourism in the Ardrossan area.

The Brown family, of which Vic was integral part, had been in Ardrossan since 1880. He loved Ardrossan, and never forgot where he came from. He was very committed not only to agriculture and farming but also to community, spending 20 years on the Yorke Peninsula council and being one of the activists to look at amalgamation of councils. At the same time, he spent 40 years with Lions, with three terms as president.

He was the state president of South Australian Bowls, and during that time spent 300 days of that period absolutely committed to the development of SA Bowls. He was the facilitator for bringing men and women into equality and opportunities within the development of bowling. He was an absolute top sporting shooter and life member of not only the South Australian Bowls Association

but also a life member of the shooting fraternity within our state, with his commitment to Ardrossan in particular.

On top of that, he looked at the minor things that were still very important for the long term, like recycled water, and today when you go into Ardrossan you see a very vibrant and lush golf course and surrounds, and he was the instigator of that. There is the Ardrossan Progress Association, the foreshore, and the caravan park where he was president for 10 years and turned that from an annual profit of $76,000 to $400,000.

Few people, other than your parents, make a significant impact on your life. If you think about it, there is generally only a handful of people who have a direct positive and proactive input into the development of other people around them. I am proud to say that Vic Brown was immensely supportive of me and, not by words but by actions, taught me the importance of supporting family, of loving family, of community development, of what you can do with agriculture and the importance of agriculture, the return in opportunity that you get if you work hard in agriculture, and the rewards for caring for animals and crops.

Clearly, he also led a lot of others to develop their leadership opportunities and helped to fulfil the development of one as an individual and what an individual can do, simply by working with and watching, and having the pleasure of being one of those associated with Vic Brown. At his celebration of life, the bowls club at Ardrossan was absolutely packed—and rightfully so. People could not speak highly enough about not only Vic and the great work he did, but the family and community commitment he had. Vic Brown was an absolute role model for anybody who had the opportunity to be involved with him. His efforts live on.

The challenge for the rest of us who are left is to see whether we can be proactive and leave our mark on society as Vic Brown has left for future generations. His family and friends are all very proud of him, and we thank Vic for being able to be part of his life on earth.

LABOR PARTY

The Hon. R.I. LUCAS (15:52): I rise to speak about two issues this afternoon. The first, which will not surprise you, Mr Acting President, is that on many occasions we see in this chamber, and in another place, ministers and members of the Labor Party prepared to say and do anything. On many occasions, they simply make up stories and accusations for which they are never held to account. On a number of occasions, the Leader of the Government in this chamber, the Hon. Mr Maher, has continued to make a statement (which he again made today during question time) when under pressure or challenged during question time, and when he does not have an answer he resorts to a form of personal abuse.

He has often used criticism on a number of occasions—I think on at least a half a dozen occasions, as you will recall, Mr Acting President. As part of his response, he has said, 'The Hon. Mr Lucas, the man who was in charge of the Fisher by-election campaign and strategy, who lost the Fisher by-election, and we thank him for that.' He then proceeds to move on to other areas of criticism. As I said, he has used that form of personal abuse on half a dozen occasions and I have just let it slip. I thought given that he raised it today, and the opportunity arose, I would at least put the facts on the table. The Hon. Mr Maher knows that claim is untrue, but continues to make that particular claim.

As you know, Mr Acting President, the Fisher by-election was held on 6 December, or in the first week of December 2014. During all of the period leading up to that particular by-election campaign, my mother was dying in the Royal Adelaide Hospital. She died in the weeks leading up to that by-election campaign, and we buried her in the period in late November 2014. Subsequently, I had virtually no involvement, let alone role in terms of directing or managing the Fisher by-election campaign for reasons that are obvious. The Hon. Mr Maher, as I said, is well aware of that particular set of circumstances but continues, nevertheless, to make the claim.

As I said, it is consistent with the position of the Hon. Mr Maher and government ministers where, under pressure, they just simply make up stories and claims, and it then becomes part of urban folklore. I have seen versions of the story repeated on social media through South Australian Labor and various other fellow travellers. I just thought I would correct the record. I think it is correct that, after my mother was buried in late November and after the by-election, I was asked by the

Liberal Party to help oversee the scrutineering and counting process for the Fisher by-election. I was also asked by the party to handle the media.

There was considerable interest in the media as a result of the Fisher by-election result and campaign, and certainly I was the public face of the discussions in relation to the scrutiny and the election result. I thought that, given he has continued to use this particular made-up story, knowing it to be untrue, for nearly 12 months now that at some stage, at least in this particular area, I would put the facts on the record so that at least other members will be aware when next he uses it that it is simply untrue and incorrect.

The other issue I wanted to briefly refer to, given that we are about to go into the estimates committee process in another place and we will have the budget bills before the Legislative Council in the coming weeks, is the sadness that we have seen in terms of the public defence by Treasurer Koutsantonis of aspects of his budget. In his defence of the budget, he has continued to refer to the fact that last year's budget was a jobs budget and it created 6,000 new full-time jobs. We now know the game. That claim was simply untrue and incorrect and the Treasurer must have known that that was the case.

The facts from the Australian Bureau of Statistics show that, in fact, there have only been about 956 full-time jobs created since last year's budget, at the time of last month's counting anyway, and around nearly 7,000 part-time jobs, and those part-time jobs, as members are aware, which can be as little as one hour a week, count toward a part-time job for the purposes of the Australian Bureau of Statistics. It is just another example where we see from the Premier and the Treasurer down to the Leader of the Government in this house, sadly, ministers who know that things are untrue or incorrect, but continue to spin their political line for the purposes that they see best. In the end, the time of accountability will be at the next election.

Motions

GREYHOUND RACING

The Hon. T.A. FRANKS (15:57): I move:

1. That a select committee of the Legislative Council be established to inquire into and report on greyhound racing in South Australia, and in particular—
   (a) the economic viability of the greyhound racing industry in South Australia;
   (b) the financial performance and conduct of the industry and of Greyhound Racing SA;
   (c) the effectiveness of current industry regulation, including the level of autonomy of Greyhound Racing SA;
   (d) the sale and breeding of greyhounds, including the market conditions and welfare of animals;
   (e) the welfare of animals in the industry and the role of Greyhound Racing SA in establishing and enforcing standards of treatment of animals;
   (f) financial incentives for reducing euthanasia and prosecutions of animal mistreatment;
   (g) the adequacy and integrity of data collection in the industry, including the number of pups born, the number of dogs euthanased and injury rates; and
   (h) any other relevant matters.
2. That standing order 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4, That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses, unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

I rise today to move a motion for a select committee to inquire into the greyhound racing industry in our state. I do so framing that select committee's terms of reference on those used by New South

Wales in their independent inquiry which recently reported and found findings to such a significant concern to the Premier of that state that he has, in fact, declared a ban on that industry to take effect as of 1 July next year. A few hours later, that ban was echoed by the ACT and the territory government, with both the Greens and Labor members supporting that ban to take effect as well.

Those criteria look to the economic viability of the greyhound racing industry in our state; the financial performance and conduct of the industry and Greyhound Racing SA; the effectiveness of current industry regulation, including the level of autonomy of Greyhound Racing SA; the sale and breeding of greyhounds, including the market conditions and welfare of animals; the welfare of animals in the industry and the role of Greyhound Racing SA in establishing and enforcing standards of treatment of these animals; the financial incentives for reducing euthanasia and prosecutions for animal mistreatment; the adequacy and integrity of data collection in the industry, including the number of pups born, the number of dogs euthanased and injury rates; and, of course, any other relevant matters.

Members interjecting:

The Hon. T.A. FRANKS: It would be very unparliamentary to make a reflection upon the government benches or the absence thereof. I think the New South Wales Premier in this past fortnight surprised many in the community but it was no surprise to those who for some decades have followed the reports of cruelty and corruption in the greyhound racing industry. The New South Wales inquiry, of course, was instigated by the revelations made in the *Four Corners* program *Making a Killing* some 18 months ago. Those revelations used undercover footage and exposed the practice of live baiting. I commend the member in this chamber, the Hon. Michelle Lensink, for her work in putting forward some legislation that would have addressed that issue which was in fact watered down in the version that came to us from the government side but certainly unanimously passed in this place to increase penalties for live baiting.

But what the Premier made quite clear in his statement and what the New South Wales report makes quite clear is that live baiting was just the tip of the iceberg—in fact, it was the wastage rates. Wastage is just a pretty word for killing dogs needlessly; healthy dogs needlessly killed, so that the wastage rates were indeed one of the key factors that led to the Premier declaring that in New South Wales from 1 July 2017 the greyhound racing industry in that state would not continue.

He has also noted that there will be a transition package for those who have employment tied to that industry and also, of course, a process for rehoming the dogs. I must just put at this point that he has also made it very clear that this is not a land grab from working-class communities and that all of those current spaces used by Greyhound Racing NSW will not somehow be taken by the government for profit on its behalf but will be for the benefit of those particular communities.

That report was quite comprehensive, and I must at this point also acknowledge the work of my Greens' colleague the late John Kaye MLC who initiated that particular inquiry but for decades had been raising concerns. For decades those concerns had gone largely unheard but certainly he was instrumental in supporting the work of the *Four Corners* program, as was Animal Liberation Queensland and Animal Australia. The RSPCA both here in this state and across the country has long campaigned on the issue of greyhounds and the cruelty against greyhounds. I thank John Kaye for his legacy. Unfortunately, he passed away just a few short weeks before that report and that announcement was made by Premier Baird. I think even the Hon. John Kaye would have been surprised but I am certain that he would have been delighted.

The report had two options; the second option was not taken up. That would have been to maintain the industry and undertake reforms to improve transparency and governance and reduce the level of greyhound deaths—that was option 2. Premier Baird chose option 1 and that is recommendation 1: no longer permit greyhound racing and close down the industry. To make such a statement there must have been great reason. Certainly in those many hundreds of pages of the report there are significant levels of evidence that, in fact, this was an industry that had been given the chance to reform but was showing that it was not willing to.

The transition in New South Wales will be some 12 months in the making. An administrator will be appointed and the protection of those animals, as I say, will be undertaken and the government in New South Wales has engaged the RSPCA of New South Wales to do that. The findings of that

report found that of the 97,783 greyhounds bred in the last 12 years, between 48,891 and 68,448 dogs were killed because they were deemed uncompetitive as racing dogs. That is 50 to 70 per cent of those greyhounds were killed because they were too slow. There was no other reason, simply too slow; not profitable enough; could not make money out of them, so they were put down.

The report also found that even if the number of races were to be reduced to the minimum required for the industry to remain viable—and that was estimated at 593—even at that there would be a wastage rate of some 2,000 to 4,000 dogs killed prior to reaching racing age each year. Premier Baird found that unacceptable, and the Greens certainly agree with him. It also found that the evidence of live baiting extends back as far as 2009 and that approximately 10 to 20 per cent of trainers were engaged in the practice. The commission concluded that there was an endemic support for the practice and, indeed, that Greyhound Racing NSW knew about the practice and did nothing about it.

New South Wales, however, is not alone in banning greyhound racing. Indeed, greyhound racing is only commercially run in eight countries. The largest of these is the United States of America. I must say, even in that nation, Arizona just became the 40th state to ban it in that country. So New South Wales does not stand alone in taking this action. Premier Baird does not stand alone in taking this action.

The deaths and injuries involved with this particular industry have lost it its social licence. Animals Australia has a flyer that is titled 'The ugly truth about greyhound racing'. They say approximately 8,000 pups born each year will never race and most likely are killed. They say five dogs every week are killed on the race track. They say piglets, possums and rabbits are all victims of brutal live baiting. They talk about the fact that most of these dogs who do live, live lives of deprivation when they are not on the racetrack. After they are retired from racing, four out of every five dogs are killed. That is approximately 10,000 annually, as Animals Australia had contended. Of course, we know that the figures are so astounding—and from that New South Wales report, so concerning—that they led to that Liberal government action in New South Wales.

What the New South Wales inquiry found that is of relevance to this particular discussion is that it is not unique to New South Wales—surprise, surprise. Indeed, a document that was only able to be gained through the processes of the New South Wales inquiry, authored by Greyhound Racing SA and Greyhounds Australasia, actually admitted that they had a problem. Indeed, this strictly confidential document, which is called 'Crisis to Recovery Program', is indeed well intentioned in that its subject is the framework for achieving zero euthanasia—certainly a worthy goal. They state:

> The Goal
>
> Build trust in the greyhound racing industry

The memo continues:

> Our Problem
>
> - 7,000 greyhounds a year do not make it to the track (40% of all greyhounds whelped)

That is the greyhound racing industry's own figures. They talk about the greyhound assistance program, which rehomes those greyhounds after racing, and they boast, or indeed bemoan, that only 6 per cent of all pre-raced and retired greyhounds are actually rehomed. I will repeat that: 6 per cent of those who make their owners a profit are actually rehomed. That leaves some 94 per cent seemingly unaccounted for. They go on, in this manner, to say:

> - That means this industry is responsible for the unnecessary deaths of anywhere between 13,000 and 17,000 healthy greyhounds a year (we don't know how many are being rehomed by charity groups or live out their lives on owner properties)

The Animals Australia estimate was, in fact, conservative. It was not 10,000, it was somewhere up to 17,000. The solution, in this memo, is three words: 'Reform the industry.' That is a worthy goal, but I cannot see how this industry will be reformed without transparency. At the very least, transparency around the kill rates in this state of healthy greyhounds. It would seem reasonable that this council would know that number for this state. I have certainly asked it in parliamentary debates.

Most ironically, I thought, on the very day that this state finally passed, proclaimed and announced with a fanfare of media releases from minister Hunter the fact that we had a new Dog and Cat Management Act and the amendments would mean that the 10,000 dogs and cats needlessly euthanased currently would be supported by a clamping down on puppy factories, by microchipping and by desexing. Now, of course, those 10,000 dogs and cats figures were provided through the processes of the citizens' jury and used by the government and members of this place to debate that particular suite of reforms.

It became very clear in the debate that those figures did not include greyhounds and, when asked, the government refused to disclose the number of greyhounds that were being needlessly euthanased under these so-called wastage rates. I say 'refused', but I suspect that they do not even know the figures themselves, and whether that is minister Bignell and minister Hunter not asking the questions or not receiving an answer is something that I would certainly like those ministers to clarify.

I have also tried writing to Greyhound Racing SA and asking them for a clarification on these wastage figures. In relation to my letters of 27 April, 28 April, 29 April, 2 May, 3 May, 4 May, 5 May and 6 May asking for these suites of figures to be provided under freedom of information, on 27 June I received a response, addressed to me and signed by Matt Corby, the Chief Executive Officer of Greyhound Racing SA, which stated:

> Dear Madam, Freedom of Information Request: Statistics on Greyhounds in South Australia. We refer to your letters—

on those dates that I have mentioned—

> by way of purported applications under the Freedom of Information Act 1991 (the Act). It appears that the abovementioned applications are misconceived as the Act applies only to the 'agencies' as defined in the Act. Greyhound Racing SA Pty Ltd is not an 'agency' within the meaning of the Act and the Act has no application in respect to it.

I certainly have sought legal advice and will be contesting that particular refusal of a freedom of information request, but I have also tried asking, politely, in meetings with Greyhound Racing SA for those figures to be provided, if not to me as a member of parliament, certainly to the Dog and Cat Management Board. At this stage, we are still waiting for those figures. I must say that the key to this is how can you reform an industry if you are not willing to publicly admit your problems, and how, without transparency, can you expect the trust not just of this parliament but the people of South Australia?

Importantly, if greyhound racing in New South Wales is to be closed down and if greyhound racing in the ACT is to be closed down, and these so-called bad apples are not going to take this lightly, what is to stop them coming across the border and instigating their practices in this state? I would ask members to consider those factors as they make their decisions on whether or not they will support this select committee.

I think it is a fairly simple thing to ask the question: how many greyhounds are being needlessly killed, either before they ever hit a racing track, because they are too slow, or after they have served a racing career and made their owners potentially a profit, because they cannot be rehomed? How many each year in South Australia are being killed? How many are included in this so-called wastage rate that seems to be part of the business model of this industry? What I would say to this industry is that perhaps if your business model relies on a number so high that it would be unpalatable to the public, you need to change your business model or we will change your business model for you.

I note that the inquiry in New South Wales was not a stand-alone inquiry. There was also an inquiry in Queensland and an inquiry in Victoria, and a continuing inquiry in Tasmania. Four states, from the *Four Corners* report, saw fit to initiate an inquiry. But what happened under the Weatherill Labor government? Minister Bignell stood up for the greyhound racing industry. He said that the bad apples were all in the Eastern States, according to some media reports I reapprised myself of this morning.

He sent the greyhound racing industry of South Australia and the RSPCA into consultation with each other and told them to come up with an agreement, a consensus position, between those two groups. They brought back the very small changes that we saw around live baiting that were

passed in legislative form in this place. Even at that very first meeting, the RSPCA of South Australia asked Greyhound Racing SA, 'What are your wastage rates?' To this day, they have yet to receive an answer. The only answers we do have were gleaned from the New South Wales inquiry.

That is why we need a South Australian inquiry to ensure that South Australians know what is going on in our state in this industry. It is the compassionate thing to do but it is also the responsible thing to do. If this industry is to have future, it actually has to create that transparency. Certainly there is much more I could say, but with those few words I would hope that members of the government, the opposition and the crossbench will take this motion seriously and see a need for this industry to provide that transparency.

I know that we have tried asking nicely, we have tried asking through ministers in parliament, we have tried letters and we have tried FOIs. So far, none of those pathways has given us the information about wastage rates that I think the South Australian public deserves. If we need to do a parliamentary inquiry to get that information, then that is perhaps what we should do. With those few words, I commend the motion.

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

Bills

STATUTES AMENDMENT (GAMING PROHIBITIONS) BILL

Introduction and First Reading

The Hon. J.A. DARLEY (16:16): Obtained leave and introduced a bill for an act to amend the Casino Act 1997 and the Gaming Machines Act 1992. Read a first time.

Second Reading

The Hon. J.A. DARLEY (16:18): I move:

That this bill be now read a second time.

The purposes of this bill are very simple. First of all, it introduces $1 maximum bet limits on gaming machines. Secondly, it removes EFTPOS facilities from gaming areas. The argument for a $1 maximum bet limit is one which we have all heard before. It will reduce the harm caused by gambling by limiting the amount that can be lost. Those who play high-intensity gaming machines have the potential to lose $1,500 or more per hour. Capping bets at $1 will restrict the losses to about $120.

The Productivity Commission recommended that bets be limited to $1 in its 2010 report, and there has been widespread agreement that such a limit would be a great help in addressing problem gambling. Australians lose $16 billion a year on gambling, and we spend more on gambling per capita than any other country in the world, and yet this simple amendment to help minimise these losses and to help vulnerable problem gamblers continues to be opposed by the major parties.

I moved amendments last year to introduce maximum $1 bets, and they were not supported. Essentially, by refusing to support this measure, both Liberal and Labor are sending a message to the community that they do not care about trying to help problem gamblers and, instead, are happy to continue to profit from their misery. That is a terrible predicament, and I hope that time will have changed their position on this matter.

The other part of the bill removes EFTPOS facilities from gaming areas. When the Statutes Amendment (Gambling Measures) Bill was introduced in 2015, I expressed my concern about the introduction of EFTPOS facilities in gaming areas. I still hold those views and am now supported by the South Australian Centre for Economic Studies' report on EFTPOS in gaming venues, which clearly concluded that the addition of EFTPOS facilities was a bad move, especially for problem gamblers.

By passing the above bill last year, South Australia became the only jurisdiction in Australia to allow this practice. In its 2010 report, the Productivity Commission recommended restricting access to cash in gaming venues. The government's proposal not only went directly against this recommendation and allowed further access to cash in gaming venues, it allows access in the actual gaming area. Again, I stress that we are the only ones in Australia to allow this.

The Productivity Commission stated in its 2010 report on gambling that higher risk gamblers are more likely to use ATMs and EFTPOS facilities in gambling venues for gambling than other gamblers. In other words, if anyone were to utilise ATMs or EFTPOS facilities in gaming venues, it is more likely to be a problem gambler. Recreational gamblers are not using these facilities as much, and it is more likely that problem gamblers—those we should be protecting—would use ATM or EFTPOS in gaming venues.

The report also noted that the presence of these facilities contributed to problem gambling and that problem gamblers themselves often wanted these facilities removed from gaming venues. When putting forward this proposal in 2015, the government argued that allowing EFTPOS in gaming venues would allow for greater interaction between gaming attendants and patrons and would give greater opportunity for attendants to identify problem gamblers.

However, attendants should already be observing patrons and be able to identify when they are exhibiting problem gambling characteristics, and there are still many problem gamblers who slip between the cracks. In short, the South Australian Centre for Economic Studies' report on EFTPOS in gaming venues sums it up well, by stating that:

> This policy goes against all the evidence obtained from problem gamblers themselves and recommendations provided by the Productivity Commission based upon their own research and supporting analysis from various gambling studies into problem gambling.

It was a bad move by the government and this is now their opportunity to put it right. I know the Hon. Rob Brokenshire has a very similar bill and I want to thank him and all my crossbench colleagues, including the Hon. Tammy Franks from the Greens and the Hon. Kelly Vincent from Dignity for Disability, for supporting these measures.

I know it is unusual for two similar bills to be introduced into this place, but I felt that it was important that we reinforce the importance of this issue. I commend all honourable crossbenchers for being united on this most important matter and seek leave to conclude my remarks at a later date.

Leave granted; debate adjourned.

RETURN TO WORK (WEEKLY PAYMENTS UNDER TRANSITIONAL PROVISIONS) AMENDMENT BILL

Introduction and First Reading

The Hon. J.A. DARLEY (16:24): Obtained leave and introduced a bill for an act to amend the Return to Work Act 2014. Read a first time.

Second Reading

The Hon. J.A. DARLEY (16:25): I move:

> That this bill be now read a second time.

I rise today to introduce this very simple bill which will address what I hope is a loophole inadvertently created within the Return to Work Act 2014. The current act basically has the effect that, if a person was working on 30 June 2015, even if it was only for a few hours, they are completely ineligible to receive income support payments. If the same worker worked on 29 June 2015 but did not work on 30 June, that worker would be entitled to income support payments.

For example, if a worker was first injured on 29 or 30 June 2015 but they did not take time off work until 1 July 2015, they are not entitled to claim income support payments due to this provision. This may occur in circumstances where the worker does not want to leave their employer short-staffed and so will continue to work, notwithstanding the fact that they are injured. Alternatively, workers may not understand the extent of their injury and continue to work until they seek medical attention, which may be a few days after the initial injury. It is not uncommon for people to be injured at work but continue to finish their shift because they want to do the right thing by their employer and colleagues and do not know how badly they have been injured.

Similarly, take an injured worker who had continued working, despite ongoing incapacity, before 1 July 2015. If they later required medical treatment, including surgery, which rendered them incapacitated after 1 July 2015, they would not be entitled to claim income support for the time off

required to recover from the treatment. Also, an injured worker who was on voluntary leave on 30 June and was not entitled to a weekly payment due to being on this leave, is not entitled to payments.

If a worker who previously had a compensable injury returns to work on a one day a week basis and happened to be working on 30 June, they are unable to receive weekly payments for the other four days they are unable to work due to the injury they suffered. This is clearly unfair. The whole object of the act is for people to return to work.

In the example given above, if the worker did not return to work and had stayed off work for all five days, they would continue to receive their weekly payments. However, a worker who tries to do the right thing and returns to work is penalised. Whilst this interpretation of the act has long been a suspected problem for those working within the system, the Full Bench of the Employment Tribunal recently affirmed those concerns, interpreting the provision to the detriment of workers who had in fact returned to work before 1 July 2015. On 28 April 2016, the Full Bench of the South Australian Employment Tribunal found, and I quote:

> Clause 37(6) [of schedule 9 of the Return to Work Act] makes it plain that if a worker before the designated day was not in receipt of weekly payments and was not [then] entitled to receive weekly payments on account of a discontinuance under s 36 of the WR&C Act, that worker has no entitlement to weekly payments under cl 37 of the [Return to Work Act] or under the WR&C Act.

In that matter, the worker (Pennington) had, by no fault of her own, lost her employment days after the commencement of the Return to Work Act. Because she had been at work on 30 June 2015, and was earning more than her pre-injury earnings, she was denied access to the income support system, despite an ongoing incapacity to work arising out of an accepted work injury. If it were not for the wording of the loophole provision, she would have been able to avail herself of protection of the act.

I thank the Hon. Tammy Franks and her staff for working collaboratively on this bill, and for their assistance. We know she was equally concerned about this loophole and is supportive of having the matter addressed. I commend the bill to members.

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

STATUTES AMENDMENT (GAMING AREA PROHIBITIONS AND BARRING ORDERS) BILL

Introduction and First Reading

The Hon. R.L. BROKENSHIRE (16:30): Obtained leave and introduced a bill for an act to amend the Casino Act 1997, the Gaming Machines Act 1992 and the Independent Gambling Authority Act 1995. Read a first time.

Second Reading

The Hon. R.L. BROKENSHIRE (16:31): I move:

> That this bill be now read a second time.

This bill is a collaboration between crossbench parties because concerns have been put to all crossbench party members from across the state through a broad cross-section of the community about problem gambling. Whilst some parties had certain issues that they saw as a priority with respect to problems around problem gambling, after consultation with the crossbenches it was decided that this would be a collective, collaborative approach, and I am pleased to be speaking to this bill as one of the crossbench members here today.

Last year, as a result of the government Statutes Amendment (Gaming Measures) Act 2015, South Australia is the only jurisdiction in Australia to permit EFTPOS facilities in gaming areas. Victoria has a ban on access to EFTPOS facilities and ATMs within gaming machine areas. Victoria has also removed ATMs from all gaming venues, and has introduced mandatory precommitment technology on all gaming machines, which commenced on 1 December 2015.

Associate Professor Michael O'Neil from the South Australian Centre for Economic Studies of the University of Adelaide presented the crossbenchers with a research paper titled 'EFTPOS in gaming areas: wrong way—go back!', which strongly opposed allowing EFTPOS in gaming areas.

The government's decision to allow EFTPOS in gaming areas is contrary to the recommendations of the Productivity Commission.

The Productivity Commission report 2010 cited the presence of ATM and EFTPOS facilities as the key contributors to problem gambling. It endorses legislation limiting opportunities for gamblers to make what we describe as impulsive withdrawals and recommends that ATMs and EFTPOS machines be a reasonable distance from the gaming floor. It does not endorse venue-based problem gambling identification and intervention.

At-risk problem gamblers are more likely to withdraw money using ATMs/EFTPOS compared with others. Reports highlight that problem gamblers support removal of ATMs from gaming venues. Professor O'Neil in his paper highlights that the Statutes Amendment (Gaming Measures) Act 2015 has increased the number of access points to cash in hotels and clubs through allowing a third access point situated in gaming areas. Gamblers can now access cash from ATMs (usually subject to a per card/per day withdrawal limit), EFTPOS facilities outside of gaming areas and EFTPOS facilities inside an actual gaming lounge. EFTPOS facilities normally have no withdrawal limits.

The reason provided by the government to allow EFTPOS in gaming areas is to provide, they claim, supervision of at-risk gamblers and to have trained staff intervene, where necessary. However, there is no evidence that staff effectively intervene, and there is also no research evidence as to its impact on measurable outcomes.

The bill removes EFTPOS from gaming areas forcing players to leave gaming areas, which creates a break in the cycle of play, allowing for the player to reassess their losses, walk away and hopefully get some fresh air and head on home. This is in line with the recommendations from the South Australian Centre for Economic Studies and Professor O'Neill, who states that there is need to create real situations of breaks in play where gamblers are required to leave the sounds, lighting and ambience of the gambling lounge before being able to access cash.

The bill includes provisions for gambling providers to request that the authority issue a barring order. I have been advised that although a gambling provider (such as a hotel or club) can issue a barring order, it is only effective for up to three months, whereas the Independent Gambling Authority-issued barring order can be in force for up to three years.

A gambling provider requesting an authority-issued barring order must report the reasons for making the request. This allows gambling providers to report to the authority any high-risk behaviour observed in gaming areas, such as excessive cash withdrawal patterns and other harmful behaviour. The criteria for gambling provider-issued barring orders are narrowed and focused on the consideration of whether a person is at risk of suffering harm from problem gambling, and this bill extends the reporting requirements.

The crossbenchers have consulted with SACOSS and Uniting Communities on this bill, and both have indicated their support for the bill. SACOSS actually recommended a $1 bet limitation on gaming machines, which the crossbenchers have included in the bill.

In regard to the facts about EFTPOS in gaming areas in South Australia, as a result of the government's Statutes Amendment (Gaming Measures) Act 2015, I just want to reinforce that South Australia is the only jurisdiction in Australia to permit EFTPOS facilities in gaming areas. The government's decision to allow EFTPOS in gaming areas clearly goes against the recommendations of the Productivity Commission.

The government contends that face-to-face EFTPOS transactions deter gamblers from withdrawing money as it involves human interaction, but there is again no evidence to suggest that staff intervention is either effective, nor is there evidence to suggest that staff intervention occurs at all—a lack of transparency.

The government increased the number of access points to cash in hotels and clubs through allowing a third access point situation in gaming areas. Just to reinforce that, patrons now have the choice, under current legislation, of accessing cash from ATMs, EFTPOS facilities outside gaming areas, and EFTPOS facilities inside the gaming areas.

In summary, this bill removes EFTPOS facilities from within gaming areas. It strengthens the barring orders and, hopefully, will send a message to the Independent Gambling Authority that they

are not subservient to Treasury and the government, that they are by the intent of the parliament, as stated, an independent gambling authority with clear responsibility to address problem gambling and harm minimisation. Finally, the bill prohibits gaming machines that allow bets of more than $1, and removes coin dispensing machines from gaming venues.

We are about to see a reduction from $10 bets to $5 bets, but when you get out into the real world and talk to the community (as crossbench members have discussed), they are clearly saying on a majority that, 'We believe that $1 would be the way to go if you were to try and seriously prevent problem gambling and focus on harm minimisation.'

Finally, this bill removes coin dispensing machines from gaming venues. Importantly, removing EFTPOS facilities from within gaming areas creates a break in the play where gamblers are required to leave, as I say, all the glitz and glamour of the gaming room, and hopefully allow them to have a clear head before accessing further withdrawals from EFTPOS. I commend the bill to the house.

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

Motions

UNDERGROUND COAL GASIFICATION

The Hon. M.C. PARNELL (16:40): I move:

That this council calls on the government to follow the lead of their counterparts in Queensland and ban the practice of underground coal gasification in South Australia.

Like a bad zombie movie, the undead have come back to haunt us. Members will remember Marathon Resources Limited. That is the cowboy mining company that was sent packing from the Arkaroola Wilderness Sanctuary five years ago after trashing the natural environment. They are back. Quietly rebranded as Leigh Creek Energy Limited, they now want to get into the UCG business, that is, underground coal gasification. It is nasty, polluting and dangerous, which is why it has been banned in Queensland.

Over the last few weeks, I have been asking questions in parliament of the Minister for the Environment and also the Minister for Aboriginal Affairs about the proposal by Leigh Creek Energy to commence underground coal gasification in and around the former Leigh Creek coalmine. I think it is fair to say that this is a project that has flown under the radar so far, but it does represent a huge risk to our climate and also to the local environment.

I will need to get a little bit technical here to describe what underground coal gasification is. It is a technology that gasifies coal seams in situ underground creating syngas (or synthetic gas), which is mainly a mixture of hydrogen, methane, carbon dioxide and carbon monoxide, to be used for either electricity production or industrial chemical processes.

UCG involves drilling two wells, some distance apart, directly into an underground coal seam. The wells are connected through the coal seam, usually through directional drilling techniques. The injection well is used to pump oxygen, along with an ignition catalyst, into the coal seam. The coal is ignited and then partially combusts with the injected oxygen. Water in the coal seam or the surrounding strata flows into the cavity and is essential for the series of chemical reactions that take place to produce raw syngas which, as I have said, is a mixture of carbon dioxide, hydrogen, methane, carbon monoxide and other contaminants, including sulphur and trace metals.

The gas mixture travels through the production well to the surface gas plant where it is treated and cleaned. As the coal is gasified, the gasification cavity expands and moves along the coal seam. Eventually, this causes the cavity roof to collapse. Pyrolysis, which is high temperature decomposition without oxygen, of the coal also takes place as the coal is heated. Syngas can be used as the base feedstock for a whole variety of chemical products or processes or combusted to produce electricity.

This week, an important international report was released by Friends of the Earth International. The report is entitled 'Fuelling the fire: the chequered history of underground coal gasification and coal chemicals around the world'. Large sections of the report are devoted to Australia, including sections on Queensland and South Australia. In fact, the summary description of

underground coal gasification that I outlined a few seconds ago is taken from that report. The foreword to the report commences with the following statement:

> In the wake of the celebrated Paris Agreement we are entering the last decade with any possibility of acting to keep global temperature rise below 1.5 degrees Celsius and to avoid some of the most devastating impacts of climate change. These impacts—floods, droughts, storms and rising sea levels—will hit the world's poorest people hardest. To have any hope of keeping within our global carbon budget one thing is very clear: we cannot burn our remaining reserves of fossil fuels, let alone the vastly larger resource. We must keep them in the ground.

The foreword concludes:

> To invest in and open up a new frontier of fossil fuels at this critical stage in the fight against climate change is not just a crime against our planet, but a crime against humanity.

That is the foreword from Jagoda Munic who is the Chair of Friends of the Earth International.

The motion refers to the experience in Queensland. There are a number of case studies we can refer to but the one that has been in the news most recently is Linc Energy's underground coal gasification program in Queensland. That program resulted in a major contamination incident where the contaminants migrated across and beyond the reaction zone during the gasification process. These contaminants included syngas and its by-products, additional gases that were formed as the result of a succession of contaminating events, liquids in the form of contaminated groundwater, solids in the form of tars and oils and also energy and odours, and a combination of liquid and gas mixtures. Hydrogen and hydrogen sulphide have migrated through underground pathways away from the UCG test site.

Now an exclusion zone of 314 square kilometres has been put in place and farmers in the area are not allowed to dig more than two metres deep without notifying the Queensland environment department. The cost of clean-up is estimated at many millions of dollars; however, the fear is that Linc Energy may never pay this clean-up bill as it has now gone into administration.

Australia has been home to three principal UCG projects. They were all in Queensland and they have all ended in charges of environmental damage. As well as the Linc Energy project, there was Cougar Energy's Kingaroy pilot project in 2010 and Carbon Energy's Bloodwood Creek site in the Surat Basin which operated from 2008 to 2012. The Linc Energy project I referred to operated between 1999 and 2013.

If we fast forward to this year, in April 2016 the Queensland government permanently banned UCG in response to the major groundwater and soil contamination that resulted from one of the Linc Energy trials. The Carbon Energy incident involved that company being charged with disposing of processed water by irrigating it to land without approval. They were fined $60,000 and a further $40,000 in legal and investigation costs.

In Queensland the political reaction to these incidents has been a ban on underground coal gasification. The Australian Associated Press report on 18 April states:

> The Queensland government has immediately banned underground coal gasification in the state, arguing the environmental risks outweigh economic benefits.
>
> Natural Resources Minister Dr Anthony Lynham says the ban, which would apply immediately as government policy, would be made official by the end of the year through legislation introduced into parliament.
>
> The ban came after UCG pilot company Linc Energy, which last week went into voluntary administration, was recently committed for trial in the District Court on five counts of wilfully and unlawfully causing serious environmental harm.

The quote from minister Lynham in the report states as follows:

> The potential risk to Queensland's environment and our valuable agricultural industries outweigh any potential economic benefit from the particular industry.

He went on to say:

> We have to send a clear message…that this industry has not been successful here in Queensland.

Referring to the ban, he said:

> This is a sensible step for the Queensland government [and] it's a sensible step forward for the resources sector.

The other minister who was quoted extensively in this period in April when the Queensland government announced its ban was the environment minister Steven Miles. He was quoted as saying:

> What we have in Hopeland, near Chinchilla, is the biggest pollution event probably in Queensland's history…certainly the biggest pollution investigation and prosecution in Queensland's history.

This is not something that is minor or trifling. This is a seriously dangerous and polluting industry that has been banned in Queensland, and my motion is calling for it to be banned in this state as well.

I will not read further quotes, but it will be of no surprise to you that the quite vibrant Lock the Gate movement in Queensland, whilst they are focusing on coal seam gas deposits, have also reacted positively to the Queensland government's move to ban UCG in that state. Despite the warning of these three failed Queensland projects, there are now two projects planned for South Australia. There is the Leigh Creek Energy Project to which I have referred. That project is looking to produce commercial quantities of gas by the 2018-19 financial year, and the company says it could be operational for 30 years and produce 80 petajoules per annum.

The company already has a gas storage exploration licence, which, if progressed to a gas storage licence, would enable the project to store gas on site. The company has said that it hopes to be flaring gas by the end of the year. The other project in South Australia is the Arckaringa underground coal gasification project, which is a joint venture between Sino-Aus Energy Group and Altona Energy. Their plan is to have gas being produced in the second half of 2016. I think that might be quite ambitious, but that is the second of the projects.

In terms of the community reaction, I have referred earlier in question time to the reaction of the Adnyamathanha people, who are unhappy with the way the Leigh Creek project is progressing. They are particularly unhappy that the Aboriginal Heritage Act may well have been breached, hence their call for the Aboriginal affairs minister to investigate that situation. The South Australian reaction has been interesting. Certainly, minister Koutsantonis, after the Queensland decision was made, was asked for his response. He provided a response to the online journal RenewEconomy. That journal quotes minister Koutsantonis as saying:

> 'There is no need to politicise the process—the approval or otherwise of the proposed coal gasification project at Leigh Creek should be based on science,' energy and mineral resources minister Tom Koutsantonis said in a prepared statement for RenewEconomy.
>
> Leigh Creek Energy will need to pass rigorous environmental impact assessments overseen by expert scientists if this project is to go ahead. We have a very effective regulatory framework in South Australia and the merits of the Leigh Creek Energy project will be assessed against that framework, not this decision in Queensland.

My plea to the South Australian minister is to indeed look at the science, but also to look at the track record of the industry so far. I do note that the Leigh Creek project does involve people who are involved in the Queensland Linc Energy project.

For example, if you look at the Leigh Creek Energy statement to investors, their investor presentation, which is on the Australian Stock Exchange website, they refer to their board of management and top of the list is Mr Justyn Peters, whose title is executive chairman. His profile includes that he was a former experienced senior manager with Linc Energy. Whilst I do not want to suggest that Mr Peters is being prosecuted—certainly his former company Linc Energy is being prosecuted; I do not know whether Mr Peters is—the South Australian government needs to pay attention not just to what companies claim they are going to achieve and what they claim is their environmental performance, but have a look at who they are, what they have done, and have a look at how these projects have ended up interstate, because they have ended up in tears.

In relation to this motion, I would expect that there will be more to report once the Queensland prosecutions of Linc Energy have progressed and also once the Queensland government has introduced its legislation to ban underground coal gasification, which is expected later this year. In the circumstances, I would now seek the leave of the council to continue my remarks at a later date.

Leave granted; debated adjourned.

UNIVERSITY OF ADELAIDE

The Hon. M.C. PARNELL (16:55): I move:

That this council—

1. Notes the recent decision of the University of Adelaide to rename part of its North Terrace campus from the 'Taib Mahmud, Chief Minister of Sarawak Court' to the 'Colombo Plan Alumni Court'; and
2. Calls on the University of Adelaide to fully disclose all donations received from Taib Mahmud or his family.

This is the second motion on this topic that I have put on the *Notice Paper* in the last 12 months. My purpose in raising it again today is to put on the record some important recent developments in the ongoing campaign for environmental and social justice for the people of Sarawak in Malaysia. For a detailed background of this issue, I refer members to my lengthy contribution on 9 September last year. In that speech I drew a number of the connections between Taib Mahmud, his family and the University of Adelaide, the Art Gallery of South Australia and also the Hilton Hotel on Victoria Square.

Probably the best quick summary of Taib Mahmud and who he is, I will take from the Adelaide University's own publication, *The Adelaidean*, back in February 2008, under the heading 'New Court Honours Chief Minister', the university said:

> The University of Adelaide has named a plaza on North Terrace in honour of one of its distinguished graduates and long-time benefactor, the Chief Minister of Sarawak, the Right Honourable Pehin Sri Dr Haji Abdul Taib Mahmud AO. The 'Taib Mahmud, Chief Minister of Sarawak Court' is a newly landscaped social space adjacent to the Ligertwood Building.
>
> Chief Minister Taib came to the University of Adelaide as one of the Malaysian Colombo Plan scholars in the late 1950s. He graduated with a law degree in 1961 and spent a year in Adelaide as an associate to Justice Mayo, a Judge of the Supreme Court of South Australia, before returning to Malaysia. He entered politics within Malaysia at a very early age in 1963, holding various Ministerial and other positions before becoming Chief Minister of Sarawak in 1981.
>
> Vice-Chancellor and President Professor James McWha said the University named the court in honour of the Chief Minister to acknowledge and show its appreciation of his significant support, and tireless work in helping to promote and strengthen the links between Australia and Malaysia.
>
> 'The Chief Minister's personal generosity has continued in numerous ways over the years,' said Professor McWha. But perhaps even more importantly has been the continuing support the Chief Minister has provided to help us build links with Malaysia, which are now considerable.
>
> 'The Chief Minister has been a powerful force for developing strong and continuing good relations between our two countries,' said Professor McWha. In his role as Chairman of the Malaysia-Australia Foundation and in other ways he has continuously promoted mutual understanding and goodwill among both peoples.

That story by Robyn Mills in the February 2008 edition of *The Adelaidean* is the official version. Since then there has been an ongoing campaign by local, national and even international student, human rights and environmental groups to expose the true nature of Taib Mahmud's reign as chief minister of Sarawak and the origins of his massive wealth, estimated to be $30 billion. Allegations of official corruption against Taib Mahmud are not new.

I put many of these on the record last year, but now there are more. In fact, thanks to WikiLeaks, we now know that allegations of corruption were generally regarded as true, even by nations friendly to Malaysia. I refer in particular to one of the many thousands of WikiLeaks documents that was published online in recent times that deals with this. It is a confidential cable from the US Embassy in Malaysia to the Secretary of State and other recipients. It is dated 13 October 2006, and it includes the following material. It is actually a cable that consists of commentary from US Embassy staff, but it also quotes Dr Mohammad Herman Ritom Abdullah, who is the human rights commissioner for the state of Sarawak. When the quotations refer to 'Abdullah', they are referring to that human rights commissioner. To quote from the cable:

> Indigenous persons account for over half of Sarawak's population, but they lack political power.
>
> Abdullah explained, 'There are plenty of indigenous leaders in the state government, but they can't do anything without the consent of the Chief Minister.' He said Taib appoints 'compliant local leaders' from various tribes into 'financially rewarding' government positions as a means to stifle potential opposition. Taib belongs to the Melanau indigenous tribe and has been in power for the past 25 years. Embassy sources outside the government uniformly characterize him as highly corrupt. Abdullah said Taib has done little to assist the state's indigenous peoples as they attempt to establish legal ownership of their ancestral lands and defend themselves against encroachment by logging companies. Taib and his relatives are widely thought to extract a percentage from most major commercial contracts—including those for logging—awarded in the state.

That is a leaked cable from the US Embassy back to their headquarters in Washington. It shows, I think, that even friendly nations were prepared to accept that Taib Mahmud was corrupt.

The university's reaction to this campaign has been interesting. I think it has been characterised by a lack of information willingly given. However, I am delighted to report today that the university has finally taken some action. They did this without fanfare last week, and perhaps they hoped that nobody would notice.

I received a text message a week or two ago from someone who works in the nearby law school to tell me that Taib Mahmud's name had been removed from the signage on the plaza. I took myself down there and I found that the name had in fact been removed. Suspecting that it might not have been an official action, I did seek confirmation from the university. I received an email from Lachlan Parker, whom members may remember from his previous role as media manager with the Attorney-General's department, and also media adviser to former premier Mike Rann, and before he became Premier, minister Jay Weatherill. Lachlan Parker is now the deputy director of media and corporate relations at the University of Adelaide. He emailed me in response to my request, saying:

> Dear Mr Parnell,
>
> Thank you for your inquiry. The University of Adelaide Council some months ago decided to rename the court to the east of Bonython Hall the 'Columbo Plan Alumni Court'. Signage is currently being amended to reflect the decision.
>
> The University wished to honour its many outstanding Columbo Plan graduates, who include two Presidents of Singapore and many other prominent Asian government and business leaders.

The email goes on:

> By the way, you have stated in Parliament that the University received 'up to $7 million' from Sarawak Governor Taib Mahmud. That was grossly inaccurate, and I understand that you are in possession of documents obtained under Freedom of Information provisions that set out the true position. We would hope you will correct that error in Parliament.
>
> Kind regards,
>
> Lachlan Parker
>
> Deputy Director—Media and Corporate Relations
>
> The University of Adelaide

In relation to the question of donations, I would be happy to correct the record if the university would commit to disclosing all of its correspondence and financial dealings with Taib Mahmud. We did not get everything we asked for under the Freedom of Information Act. I guess it also raises the question of why a member of parliament should have to use the Freedom of Information Act to get this sort of information in the first place. However, if the university is now serious about severing its ties with Taib Mahmud, then it should come clean and voluntarily disclose all of its financial dealings with Taib Mahmud.

We certainly know about $400,000 in donations, but if there is more, the university needs to disclose it. If there is not any more, then the university needs to confirm in writing that it is only $400,000. If they do that, then I will happily clarify the record when I sum up the debate on this motion at some time in the future.

Whilst I still maintain that we do not know the precise amount of the donations, the story of the university distancing itself from Taib Mahmud is a welcome one, and it has been welcomed around the world. Of course, it is not a complete distancing because Taib Mahmud is also a Colombo Plan alumnus, so his name might have been removed but he is not completely disowned, even if he now shares the honour with other Colombo Plan alumni.

I would also like to acknowledge the contribution of investigative reporter Mr Hendrik Gout of Channel 7 in bringing this story to light. His excellent report from a couple of weeks ago has been circulated widely and is still available on the *Today Tonight Adelaide* website. His earlier story from last year is also available if members need to refresh their memories in relation to the tangled web of wealth and corruption that exists within Taib Mahmud's empire including, as I have said, his family's ownership of the Hilton Hotel in Victoria Square.

The reaction to this story across the world has been one of gratitude that the university has taken this step. I refer to a media release that was put out jointly between the Bruno Manser Fund based in Switzerland and the Bob Brown Foundation based in Tasmania. Under the heading 'Victory for civil society as Adelaide University stops honouring Sarawak Governor Taib Mahmud', their media release of 13 July says:

> Adelaide University has surreptitiously decided to rename a plaza on its premises which had been named after Sarawak Governor Abdul Taib Mahmud, one of the University's best donors. The move follows a two-year campaign by the Bruno Manser Fund and the Bob Brown Foundation which had pressured the University to stop honouring the Malaysian politician who has been accused of having benefited from illegal logging in tropical rainforest in the Malaysian state of Sarawak in Borneo.
>
> The University [had] come under fire from civil society and the Australian Greens over its relationship with Taib Mahmud, from whom it had raised at least 400,000 Australian dollars in personal donations, an amount exceeding by far the Malaysian politician's official income. In 2008, the University named a plaza after the politician 'to show its appreciation of his significant support' and 'personal generosity'.
>
> The Bruno Manser Fund and the Bob Brown Foundation call on Adelaide University to pay back the…400,000 received from Taib Mahmud. In November 2015, indigenous Penan community leaders from Sarawak sent a letter to Vice Chancellor Warren Bebbington asking the University to pay back all the funds received from Taib Mahmud as the money was urgently needed for the development of Sarawak's rural communities and for rainforest conservation. The University never replied to the letter.

It is always a difficult call to ask a university to repay money, but I think it is worth putting on the record some of the facts that surround the situation in Sarawak and why I think there is a case for the people of that state perhaps needing the money for education more than we do. If I go back to the same communication that I referred to before, the WikiLeaks embassy reports again refer to the Human Rights Commissioner for Sarawak. The report states:

> He described a recent visit to villages of the Penan tribe near Brunei. Abdullah stated that approximately 15,000 Penan tribe members there lack electricity, water treatment and schools. He criticized the federal and state governments for not fulfilling their promises to provide access to primary education for all citizens. For many Penan children, Abdullah said the nearest school is more than two hours away by foot or boat.
>
> To provide basic services on a centralised, more efficient basis for the Penan and other indigenous peoples, the government has established several 'service centres' that attempt to draw rural indigenous families from remote villages. Abdullah criticised these efforts as ineffective, saying the service centres 'are not vibrant and self-supporting.' He said, 'All the young people end up leaving, as there are no jobs, and only elderly residents remain.'

I think there is a case for the university to repay that money or to in some other way provide reparations for the people of Sarawak. So where to next? I look forward to the university coming clean on the total amount of money that it has received from Taib Mahmud or any of his related companies or other entities. I also look forward to hearing how the university will make retribution to the Penan people, whose plight is indeed dire and who deserve to be recognised as some of the most severely impacted victims of Taib Mahmud's corrupt reign in the state of Sarawak over three decades.

One last thing, as a teenager growing up in the 1970s, one of my favourite television shows was the US police drama *Columbo*. Lieutenant Columbo, played by the late Peter Falk, was a bumbling and dishevelled police officer who appeared incompetent but who ultimately always got his man. Lieutenant Columbo's name was spelt C-O-L-U-M-B-O, which is close but not the same as the city in Ceylon (now Sri Lanka), after which the Colombo Plan was named. So my final suggestion is that the university check the spelling on its new sign because spelling mistakes on public signs and institutions of higher learning are always a bad look. I commend the motion to the council.

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

Bills

LIQUOR LICENSING (SMALL VENUE LICENCE) AMENDMENT BILL

Introduction and First Reading

The Hon. T.A. FRANKS (17:11): Introduced a bill for an act to amend the Liquor Licensing Act 1997. Read a first time.

Second Reading

The Hon. T.A. FRANKS (17:12): I move:

That this bill be now read a second time.

I rise today to introduce this bill, which amends provisions around the small venues licence within the Liquor Licensing Act. Members would be well aware that when we debated the small venues provisions, now in the Liquor Licensing Act—or small bars as they are more colloquially known—there was a lot of wistful hope that the small bars would not just be in the CBD and just within the confines of North, South, East and West terraces of our capital city. Indeed, I remember the member for Schubert hoping that there would be one small bar, or perhaps a few small bars, in the Barossa sometime soon. The member for Morphett thought Glenelg would be a wonderful place for some small bars, and so it went on in the debate, both here and in the other place.

This small venues provision, currently in the Liquor Licensing Act, was introduced with the criteria that these particular venues would, by virtue of their smallness of size (with a capacity of 120 or fewer patrons), be freed from red tape, most particularly around entertainment consent. It was to establish a streamlined process for young entrepreneurs, old entrepreneurs, any entrepreneurs, to embrace and enter the small bar market and create diverse and lively spots for South Australians to enjoy.

For the first year of that legislation, they were to be in the CBD only and, as I said, between North, South, East and West terraces. Beyond that particular year, there was a provision in the bill, which then became part of the act, that the minister could allow for the prescribed areas for these small venue licences or small bars to proliferate and to bloom a thousand flowers across our state.

We recently had the announcement from minister Rau that these small bars, currently confined between North, South, East and West terraces are moving beyond North Terrace at long last; they are going all the way to North Adelaide, and no further. Yet, we know that the LGA, the Local Government Association, has been lobbying the minister for small bars across our state.

So my bill today takes control of that decision about where these small venue licences can be, where small bars in South Australia can be, out of the hands of minister Rau and gives councils that power to put up their hand to have small bars in their localities. As we know, there are seven Weatherill state government priorities. We boast about them and we hear about them ad nauseam. Two of these are premium food and wine from our clean environment and creating a vibrant city. Both are embodied in our fantastic small bar culture.

The exciting and innovative small bar scene has seen the rise of local gin distilleries, late night gourmet cheese platters and, best of all, a place to quietly chat without a noisy happy hour and a heinous cover band playing *Jessie's Girl*. Not that there is anything wrong with that.

All that great food and wine, or gin, in this vibrant small bar culture sadly still begins and ends in our CBD only. Does it really benefit our state to keep all that great boutique bar vibrancy from spilling beyond the Parklands? I, for one, do not think it does. Why should punters on Peel Street have better access to a deconstructed Chambord cocktail than might hipsters in O'Halloran Hill?

In fact, there have been 73 of this new category of small venue licence in operation since they started in 2013, and they are all currently in the CBD. While that is culturally welcomed, it is also a great economic boost. In a report commissioned by Renewal SA in 2015, it was found that the then 51 CBD-based small bars were already employing over 400 people and had generated more than $49.3 million in economic activity.

If you take a walk down any of Adelaide's new laneways you can see for yourself the positive effects the changes have had, yet it stops short at the Parklands, and the state government is slow to share these benefits beyond those Parklands. A small venue licence allows for entrepreneurs to set up a diverse range of lovely, often hipster, venues by cutting the red tape, as long as they keep it small—under 120 people small.

A small venue licence allows the culture of beards, breadboards and drinking from jam jars to proliferate, but it should proliferate well beyond the city, from Norwood to Newton, Prospect to Pooraka, Seacombe to Seaton. The people are calling for small bars, and it is their shout, if you will.

One of the great parts of the red tape removal was the repealing of the archaic entertainment consent rule, which not only governed where we could listen to music but what genre of music we could listen to in our licensed premises. Few would believe, if they had not seen it for themselves, that we used to have liquor licensing rules that dictated that you could play jazz but not country, that you could play art rock but not grunge, in a venue.

These rules were crushing the will of those who would provide both liquor and live music in our vibrant state, and the small venue licence was part of the removal of that red tape. Thanks to the new rules, we have dozens of new venues that are hosting live music, and we can enjoy an acoustic set with an aperitif. That is a great step forward for the city centre, but there is still a government-sanctioned, hipster-proof fence that starts at the Parklands. It does not have to be this way; we can bring down that hipster-proof wall.

Since early 2014 minister Rau has had the power to extend these licences beyond those initial CBD limits, but he has failed to do so. That is one small step that we should be taking from this council. As I mentioned, minister Rau in recent weeks has announced that we are going to move these small venue licences beyond the confines of North Terrace, as far as North Adelaide. That is a step that is far too small. That one small step for Chairman Rau is one giant lost opportunity for the rest of the state, and we are waiting for the cultural revolution to reach the rest of the state.

Why can we not extend the vibe that has revolutionised those once sleepy CBD laneways to the outer suburban high streets, the winding pathways of the Hills and, indeed, the Barossa as the member for Schubert at the time (Ivan Venning) had assumed that piece of legislation would do? Why can we not give our local entrepreneurs a chance to build the hipster bar of their hipster dreams and call it something hipster—like Salami, or Epic, or Kale Korner—and why can they not do that in Hindmarsh? Why can we not have quinoa cocktails in Colonel Light Gardens, or freshly foraged, verified vegan, artisanal organics in Athelstone?

That is why I am introducing this private member's bill today, because I want to show Chairman Rau (as one wag referred to him) that the hipster-proof fence needs to come down. The cultural revolution of the small bars should be extended to the whole of our state. It may be a vibrant city that this government wants to see, but it should not be at the expense of the rest of the state. The lumbersexuals of Lobethal might enjoy some tapas and sangria closer to home over in Stirling, or perhaps we would like to toast the man buns of Mannum with some boutique brews in Birdwood. I think we would all drink to that, and I look forward to the debate on this bill.

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

Motions

RIO OLYMPIC AND PARALYMPIC GAMES

The Hon. T.T. NGO (17:22): I move:

That this council wishes all Australian athletes every success in competing in the Olympic and Paralympic Games in Rio and, in particular, the South Australian athletes.

The 2016 Olympic Games will be hosted in the city of Rio de Janeiro from 5 August to 21 August, with the Paralympic Games taking place from 7 September to 18 September. Getting to the Olympic or Paralympic Games is no mean feat. It requires plenty of hard work, determination and perseverance. A number of athletes work extremely hard, yet never make it to the Olympic Village. It is something, I dare say, that many members of this chamber could never dream of doing. However, I am an avid spectator and will try to watch as much of the games as I can.

Our Australian Olympic and Paralympic teams are made up of a number of talented athletes. In total, our Olympic team consists of 410 athletes who will compete in 26 sports. This is the fifth largest Australian team. Astonishingly, 262 of the athletes are rookies. It has been touted a young team, with 42 per cent of the team under the age of 25. The team also has the highest proportion of women on a summer Olympic team, as 49.51 per cent of the athletes are women. Seven athletes on the team are Indigenous.

There will be 169 athletes on our Paralympic team, including sighted pilots and guides for vision-impaired athletes. Around 49 per cent will be competing at their first games, and around

39 per cent of the team are women. There are two Indigenous athletes on our Paralympic team. South Australia is certainly brimming with athletic talent, with 46 athletes—who are either from or train in South Australia—competing in 13 sports in the Olympics and six athletes competing in the Paralympics.

It would be easy just to focus on Olympic sports where Australia has a good chance of winning medals or high-profile athletes. Cycling certainly fits both of these categories, with a number of gold medal hopefuls, including Anna Meares, who will be our flag-bearer in Rio. I congratulate Anna for this achievement. However, I would like to focus on athletes who work just as hard, but compete in sports that do not usually get a lot of attention.

Firstly, I want to talk about two athletes from our table tennis team, Jian Fang Lay and Melissa Tapper. Jian will compete at her fifth Olympic Games in Rio, putting her on par with beach volleyball player, Nat Cook, for the most Olympics that an Australian female athlete has competed in. Jian will also be the oldest table tennis player at this year's games at the age of 43. Jian was born in Wenzhou, China, and moved to Australia in 1994 and actually retired from the sport shortly after she arrived. Thankfully for the Australian team, her retirement was short-lived. She went on to compete at her first Olympics in 2000.

Jian Fang Lay's teammate, Melissa Tapper, will also make history as she will be the first Australian to compete in both the Olympics and Paralympics. Melissa was born with brachial plexus, the nerves between her right shoulder and arm were torn. Melissa first competed at the Paralympics in London in 2012 and will compete in both the Olympics and Paralympics in Rio—an amazing achievement.

In golf, Su Oh will be one of Australia's first golfers at the Olympics. Su, who is 20 years old, was born in South Korea and moved to Victoria with her family when she was eight years old. At 12, she qualified for the Women's Australian Open, the youngest ever to do so. On her selection to the Olympic team, Su stated:

> When my parents brought my big sister, my little brother and me to Australia… I didn't even play golf. They could never in their wildest dreams have imagined one of us would represent Australia in the Olympic Games.

People often say that, with my lack of height, maybe I could train to be a weightlifter. I have not followed this advice, but am in awe of weightlifters, including Simplice Ribouem. Simplice is not only inspirational because of his weightlifting ability but also because of the great adversity he has overcome to make it to Rio.

Simplice was born in Cameroon and competed for his birth country in the 2006 Commonwealth Games before he sought asylum in Australia. He then went on to win gold at the 2010 Commonwealth Games for Australia and silver at the 2014 Commonwealth Games in Glasgow. In 2015, Simplice suffered from malaria for most of the year and did not lift close to full fitness until December at the Australian Open. Despite a lack of preparation, Simplice emerged as a frontrunner for Olympic selection when he lifted five kilograms higher than the Rio qualifier of 346 kilograms for the 94 kilogram division at the Open.

Simplice lives in an apartment in Melbourne with his wife and two sons, Samuel and Nathan. He said that after he failed to return to Cameroon, the country's government had persecuted his family, and with his father's passing last year, he fears for his mother's safety. He said:

> I have rented her a place very far away from the city to keep her safe. I pay her money every month to stay there quietly and send them (the family) money to survive. The way they treat my family over there is not good.

Many migrants and refugees living in Australia can relate to Simplice's latter sentiment, that is, working hard to save every dollar and supporting their family back in their former home.

I would now like to shine the spotlight on one of Australia's many talented Paralympians, Ahmed Kelly. Ahmed was born in 1991 in Iraq with significant disabilities in his arms and legs. Until the age of seven he lived in an orphanage but in 1998 the now well-known humanitarian Moira Kelly brought Ahmed and his brother Emmanuelle (also born with limb deficiencies) to Australia for medical treatment. Ahmed underwent surgery to remove the deformed section of his lower legs and had to learn to walk again with prosthetics.

Ahmed's determination can be best summed up by his response to people who tell him he cannot do something. He says, 'If they do that, I love to prove them wrong.' Ahmed counts his family, including his adoptive mother Moira Kelly and adoptive sisters Trishna and Krishna as his inspiration. He has stated that their support 'just pushes you a couple of metres forward in a race'. Rio will be Ahmed's second Paralympics. Ahmed is hoping to better his London 2012 performance where he just missed out on a medal, finishing fourth in the 50-metre breaststroke.

These are the stories not just of athletes but of human beings who also have feelings and emotions. They put it all on the line once every four years. How many people can relate to this—the times in our lives where we are expected to deliver on expectations laid down by ourselves, our families and our society?

While much focus will be on the amount of medals won at these Olympics I, just like millions of Australians, will be more captivated by the stories that many of our athletes will bring to Rio for the world to see. I wish them all the very best of luck for the games in Rio. I commend this to the chamber.

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

Parliamentary Committees

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

Adjourned debate on motion of Hon. J.S.L. Dawkins:

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

(Continued from 22 June 2016)

The Hon. J.S.L. DAWKINS (17:32): I rise to conclude the debate on this matter. I thank the Hon. Mr Brokenshire, the Hon. Ms Lensink and the Hon. Mr Kandelaars for their contributions. I will say a little bit more about that in a moment. Sir, you and others will be relieved to know that I intend to be brief. I think the speech with which I moved that this report be noted was probably the second-longest one that I have ever uttered in this chamber, and that was about 35 minutes, so I will not be anything like as long.

I remind members, in moving the noting of this report, that the report was one about a very complex matter, a matter that the committee considered with considerable cooperation and general agreement about a lot of the concerns about the levy increases. That was reflected in the fact that while the decision to support the levy increases was a decision of a majority of members and that the Hon. Mr Brokenshire, the member for Flinders and myself voted against that, there was great cooperation in the development of the letter that went to the minister with that decision.

The Hon. Mr Kandelaars in his contribution spoke at great length about the great work that NRM boards do. I have to say that I, and I think many others on this side, appreciate a lot of the good work that is done by members of the NRM boards and staff. We do, however, have a concern about the manner in which I think the board members, and in many cases the staff, are made to do things by this government that they then have to bear the brunt of when they go out into their communities.

The Hon. Ms Lensink has I think flagged with other legislation, and obviously with other conversations with members on this side, that we remain committed to the concept of natural resource management, but we do believe that the way in which it is currently administered and the way the changes in administration have happened over the years since we first brought animal and plant boards and soil boards together has been one of concern. I am someone who does not want to throw the baby out with the bath water, but unfortunately the manner in which the government has taken these levy increases into the community has meant that they have pandered to groups like FLAG and others in the community who would just like us to chuck NRM out completely. I think that is a great shame.

The Hon. Mr Kandelaars did speak, as I say, at great length about the good things the government is doing in natural resources management. He failed to indicate that he and every other member of the government on the committee signed up to the letter of concerns that we sent to the minister seeking clarification about a number of the issues to do with water planning management

and costs to do with a number of the other matters that had been utilised by the government in arguing for the levy increases, and I went into them in some detail in my speech in moving this. I was concerned, though, that while my colleague the Hon. Mr Kandelaars did say all of those things, he omitted to indicate that all members of the committee, including the government members, signed up to that letter to go to the minister.

I will give the minister credit: he responded to the committee within about five weeks, which is actually rather fast given the track record of this government in responding to standing committees, and it is better than some departments and ministers who forget to respond to standing committees. However, I looked through the response from the minister to the concerns that we put in the report and I found it very difficult to find anything that we had not been provided with in the course of the committee's hearings in relation to these levy increases.

I obviously support the noting of the report. I think it is important that we note the fact that the decision to support the levy increases was a decision of the majority of the committee. In noting the report, we should also underline the fact that all members of the committee had great concerns about the manner in which the local boards had had inflicted on them the decision that they had to go and get more money out of their communities.

I think ultimately, to conclude—and I did raise this in my initial speech, but it is worth saying again—the chief executive of DEWNR, who I think gave quite frank evidence to us, was put in a difficult position. She has done what the government has asked of her and the bottom line is that all this money that comes in through the extra levies does not go to DEWNR; it goes straight into Treasury.

I think that just underlines the fact that basically the Treasurer is the one who has told the Minister for Sustainability, Environment and Conservation to go and find this money and that minister has told the NRM boards to go and find the money, and the NRM boards have had to find the money in the ordinary community, the people who are finding it very hard to come up with that money.

I indicated in my initial speech that the people we met on the Pinery fireground, who in general have been great supporters of the NRM boards and the work that was done to help them with soil erosion, etc., after the fire, are very much supportive of NRMs, but they find it very difficult in their financial circumstances to pay the levy increase. With those words, I commend the motion, that is, the noting of the report, the report that noted a majority decision of the committee to support the levy increases.

Motion carried.

Motions

CHINESE WELFARE SERVICES OF SOUTH AUSTRALIA INC.

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Congratulates the 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.

(Continued from 22 June 2016.)

The Hon. T.T. NGO (17:41): I rise to support this motion, which congratulates the Chinese Welfare Services of South Australia on its 25th anniversary. I am sure that all members here, and in the other place, join me in acknowledging the wonderful work that Chinese Welfare Services does to support people of Chinese background. I would like to thank the Hon. Jing Lee for bringing this motion to the council. I have been fortunate enough to attend a number of Chinese Welfare Services events

since I became a member of parliament. Chinese Welfare Services often hold events that preserve and promote Chinese culture.

Just a couple of weeks ago I attended a reception at Government House to celebrate Chinese Welfare Services' 25th anniversary, where a number of volunteers received certificates of appreciation for their service to the community. The association was formed in 1991 and has grown into one of the peak cultural welfare agencies in our state. Its vision is 'to become a leader of the cultural and linguistically diverse Chinese community and help build a harmonious and prosperous South Australia'. The organisation has reached a number of milestones on its journey to realise this vision.

Their achievements to date have been possible because of the dedicated staff and progressive boards who have provided outstanding leadership over the last quarter of a century. This leadership and innovation has meant that Chinese Welfare Services has not been afraid to take on complex social issues and provide relevant services in areas such as gambling addiction and accessing public housing.

The organisation has 400 members, a further 1,000 registered unpaid members and 70 volunteers. With such membership, it is well equipped to meet the social and welfare needs of the Chinese community. Whether it has been publishing the Chinese Community News, organising Chinese New Year festivals or participating in the Australia Day parade, Chinese Welfare Services has been an active participant in promoting multiculturalism in South Australia.

Throughout its illustrious history, Chinese Welfare Services has been at the forefront of designing and providing high quality, personalised and community services. It has done so by staying in touch with grassroots Chinese communities across South Australia. Among these vital services is support for older Chinese people through the Community Visitor Scheme, day care, home support, carer support services and basic English classes to improve their ability to communicate with others. Chinese Welfare Services also make contact with new migrants from China to ensure that they receive basic information about housing, employment, health, transport and community services to help them settle in their new homeland.

The organisation is playing an increasingly important role as an educator for its members. Education services range from basic computing and iPad courses, English classes for new Chinese migrants and teaching Chinese languages. The government acknowledges the increasingly important role that China is playing in the Asia-Pacific region and the exciting economic opportunities this presents for South Australia through our China Engagement Strategy.

I particularly want to congratulate the Chinese Welfare Services of SA's leaders, from the early pioneers to the current president, Ms Vivien Shae, and her executive team for their commitment to improving the quality of life of the Chinese community. They have done an outstanding job and are an example to other cultural communities of how collaborating with government and non-government agencies can deliver positive results.

I also want to acknowledge the dedication and hard work of the hundreds of volunteers, past and present, who over the past 25 years have given their time, skills and passion to ensure that the social and welfare needs of the Chinese community are met. The government supports this motion.

Motion carried.

FLINDERS UNIVERSITY

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Congratulates Flinders University for celebrating its 50th anniversary in 2016;
2. Highlights the contributions made by Flinders University and its alumni throughout its 50-year history; and
3. Acknowledges the significant establishment and achievements of the university in South Australia, nationally and on the global stage.

(Continued from 6 July 2016.)

The Hon. T.A. FRANKS (17:46): I rise to support the Hon. Jing Lee's motion with regard to congratulating the Flinders University of South Australia for achieving the milestone of its 50th anniversary in 2016 and to acknowledge the work of its many talented alumni, not least of all former Greens Senator Robert Simms and the current Greens member for Newtown, Jenny Leong. Other luminaries include: Australian actress, director, writer, presenter and broadcaster, Noni Hazlehurst; Greig Pickhaver, who would be better known to most people here as H.G. Nelson; and the late Doc Neeson, the front man of the Angels.

Many members of this parliament would be known to many members here: former premier John Bannon; current minister, the Hon. Zoe Bettison; minister Susan Close; the honourable minister Ian Hunter in this place; the member for Newland, Tom Kenyon; the member for Ashford, the Hon. Steph Key; the member for Kaurna, Chris Picton; former premier Mike Rann. Federal members, such as Amanda Rishworth MP and Kate Ellis MP, have also played their part as former students and alumni of Flinders University.

It is a fine thing to honour that work, but I have to say that the Greens cannot see this particular occasion pass without noting the great concerns that we have, which are shared by many people in the community as well as many current students, staff and alumni, about the current inconceivable figure paid to the university's vice-chancellor. I have to say from the outset that it is also important to note that Flinders University is not alone in this exorbitance not just in Australia but also here in South Australia. Both the University of Adelaide and the University of South Australia pay their vice-chancellors similar extravagant figures.

The sum that has been quoted in *The Advertiser*, as has been reported, which is made up of a salary as well as sign-on fees, is some $1.195 million for vice-chancellor Colin Stirling's first year in the role. It also includes other one-off payments and I understand that his salary has risen by $39,000 from the previous year, 2014, from the article in *The Advertiser* of Wednesday 20 July.

That figure is not only of concern because of its nature, but because this university is facing budget cuts, budget cuts that are affecting student services and staff. I note that that figure is well in excess of the amount the Hon. Jay Weatherill, as Premier of this state, will earn this year. It is also well in excess of what the President of the United States, Barack Obama, earns, or what the Prime Minister of this country, Malcolm Turnbull, earns. The Prime Minister of Canada, the Chancellor of Germany and so many more would look on enviously at commanding the salary that the current vice-chancellor of Flinders University commands.

As John Pezy from Flinders Branch Committee of the National Tertiary Education Union stated in an article posted online in response to this news:

> This is a severe slap in the face for Flinders staff who since late last year have heard our Vice-Chancellor lament on numerous occasions that we are faced with a budget shortfall that must be addressed and that our costs were growing more rapidly than our income...
>
> On the eve of university shut down period last year Professor Stirling emailed all staff and advised us that:
>
> As you are all aware, our budget circumstances have meant that we finish the year with an interim recruitment freeze in place and a difficult challenge ahead for the 2016 budget and beyond. Whilst the 'freeze' has purportedly now been lifted, it is still in place for all intents and purposes under a slightly different guise and terminology.
>
> Flinders has lost extensive numbers of staff, both academic and professional, as a consequence of the voluntary early retirement scheme (VERS). Many areas of the university are struggling to function and are faced with an inhumane increase in workload, increasing demands on our time, whilst using outdated and inefficient systems are a daily struggle…
>
> However, Professor Stirling is apparently worth more than the Australian Prime Minister…Canada's Prime Minister…Germany's Chancellor…and even the President of the United States of America. Seen in that light, we are right to question whether this V-C is value for money…
>
> The Flinders Branch Committee believes that it is time to call it out for what it is: grossly unjust. Unfortunately, Flinders University is not alone in paying exorbitant amounts for this underwhelming leadership. It is plainly obvious that executive salaries at Australian universities have been inflated to a ridiculous degree, and we are in a cycle of rewarding the aping of corporate behaviour with increasingly excessive pay packets.

So, while here today I do congratulate the Flinders University on attaining that 50th year this year, and recognise its significant, substantial and great contribution to our community, and those contributions of its alumni, I do urge all our South Australian universities to remember that such

contributions of research, education and accessibility should remain at the forefront of the world's attention, rather than the earnings of their senior employees.

The Hon. T.T. NGO (17:53): I rise to congratulate Flinders University on its 50th anniversary. Flinders University opened on 25 March 1966 with a cohort of 400 students and fewer than 10 courses. The university now has almost 25,000 students, including more than 4,500 international students, and offers over 115 undergraduate and 286 postgraduate courses across all disciplines.

Its inaugural Vice-Chancellor, Peter Karmel, envisioned a university that was 'free to innovate and not be bound by tradition'. Flinders University is certainly living up to this vision, with its innovative approach to research and education. We also need this from our industries and governments. There must be a continued willingness from governments, universities and industries to work collaboratively for the social and economic wellbeing of our society.

Due to its location, Flinders effectively is part of a precinct alongside Tonsley and the Flinders Medical Centre. Operating within such a precinct certainly has its advantages. I note that Flinders has been very supportive of both the Tonsley and Flinders Medical Centre upgrades. Tonsley (the former Mitsubishi site) continues to play an important role for many people, especially the residents of the southern suburbs.

With the support of the state government, Flinders University committed to the local community by opening its $120 million Tonsley campus in early 2015, which houses 150 staff and 2,000 students. The university's School of Computer Science, Engineering and Mathematics, the Medical Device Research Institute, the Centre for Nanoscale Science and Technology and the New Venture Institute (NVI) are now co-located with entrepreneurial businesses and high-tech industries—a manifestation of the university's drive for innovation and excellence.

Since its establishment, Flinders University has spread its wings regionally, interstate and internationally. The university opened its Victoria Square campus in 2009. There are also campuses in rural areas, including the Rural Clinical School in the Barossa and the Lincoln Marine Science Centre in Port Lincoln. The Greater Green Triangle University Department of Rural Health, a centre for rural and remote health education, training and research, is a partnership between Flinders University and Deakin University that covers a vast area in the South-East and southern Victoria.

The university's vision defines 'a central corridor' to Asia via the Northern Territory, where it delivers the Northern Territory Medical Program in collaboration with Charles Darwin University, in areas such as Darwin, Alice Springs and Katherine. Flinders has become a truly international university with links and partnerships with institutions in China, Malaysia, Hong Kong and Indonesia. For example, the Jembatan initiative launched in 2015, is building close ties between our state's agencies, community and business organisations and Indonesia to support cultural and educational exchange.

We must not forget that universities will always primarily remain a place of learning, but by promoting critical thinking, universities also have a key role to play in grooming the leaders of industry and government now and into the future. Flinders' motto is 'Inspiring Achievement', inspiring its students 'to achieve their highest potential, encourage intellectual and cultural curiosity, and foster a global perspective.' Our educational institutions must be in the business of preparing our state's future leaders to confront future challenges without prejudice and without the ideological baggage of either the left or the right, in order to get the results we want for our community.

I never went to Flinders University, but one of my staffers who did has told me of his positive experiences. He tells me that he learned many topics which challenged the orthodoxy with facts and critical analysis without bias. He speaks fondly of a particular lecturer, Associate Professor Haydon Manning, who works within the School of Social and Policy Studies as a member of the Politics and Public Policy discipline. As many in this chamber would be aware, Haydon Manning is an advocate for South Australia's greater involvement in the nuclear fuel cycle. My understanding is that he considers himself very much a passionate environmentalist as well as being a creature of the left during his formative years.

In an environmental politics course my staffer took, one of the topics involved a critique into all sides of the debate on climate change. It is fair to say that current orthodoxy dictates that climate change is real and human-made, and that action needs to be taken to address it. While I agree with

this, it is important that alternative arguments are allowed to be put forward and then critically analysed. My understanding is that, amongst other required readings, this topic contained Bjorn Lomborg's thesis known as 'the litany'. Haydon's course also contained works from notable Australian environmentalists such as Tim Flannery.

Dr Lomborg's 'litany' is the idea, not that climate change is not real, or that it is not contributed to by people, but that, after thorough economic analysis, the amount of resources required to adequately address climate change would require the diversion, or lack of provision, of a significant amount of resources from other needs, such as fighting world hunger or addressing the AIDS epidemic in Africa. Dr Lomborg famously said:

> Just because there is a problem doesn't mean that we have to solve it, if the cure is going to be more expensive than the original ailment.

Mr President, regardless of my or your views on this matter, I hope that Flinders is still introducing students to this work, as presenting competing material allows students to form their own critical judgements. This is the bedrock of critical learning. Future leaders brought up in this learning environment will be better guardians of our state's social, political, cultural and economic institutions, as they will be more open to change without being constrained by tribalism and fanaticism.

I know from conversations I have had with my own staffer that he appreciated, as a fresh-faced youth, having all the facts presented to him without emotion, allowing him to formulate his views without external pressure or influence. With that, I acknowledge Flinders University's outstanding contribution to our state and convey my personal congratulations on this very significant 50th anniversary milestone.

The Hon. J.S. LEE (18:02): I would like to thank all the honourable members who made contributions in support of Flinders University's 50th anniversary. Particularly, I would like to thank the Hon. Stephen Wade who actually made a fantastic tribute to the many achievements of his wife, Tracey. It is great to see that love and respect actually exist in parliament. That is a wonderful contribution. Thank you, the Hon. Stephen Wade.

I would also like to thank the Hon. Tammy Franks for highlighting some of the challenges faced by the Flinders University, particularly about leadership, remuneration, fairness and equity. I would like to thank her for her contribution. I would also like to thank the Hon. Tung Ngo for his contribution and particularly for his acknowledgement of the Tonsley facility's contribution to the university's role in the international arena. Thank you, the Hon. Tung Ngo. With those closing remarks, I commend the motion to the chamber.

Motion carried.

Bills

HOUSING IMPROVEMENT BILL

Final Stages

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

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL

Conference

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (18:05): I have to report that the managers for the two houses conferred together and it was agreed that we should recommend to our respective houses:

As to Amendments Nos 1 and 2—

That the Legislative Council no longer insists on its amendments

As to Amendment No. 3—

That the Legislative Council no longer insists on its amendment but makes the following amendments in lieu thereof:

Clause 22, page 9, line 35 [clause 22, inserted section 209A(1)]—Delete '*Resources*' and substitute '*Rehabilitation'*

Clause 22, page 9, line 36 [clause 22, inserted section 209A(2)]—Delete 'Treasurer' and substitute 'Attorney-General'

Clause 22, page 10, line 6 [clause 22, inserted section 209A(3)(c)]—Delete 'Minister and the Treasurer' and substitute 'Attorney-General'

Clause 22, page 10, lines 15 to 20 [clause 22, inserted section 209A(5)]—Delete all words in these lines and substitute:

Attorney-General as additional government funding for the provision of programs and facilities, for the benefit of offenders, victims and other persons, that will further crime prevention and rehabilitation strategies.

Clause 22, page 10, line 29 [clause 22, inserted section 209A(7)]—Delete ', with the approval of the Treasurer,'

Clause 22, page 10, line 32 [clause 22, inserted section 209A(7)]—Delete 'is approved by the Treasurer' and substitute 'the Attorney-General thinks fit'

and that the House of Assembly agrees thereto.

As to Amendment No. 4—

That the Legislative Council no longer insists on its amendment but makes the following amendment in lieu thereof:

New clauses, page 11, after line 4—After clause 23 insert:

24—Insertion of section 229A

After section 229 insert:

229A—Annual report relating to prescribed drug offenders

(1) The Attorney-General must, on or before 30 September in each year, lay before both Houses of Parliament a report on the operation of the amendments enacted by the *Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Act 2015* during the financial year ending on the preceding 30 June.

(2) A report under this section must include the following information for the financial year to which the report relates:

(a) the number of persons who became prescribed drug offenders during that period;

(b) the number of restraining orders made during that period in relation to persons who, if convicted of the serious offence to which the restraining order relates, will become prescribed drug offenders;

(c) details of property forfeited under this Act during that period that was owned by or subject to the effective control of a prescribed drug offender on the conviction day for the conviction offence.

(3) A report required under this section may be incorporated into any other report required to be laid before both Houses of Parliament by the Attorney-General.

25—Review of Act

(1) The Attorney-General must, within 3 years after the commencement of this Act, undertake a review of the amendments to the *Criminal Assets Confiscation Act 2005* enacted by this Act.

(2) The Attorney-General must cause a report on the outcome of the review to be tabled in both Houses of Parliament within 12 sitting days after its completion.

And that the Legislative Council makes the following consequential amendments:

Clause 5, page 3, lines 17 to 19 [clause 5(3), inserted definition of *protected property*]—

Delete 'could not be taken in proceedings against the person under the laws of bankruptcy (as modified by regulations under this Act)' and substitute:

is of a class declared by regulation for the purposes of this definition

New clause, page 3, after line 32—After clause 5 insert:

5A—Amendment of section 6—Meaning of effective control

Section 6(1)(d)—delete paragraph (d) and substitute:

(d) if property is initially owned by a person and, within 6 years (whether before or after) of—

(i) an application for a restraining order or a confiscation order being made; or

(ii) the person becoming a prescribed drug offender,

is disposed of to another person without sufficient consideration, then the property is taken still to be subject to the effective control of the first person;

Clauses 10 to 13, page 6, lines 7 to 36—

Delete clauses 10, 11, 12 and 13 and substitute:

10—Insertion of Part 4 Division 1 Subdivision 1A

After section 56 insert:

Subdivision 1A—Deemed forfeiture orders

56A—Prescribed drug offenders

(1) Immediately on a person becoming a prescribed drug offender, a forfeiture order (a *deemed forfeiture order*) will be taken to have been made under Subdivision 1 by the convicting court.

(2) A deemed forfeiture order applies to all property owned by, or subject to the effective control of, the prescribed drug offender on the conviction day for the conviction offence other than the following:

(a) protected property of the prescribed drug offender;

(b) property that has been excluded from a restraining order under Part 3 Division 3;

(c) property that is otherwise forfeited to the Crown under this Act.

(3) Except as provided in subsection (4), section 59A and section 209A, this Act applies to a deemed forfeiture order in all respects as if it were a forfeiture order made under section 47(3)(a) in relation to conviction for the conviction offence, subject to such modifications as may be prescribed, or as may be necessary for the purpose.

(4) Any power that may be exercised by a court that is hearing or that is to hear an application for a forfeiture order may be exercised, in relation to a deemed forfeiture order, by the convicting court at any time within the period of 6 months (or such longer period as may be allowed by the convicting court) after the conviction day for the conviction offence.

(5) In this section—

convicting court, in relation to a prescribed drug offender, means the court that convicted the prescribed drug offender of the conviction offence.

56B—Court may declare that property has been forfeited under this Subdivision

A court may declare that particular property has been forfeited under this Subdivision if—

(a) the DPP applies to the court for the declaration; and

(b) the court is satisfied that the property is forfeited under this Subdivision.

Clause 14, page 7, lines 5 to 7 [clause 14, inserted section 59A(1)]—

Delete 'A court that has made a forfeiture order or a court that is hearing, or is to hear, an application for a forfeiture order, may make an order excluding property from forfeiture' and substitute:

If a person becomes a prescribed drug offender, the convicting court may make an order excluding property from forfeiture under Subdivision 1A

Clause 14, page 7, lines 10 to 13 [clause 14, inserted section 59A(1)(b) and (c)]—

Delete paragraphs (b) and (c) and substitute:

(b) the forfeiture applies to the applicant's property; and

Clause 14, page 7, line 26 [clause 14, inserted section 59A(2)(b)]—Delete 'the forfeiture order' and substitute 'Subdivision 1A'

And that the House of Assembly agrees thereto.

Consideration in committee of the recommendations of the conference.

The Hon. P. MALINAUSKAS: I move:

That the recommendations of the conference be agreed to.

The Hon. A.L. McLACHLAN: On behalf of the Liberal opposition, we are in concurrence with the outcome of the deadlock conference.

Motion carried.

At 18:08 the council adjourned until Thursday 4 August 2016 at 14:15.

Answers to Questions

NORTHERN ADELAIDE FOOD PARK

In reply to **the Hon. J.S.L. DAWKINS** (29 October 2015).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): The Minister for Transport and Infrastructure has provided the following advice:

1. The duplication of Elder Smith Road is identified in the Integrated Transport and Land Use Plan (ITLUP) as a medium (5 to 15 years) to long term (15+ years) priority. The timing of the duplication and extension of Elder Smith Road is based upon assessment of future traffic demands.

2. I am advised by the Department of Planning, Transport and Infrastructure that, consistent with normal practice, DPTI and other agencies, most notably the Department of Primary Industry and Regions SA, will work closely with the City of Salisbury and other surrounding councils during the development of the Food Park.

3. Elder Smith Road will play an important role in providing access to the proposed Food Park. The Department of Planning, Transport and Infrastructure has proactively addressed the need for improved heavy vehicle access into the park, providing an important productivity improvement for the park. Elder Smith Road has been gazetted for use by B-double vehicles between Salisbury Highway and Main North Road. This provides B-double connectivity to the Port of Adelaide, Parafield Airport and to the wider road network. B-double access from Salisbury Highway to Port Wakefield Road is also already available via Belftree Drive, George Street and Ryans Road.

NORTHERN ADELAIDE FOOD PARK

In reply to **the Hon. J.S.L. DAWKINS** (23 February 2016).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): The Minister for Transport and Infrastructure has provided the following advice:

The duplication of Elder Smith Road and extension to Port Wakefield Road are identified as future projects in the Integrated Transport and Land Use Plan. The plan identifies these projects as a medium 5 to 15 years and long term 15+ years priority.

The timing of the duplication and extension of Elder Smith Road in the plan is based on an assessment of future traffic demands.

As planning work progresses on the Food Park, more detailed implementation timing and traffic information will become available. This information will be utilised to review the relative priority of any improvement needs for Elder Smith Road.

The Department of Planning, Transport and Infrastructure is already addressing the need for improved heavy vehicle access into the park, and recently gazetted Elder Smith Road between Salisbury Highway and Main North Road for use by B-double vehicles. This provides B-double connectivity into the Port of Adelaide,

Parafield Airport and the wider road network, which will be an important productivity improvement for the park and other operations in the area.

POLICE OMBUDSMAN

In reply to **the Hon. A.L. McLACHLAN** (13 April 2016).

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

All reports requested by the Acting Police Ombudsman have been provided.