

LEGISLATIVE COUNCIL

Wednesday, 15 February 2017

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 11:02 and read prayers.

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

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) (11:03): I move:

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

Motion carried.

Bills

GENE TECHNOLOGY (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 November 2016.)

The Hon. D.W. RIDGWAY (Leader of the Opposition) (11:03): I rise to speak on behalf of the opposition to the Gene Technology (Miscellaneous) Amendment Bill 2016, and I thank the government for bringing this forward. Just quickly, it is our standard procedure now to sit at 11am on Wednesdays which causes some problems for members of the opposition who serve on the Legislative Review Committee. I am speaking on this bill now just to allow the Hon. Andrew McLachlan—honourable and gallant Andrew McLachlan—a chance to catch his thoughts before we deal with a number of bills he is dealing with.

I think the committee overlaps that occur with Wednesday morning sittings are something the government must consider, as we need to have a little tolerance in regard to our members here. Clearly, ministers never sit on committees, so if it is government business, they are not going to be captured in that problem but we could well be. For future Wednesdays, I urge the minister to give us a little bit of grace when it comes to these things.

In June 2001, a regulatory system for Australia's national gene technology was formed through the Gene Technology Act 2000 which is a commonwealth act. The act aims to identify and manage risks to human health and the environment posed by, or as a result of, gene technology. The Office of the Gene Technology Regulator, known as the OGTR, within the federal government, was also created as a result of the Gene Technology Act. The independent Gene Technology Regulator oversees this office whose role it is to administer the laws and make decisions relating to gene technology research and development across Australia.

A ministerial council was created through that act, comprising the commonwealth health minister and ministers from each state and territory, to provide broad direction and regulatory guidance to the regulator. The bill we are dealing with today relates to the Gene Technology Scheme which regulates dealings with genetically modified material. It does not look at the regulation of genetically modified food, which is done under Food Standards Australia New Zealand (FSANZ), or genetically modified drugs, which come under the Therapeutic Goods Administration.

The scheme covers the use of genes as tools where the end goal is not a food product or a drug product but possible uses are in medical research or in plant research. In 2011, the commonwealth act was reviewed and 16 recommendations were presented to ministers at the Gene Technology Forum. Of these recommendations, 14 were supported or supported in principle. These recommendations fall within three main categories: one, modifications to the operations of the Office of the Gene Technology Regulator; two, minor technical, administrative and consequential amendments; and, three, other technical amendments.

In August 2015, the commonwealth Gene Technology Amendment Bill 2015 was passed without amendment by the House of Representatives and the Senate and came into force on 10 March 2016. The commonwealth bill dealt with five technical, administrative and consequential amendments that have minimal impact on the technical operation of the act.

South Australia is a signatory to the National Gene Technology Agreement, an intergovernmental agreement which sets out the understanding between the commonwealth, state and territory governments to establish a nationally consistent regulatory scheme. Within that agreement the Gene Technology (Miscellaneous) Amendment Bill 2016 before the council will bring the South Australian Gene Technology Act 2001 into alignment with the commonwealth legislation. These changes will have minimal impact on the operation of gene technology activities within South Australia.

I was advised that three states applied agreed provisions by reference to the national law and that three state parliaments currently have bills before them. While the bill deals with five recommendations from the 2011 review, with minor administrative changes to the scheme, a further six recommendations have been implemented by the office of the regulator without the need for legislative change. Three more significant recommendations are still to be considered further by the ministerial council.

With those few comments, I indicate that the Liberal Party has always been a supporter of any new technology and we see that this bill will foster development of technology and confirm that the Liberal Party will be supporting the bill.

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

SUMMARY OFFENCES (DECLARED PUBLIC PRECINCTS) AMENDMENT BILL

Committee Stage

In committee.

Clause 1.

The Hon. A.L. McLACHLAN: I would like to articulate the Liberal Party position given that the number of questions which I asked at the second reading have been responded to by the government. I advise the chamber that the Liberal opposition will support the passage of the bill through committee without amendment. The Liberal opposition has had regard to the government's answers to the questions raised in the second reading, as I have indicated. The Liberal opposition is taking on faith the assertions of the police force that these measures will improve the policing of particular precincts of concern.

The law and order argument has won the day with the Liberal Party. On balance, the Liberal Party places great weight on the public safety considerations. In essence, the Liberal opposition is relying on the judgement of the police leadership when utilising the provisions of this bill when conducting its operations. It would be clear to most, if not all in this chamber, that I have had some personal reservations regarding this bill. I question the need for these provisions given many of the powers our police already enjoy, and have deep reservations about the social impact which was set out in the submissions of the Law Society, the Youth Affairs Council and the ALRM.

I personally worry these laws could be used in an unscrupulous manner to target some of the most vulnerable members of our community. On this occasion, I do not intend to stray from the tribe and will vote with my party. The issues surrounding the impact of this bill were considered by the party room and I respect their concluded view. The policy and thinking behind the bill in the government and police cabals are not sufficiently vile to warrant voting against the bill. I take comfort

in the decision to declare that a precinct will be public—maybe not appropriately signed on the street level, but at least public—as will be the actions of the police in a declared precinct. Therefore, there will be an opportunity for the effect of these laws to be observed by all.

Consequently, as a community we can form a judgement on whether they are necessary and should remain in the body of our laws. I still believe that the granting of the discretion in this bill to the Attorney-General to declare a precinct should be accompanied by a corresponding commitment that reasons will be recorded for the declaration. Again, I draw comfort from the fact that the declaration will have to be made public, and that the Attorney-General will have to justify himself, as will the police commissioner.

I note the offer by the Attorney-General, and communicated by the Hon. Ian Hunter in his summing up of the second reading, that the government will make inquiries of the Commissioner of Police as to the operation of these laws after a year of their commencement. I accept the undertaking. I expect that now the undertaking has been offered and accepted, the Commissioner of Police is bound to keep proper data on the operation of the bill. Should SAPOL fail in this regard, they will be rightly criticised in this council.

My approach to this bill is despite my deep suspicion that the only reason the government acceded to the police request for these laws was to provide another opportunity to trumpet its law and order credentials. Under this government's stewardship the police have been given more and more power to restrict our liberties. Criminal law has been twisted and contorted by constant ill-considered and vanity amendments. The prisons have become crime factories and the rehabilitation program is an opportunity for the wrong individuals to receive leniency. This bill is just another bauble on Labor's law and order totem. I remain unconvinced that we need to unnecessarily sacrifice our liberties to address a potentially perceived threat simply to quell a non-existent fear in the minds of the patrons of small bars.

The council will recall there is no substantive justification for these laws. We are without any meaningful evidence. Even the government has acknowledged, in response to one of my questions at the second reading, that the current powers are generally working. I will keep watch over the operation of these laws. I like to think that under a Liberal government these laws will be reviewed, along with other police powers.

The Hon. M.C. PARNELL: I will take this opportunity to put the Greens' position on the record at clause 1, as there are no amendments filed for this legislation. Back in November last year, I said that the Greens had serious concerns about this bill. Our concerns were based on the submissions received from the Youth Affairs Council, the Aboriginal Legal Rights Movement, the Law Society and others. I said back in November that we strongly associated ourselves with the remarks of the Hon. Andrew McLachlan, and I will associate myself again with his remarks but not with his conclusion.

The conclusion the Liberal Party has reached is that it will let this legislation go through and watch it carefully. The Greens have carefully followed the debate. We have taken note of the answers that were provided by the minister last year, and our position remains unchanged. We will be opposing this legislation and we will be dividing on the third reading.

Clause passed.

Remaining clauses (2 to 5) and title passed.

Bill reported with amendment.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (11:15): I move:

That this bill be now read a third time.

The council divided on the third reading:

Ayes 14
Noes 3

Majority..... 11

AYES

Brokenshire, R.L.	Dawkins, J.S.L.	Gazzola, J.M.
Hood, D.G.E.	Hunter, I.K.	Lee, J.S.
Lensink, J.M.A.	Lucas, R.I.	Maher, K.J.
Malinauskas, P. (teller)	McLachlan, A.L.	Ridgway, D.W.
Stephens, T.J.	Wade, S.G.	

NOES

Franks, T.A.	Parnell, M.C. (teller)	Vincent, K.L.
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Third reading thus carried; bill passed.

PUBLIC INTEREST DISCLOSURE BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 November 2016.)

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (11:23): I want to thank all members for their contributions thus far. I note that the opposition has filed four amendments for consideration during the committee stage. I intend to further discuss the government's position on each of these amendments during the committee stage. I now move that we close the debate on the second reading.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. A.L. McLACHLAN: I will set the scene for the amendments before we progress through the clauses of the bill. The Liberal Party articulated its position at the second reading, but since we have had the summer sojourn over Christmas, I thought I would revisit it for the benefit of members. These amendments have been crafted based on the recommendation of the ICAC. They have not been developed as a result of a view taken by the party on its own journey. The amendments have been drafted to reflect the specific requirements of the commissioner.

In relation to the first amendment, which inserts the word 'journalist' and allows a member of the public, after certain hurdles have been overcome, to speak to a journalist in their role as a whistleblower, I should say that in a recent hearing of the committee on crime and public integrity, I raised the matter again with the commissioner, and he affirmed that it was his preference that a whistleblower have the ability to go to the media in these circumstances.

Clause passed.

Clauses 2 to 5 passed.

Clause 6.

The Hon. A.L. McLACHLAN: I move:

Amendment No 1 [McLachlan-1]—

Page 6, line 10 [clause 6(a)]—After 'information to a' insert 'journalist or a'

This is a simple amendment, technically. It inserts the word 'journalist' so that, after a person has exhausted the other avenues set out in clause 6, they can in those circumstances speak to a member of the media.

The Hon. M.C. PARNELL: I was going to hear the government's response, but the Greens' position is that we support this amendment to include the reference to journalists.

The Hon. P. MALINAUSKAS: The government opposes this amendment. The bill provides for circumstances where an appropriate disclosure may be made to someone other than a relevant authority and contains a clear guide as to reporting of appropriate disclosures. It also provides a thorough regime for dealing with appropriate disclosures, including a duty to act on the information received as soon as practicable. That will ensure that matters are effectively and properly dealt with. The government is confident that the bill will operate effectively without this amendment.

The Hon. D.G.E. HOOD: Family First rises to indicate its support for the amendment. I think we have all seen circumstances where the official channels have not provided adequate recourse for individuals in certain circumstances, and they have had to resort to going to programs like *Today Tonight*, the Leon Byner program, Matt and Dave, etc., and the various news stations, which have proven to be effective in finally bringing light to the issue.

It is unreasonable and not appropriate for us to completely close that channel. It should be open as a last resort, as I believe the amendment dictates. After the other criteria have been met, it becomes an option then and only then. For that reason, Family First will support the Liberal amendment.

The Hon. J.A. DARLEY: I indicate that I will be supporting the amendment.

The committee divided on the amendment:

Ayes 12
Noes 5
Majority 7

AYES

Brokenshire, R.L.
Franks, T.A.
Lensink, J.M.A.
Ridgway, D.W.

Darley, J.A.
Hood, D.G.E.
McLachlan, A.L. (teller)
Vincent, K.L.

Dawkins, J.S.L.
Lee, J.S.
Parnell, M.C.
Wade, S.G.

NOES

Gazzola, J.M.
Malinauskas, P. (teller)

Hunter, I.K.
Ngo, T.T.

Maher, K.J.

PAIRS

Gago, G.E.
Lucas, R.I.

Stephens, T.J.

Kandelaars, G.A.

Amendment thus carried; clause as amended passed.

Clauses 7 and 8 passed.

Clause 9.

The Hon. A.L. McLACHLAN: I move:

Amendment No 2 [McLachlan-1]—

Page 8, after line 16—After subclause (3) insert:

- (3a) Subject to this section (and without derogating from any other law imposing vicarious liability on a person for the acts and omissions of agents or employees of the person), the Crown is, for the purposes of this Act, vicariously liable for an act of victimisation by an agent or employee of a public sector agency committed while acting in the course of their agency or employment.
- (3b) In proceedings brought against the Crown, in accordance with this section, in respect of an alleged act of victimisation by an agent or employee of a public sector agency, it is a defence to prove that the principal officer of the public sector agency took reasonable steps to ensure that the agent or employee would not act in contravention of this Act.
- (3c) Without limiting subsection (3b), a defence is established under that subsection in relation to an alleged act of victimisation by an agent or employee of a public sector agency if the principal officer—
- (a) had complied with section 12 and, in particular, had ensured that the document required under section 12(4) had been prepared and was being maintained at the relevant time; and
 - (b) had taken reasonable steps to implement and enforce that document, including by—
 - (i) taking reasonable steps to make the employees and agents of the public sector agency aware of the requirements under the document; and
 - (ii) ensuring that action required under the document was taken promptly and in an appropriate manner.

I alert the chamber to the fact that amendment No. 3 is consequential. The purpose of this amendment is purely technical. It follows on from a recommendation from the ICAC that the state, or in effect the Crown, has vicarious liability for an act of victimisation. Clause 9 as currently drafted is very much referring to the person, when it comes to victimisation. This is a critical incentive for the state to ensure that whistleblowers are allowed to advise the relevant parties of what they have discovered for the benefit of the state as a whole.

This, again, has been drafted with the advice of parliamentary counsel in response to the ICAC recommendation. In essence, it imposes the burden on the Crown itself—and, therefore, the state—but also, importantly, it sets out a technical defence. It is not unreasonable. If those public servants, or those who act for the Crown, follow the necessary steps in (3c) of the amendment, then they will have a defence. It has been drafted so that it is not capricious in nature and actually delivers a stepping stone for those who wish to have a defence to a charge of victimisation.

The Hon. M.C. PARNELL: The Greens will be supporting this amendment. If we think about what happens when the state is not vicariously liable, we find ourselves some decades ahead apologising for the bad things that the state did. We have apologised for stealing Aboriginal children from their families. We have apologised for the victimisation of people in same-sex relationships who were prosecuted and discriminated against in earlier years.

This amendment, I think, is sensible. It imposes a vicarious liability on the Crown for acts of victimisation, but it also allows for a reasonable defence if the Crown has in fact put in place guidelines and crown officers have acted responsibly in accordance with them. I think this does make sense. We are comforted by the fact that it does come from ICAC rather than from another source, so it is an authoritative source. It is largely technical in nature, but I think it provides an important additional protection for whistleblowers, bearing in mind that, whilst this bill is entitled the Public Interest Disclosure Bill, it really is just a renamed and rebadged whistleblowers' protection act and the Greens are keen to support whistleblowers.

The Hon. P. MALINAUSKAS: The government opposes the amendment to this bill but is happy to revisit the proposal at a later time, along with the opposition's subsequent amendments Nos 3 and 4. The proposed amendment would result in different victimisation provisions in this bill and the ICAC bill. Clearly, that is not an ideal situation. Further, there are already provisions in other acts that deal with crown liability and employer liability.

The Hon. A.L. McLACHLAN: Thank you for that response. The Liberal Party does not find it persuasive. It takes the view that this bill is currently before us at this time, and if there are alignment

and consistency issues, then they can be addressed in subsequent bills both to the other acts or this bill can be revisited.

The Hon. D.G.E. HOOD: I indicate that we will also be supporting the amendment.

The Hon. J.A. DARLEY: I will be supporting the amendment.

Amendment carried.

The Hon. A.L. McLACHLAN: I move:

Amendment No 3 [McLachlan-1]—

Page 8, line 17 [clause 9(4)]—After 'a person' insert '(not being the Crown)'

This amendment is consequential.

Amendment carried.

The Hon. A.L. McLACHLAN: I move:

Amendment No 4 [McLachlan-1]—

Page 8, after line 23—After subclause (5) insert:

- (5a) A person who has made or who intends to make an appropriate disclosure of public interest information and who reasonably suspects that they will be subject to an act of victimisation by another person (the *respondent*) may apply to the Equal Opportunity Tribunal for an order requiring that the respondent refrain from the relevant act.
- (5b) An order of the Equal Opportunity Tribunal under subsection (5a) is enforceable, and may be appealed against, as if it were an order of the Tribunal under section 96(1) of the *Equal Opportunity Act 1984*.

This amendment again comes from the recommendation of ICAC. It allows for applying to the Equal Opportunity Tribunal for an order requiring a respondent to refrain. We think this is an important trigger. It is difficult to know how often it will be used if it passes with favour via the amendment to this chamber. We think it is an important amendment. It gives options for the individual where they may be experiencing very difficult sets of circumstances. We are keen to ensure that the full suite of amendments correspond with the report of the ICAC.

The Hon. P. MALINAUSKAS: The government is not opposed to the intent of this amendment but does not agree that the Equal Opportunity Tribunal is the appropriate jurisdiction for these applications. I note that the Independent Commissioner Against Corruption expressed at page 135 of his report on the review of the Whistleblowers Protection Act 1993 that the District Court, which has the power to make injunctions within its civil jurisdiction, may be the best placed court to hear these applications. That is an appropriate comment, given the risk of injustice that an injunction of this nature carries.

However, as we are developing the jurisdiction of the South Australian Employment Tribunal, which could be an appropriate and cost-effective jurisdiction in which to hear such matters, it would be prudent to reconsider the amendment at a time when it is possible for the Employment Tribunal to take on such applications. On this basis, the government opposes the amendment.

The Hon. M.C. PARNELL: The Greens will be supporting the amendment. It seems to be a sensible addition to the suite of measures to protect whistleblowers. It is not that hard to imagine a situation where a person, who is about to blow the whistle as it were, quite reasonably suspects that within minutes they are going to get the sack, and this gives them the ability, in a peremptory manner, to go to the Equal Opportunity Tribunal to effectively get an injunction.

The minister referred to the consequences of the risk of an injunction as being serious. I do not think they are. The injunction is going to be, 'Don't discriminate against this person. Don't sack them.' I hardly think that that is going to bring the state of South Australia to its knees, so I think it is appropriate that we put this in. If the minister wants to have a think about whether there is some part of District Court procedures that would deal with these cases expeditiously, then we could look at that later, but for now I think it is appropriate to pass the amendment as drafted. The Greens will be supporting it.

The Hon. D.G.E. HOOD: Family First is not persuaded by this amendment. I think the government's position is one that we are inclined to support which is that the Equal Opportunity Commission is not the appropriate place for such a venture to unfold and for that reason we will not be supporting it.

The Hon. J.A. DARLEY: I will be supporting the amendment.

The Hon. A.L. McLACHLAN: I thought I might respond to the government's position. The Liberal opposition was minded that the ICAC did muse whether the District Court was an appropriate forum, but in our consideration under clause 9 of the bill, the complaint is being lodged at the Commissioner for Equal Opportunity. It is our view that since a complaint may well have already been lodged, that was the appropriate place for an order to be issued regarding that the respondent refrain from a particular act.

I would endorse the comments of the Hon. Mr Parnell that that sort of order would be of greater significance to the individual but it is not earth-shattering in its nature and to require a person in this situation to go through a greater hurdle and appear before the District Court may only add insult to injury. On reflection, the Liberal opposition believe the appropriate place is the tribunal.

The committee divided on the amendment:

Ayes 10
Noes 7
Majority 3

AYES

Darley, J.A.
Lee, J.S.
Parnell, M.C.
Wade, S.G.

Dawkins, J.S.L.
Lensink, J.M.A.
Ridgway, D.W.

Franks, T.A.
McLachlan, A.L. (teller)
Vincent, K.L.

NOES

Brokenshire, R.L.
Hunter, I.K.
Ngo, T.T.

Gazzola, J.M.
Maher, K.J.

Hood, D.G.E.
Malinauskas, P. (teller)

PAIRS

Gago, G.E.
Stephens, T.J.

Lucas, R.I.

Kandelaars, G.A.

Amendment thus carried; clause as amended passed.

Remaining clauses (10 to 16) passed, schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (11:50): I move:

That this bill be now read a third time.

Bill read a third time and passed.

INTERVENTION ORDERS (PREVENTION OF ABUSE) (RECOGNITION OF NATIONAL DOMESTIC VIOLENCE ORDERS) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 29 November 2016.)

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) (11:52): I would like to thank members for their second reading contributions on this bill. There has been broad support for this bill and a desire to have it dealt with quickly. I note that there have been some amendments filed and other amendments perhaps foreshadowed, so I propose that we have more discussions at clause 1 when we get into the substance of the committee work on this bill, which we will do at another time. We are keen to progress the bill through the second reading stage and into committee. I foreshadow that we will adjourn the bill once it has been read a second time.

Bill read a second time.

NATIONAL PARKS AND WILDLIFE (CO-MANAGED PARKS) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 14 February 2017.)

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (11:54): I understand that all honourable members who wish to make a contribution to this bill have done so. I would like to thank the Hon. Michelle Lensink for her contribution to this debate in amending the National Parks and Wildlife Act 1972. Co-management brings together traditional Aboriginal and contemporary western perspectives to take care of the cultural and natural values of our parks. It certainly allows Aboriginal people to look after and use land in accordance with their traditional values.

In recognition of the success of this initiative around the state, the state government has entered into co-management agreements that cover 35 of South Australia's parks and wilderness areas, covering approximately 13.5 million hectares or about 64 per cent of the state's reserve system. The National Parks and Wildlife (Co-managed Parks) Amendment Bill 2016 strengthens co-management by making amendments to the National Parks and Wildlife Act 1972 and the Wilderness Protection Act 1992 that clarify co-management governance arrangements and allow co-management boards to be established to manage multiple parks. Instead of the situation at the moment where one board has to manage one park, what we are seeking to do with this amendment process is to enable the same board to be in the co-management of several parks for which they are responsible.

This amendment will provide greater flexibility certainly for the government and also for the Aboriginal people who enter into co-management agreements with the state. For those reasons, I commend the bill to members and look forward to its speedy passage today.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. M.C. PARNELL: I just make a very quick observation. To assist the quick passage of this bill, we did not speak at the second reading, but I would like to put on the record that the Greens strongly support the co-management of national parks and believe that these amendments strengthen and clarify the co-management arrangements. The question I am hoping the minister might be able to answer without assistance concerns the provision of this bill that seeks to retrospectively approve two existing mines in the Flinders Ranges. I understand that it is generally

regarded to have been an administrative oversight. It appears that people thought these mines were being regulated under the Mining Act for some 44 years.

My question is: how did it come to the attention of the government that these mines were not regulated? More specifically—and in fact, I do not know the answer to this question—is it the case that a mining operator discovered that they were not regulated? The question that flows from that is: was any harm done? When I say 'harm', did they say, 'We don't have to obey the directions of the Department of State Development anymore. We don't have to pay royalties'? Was there any practical consequence that flowed from the fact that these mines have technically been unregulated for 44 years?

The Hon. I.K. HUNTER: I thank the honourable member for his most important question. I will give him a little bit of background on this and try to reassure him about this process. Whilst we do not like to apportion blame to a decision that was taken so very long ago—and to some extent it is very hard to pin down who may have been responsible back in 1949 for some of these oversights—the bill includes an amendment, as the honourable member knows, that provides a retrospective approval for two existing mining leases in the Ikara-Flinders Ranges National Park that were issued under the Mining Act 1971.

It goes back further than that. I am advised that these two leases were granted by the then minister for mines in 1949 to allow the extraction of barite, a mineral that I am advised is used for both medical and engineering purposes. In 1970, the Oraparinna national park was established under the national parks act 1966 over the two mineral leases, which preserved the existing mineral rights. When the National Parks and Wildlife Act 1972 came into operation, the Oraparinna national park ceased to exist and the now Ikara-Flinders Ranges National Park was constituted by statute.

I am advised that—and here is the important phrase—by administrative oversight the new National Parks and Wildlife Act did not contain any transitional provisions in relation to the preservation of existing mining rights. The mines have since been operated, bought and sold, regulated and renewed as if they were valid. So, the state has gone on and regulated the mines as it would any other mines established under the private mines act, I think it was, or indeed the Mining Act 1971. To correct this oversight, the bill includes an amendment that preserves and validates the operation of these two existing mineral leases, while confirming that the extent of mining operations in Ikara-Flinders Ranges National Park cannot be extended beyond these existing leases.

I can also advise that the administrative oversight only became apparent in 2007 when the former leaseholders, Unimin Australia Limited, applied to extend the mining lease area to allow safety works to be undertaken outside the leased area. Upon receipt of that application, it was identified by a proper and correct public servant, I believe, that a proclamation pursuant to section 43 of the National Parks and Wildlife Act over mineral leases 3413 and 3414 in Ikara-Flinders Ranges National Park authorising prospecting, exploration and mining had not been made.

In 2012, a draft amendment bill to the National Parks and Wildlife Act was released for consultation that included a broad suite of amendments to the act. I am advised that it included an amendment that would have provided retrospective approval to the leases and restricted mining in the park to the leased area. However, the amendment bill did not progress at that time. That is the explanation that I think the honourable member was seeking. It was an administrative oversight going back quite some time. It was discovered by diligent work of the responsible public servant charged with investigating the application by Unimin Australia Limited to extend the mining lease area—hence, the amendment we have before us in this amendment bill to rectify that situation.

The Hon. M.C. PARNELL: I thank the minister for his comprehensive answer which goes part way to answering the questions I asked. I think the minister is shortly to get some assistance, which he might find valuable. The part of the question I am not sure the minister has answered is: if, as he said, this error was discovered 10 years ago in 2007—in other words, the mining companies have known for 10 years that they were not technically bound by the Mining Act—have they in any way taken advantage of that hiatus in mining regulation? That would include compliance with standards, compliance with provisions of the Mines and Works Inspection Act, and payment of royalties.

The first question is whether there is any activity to the detriment of the state that has resulted from 10 years of knowledge that they are not properly regulated. The second question is: the minister said that the bill to fix this up some time ago did not progress. Could he expand on whether or not the bill was, in fact, defeated or whether the government changed its mind and pulled the bill? Was it that this fixing provision was attached to some other provisions? What were the circumstances? It does disappoint me that something can go for 10 years without rectification.

The Hon. I.K. HUNTER: I thank the honourable member for reminding me of the second part of his question. Was any advantage taken by the mining companies? Was any further damage done? Did they extend their brief during this period of uncertainty? My advice, which I have now received, is that there was no change to their activity in those mining leases during the whole time. In fact, I am advised that both companies have deferred activity they wanted to complete pending the outcome of this resolution. I am advised that there was no damage or negative outcome from this delay in the process—in fact, just the opposite.

In terms of the delay, it is regrettable. I do not have a huge amount of advice in front of me going back to 2012 about the amendments to the National Parks and Wildlife Act 1972, which I think preceded my occupation of this position. I understand that there were some issues involved with the legislation that did not apply to mineral leases. There were some complicating factors, and I am not sure whether they resulted from community consultation not being as successful as we would have liked or whether in fact it did not meet the government's timing schedule for legislation. I cannot confirm that, but my advice is that it was not related to any issue with these mining leases; there was some other factor involved in the legislation.

The Hon. M.C. PARNELL: I thank the minister for his answer. I guess we could go back and look through the archives but I do not really want to pursue that point. What we need to pay some attention to are the lessons to be learnt. My question is: given that the Sherlock Holmes of the department has discovered this, has there been any other process, any audit process? There are lots of mineral exploration licences and mining leases and I think that the licences tend to expire on a fairly regular basis but the leases can go on for a very long time. Has there been an audit to see if there are any other mining leases in South Australia that are technically unregulated and would also require either administrative action or legislative reform to normalise them?

The Hon. I.K. HUNTER: My advice is that in fact, yes, we did as a department go through our historical records. It is important to take up the Hon. Mr Parnell's phrase that these were technically, perhaps, unregulated. They were in fact regulated per se because both the mining companies and the government continued, in these instances at least, to proceed as if they were regulating them anyway. However, I am advised that through that extra audit we picked up about half a dozen other mine tenements that were not working. They were not being worked and, in fact, I am advised that the mines were totally grown over and closed but were not closed off in the books. That work was formally undertaken and I am advised that those mining tenements were then closed down formally but, of course, they had in fact closed many years before.

The Hon. J.M.A. LENSINK: My question to the minister is in relation to the co-management of parks. It is really a generalised question, if the minister can advise. These arrangements are a relatively new concept in South Australia, through their establishment in the national parks and wildlife and wilderness protection acts. Perhaps the minister could give us some general advice about what sort of trends we are seeing in terms of co-managed parks in South Australia and whether there are tourism opportunities that some of the Aboriginal groups have been able to take up as part of these co-managed arrangements.

The Hon. I.K. HUNTER: I thank the honourable member for her most important question regarding co-management. I am advised that we have been involved in co-management of the national parks with Indigenous communities since about 2005—

The ACTING CHAIR (Hon. J.S.L. Dawkins): Order! Can we avoid alternative conversations in the chamber. The minister does not have the strongest of voices today and I am having difficulty hearing him. The minister has the call.

The Hon. I.K. HUNTER: Thank you, Mr Acting Chairman, for your protection—when we took our first tentative steps in this direction. Fundamentally, co-management is about shared

decision-making and it requires the traditional owners and the government to come together and learn from each other and develop a shared vision of what they want to see for that park and that environment.

A successful co-management structure and arrangement has the capacity to combine incredibly well the traditional knowledge of the people on the land and their traditional land management practices with contemporary approaches to park management, and for each to learn from the other about why those practices are important still. A number of co-management boards and advisory committees have been in place for several years and have played a significant role in helping to upskill boards and to help them help us manage what they know as their traditional lands.

It has given those boards and those communities a fantastic involvement and a feeling of control, I suppose, over lands that in their minds have always been theirs and always will be theirs, and it has given our land managers and national parks a fantastic ability to learn from local Indigenous communities more about the land than it ever learnt through working alone and solo in the department.

The Ikara-Flinders Ranges National Park Co-management Board is a great example of co-management. The great landscape of the Ikara-Flinders Ranges National Park is part of the traditional land ranges of the Adnyamathanha people, and their culture is incredibly welcoming and sharing. They want to share their land with visitors and want to educate visitors about their long ancestral heritage on that site, their stories and their attachment to their land.

A recent achievement of the board was to work in partnership with the Department of Environment, Water and Natural Resources negotiating the surrender of part of the Manawarra pastoral lease, which includes the site known as Sacred Canyon. This site includes significant Aboriginal engraving and paintings, and is an important area for the Adnyamathanha people. There is a desire on behalf of the Adnyamathanha and the co-management board to develop that area for increased tourism potential, and to drive more tourism into the area and, hopefully, take advantage of the Wilpena Ranges accommodation and to learn more about the local community and their ongoing desire to manage what is their land.

Sacred Canyon will be included, hopefully, within the Ikara-Flinders Ranges National Park shortly to afford it the protection provided by the National Parks and Wildlife Act. It will be managed by the parks co-management board. The process of taking it out of pastoral lands and putting it into national park has been a co-management success, and we look forward to bringing that forward to parliament for its support in the future.

The Hon. J.M.A. LENSINK: At the risk of giving the minister a potential Dorothy Dixers on this issue, can he advise the house of the progress of the reintroduction of the quoll and the possum into the Flinders Ranges National Park? I am sure the minister's adviser can provide the information.

The Hon. I.K. HUNTER: I always take advantage of potential Dorothy Dixers, but today I will desist. I thank the honourable member for this really great question. The reintroduction of quolls (or idnyas, as they are known) has been incredibly successful. It seems that the success has come, at least in part, from our ability to take quolls from the environment in Western Australia where they are already aware of and alert to predation by cats and foxes. Instead of rearing a population of quolls in captivity and then putting them out to take their chances, we have found a population from which we can source quolls that are already smart about how to avoid predation from foxes and feral cats.

We are through multiple generations now of quolls—the population is growing—and it seems to be a great success story. In terms of the possum, I do not have any figures in front of me, but I have not, to my recollection, received any negative feedback about the reintroduction of the possum. I was advised about that in a briefing note last year, and I am hopeful of getting an update on that shortly. But the reintroduction of quolls has been a fantastic success.

We also put, of course, great pressure, in terms of our management programs, on keeping down populations of predators, so we have a very concentrated program of shooting and trapping feral cats and foxes to give the quolls and possums every chance to make a success of their rewilding.

The Hon. D.W. Ridgway: I've got some possums eating my tomatoes you can have any day, if you like.

The Hon. I.K. HUNTER: Thank you, David.

Clause passed.

Remaining clauses (2 to 16), schedule and title passed.

Bill reported without 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) (12:14): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LOCAL GOVERNMENT (MOBILE FOOD VENDORS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 December 2016.)

The Hon. D.W. RIDGWAY (Leader of the Opposition) (12:15): I rise on behalf of the opposition to speak to the Local Government (Mobile Food Vendors) Amendment Bill 2016. I start by making it very clear that the Liberal Party always supports entrepreneurship and small business in South Australia and, as the shadow minister for agriculture, food, wine and tourism, it is important to recognise that food trucks are becoming part of Adelaide's food and tourism culture. However, nothing squeezes the life out of small business and entrepreneurship like red tape, and this bill is just another way of getting in the way of business.

The bill adds another level of complication and red tape, while also taking away local council's authority to cater to the community's needs. It really fails to address that these mobile food trucks are a matter for local government and not for a statewide or a citywide approach. It is a bland, if you like, beige approach. It allows councils and local communities to have input into where food trucks can go and where they can operate that does not impact in a negative way on existing businesses.

The government has failed to address the real issues here. What they have been after is some sort of headline in the 24-hour news cycle to try to get something that will distract from their appalling management of the economy, our electricity system and the general parlous state of South Australia. The bill does not solve any of the unemployment issues, nor will it help our state's economy. Our unemployment rate is one of the highest in mainland Australia, and this will not help at all. In fact, it only increases the costs across the board for the mobile food vendors. As far as I can tell, this legislation does nothing. It is just another ploy to make the government look good, while actually doing nothing but making it harder for South Australians to conduct their business.

The government thinks that a blanket rule will be suitable for every council, completely ignoring the needs for diversity. As the member for Schubert, Mr Stephan Knoll (a new member in the other place since the last election), described the bill last year, he said it was completely ill-considered. The bill states that it will lift the council's restriction on the type of food a mobile truck can provide and allegedly promote innovation. It means also to lift restrictions on the number of licences that can be issued and the hours in which the trucks can operate, yet fails to see that this type of restriction is needed in the first place to protect the pre-existing businesses.

That is where the real issue lies, that our pre-existing businesses, the ones with bricks and mortar, are the ones that are to be put at risk if we have a blanket approach to mobile food trucks, and it will impact on existing jobs. The current cost of doing business is extremely high and if it has a negative cost or damage to these bricks and mortar businesses then, of course, it will ultimately translate to a loss of jobs.

Mobile food trucks are designed to complement existing businesses when there is a very large community event or, for some reason, existing businesses are not able to cater for the public, then you have this opportunity to bring in mobile food trucks to complement the existing businesses. As I said, the current cost of doing business is extremely high and if the government really wants to move the barriers to entry, why not look at reducing the cost of doing business rather than adding red tape and preferencing one business model over another?

Look at the cost of doing business in South Australia and the small businesses that have been here, the bricks and mortars, where you have landlords who own the buildings who have been maintaining them and paying land tax on them, the small businesses that are trying to operate to make a quid during this tough time. Look at the impost that is put on them. In current terms, electricity is a good example. We now have the most unreliable and the most expensive electricity in the nation, and these people are small businesses trying to operate. Last week, when we had the rolling blackouts, how many small businesses were food operators? That 45 minutes was right in the middle of the afternoon when they were preparing to cook and have food available for their customers and they had to shut because they were not able to prepare any food.

These are the sort of burdens on small business that this government ignores. Of course, you also have things like the emergency services levy increases and the high cost of water. Council rates is another one that of course they have to bear. Recently, I received an email from a small business operator whose supply charges for electricity had trebled in the last two years. The electricity itself had gone up, obviously, but the actual supply charges had trebled again. Again, it is a small business operator that has been targeted.

We have to make sure we look after those people. They have been here for decades. They have been providing a service. They are locked into all the rules and regulations around toilets, the number of square metres and the number of people they are allowed to have in those premises. That is why the opposition believes it is much better to leave the existing rules the way they are and let local councils determine them. The existing businesses can have some interaction with their local elected officials to make sure that these mobile food vendors are there to provide a service when you have a bigger community event or when the existing bricks and mortar type businesses are unable to cope with the demand.

It is a bit rich to have mobile food vendors come in when you have a peak demand. I will use this current Mad March period as an example. We have invested in the Fringe, the Clipsal and the Festival of Arts. All those things are designed to bring people to the city and to help some of the bricks and mortar people get through the tough times. In August, we have football, but that is about all. Of course, we often see hotel occupancy is chock-a-block at this time of year; you cannot get a room through to late March or early April, but August has the lowest occupancy.

These peak times, during these events that we have invested in over decades now, that governments of all persuasions have supported because it is good for the economy, are actually good for the businesses that are here during the tough times. We do not think that having this blanket one-size-fits-all approach to food trucks is the right way to go. The local community should still have input and the local council should be able to do it.

It makes it so difficult when you have a difficult economic climate to do business in and then you have no input into whether somebody can pull up their mobile food van in front of your premises, not have to provide toilets and not have any requirement on how many people they can serve other than how many can line up in the queue. The poor business has been there paying its bills, paying its wages, paying its emergency services levy, the high electricity charges, its council rates and all the costs. If they are a biggish small business, they have payroll tax as well if they go over the threshold. Suddenly, somebody can pull up in front of them and take business away from them when they have been there for years.

With those few words, I indicate the opposition will not be supporting the bill and we hope the government does not progress this any further; it does not make sense.

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

Sitting suspended from 12:24 to 14:18.

*Parliamentary Committees***LEGISLATIVE REVIEW COMMITTEE**

The Hon. G.A. KANDELAARS (14:18): I lay upon the table the 19th report of the committee. Report received.

*Ministerial Statement***HOMELESS FUNDING ARRANGEMENTS**

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:19): I table a copy of a ministerial statement made in the other place by the Minister for Communities and Social Inclusion entitled 'Funding to Homeless Services'.

*Parliamentary Procedure***ANSWERS TABLED**

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

*Question Time***CAREER AND WORKFORCE DEVELOPMENT CENTRE**

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:21): I seek leave to make a brief explanation before asking the Minister for Automotive Transformation a question relating to the Career and Workforce Development Centre at Warradale.

Leave granted.

The Hon. D.W. RIDGWAY: When launched back in 2015 the Career and Workforce Development Centre promised to deliver the most comprehensive career transition service ever offered in South Australia. The centre was supposed to offer information sessions, computer and ICT sessions and personal development. Given the Career and Workforce Development Centre has no record of an ICT training schedule or personal development sessions, and only four sessions, two of which were presented Centrelink and held over the course of eight days, my questions to the minister are: firstly, does the minister consider the presentation of two ICT sessions in almost two years as sufficient to assist displaced automotive workers find new employment? Secondly, how many sessions does the minister think would be reasonable in order to fulfil the centre's purpose of delivering the most comprehensive career transition service ever offered in South Australia?

The Hon. J.M.A. Lensink: Ever offered?

The Hon. D.W. RIDGWAY: Ever offered, ever. Thirdly, how many sessions were planned on being held when the Career and Workforce Development Centre initially opened?

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) (14:22): I thank the honourable member for his question. We have been here before talking about the automotive workers transition centre in the south. We were here last year talking about this when members opposite and their friends in another chamber, particularly the member for Mitchell, wanted to close it down. They wanted to close down the centre that provides services for the automotive supply chain workers in the south.

They criticised us for having it open. They didn't want services provided there. It has transpired since then that we find that there might have been ulterior motives for this. We find that the hapless Leader of the Opposition may have been put up to this for other purposes. The centre, apparently, was the former campaign office for the member for Mitchell and we see the Leader of the Opposition doing the bidding, wanting to close it down when apparently the member for Mitchell wants a change offices again.

This looks like a cruel joke that they are trying to get rid of automotive workers in transition programs, services for people in the south, for some other reason. We won't apologise for providing services to workers in the south. We recognise that there are people involved in the automotive industry, particularly the supply chain, in companies in southern Adelaide and western Adelaide that need access to services.

We will not agree with what the opposition seem to want, and that is to make people living in Lonsdale, Christies Beach and the southern and western suburbs travel up to the northern suburbs to attend career information sessions, to attend training there. We know that we are seeing a rapid increase in those accessing services to do with the automotive industry as we get towards October, when Holden have now announced the date for the closure. We are seeing more and more people accessing services and we will continue to provide services for people in southern Adelaide.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:24): Supplementary question: given the increase the minister has spoken of, how many people accessed the centre in the last 30 days?

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) (14:24): I'm glad the Leader of the Opposition in this place has asked us about how many people have accessed services. I can tell him, Mr President. The program activities outcomes until 1 February, which I have statistics for, include: 3,015 individuals attending information sessions; 1,266 registrations, including when we widened it to cover the partners of those involved in the automotive supply scheme (there were 31 partners of those involved); 835 individuals have been supported to access career advice; and 407 activities for training tickets and/or licences have been approved for the Automotive Workers in Transition Program, which is what I have figures for.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:25): Further supplementary question: all of those people you referred to, did they all present to the Warradale service centre?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:25): I thank the honourable member for his question, again. These are for the Automotive Workers in Transition Program as a whole. We are not going to close it down. We don't care what they say, we are not going to close it down. This is probably why the Leader of the Opposition squibbed it and is refusing to run in the seat of Waite because he is so ashamed, so very, very ashamed, of what he has said in the past about workers in the south.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:26): Further supplementary: can the minister tell the chamber how many people have presented at the Career and Workforce Development Centre at Warradale in the last 30 days?

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) (14:26): I thank the honourable member. I had information up until 1 February, which is rather recent information for the programs in total, and I have given him the information that I have at hand, Mr President.

The Hon. J.M.A. Lensink: He is refusing to answer the question.

The PRESIDENT: Order! The honourable Leader of the Opposition has the floor.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:26): My supplementary question is: was the minister saying those were the figures for the 12 months until 1 February? Then,

how many people have presented to the Warradale Career and Workforce Development Centre in the last 12 months, if you are unable to give me the last 30 days?

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) (14:26): I will say it very, very slowly for the Leader of the Opposition. I have the figures with me for up until 1 February 2017 for the whole of the Automotive Workers in Transition Program. I have given him those figures and I am happy to help him out where I can.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:27): Supplementary question: do those figures relate back to 2015, when the development centre was launched? Will the minister commit to bringing back to the chamber the number of people who have presented to the Warradale centre?

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) (14:27): I am always keen, always keen, to help the Leader of the Opposition out to educate him and to set him straight, so I will see what figures I can bring back.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. J.M.A. LENSINK (14:27): My questions are also to the Minister for Automotive Transformation, regarding the Warradale Workforce Development Centre. Given that staff at the Career and Workforce Development Centre at Warradale provided two ICT information sessions my questions are:

1. Were staff trained to provide ICT training at the Career and Workforce Development Centre?
2. How many staff are currently employed at the centre, and is it open to the public every day?
3. As there have been no further ICT or professional development sessions, how many computers are currently held at the centre?

4. When did they last receive servicing, such as security upgrades, patches, platform—

The Hon. K.J. Maher: Who is 'they'?

The Hon. J.M.A. LENSINK: 'They' is the computers.

The Hon. K.J. Maher: 'They', the computers?

The Hon. J.M.A. LENSINK: Yes, were you listening? Do you want me to start again? Okay, I will start again.

1. Were staff trained to provide ICT training at the centre?
2. How many staff are currently employed at the centre, and is it open to the public every day?
3. (This is about the computers.) How many computers are at the centre?
4. When did they last receive any upgrades, such as service patches or those sorts of things?
5. Given that the centre opened almost five years ago, when will the computers be replaced and how will the minister justify spending taxpayers' money on computers that are no longer being used for training?

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) (14:29): I thank the honourable

Deputy Leader of the Opposition for her questions and I am glad they have had a few months off to come up with these killer questions that are very close to bringing the government down. They are great questions, they are a rehash of what they went through last year, very similar questions. I do not have information with me about the details to do with service patches on a computer in an office designed to help workers in the south that they want to close down, but I am happy to go away and find the answers for the questions that the honourable member has asked, including her fixation with service patches.

The PRESIDENT: Supplementary, Hon. Ms Lensink.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. J.M.A. LENSINK (14:30): I note that I did ask these questions twice. But can the minister here and now answer the question as to how many staff are employed at the centre and is it open to the public every day?

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) (14:30): I thank the honourable member for her question. From the best of my memory there are—and I will check this and bring back a more complete answer—two or three staff employed. The centre is open as needed, as you would expect it to be, and the staff are working on other things and other projects in the department if they are not at the centre. But we won't give into the demands from the member for Mitchell, from seemingly the people he set up in this chamber to do his bidding, because apparently he wants his office back. We are not going to close it down. We are not going to hand it back to the member for Mitchell. We want to provide services to people in the south and we know these services will become important in the future.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. J.M.A. LENSINK (14:30): A further supplementary: I thank the minister for agreeing to come back with responses to my questions. When he does so, can he actually advise what other programs the staff are working on when the centre isn't open?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:31): I'm happy to have a look at those and I will bring back an answer if it is any different than two or three, and if there is anything different from my answer. From the best of my recollection, it is open as need be. I will have a look to see if there is any information that can be brought back about all the other hard work done by officers from the department involved in supporting our auto workers, the auto workers who we all remember are facing grave challenges because of the federal Liberal government and the acquiescence of this gutless mob over there.

MOBILONG PRISON

The Hon. S.G. WADE (14:31): My questions are to the Minister for Correctional Services in relation to the lockdown of the Mobilong Prison. My questions are:

1. Given that the Public Service Association claims that it has been raising concerns for some time about overcrowding and staff safety, what action has the minister taken to address these issues?
2. Given that the Public Service Association says that it was dissatisfied with the government's response received in a letter today, what did the government propose to the association?
3. Given that the orders of the Industrial Relations Commission last month stated that Mobilong Prison management should avoid sending prisoners who are unsuitable for that environment, have those Industrial Relation Commission orders been adhered to?
4. Given that Correctional Services officers will not transfer prisoners from Mobilong during the lockdown, what impact will there be on court proceedings?

5. Given that Correctional Services officers will not transfer prisoners to Mobilong during the lockdown, what impact will there be on bed management across the overcrowded prison system?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33): Let me start by thanking the Hon. Mr Wade for his questions. I was incredibly disappointed to learn earlier today that there was a lockdown in the form of industrial relations issues at the Mobilong Prison. I see this as being an unsatisfactory outcome regarding what is entirely an industrial dispute. I am pleased to report, though, that I have been advised that at 4pm today the industrial dispute will be heard before the South Australian Industrial Relations Commission, and I very much hope the issue is resolved as quickly as possible so that those workers can get on with their job and prisons can be attended to accordingly.

MOBILONG PRISON

The Hon. S.G. WADE (14:33): Given the minister's flippant characterisation of this matter as an industrial dispute, does he deny the claims of the Public Service Association that the safety of their staff and of prisoners have been put in jeopardy by the overcrowding of prisons under his administration?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:34): This is an industrial dispute. Those workers have commenced a form of industrial action, hence why the matter is now before the Industrial Relations Commission. There is a hearing scheduled at 4pm today, and I am advised that there is even a chance that the matter will be heard sooner than that.

It is entirely an industrial dispute and the appropriate forum for that dispute to be heard in is, of course, the Industrial Relations Commission. A matter related to this has already been before the commission, as the Hon. Mr Wade has referred to in his earlier question. My advice is that overwhelmingly that dispute was resolved in favour of the department—that is, the government. I look forward to seeing the outcome of this dispute in the Industrial Relations Commission as quickly as possible so that those workers can get back to work and do their jobs accordingly.

MOBILONG PRISON

The Hon. S.G. WADE (14:34): Can the minister assure the house that the Industrial Relations Commission's orders at the previous hearing against the department were adhered to?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:35): That is a matter that is before the Industrial Relations Commission. It is pretty clear for anyone with an elementary understanding of the way these matters work that the commission will make a determination as to exactly what has transpired and the veracity of the claim of those members of the union or, indeed, the union itself. I look forward to that being resolved as quickly as possible.

MOBILONG PRISON

The Hon. R.L. BROKENSHERE (14:35): I have a supplementary question based on the minister's answer. Can the minister assure the house, given that there has been a significant increase in prisoner numbers over the last 12 months, that there has been a relevant ratio of increase in correctional staff, as in Correctional Services officers; and, accordingly, can the minister advise what increased number of Correctional Services officers have been employed by the department in the last 12 months?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:36): The Hon. Mr Brokenshere is right to point to the fact that in South Australia we have had an increase in prison population—there is no secret about that; that very much speaks to this government's agenda of keeping the South Australian community safe. That means where people do the wrong thing they are punished accordingly. My advice is that the department well and truly keeps at the forefront of its mind

appropriate safety arrangements for all concerned when contemplating staffing numbers. I am confident that the department has the matter in hand.

Of course, the industrial dispute that initiated this question from the Hon. Mr Wade, has its origins in the fact that there is an expansion at the Mobilong Prison where more beds are being put online to accommodate the rising prison population. That is all about making sure that we have the appropriate number of beds in the system to be able to deal with the matters at hand. I am confident that this dispute will be resolved quickly. I very much hope that it is resolved quickly and that everyone can get back to doing their job.

AUTOMOTIVE TRANSFORMATION

The Hon. G.A. KANDELAARS (14:37): My question is to the Minister for Automotive Transformation. How is the government's investment in the automotive supply chain companies creating jobs and opportunities for the future?

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): I thank the honourable member for his question and his very strong advocacy for those working in our industries in South Australia over many years. As we have already heard today, the decision by Liberals right across Australia to abandon our automotive industry is perhaps the most blatant ideological attack that they have made in recent years. As a direct result of their actions and their determination to shut down an industry, it is an unfortunate fact that many hardworking South Australians who have worked or are currently working in the automotive sector, through no fault of their own, are going to be facing tough times.

We hear today criticism of the government for supplying programs and providing programs for workers in this industry in southern Adelaide. We hear this criticism after having a whole summer of thinking up questions, and the sum total of their ambition is to ask about dates for service patches on computers in an office. We will do everything as a Labor government as part of the Labor movement to support workers through this process ensuring that we can provide the sort of programs and the sort of support that workers need.

We are doing everything we can to protect jobs in the industries where they have worked and to help create new jobs for automotive workers, despite the ideological attack and the decision to cut funding for the auto industry. We are currently one of only 13 countries on the planet that can make a car from design to rolling off on the showroom floor. As a direct result of the ideology of the Liberal Party that is going to stop—that is going to stop here in South Australia in October. The federal Liberal Party faced a choice: in federal parliament they dared Holden to leave and the next day they left. I have met no-one—

Members interjecting:

The PRESIDENT: Order! No debate; just answer the question.

The Hon. K.J. MAHER: That is what we are doing: supporting, where we can, the workers, but importantly the supply chain. That is what we are doing with an alliance of businesses under a new name of Precision Buses, which is diversifying from the Holden supply chain into the manufacture of new environmentally-friendly buses.

Precision Components, which I have been fortunate to visit a number of times, and ZF Lemforder in the northern suburbs, which I have also visited, have for many years played a key role in providing components to Holden, and have found that their expertise in chassis technology has provided them an opportunity to branch out into other areas of vehicle manufacturing, enabling jobs to be protected and created that otherwise would have been lost when Holden shuts its doors in October this year.

The government backed this alliance with a grant of \$2 million to support the construction and trial of two low-emission diesel buses and two electric-powered buses. It was great, on Friday last week, to be joined by the three mayors of the area—Mayor Gary Johanson of Port Adelaide Enfield, Glen Docherty of Playford and Gillian Aldridge at Salisbury—at ZF Lemforder to see the first of those buses ready to roll out on to the Adelaide metro network.

This investment is already paying dividends, with not only these buses rolling off but also new jobs created with new orders. Since receiving the \$2 million grant to jumpstart the venture, the project has gone from strength to strength: first, with the news that this consortium had secured a contract to build a dozen buses for Queensland, which was great news and would support 29 workers for that program.

I was very pleased to hear on, I think, Boxing Day that the contract was signed to take that to 50 buses: 50 buses are being built in South Australia for interstate markets. Precision Buses, the new consortium that involves Precision Components and ZF, has already dealt with 20 local suppliers, meaning that not only is the venture delivering results on that site but also is helping other businesses involved in the supply chain.

This is not only great for the companies and workers involved but it is also proof that Australians can and will continue to manufacture high quality products. We know we are undergoing significant economic transformation in this state, and industries such as low-emission diesel buses and electric buses are a sign of where new jobs can be created. It is pleasing to see what we are doing now, and I look forward to the future of the Precision Buses consortium, which already has a contract for 50 new buses, 29 jobs already (and it should be 50 jobs with this new contract), to see where that goes, and I would be happy to keep the chamber informed of how this project unfolds.

POWER OUTAGES, TELECOMMUNICATIONS

The Hon. T.A. FRANKS (14:42): I seek leave to make a brief explanation before asking the Minister for Emergency Services a question on the topic of engagement with and support for resilient communities in the Adelaide Hills.

Leave granted.

The Hon. T.A. FRANKS: In late 2016, in the month of December, communities in the Adelaide Hills were impacted by storms and subsequent power outages. Those storms and those power outages left people without power, water and communications, and all of the consequent flow-on effects of that, for as long as five days in some cases.

The Adelaide Hills community, however, is a very strong and resilient community and, rather than pointing fingers and laying blame, they got together on 12 January to find out how they could respond better to these challenges, in the hope of finding some answers. I attended that meeting on 12 January in Mylor, as did the federal member for Mayo, the members for Heysen, Kavel and Bragg, and many mayors, deputy mayors and local councillors. It was a constructive meeting, but a meeting that was quite a revelation.

The SA Power Networks information to those communities, and to the telcos and other providers, was faulty in this time. Community residents, the telcos and many other stakeholders were told time and again that the power was about to come on, and they would think that it would be just a few hours away, and time and again it was delayed and, as I say, in some cases for as long as five days, leaving people without water, without power, without telephones (either mobile or landlines), without food, because it had spoiled, and in some cases even unable to get out of their houses because trees were blocking their pathways. It was a dangerous situation. It was a situation where the communications systems and the emergency response failed that community.

I must commend the minister because his office has today responded to some of the questions raised by that community meeting. My questions to the minister are:

1. Does he support the concept that creating resilient communities requires responsive governments?
2. Will he show the response of this government by engaging with the Adelaide Hills resilient communities group in not only attending the follow-up meeting this Thursday night, but working with them to see if they can run a pilot project, fulfilling some of the recommendations of the Burns report as to how communities can best respond to these crises?
3. Will he provide that update in the next sitting week?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:45): I thank the Hon. Tammy Franks for her important questions. One of the key themes that came out of the Burns review, which the government commenced post the 28 September event last year, was the need for us, as a community generally, to look to successful efforts being undertaken by the emergency services sector in a number of jurisdictions around the world, particularly in New Zealand, to embrace the concept of community resilience in its planning.

I think most South Australians, and indeed Australians generally, understand that where you have a significant emergency weather event that emergency services cannot be there instantaneously. We have an extraordinarily well-resourced emergency services sector, with both paid and unpaid workers out there diligently attending any emergency as it arises. Despite having an incredibly well-resourced sector, they can't be everywhere all of the time, so there is a need for community members themselves to try to have a degree of resilience in order to be able to deal with situations that may not be life-threatening. For those events that occur that do result in a life-threatening impact, then of course those people will be responded to very quickly by our emergency services sector. But for those non-life-threatening occurrences, having a degree of resilience is important for the community.

I commend the Hills community, to which the Hon. Tammy Franks refers, for taking that on board and contemplating what they can do as a community to become more resilient. Of course, any ideas that come out of their working group, as a community organisation, we are happy and keen to hear about. The government, of course, is in the process of developing a thorough, cogent and comprehensive response to the Burns review. A number of recommendations within the Burns review speak to the questions the Hon. Tammy Franks has asked. Whenever my office receives correspondence or specific requests from any particular group along these lines we will respond as quickly as we can.

CARBON NEUTRAL ADELAIDE

The Hon. R.I. LUCAS (14:48): I seek leave to make an explanation prior to directing a question to the Minister for the Environment on the subject of Carbon Neutral Adelaide.

Leave granted.

The Hon. R.I. LUCAS: In December of last year, I asked a series of questions of the minister in relation to his and the government's bold claim that Adelaide was going to be the first carbon neutral city in the world. I pointed out claims by the City of Melbourne for meeting that particular target many years prior to the 2025 target of the minister and the government. In the series of answers that the minister provided he made the claim on a number of occasions that the Melbourne target 'does not apply' to the 'residents of the city of Melbourne, and it does not apply to businesses' to highlight how the claim for Melbourne didn't relate to the whole of the City of Melbourne but only related to the operations of the Melbourne city council.

On 6 December, I asked the minister whether or not he was now prepared to admit that he was wrong when he made that particular claim. In that last sitting week he said that he would go off and check the documentation and bring back a response. Given that it has been more than two months since he went off to check the answer, is the minister now prepared to stand up and indicate that he was wrong when he claimed on a number of occasions in the Legislative Council that the Melbourne target does not apply to the residents of the City of Melbourne and it does not apply to businesses?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:49): I thank the honourable member for his recycled question. It's the best they can come up with today after a fascinating day of question time yesterday, where we were trading important ideas to and fro across the chamber. I was helping the opposition skill up and learn up on some complex policy matters around energy policy. Clearly, they were sadly lacking in their primer, and hopefully yesterday was a useful experience for them. Now we come back today and the Hon. Mr Lucas is all they have today, asking for some clarification about a question he asked last year and for which I think I proffered a response. I will have to go back and check *Hansard* about that.

At the outset, let me again say that I do not accept in any way, shape or form the Hon. Mr Lucas's explanation before asking the question as being anywhere close to veracity. He has a habit in this place of verballing ministers—and others in this chamber—getting up and offering an explanation before he gets to his question, twisting words that have been used, taking words and phrases out of context. That is his history. He is a past master at it and I tip my lid to him. He is very good at it, but I won't fall into the trap of accepting for a single moment anything he says in his prefaces as even approximating the truth.

Of course, I think he was responsible for the promise for the Liberals two or three elections ago—four elections ago, was it?—to never ever privatise ETSA. I think they were his words, the words from his government, 'The Liberal Party will never ever privatise ETSA.' I think he was responsible for that claim. Let's see him get up and refute it. Let's see him up here to refute that. The Hon. Mr Lucas is, out of the whole team here of the Liberal Party on the opposition benches, still shadow treasurer, after 30 years in this place as a failed Liberal Party treasurer. He is the man responsible for privatisation, after his party promised sincerely the electors of South Australia that they would never ever privatise ETSA. That was their promise to the electorate and they came in here after they were elected and just the opposite.

The Hon. K.J. Maher interjecting:

The Hon. I.K. HUNTER: Now, exactly as my leader says, they come in here with their hand on their hearts saying—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: —'We will never privatise SA Water. Trust us, we will never privatise SA Water.' We know we have history to learn from. When the Liberals come around to election time and make promises to the community, you cannot trust them. You cannot trust them at any stage.

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: And what did you pay him? What did you pay him for his vote? What did you give him? The Hon. Mr Lucas knows. The Hon. Mr Lucas knows what dirty deal was done in this place.

Members interjecting:

The PRESIDENT: Order! Minister, take your seat. First of all, I would like to make it clear that I don't appreciate accusations of payments across the floor in the chamber. It is totally inappropriate. Secondly, when the minister is on his feet giving an answer to an important question, he has the right to do so without interjection. Minister, please get up now.

The Hon. I.K. HUNTER: Thank you, sir, for your protection.

The Hon. R.L. BROKENSHERE: Point of order: the minister has used parliamentary privilege to attack an individual not in this house and make allegations about money being paid. I ask that you rule on the fact that he withdraw that remark because it is grossly unfair and it is inaccurate.

The PRESIDENT: It is not the first time this chamber has been used to muddy up somebody, and it won't be the last. Minister, continue.

The Hon. I.K. HUNTER: Thank you, Mr President. I think it is a salutary lesson for all of us in this place—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Would the honourable Leader of the Government please allow his colleague, the Minister for Environment, to finish.

The Hon. I.K. HUNTER: It is a salutary lesson for all of us in this place to understand that you can't trust a single word the Hon. Mr Rob Lucas says in this place, or even in the lead-up to an

election campaign when he promises the community that he and his government will never ever privatise ETSA. Now they say they will never ever privatise SA Water. We take that with a pinch of salt, don't we? In relation to—

The Hon. J.M.A. Lensink interjecting:

The Hon. I.K. HUNTER: Well, that's been explained as well, and you grabbed onto that with alacrity, didn't you? You grabbed onto that with alacrity, because that's what you want to do; that's exactly what you want to do. That's why you grabbed onto it, because you want to privatise SA Water. Your plan—

The PRESIDENT: Minister, take your seat. First of all, none of the props. Secondly, minister, don't bite. You have been asked—

An honourable member interjecting:

The PRESIDENT: Yes, it's fun. We really have an obligation to behave with reasonable behaviour in this chamber, so please get up and finish answering that question.

An honourable member interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: However, it is quite fun to remind the Liberals of how they promise the world to the electorate and then renege on it after they get elected. We will be doing that quite often in the coming months because you know—absolutely, you know from experience and history—they can't be trusted. We will be reminding the community about that at every stage. In relation to the fundamentals of the question, I have been reminded that I answered that on Wednesday 7 December 2016 in response to a question from the Hon. Michelle Lensink where I said:

Whilst I am on my feet, I might go to a question I was asked in this place yesterday by the Hon. Mr Lucas about Adelaide versus Melbourne and Carbon Neutral Adelaide. I undertook for someone in my agency to review the document referred to by the Hon. Mr Lucas. In answering the honourable member's question, I did advise that Melbourne's ambitions related to the city council operations rather than to the entire municipality. I am now advised that that view is incorrect.

Members interjecting:

The Hon. I.K. HUNTER: Well, laugh as you may, this answer is in *Hansard*, Mr Lucas. We gave it to you last year, and here you are—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: —Hon. Mr Lucas, asking again because you don't even know—

Members interjecting:

The PRESIDENT: Order! Minister, take your seat. Would the Hon. Mr Lucas please control himself? Allow the minister to finish his answer.

The Hon. I.K. HUNTER: Mr President, when you come to read *Hansard* tomorrow, you will find out that I presaged that at the very beginning of my discussion. So, the Hon. Mr Lucas has no clue.

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: He doesn't even know what's going on in this place. He doesn't have the first clue. In fact, he was there looking at me, I recall, when I was making this comment in parliament last year. He had no idea what was going on at all. I went on to say:

There are two initiatives that relate to Melbourne... The first is the carbon neutral status, already obtained by the City of Melbourne for the council's operations alone. This has been achieved through the federal National Carbon Offset Standard (NCOS), I am advised. The second initiative from Melbourne relates to net zero emissions for the entire municipality, to which the Hon. Mr Lucas referred in his question. As he remarked, that ambition relates to the entire city—he is quite correct—not just—

An honourable member interjecting:

The Hon. I.K. HUNTER: Well! Had he read this, why did he come in and ask the question again? Clearly, because he has no clue. He has absolutely no clue—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: —that I have already given him that response. Either that—

Members interjecting:

The PRESIDENT: Minister, take your seat. You are getting a little bit unruly here. I don't mind a bit of an interjection or a bit of banter, but it's getting out of control. I will be sitting here thinking in the next few minutes. The next one that unwisely interjects, their side will lose a question and the crossbench will get it. Minister, get on your seat.

The Hon. I.K. HUNTER: In response, all I can say is at least the Hon. Mr Lucas, in stretching for a question, only had to go back to last year, unlike his leader the Hon. Mr Ridgway who had to trawl back to 2003 to try to find the flimsiest—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: —bit of evidence he could possibly muster to justify his ideological position against renewables. That is what he had to do yesterday. At least the Hon. Mr Lucas, with the full knowledge that I had already answered the question, only went back to last year. That's probably why you see the Liberal Party in this state can't do without the Hon. Mr Lucas on their front bench. They haven't got the depth of talent to replace him; that's the problem. He has stuck here for 30 years—the arch privatiser of this state, the arch closer of schools.

That will be on his tombstone, that is his achievement, 'I close schools.' What was it? Sixty-four, Mr Lucas, or was it 65? I can't quite recall. I will have to go back and do a count. 'I closed schools in South Australia and I flogged off the state's asset, the people's assets, of the electricity trust of South Australia.' That is what Mr Lucas will be remembered for and because he lied to the people of South Australia when he promised, and his government promised, never to privatise ETSA.

ASSETS PRIVATISATION

The Hon. R.L. BROKENSHIRE (14:59): Supplementary.

Members interjecting:

The PRESIDENT: Order! It is totally inappropriate. You have the call. Ask your question and the minister will then answer it.

The Hon. R.L. BROKENSHIRE: Thank you, sir, for your protection. Supplementary based on the minister's answer regarding privatisation of ETSA: can the minister explain to the house why it is not alright to privatise ETSA when it went through the democratic processes of the parliament and was approved by parliament, yet it is alright for this government to privatise the forestry of South Australia without it going through the democratic process of the parliament? What is the difference, minister?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:00): The difference is that you lied to the people of South Australia when you were in government and you promised you would never ever sell ETSA. There is a difference: you lied to South Australia.

The Hon. J.S.L. DAWKINS: Point of order: I take offence at the minister accusing you of lying, sir.

The Hon. I.K. HUNTER: Mr President, I withdraw. I was pointing my pen at the Hon. Mr Brokenshire.

The PRESIDENT: We need to use language that is a little bit civilised. I think we should treat each other with respect. The accusation of lying and so forth should be kept away from it. Other words can be used. The Hon. Ms Gago.

EMISSIONS REDUCTION TARGETS

The Hon. G.E. GAGO (15:01): I respectfully ask a question of the Minister for Climate Change. What technologies are available to help limit emissions from the Australian energy sector to help achieve Australian government 2030 emissions reduction targets and its commitment under the Paris agreement to limit global warming to 2° Celsius or less?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:01): I thank the Hon. Gail Gago again for another incredibly important question in this place. According to independent commonwealth agency the Climate Change Authority, approximately one-third of Australia's emissions come from the electricity generation sector. This means that if the Turnbull government is going to have any chance whatsoever of meeting its 2020 emissions targets and its 2030 emissions targets or even its commitment to the Paris climate summit in 2015 to limit global warming to 2° Celsius or less, it will have to do something to reduce emissions in the energy sector.

There is another important imperative that requires national focus on energy policy and that is Australia's coal generation fleet, which is ageing and needs replacing. After Victoria's Hazelwood power station retires later this year, I am advised that Australia will have 25 gigawatts of coal-fired generation, none of which will be in South Australia. Two-thirds of that is already more than 30 years old in terms of plant, and by 2025, there will only be four gigawatts of coal generation that is less than 30 years old in terms of plant.

This old coal generation is inefficient both in terms of fuel costs and the carbon emissions and other pollutants it produces. Of course the sensible solution, one that will provide the certainty that investors and businesses are calling for, is to enact an emissions intensity scheme. Modelling has shown that this will help reduce power prices whilst also helping address the challenges our electricity sector is currently facing in helping them transition from old, dirty coal-fired power to new renewable clean power.

Of course, as I said, that modelling and that advice is coming from experts in the sector and we know from yesterday that the Liberals don't listen to the experts. We know from yesterday that, from the Prime Minister down, the Liberal Party doesn't much like informed scientific or expert advice. The solution that the Liberal Party has proffered up is so-called clean coal. You take ordinary coal, put a label on it and say it is clean and, apparently, you can magically tackle both climate change and energy security. Why would we let the facts get in the way of good spin? It was great spin that they put on in parliament: 'Clean coal. Here's a lump of it. It's clean coal.'

The fact is that clean coal isn't clean and it isn't even real. Clean coal does nothing for emissions. As Mr Dylan McConnell from the Climate and Energy College at the University of Melbourne has pointed out, Prime Minister Malcolm Turnbull and his colleagues used old research from 2010 to justify their claims. This harks back to tactics used not only today by the Hon. Mr Lucas, but yesterday by the Hon. Mr Ridgway, going back to 2003, dredging back to old information, the flimsiest of excuses to try and bulwark their flimsy policy position, their ideological policy position.

The Hon. D.W. Ridgway: Yours is working really well. Look at the investment leaving this state.

The PRESIDENT: Order!

The Hon. I.K. HUNTER: It was a lot like the Hon. David Ridgway yesterday, as I said. The updated research which the Prime Minister should have been referring to and which Mr McConnell pointed out last Friday, I am advised, on 10 February, from the CO2CRC indicates that emissions from clean coal will be around the current average emissions intensity of the electricity sector.

This so-called 'clean coal' is no better than the average emissions intensity of the market, and insignificantly better than regular coal. It defies belief that we are even talking about building one (a new coal plant) in 2017.

That is referenced to Mr Dylan McConnell in *Renew Economy*, 10 February 2017. It also makes it absolutely impossible, according to Mr McConnell, for the Turnbull government to meet its 2030 emissions reduction targets. Then there is the price tag associated with it. According to *Bloomberg New Energy Finance*, the cost of energy from a new coal power plant would be anything between \$134 and \$203 per megawatt hour. That is in contrast to wind at \$61 to \$118, solar at \$78 to \$118, and a new efficient gas plant ranging from \$74 to \$90.

Bloomberg also points out that clean coal would result in 'substantially higher' electricity prices. Even the electricity generators have ruled out building coal-fired power stations. As I quoted yesterday in this place from an AGL spokesperson in the *Financial Review*, on 1 February 2017:

...we won't build any clean coal power stations.

A further quote from an Energy Australia spokesperson in the *Financial Review* on the same date:

While existing coal is cheaper than other forms of generation, investors and financiers view it as a legacy technology, one which will be replaced—the only question is when.

Further, Mr Matthew Warren, who I have quoted before, the Chief Executive of the Australian Energy Council, from 2 February 2017:

...in practice there is no current investment appetite to develop new coal-fired power in Australia. The industry's investment focus has shifted to a combination of firm lower emissions gas generation, renewables and enabling technologies like storage.

The fact is, there is no future for coal. Also:

In the grid of the not too distant future coal's baseload operation becomes a curse, not a blessing...The fundamental control paradigm of grids is changing from baseload-and-peak to forecast-and-balance. The balancing component will require more flexible or firming capacity, not baseload. Gas-fired generation is much better suited to providing flexibility to the system than coal, and could provide this at a much lower cost.

That is a quote from Mr Leonard Quong, Senior Associate at *Bloomberg New Energy Finance*. But perhaps the most entertaining summary of the Liberals' plans in this regard is from a respected financial commentator Mr Alan Kohler, who wrote in *The Australian*, on 13 February, about 'The great coal hoax'.

Coal is by far the most expensive fuel for generating electricity, full stop—if the cost of dealing with climate change is also taken into account.

He says, variously in his article:

At about the same time as Scott Morrison was waving his ridiculous piece of coal about last week, the result of India's first major solar auction for 2017 was announced with record low prices. It is part of India's national electricity plan, released in December, which calls for a fivefold increase in renewable energy, and a reduction in thermal power from 66 to 43 per cent of total capacity.

The coalition, meanwhile, is clinging to the idea that we need to build more coal mines in Australia to supply India's supposed voracious appetite for thermal power.

As one of the sunniest places on earth, Australia should be a world leader in solar, bidding to supply India with the latest renewable technology. Instead our politicians have been locked in a battle over a delusion for nearly a decade: that coal is cheap and renewable energy is expensive.

That is Mr Alan Kohler in *The Australian* on 13 February. He goes on to say:

Instead of helping the states to deal with this problem sensibly, Coalition politicians, including the federal minister for energy Josh Frydenberg, are just trying to score points and embed the hoax.

Those crises have now arrived in the form of blackouts, and they are not caused by too much renewable energy.

He says:

As the BCA [the Business Council of Australia] makes clear, it's due to a lack of investment, in turn due to a lack of policy certainty and clarity.

He goes on to say, and this is where I have to agree with him most wholeheartedly:

This is entirely the Liberal Party's fault—not just Malcolm Turnbull's, although he is a rather pathetic figure now. If he didn't go along with the hoax, he'd be sacked and another PM would.

By taking the low road in 2009—

The Hon. J.S.L. DAWKINS: Point of order, sir.

The PRESIDENT: Point of order, the Hon. Mr Dawkins.

The Hon. J.S.L. DAWKINS: For the second day running, we have had the minister doing an eight-minute answer to a Dorothy Dixer from the Hon. Gail Gago, and I think that is an abuse of question time. I ask you, Mr President, to draw his answer to a conclusion.

The PRESIDENT: Minister, can you get to the conclusion of your answer.

The Hon. I.K. HUNTER: Well, it is just like the point of order yesterday that was raised by the Hon. Mr Dawkins. Had he not made it, I would have been finished by now, Mr President.

The Hon. J.S.L. Dawkins: You went on for some time, you went on for two minutes.

The PRESIDENT: Order! Let the minister finish his answer.

The Hon. I.K. HUNTER: Let me go on:

This is entirely the Liberal Party's fault—not just Malcolm Turnbull's, although he is a rather pathetic figure now. If he didn't go along with the hoax, he'd be sacked and another PM would.

By taking the low road in 2009 instead of the high road, and deciding to mislead Australians about the true cost of energy, the Liberal Party condemned the country to a decade of confusion and stasis on energy policy.

That reached a nadir of absurdity last week with the Treasurer's coal stunt.

The rest of Australia's leaders, in particular the CEOs of our largest companies, should declare now that enough is enough, and pull these idiots into line.

That was Mr Alan Kohler in *The Australian*, condemning the Liberal Party right across this country for their lack of policy and leadership. It is no wonder, when you see people like the Hon. Mr Steven Marshall, member for Dunstan and Leader of the Opposition—

The Hon. J.S.L. DAWKINS: Point of order, sir: this is an abuse of question time and I ask you to ask the minister to finish.

The PRESIDENT: I think I asked the minister to come to a conclusion at the last point of order. Minister, can you get to the finality of your answer.

The Hon. I.K. HUNTER: Absolutely, Mr President, absolutely I can.

The Hon. D.W. Ridgway: Well sit down, sit down and shut up.

The Hon. I.K. HUNTER: Well, in a moment, if you give me the time to finish. It is no coincidence that you see an abject abdication of leadership here by the Liberals in South Australia. Why did Senator Cory Bernardi leave the Liberal Party? It is because they have no chance of actually leading this state, just as at the moment we are seeing absolutely no leadership, from the Prime Minister down, in the Liberal-National coalition. They have no policy on energy, and it is little wonder then that all of the states have to backfill that vacuum.

Members interjecting:

The PRESIDENT: Order!

NU-ROCK TECHNOLOGY

The Hon. J.A. DARLEY (15:12): I seek leave to make a brief explanation before asking the Minister for Manufacturing and Innovation questions regarding Nu-Rock Technology.

Leave granted.

The Hon. J.A. DARLEY: Nu-Rock Technology is a company which is able to use waste ash to produce environmentally friendly building materials. The materials have been tested by the CSIRO and perform at a higher level than conventional building materials. Further to this, the Nu-Rock products are cheaper than existing building materials and are currently being used internationally. On 6 January, when asked about the government providing assistance to Nu-Rock to use the ash from Port Augusta's decommissioned power plant, the minister said:

We haven't received a proposal yet from Nu-Rock that is a business case that we can make that judgement on, but certainly if they do we will have a look at that.

I have received documents which show that Nu-Rock put in an unsolicited bid to the South Australian government on 25 September 2015. The documents indicate that Nu-Rock had contacted the minister's chief of staff, Mr Andrew Love, about the proposal directly. Nu-Rock has the potential to create between 96 and 120 new manufacturing jobs, as well as an additional 450 support jobs. Assisting Nu-Rock could also have the potential to resolve the issue of the ash cloud, which is a matter of utmost concern for the residents of Port Augusta. My questions to the minister are:

1. Why did the minister say in the media on 6 January this year that the government had not received a proposal from Nu-Rock when they had spoken to his chief of staff in 2015 and submitted an unsolicited proposal to the government in September 2015?
2. What was the government's response to the unsolicited bid from September 2015?
3. Finally, I understand a new unsolicited proposal has been submitted to the government. Could the minister provide an update on the progress of this proposal?

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) (15:14): I thank the honourable member for his question. I know he has spoken to me about this in the past and I appreciate his advocacy on anything that has the potential for industry and jobs in South Australia. I am advised that Nu-Rock did put in an application to the unsolicited bid proposal. It is a pro forma application where they fill in certain parts of the form. That went through the unsolicited bid proposal and the unsolicited bid team found that the proposal didn't stack up for it to continue as an unsolicited bid.

The unsolicited bid group within government then handed it onto the Investment Attraction agency part of government, who have been and will continue to work with Nu-Rock. I am advised that the pro forma form was filled in for the unsolicited bid proposal but that there has not been anything that constitutes a business case that has been put forward to government yet from Nu-Rock. I will check to see if that has been done since early January when I was last updated about this, but certainly if there was a proposal that was financially viable and stacked up and had independent testing on the ash to see if it was suitable, the government would be more than open to consider it. If there was a proposal that was feasible and stacked up and had a complete business case that could use the ash, then that is something the government would certainly have a look at.

RIGNEY, MR R.G.

The Hon. A.L. McLACHLAN (15:16): My question is for the Minister for Correctional Services. Has the Department for Correctional Services' internal review into the circumstances surrounding the failure to readmit Mr Robert Gordon Rigney into custody when he presented himself at Yatala Prison been completed and, if so, has anyone been subject to disciplinary action?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:16): Let me thank the Hon. Mr McLachlan for his important question. I am happy to seek further advice as to where that particular process is at, but I am happy to convey to the house that I have been briefed on the matter and I am happy to report that a number of measures have been put in place so as to prevent such an instance occurring again. I have stated on the record on more than one occasion, both in this forum and also publicly through the media, that the circumstances that led to Mr Rigney's incident were unacceptable and not good enough, and I have been advised by the department that a number of measures have been put in place that rectify that situation and I am satisfied that that won't happen again.

The PRESIDENT: The Hon. Mr Gazzola.

The Hon. R.L. Brokenshire: Good picture in the paper, this morning, John.

POLICE TECHNOLOGY UPGRADES

The Hon. J.M. GAZZOLA (15:17): Thanks, it's the most hair I've ever had! My question is to the Minister for Police. Can the minister inform the council how modern technologies are improving efficiencies in police?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:17): I would be more than happy to answer the honourable member's question. It is an important question because it speaks to this government's strategy regarding community safety generally. This government wants our police officers out on the front line protecting the community and that is why this state Labor government made a commitment to invest in cutting-edge policing technologies.

It was therefore pleasing to have the privilege to be accompanied by the member for Little Para and former police officer, Mr Lee Odenwalder, to see firsthand how technology is improving efficiency in the Elizabeth local service area. South Australia Police is purchasing a total of 855 tablets, with 680 to be fitted in patrol cars by 2020 and the remainder to be used by front-line police following the successful trial in the Elizabeth local service area.

It was great to have Mr Odenwalder present with me. I know he is a committed advocate of community safety in the northern suburbs generally. Being a former police officer he brings a level of experience to such topics that is certainly of great value to the government and no doubt services his local constituents well in this particular policy area.

The Hon. R.L. Brokenshire: It's a safe seat.

The Hon. P. MALINAUSKAS: But he doesn't stop working. He doesn't stop working, which is probably why it remains a safe seat. This technology is a further investment of \$7.4 million into our police over five years. The entire Elizabeth LSA is now using the rugged tablets as the first local service area to trial the tablet technology. The technology is also being used by crime scene investigators.

Replacing the previous fixed in-car data devices, the new tablets are entirely portable. They provide police with the capability to capture, retrieve and submit information from within the field. The tablets enable an officer to take statements digitally, obtain signatures and store them securely on the device, removing the need to carry paper-based forms. Officers across the state are currently being trained on how to use the tablets, which will make them increasingly efficient with better information flow than ever before. The trial indicated that officers undertake 95 per cent of their role from the field, increasing efficiencies by a total of 165 hours per day each and every day or the equivalent of 29 sworn officers.

The member for Little Para was amazed that the technology was allowing officers to get out onto the beat, which is where they want to be, and also enabling them to use their time more productively on the front line than was previously the case. It appears that it is only the Liberal Party that does not want our officers on the beat, preferring them to be sitting behind desks hoping that the crime will come to them.

We have seen some pretty aggressive campaigning on behalf of the Liberal Party, advocating a government intervention to stop police station closures. Clearly, the Liberal Party has indicated that they are taking a policy position to the next state election that they will remove front-line police officers who are currently patrolling the streets out on the front line and put them back into police stations. I am amazed—

Members interjecting:

The PRESIDENT: Order! Minister, take your seat. It is totally inappropriate for two people in the capacity of a minister and the Leader of the Opposition to be pointing at each other and yelling at each other while the minister is trying to give an answer. It is totally unacceptable. Minister, on your feet and come to a conclusion—without making faces, of course.

An honourable member interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Will the Leader of the Government allow the minister to complete his answer without interjection. Minister.

The Hon. P. MALINAUSKAS: In my office we were all rather surprised, I have to say, when the Liberal Party announced its intention to take police officers off the front line and put them behind the desks of police stations. As a government, we support the police commissioner in his efforts to have a more efficient police resource. We are doing what we should as a government. We are stepping up to the plate and giving the police the resources they need to be able to get on and do the job. Equally, we are also supporting the police commissioner and allowing him to do his job, which is to make sure that we have an efficient police force that is out on the front line getting the crims.

The Hon. Mr Ridgway might be surprised to learn that very rarely do criminals walk through the front door of police stations and say, 'Here I am, arrest me.' They don't do that. They are out in the community committing crimes and we want our police officers out on the front line, catching criminals and putting them behind bars. I am appalled that we have an opposition going to the election, purporting to be ready for government but advocating a policy to overrule the police commissioner and take police officers off the front line and put them behind desks. It is shameful.

*Matters of Interest***CENTRELINK DEBT RECOVERY SYSTEM**

The Hon. T.T. NGO (15:26): Members, close your eyes and imagine that you are on a very low income, living week to week. How would you feel if you received a debt recovery notice for a substantial debt that you do not owe? Outrage! That is just what has happened to thousands of Australians, including South Australians. Despite public outcry over this broken system, including the social media #notmydebt campaign, the federal government has refused to suspend its automated system and has expanded its focus from Youth Allowance and Austudy recipients to pensioners, families and the disabled.

A fundamental flaw of the system, amongst others, is that, where there is a discrepancy between reported fortnightly earnings to Centrelink and the fortnightly average gross annual income, it automatically issues a discrepancy notice. Clearly, this formula is problematic. What about casual workers or those who receive Centrelink for a couple of months whilst in between jobs? It ignores Centrelink's purpose to help those who need it most, when they need it most. How much a person receives depends on the amount they earn within a particular fortnight, not a fortnightly average from annual earnings.

Previously, I have spoken about the importance of Centrelink and that I received it in the past. When I was a casual worker in the construction industry my hours varied considerably. In fortnights that I worked a lot, I rightfully did not receive any payments from Centrelink, but in the fortnights that I did not get much work I received a payment, which helped me get by. Under the current system I most likely would have received a discrepancy notice, even though I correctly reported my income.

Human services minister, Alan Tudge, has defended the system, stating that it is almost the same as before, minus human supervision before discrepancy notices are issued. The minister does not seem to care that human supervision meant that not all discrepancies flagged by data matching resulted in discrepancy notices. People can check dates and similar company names, mitigating the faulty algorithm. The current system casts a wide net, putting the onus on the individual to prove they did not receive any overpayments.

After immense public pressure, the minister has made some administrative tweaks to the system, including crosschecking addresses against the electoral roll, sending discrepancy letters by registered post and providing a hotline number on letters and not just a reference to the myGov website, which I understand only seeks to confirm annual income. If a person confirms their annual income, a fortnightly average is calculated and the customer receives a debt notice.

I am not criticising Centrelink staff whose union, the CPSU, has made it clear that staff want to help their customers, but received instructions not to correct errors unless the customer identifies and proves the error. This is especially difficult, as employees are also under instruction not to consider evidence that the customer has already provided. A flawed system that causes such anguish is not okay. It is not okay that those with a genuine reason for a flagged discrepancy are having such difficulty explaining it. Reports state that some discrepancy notices are for the 2010-11 financial year. Centrelink's website previously advised recipients to keep payslips for at least six months; now it simply advises to keep all payslips.

Even worse, you cannot get through to Centrelink on the phone. Senate estimates heard that up until October last year, 29 million calls received an engaged signal. Sheer frustration causes customers to visit their local Centrelink, leading to long queues. Continuing Centrelink's automated debt recovery system, whilst under review by the Commonwealth Ombudsman and the Senate, is not good enough. The federal government needs to suspend the automated system and fix it.

CLOSE THE GAP

The Hon. K.L. VINCENT (15:31): Today, I would like to talk about a Dignity Party campaign to Close the Gap. Not the close the gap you may associate with the closing of the average age of death gap between indigenous and nonindigenous Australians, although that is important, but the gap between Australians with intellectual disability and those without. A public health research article published recently in the BMJ Open journal indicates that there is an urgent need for a national death reporting system for Australians with an intellectual disability.

This recent study was funded, in part, by the New South Wales Department of Family and Community Services, the Department of Ageing, Disability and Home Care and part by the mental health branch of the New South Wales Ministry of Health. The study investigated mortality and its causes in adults over the age of 20 years with an intellectual disability, and included 42,204 people registered for disability services in New South Wales with a primary or secondary diagnosis of an intellectual disability—so a very big sample size. The fact that it excluded people under the age of 20 makes this study very relevant. It means that people with an intellectual disability, who may have died young because of congenital conditions associated with their disability, for example heart conditions in around 50 per cent of people born with Down Syndrome, are excluded.

The findings bear lessons for South Australia, and indeed the whole nation. Compared to the general population in New South Wales, people with an intellectual disability died on average 27 years earlier. This is a larger gap than we see between indigenous and non-indigenous Australians. The overall comparative mortality figure was 1.3, but was substantially higher for the 20 to 44 and 45 to 64 year age groups. Cause of death in people with intellectual disability was dominated by respiratory, circulatory, neoplasm and nervous system.

After recording deaths previously attributed to the aetiology of the disability, 38 per cent of deaths in people with an intellectual disability were potentially avoidable compared to 17 per cent in the general population. The top causes of potentially avoidable deaths were cardiovascular, infections, cancer, other and respiratory. The publication calls for urgent action, including a national system of reporting the deaths of people with intellectual disability and a broad array of measures to address the health inequalities and close the mortality gap for people with intellectual disabilities. Recommendations are:

- Australian governments should develop comprehensive responses that address the inadequacies of health policy, services and access to services for people with intellectual disabilities;
- strategies should be paired with regular reporting of health status outcomes for people with intellectual disabilities. This already occurs in other countries, such as the United Kingdom; and
- health services currently funded by state government disability services are threatened with defunding in the roll out of the NDIS.

I have previously spoken in this place about the vital work of the Centre for Disability Health in Adelaide but cannot stress the importance of maintaining this model to keep that service going, even

after fully transitioning to the National Disability Insurance Scheme. The Centre for Disability Health offers people with complex disability related needs access to the healthcare system which they simply do not have at the moment in the mainstream healthcare system. Without it, they risk being overmedicated to control behaviours, without having the underlying cause of that behaviour addressed. They risk going many years, potentially the rest of their lives, without adequate healthcare.

People with disabilities face many issues when presenting to the health system. We might have staff assume that our health condition is directly related to our disability and therefore not properly addressed. I have had constituents tell me that they have been told that they cannot bring their support staff with them to service them in hospital, meaning they may go days without a shower because the hospital staff are not trained to deliver this assistance. We might present to a hospital with a comprehensive support plan only to be told that it does not count as it is not an official document.

This is why the Dignity Party is pleased to work alongside agencies like the Chief Nurse to ensure that there is more ability to support the autonomy and expertise of people with disabilities and our families in the healthcare system. Working together with the Chief Nurse, we can ensure that hospital staff are able to include and respect the needs of all people, starting by clarifying across the board that a person's usual support plan is to be adhered to. With measures like this, we can make it easier for people with disabilities to access the healthcare system, helping us lead longer and healthier lives. By instilling policies which demand inclusion and respect and that people with disabilities be given as comprehensive health care as any other person, we can save money, time and even lives.

INTERNATIONAL CENTRE FOR FINANCIAL SERVICES

The Hon. A.L. McLACHLAN (15:36): Last year marked the 30th anniversary of South Australia's sister state relationship with Shandong province and the 15th anniversary of the sister city relationship with Qingdao, a city located within Shandong. To coincide with this occasion in April last year, more than 300 delegates, encompassing 119 individual businesses, attended the state's trade delegation to Shandong.

One of the delegates who attended the trade mission was Mr David White, director of the University of Adelaide's International Centre for Financial Services (ICFS). As I have mentioned previously in this place, before I was elected I was the director of the University of Adelaide's ICFS. The ICFS was established to foster excellence in, and improved understanding of, the financial services industry by providing research, study opportunities and industry engagement. The ICFS is also a leading provider of self-managed superannuation funds (SMSF) courses. One course that is currently offered is the SMSF Retirement Essentials Course, a joint venture between the firm Accurium and the ICFS, which explores the financial risk of retirement and offers strategies to financial advisers to increase their clients' wealth.

In February 2014, China's state council approved the building of a financial zone in Qingdao, known as the Qingdao Wealth Management Financial Comprehensive Reform Pilot Zone. The Jinjialing financial zone is currently under construction. The financial zone now contains 360 firms. Since the creation of the pilot zone, cross-border borrowing has been made possible. Many South Korean banks have been able to establish themselves in Qingdao by offering low-interest loans to Chinese companies. In September last year, China was offering interest rates of 4.5 per cent, whereas South Korean banks were offering interest rates between 3.8 and 4 per cent.

Some of the policies that the government of Qingdao have adopted include mortgage plans to benefit small and medium-sized high-tech companies with loan financing, pilot programs for qualified and domestic partners, allowing overseas investors to convert foreign currencies into yuan for private equity investments in China and raising funds for overseas investments.

In the Global Financial Centres Index September 2016 edition, Qingdao was listed as 46 in the financial centre rankings. However, it is on the rise and was listed as number 2 in the financial centres likely to become more significant in the next few years. In 2015, Qingdao's GDP per capita was \$15,600 and the city has received more than \$60 billion in foreign direct investments since the 1970s.

Subsequent to the delegation, further meetings occurred between ICFS and the universities located in Qingdao: the Ocean University of China, Qingdao University and Shanghai University of Finance and Economics. These meetings were to discuss future research and educational collaborations between the organisations. The Ocean University of China and Shanghai University of Finance and Economics have indicated that they wish to collaborate in forming coeducation programs with the ICFS. This collaboration will assist Qingdao to further develop into a successful financial district in the future and will also be beneficial for Adelaide students and academic staff. ICFS will be completing a study tour this year in order to build on the progress that has been achieved so far between the universities.

One of the key financial areas Adelaide can assist Qingdao to develop is financial services for an ageing population. Currently, China's population of those over 60 has reached over 200 million. This represents 15.5 per cent of China's population. By 2050, this number is predicted to increase to over 300 million people or more than 20 per cent of China's population. In Australia, those aged 65 and over currently represent 15.3 per cent of our population. By 2040, it is predicted this age bracket will represent 20 per cent of the Australian population.

As I have mentioned, ICFS is a specialist in SMSFs. While in Qingdao, Mr White discussed success in Australia with the Qingdao Financial Affairs Office. It is vital that a financial solution is established to cater for the increasing ageing population in China. Hopefully, the ICFS can assist in making a contribution to this area.

I acknowledge the work of the ICFS in pursuing these international opportunities that will benefit both Adelaide, the state of South Australia, as well as the citizens of Qingdao. I also acknowledge the University of Adelaide's Business School for engaging with Qingdao on a global stage. I wish them every success in this endeavour. I congratulate the university on this initiative.

Members

VALEDICTORY

The Hon. G.A. KANDELAARS (15:41): I thank the chamber for their forbearance. I rise today to advise the council that later this week I will tender to you, Mr President, my resignation. I do not take this step lightly. I have always tried my utmost to fulfil my duties as a legislative councillor to the best of my abilities. It has been a great honour and privilege to have served the South Australian community in this place. However, I have a greater responsibility as the carer of my wife, Glenys, the love of my life for over 40 years.

The year 2016 has been an emotional rollercoaster ride for Glenys, myself and our family. The year had enormous highs and significant lows. In February and March, we saw the arrival of our two beautiful grandsons, Leo and Max. We also celebrated the marriage of our daughter, Katie, to the love of her life, Sarah. Sadly, this is not recognised by the Australian government, but it certainly is by my family. Through this, though, we have had to deal with Glenys's declining medical condition.

Unfortunately, the year started on the wrong foot with my wife being hospitalised with a serious lung infection which was a sign of things to come. She was hospitalised countless times throughout the rest of the year, often for weeks at a time. Although Glenys has suffered from a chronic lung condition for four decades, we were not prepared for what was to come.

In June, the issue of a possible lung transplant was first raised. At this stage, we sought a second medical opinion. Thankfully, through a friend, Professor Hubertus Jersmann of the University of Adelaide Medical School, who is here today, we were referred to Dr Judith Morton of the Royal Adelaide Hospital who undertook the re-evaluation of Glenys's condition. What became instantly apparent when we first met Dr Morton was her thoroughness as she forensically examined Glenys's medical history. It was not only that that impressed us, it was clear to us that Dr Morton was an expert in the field of thoracic medicine and in particular cystic fibrosis. It was also clear that she had extensive knowledge of lung transplantation.

Even more importantly, an instant rapport with Glenys and me was established. Judith was the first doctor to follow through on the fact that our daughter was a cystic fibrosis carrier. Shortly after some extensive tests, Dr Morton confirmed that Glenys had cystic fibrosis. Even though this

result was not expected, it provided clarity for Glenys and me, as it provided answers regarding her condition and also opened up treatment options.

For us, Dr Morton epitomises what a doctor should be: professional, thorough, skilful, knowledgeable and passionate about what she does. Even more importantly, she supports and empathises with her patients. Judith has recently been recognised at the inaugural Cystic Fibrosis Australia Governor-General's Patron's Awards as the CF Centre Star for her work with CF patients in South Australia. We are indeed very fortunate to have doctors of the calibre of Judith Morton working in our public health system.

Cystic fibrosis is the most common form of recessive genetic conditions inherited in Australia. Some facts about cystic fibrosis include that, in Australia, one in 2,500 babies are born with CF. On average, one in 25 people carries a CF gene, most of whom are unaware that they are carriers. Research has shown that over 1,500 genes cause CF, the most common being Delta-F508, which occurs in 72 per cent of CF cases. Glenys has this gene, but the other gene she has is far more obscure, with only four cases recorded in South Australia.

Cystic fibrosis is a genetic disease that affects a number of organs in the body, especially the lungs and pancreas, by clogging them with sticky mucus. Repeated infections and blockages can cause irreversible lung damage and death. Mucus can also be a problem in the pancreas, preventing the release of enzymes needed to digest food. This means that people with CF can often have problems with nutrition. In Australia, since the mid-1980s, all babies are screened at birth for CF. Although this test is not foolproof, I think it identifies between 80 and 90 per cent.

At present, there is no cure for CF, but the faulty genes are being identified, and doctors and scientists are working to find ways of repairing and replacing them. For Glenys to be diagnosed with CF was quite extraordinary, given her age of 61. For Glenys's generation (and my generation, for that matter), very few CF patients survived to their 20s. Even today, life expectancy for someone with CF is around 35 to 37 years of age. The improvement has been through advances in treatment for CF patients.

Apart from the instant rapport that was established with Dr Morton, we gained confidence in the treatment Glenys has received, and continues to receive, at the Royal Adelaide Hospital. Of course, this confidence is very important, given the serious nature of Glenys's condition. Glenys has been through an extensive work-up for a lung transplant, and we expect that she will shortly be listed for a transplant at the Alfred Hospital in Melbourne, one of the two units that South Australians can be referred to.

From late August, Glenys has required permanent connection to an oxygen supply. Since that time, my life has changed considerably as I have become her full-time carer. I have come to expect the unexpected at times, never knowing when the next round of hospitalisation can occur, but also knowing that should it occur, Glenys will get the best possible care available.

I must say the events of the last year have highlighted to me the value of our public health system, and the quality and empathy and passion and talent of those men and women who work in the public health system in South Australia. Given the nature of Glenys's condition, if it were not for the public health system, she may not be with us today. The multidisciplinary approach afforded through the public health system, in my view, is far superior to that that she would have received through the private health system, particularly when it comes to treating a chronic medical condition such as cystic fibrosis.

In making my decision regarding my future in the Legislative Council, there are many people I would like to thank, particularly the parliamentary staff, who all work hard for us to undertake our duties here, in particular the Clerk Jan Davis and the Legislative Council staff. They have always been helpful, courteous and professional.

To Hansard, who make all of us read much better than we actually speak, thank you. Thank you to the catering staff, who provide truly exceptional service. I think I may be one of the few members of this place who leaves lighter than what they actually came into the place as, and that is no criticism of the food provided here, I can assure you. To the cleaning staff and maintenance staff,

the support staff, including committee staff and in particular committee staff who provided valuable support to the committees that I had the privilege to chair, thank you.

At times, particularly at the stage where I was presiding over five committees, they assisted me greatly to ensure the smooth running of those committees. Thank you to the Premier, Jay Weatherill, and Reggie Martin, the state secretary of the Australian Labor Party, for their support, particularly since I informed them of my decision, and the entire caucus of the South Australian Parliamentary Labor Party, a great team.

Thank you to Bob Donnelly and John Adley from the CEPU electrical and plumbing division and to Graham Lorrain and Nick Townsend from the communications division of the CEPU, who all do a tremendous job representing workers across the communications, electrical and plumbing industries, thank you. To Robyn Geraghty, who has been a political ally, a mentor, a dear, dear friend and continues to provide both Glenys and I tremendous support, thank you. To all of our family and friends, for their love and support, thank you.

In my time I have also had the pleasure, as the ALP member in this place, of being a duty member in the electorate of Mount Gambier during my first year and Chaffey and Bragg. I would particularly like to thank Viv and Jim Maher, stalwarts of the Mount Gambier sub-branch. I think they have been called on to actually stand on numerous occasions and did it with great honour. I would also like to thank Roly Telfer and Lance Degenhardt, stalwarts of the Chaffey sub-branch, for their support and friendship.

In the case of the Chaffey sub-branch, I had the pleasure to catch up with many businesses and visited many recipients of grants awarded through the Riverland's futures fund. That was certainly very educational and it taught me how businesses that are innovative were moving forward. They were all doing very well. I should also thank members of the Torrens sub-branch, where I had the honour of being the sub-branch president until 2015. They have always been very supportive, and I thank them for that.

I would also like to make special mention of our daughter Katie and her wife and our son Matthew and his wife, for whom the past 12 months have been stressfully worrying, particularly knowing the state of their mother's health. Their support has been tremendous and has helped Glenys and I cope. The birth of Leo and Max has given Glenys a tremendous boost. It has given her a goal, post transplantation, to enjoy her grandchildren.

I have had the honour of working with some tremendous personal staff. I have been entrusted to look after three wonderful trainees, Sam, Zenon and Alice, who have so ably assisted me and whom I have had the pleasure of assisting in their skills development. Finally, I need to mention my personal assistant, Toni Geraghty, who started with me on the very day I started on a journey in this place, over five years ago. She has been a godsend, making sure I was in the right place at the right time, liaising with all the committee secretaries to ensure that I was not double booked, and at times that was a significant challenge given the number of committees I was on. I think I reached 13 at one stage.

Toni has been a vital element to the smooth running of my office. She is also a wonderful friend to Glenys and I. There was always a rivalry between her and Todd during the AFL season, especially during Showdown week. Todd, I would have to say, though, that I think you have lost your chance to have Toni wear Crows paraphernalia.

I should also mention that, within the first three months of my presence in this place, Toni assisted in some dramas—equipment failures. On two occasions, I had the fly of my trousers actually break five minutes before question time, and there was a great rush for safety pins. I must say, it was a bit dangerous, but we got there, and I took some advice from the Hon. John Gazzola after that, namely, that I should make sure that I had a spare suit about. So, I religiously made sure that was available, although I have never needed it since! Toni, thank you for your loyalty, support, skill and good humour. You are gem and I would have been lost in this place without you. Thank you.

My decision to resign has not come lightly, and I have come to the conclusion that the best time is spent in ensuring Glenys receives the greatest level of care possible. When I first spoke in this chamber some five years ago, I said:

Throughout our marriage Glenys has truly been a tremendous support to me. This may sound corny, but, Glenys, you complete me.

And that wholeheartedly remains the case today. It is my turn to support my beautiful wife in her time of need. I have absolutely no regrets about that. Glenys, you are truly a remarkable woman. I admire you greatly for the strength and tenacity you have shown, even during this very trying time. Regrettably, I have also determined that, in order to provide the care that Glenys warrants and deserves, I am unable to fulfil my duties in a manner that I believe they deserve.

I thank the council for its forbearance in granting me leave over the past five months and members for the kind regards that many of you have expressed to me personally. I am proud to have served in two Labor governments, and it will always be an honour and a privilege I hold dearly. I am and will remain committed to the Australian Labor Party and the broader labour movement and they will remain a big part of my life. As I said earlier, it has been an honour and a privilege to serve in this place and I wish you all the best. Thank you all.

Honourable members: Hear, hear!

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) (16:00): I rise to speak today of the contribution and, I think, the sadness that we all feel at the resignation of the Hon. Gerry Kandelaars. In his nearly 5½ years of service through this chamber to the people of South Australia, Gerry has been remarkably prolific and extremely active in committees, and particularly in a number of committees as a presiding member. He has also advocated for, and spoken passionately about a range of issues right across the political and social spectrum.

Among notable issues that come to mind are very moving speeches and his advocacy around issues such as marriage equality, access to assisted reproductive treatment and medical research. Gerry has been one of the leaders on these matters in this place, and I know that many have applauded and appreciated the hard work he has done in these areas. His work on committees has spanned an incredibly broad range of issues, some of which I know he feels passionate about but some, I suspect, particularly on some of the select committees he feels slightly less passionate about, but I think it is safe to say that few members would have contributed so much to their committee work as Gerry has over the last 5½ years.

I know that Gerry is quite rightly proud of his advocacy and his achievements both inside this place and outside of this place. The Hon. Gerry Kandelaars spoke of some of his work, particularly as a duty member in country areas. I think it is the case with all of his work; when he does something, he does it exceptionally well and exceptionally diligently. I was just speaking to some of the members of your former duty electorate in the Mount Gambier sub-branch this morning, Gerry, who passed on just how much they valued how seriously you took your roles in these areas. We know just how committed Gerry is to the Labor Party and the Labor cause: he gave his first born son up for the cause and that is a remarkable commitment.

Prior to entering the parliament, Gerry had a long career, first as a telecommunications professional, then as a union organiser and a leader representing members, working Australians, in those sectors. He has been a strong and passionate advocate for the rights of working people throughout his career and for the equality and equity for all Australians. I am absolutely confident that, in leaving this place, Gerry's ferocity in his advocacy will not be affected in whatever capacity he continues in.

One of the things that I think distinguishes Gerry is his character: his openness, his kindness, his accessibility and his humility. I think everyone in this place would agree that Gerry is an extraordinarily decent person who treats everybody with respect and dignity. Perhaps the most important feature of Gerry's character is his commitment to his family. He has demonstrated this in a number of ways, most recently by recognising the choice that sometimes making the hard choice to put your family above everything else is not in fact a difficult choice; it is the only choice to make.

Gerry has spoken about his enormous compassion and love for his wife of over 40 years, Glenys, and that is obvious today and obvious to everyone who has known Gerry. I know that members on all sides of the chamber will absolutely understand and respect your decision to do what

you need to do, Gerry, and I thank you on behalf of the Labor Party and the labour movement for your dedication, your determination and your humanity that has been the trademark to everything that you have done here.

I think if two words had to characterise how you have gone about your work here, they are diligence and dignity. You will be missed in this chamber for your very hard work, the long hours you have given in many roles in this house of parliament, and for your warmth and humility. Be secure in the knowledge that you depart in the very highest standing with all who have worked with you over the last 5½ years. I know I speak for everyone here when I wish you, Glenys and your family all the best that it can be in these difficult times. Mate, comrade, go well.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:04): I rise to speak to the motion on behalf of the whole opposition, not just the members of the opposition who are in the Legislative Council but the broader opposition—Steven Marshall and the team in the other place. I have only known Gerry for the last five years. I had not really heard much about him. I had maybe seen him when he was around the traps supporting Robyn Geraghty and other members, but I have only really come to know him in the last five years. Of course, as the minister mentioned, prior to parliament Gerry had a long and successful career in Telstra and other parts of the union movement and the Labor Party.

No-one can question Gerry's work ethic. He has been an absolute workhorse of the Legislative Council. Both he and the minister made mention of the vast number of committees—the figure I have is 28 parliamentary committees over his five years here—I think he said it was 13 or 14 at once that he was involved with. Certainly I think it is probably a record that takes some beating. Of course, he was the presiding member on five of those committees. For those who have been involved in committees we know that is a reasonably heavy workload. I also know that in politics that you were respected for your commitment and diligence on those committees.

In the committees that I have worked on with you I have developed a great level of respect for the way you conducted yourself in those committees and here in the chamber itself. As Kyam Maher, the Leader of the Government said, you have acted with diligence and dignity; you have always been very good. While we might sit on different sides of the political fence I think all members of this chamber are aware that sometimes this can be a thankless job and I can appreciate your hard work and your dedication in your role as a member of parliament.

The circumstances, Gerry, in which you are leaving the parliament are, of course, extremely regrettable but there is nothing more important in life than your family and we hope that a donor and all of the things that are ahead of you come to you as soon as possible. It is with great sincerity that I extend the wishes of the entire opposition—as I said, here and in the other place—to you, Glenys and your family in what must be a very difficult time. With those few words, Gerry, we do wish the very, very best to you and Glenys and the family for the future and I am sure that we will see you around here in some capacity at some point in the future. All the very best.

The Hon. T.T. NGO (16:07): I rise to speak about and to thank the Hon. Gerry Kandelaars for his contribution to the ALP, this parliament and the community. I met Gerry while he was working at Robyn Geraghty's office, the former member for Torrens. I was working with the member for Playford then, the Hon. Jack Snelling. We worked on various community projects. I found Gerry to be very passionate and very loyal to the ALP cause. Often he would wind up very quickly if someone had a go at the ALP or ALP policies. I get on well with Gerry because I often come across as very soft and gentle whereas Gerry is completely the opposite, so we worked well on various projects where I played the good cop and he played the bad cop.

After being elected at the March 2014 election I have come to know him more on the working side of things. As you know, in government often the backbenchers have to carry a lot of committee work and at one stage the committee work was divided between just Gerry and me. I know the jokes in the ALP then were 'The Tung and Gerry show in the upper house'. They were saying that Gerry and I run the show up here.

Since I was elected, if it was not for Gerry showing me the ropes and helping me out as a new member, I would have struggled in this place because, as other members have mentioned, he did a lot of heavy lifting with the committee work, and he often picked out the heavy ones and,

because he knew I was the new member, he handed me the lighter load, so I thank Gerry for his work in terms of looking after me as a new member.

I admired Gerry most recently for his love and dedication to his wife Glenys. As other members have mentioned before, in this job we can be very busy at times and sometimes we neglect our families. Gerry shows us that family is very important and family needs to come first. When he mentioned to me that he was thinking of giving it up, I tried to convince him not to. I told him to take more leave and still get paid for it, but he is a very honourable man. He said to me, 'Glenys is the number one thing in my life at the moment and money is not everything.' It just shows what type of person he is. He did not want to look after himself—he could have done it, but he did not.

He was also worried about what people would think about a member not attending work and getting paid, that it may not give this place a good image. So, I was not able to convince him. It just shows that he puts this parliament first and he puts his family first. I thank Gerry for teaching us, teaching me, those life lessons.

Let me wind up. On behalf of all members here, especially the ALP members, I thank Gerry for his contribution and I wish him and his wife all the best for the future, especially Glenys, who faces some challenges ahead. We will be thinking of you and will be praying for you.

The Hon. J.S.L. DAWKINS (16:12): I rise briefly to speak to this motion. Like some others, I first became aware of the Hon. Mr Kandelaars before he came to this place, when he was working for the then member for Torrens, Robyn Geraghty. I suppose since he has been here I became, initially, like many, well aware of his fierce defence of the ALP, as has been mentioned, and its policies, but I also think that he became well known through the various committees on which he served and chaired, some of which I shared membership with him.

He became well known for the pursuit of any witness who he thought was trying to pull the wool over the eyes of the committee, whether it be executives of mining or fracking bodies or whether it be, to be fair, public servants. If he thought they were trying to pull the wool over his eyes or over the eyes of anybody else, Gerry was pretty relentless in his pursuit, and that is a great credit to him.

I shared membership of the Natural Resources Committee with Gerry on I think two separate occasions—there was a break there for a while—and also more recently the Occupational Safety, Rehabilitation and Compensation Committee, which we really do need to rename. On both those committees that Gerry and I worked on, we worked very well with other people, under the very good chairmanship of the member for Ashford, the Hon. Steph Key.

We also worked on select committees, and on a couple of those select committees Gerry was the only government member who was prepared to put up his hand. While he did his best for the government's position, as I said earlier, if he did suspect that someone was trying to be a bit smart with a committee he would let them know that he was across the game.

Very early in his career I remember saying to the whip of the day, and it may have been the Hon. Mr Gazzola, and it might have gone on to the current leader of the government, 'Give Gerry more to do, will you? He reads too much.' While a lot of us only seemed to find time to scan a lot of things, Gerry seemed to be able to read every word.

It would be remiss of me not to mention some of the causes that Gerry has supported as a member of parliament. Obviously, White Ribbon is very high on my list and means a lot to me, and Gerry's advocacy in relation to the renewal of ambassadors has been valuable, although I have to tell you that they have not sorted out all their issues.

His support for my work in suicide prevention has been behind-the-scenes, but I have been aware of it, and I appreciate it. He also joined me in being a strong advocate for Operation Flinders. Even through Glenys's illness last year, Gerry still came along and helped me co-host the event here for Operation Flinders. I appreciate that Gerry.

Finally, we all remember that at various times Gerry has served, not only as the acting president, but also as the acting whip, and so I have had to deal with him even more closely in that regard. He put every effort into doing his absolute best in those roles.

Gerry—and I call the Hon. Mr Kandelaars Gerry—I wish you and Glenys well. I have great admiration for the decision that you have made. Every best wish.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:17): Hardworking, honest and full of integrity, I think these are all characteristics that all working men and women aspire to, and I would like to think they are all characteristics that people fortunate enough to be able to serve in this place aspire to as well. In the case of Gerry Kandelaars, these characteristics are not simply aspirations. They are a working life lived out. Gerry, you have every reason to be incredibly proud of your length of loyal service to the Australian Labor Movement.

Apart from those characteristics, the thing that stands out most to me about your working life and your commitment to our great movement, is that you have always remained true and loyal to Labor values. You have a proud history, from a proud union, and in every decision I have borne witness to you making, but more importantly to every action you have ever been a party to, you have always remembered where you have come from and remained utterly true to those Labor values. That is something that is a true privilege to have witnessed, and I am very grateful for every opportunity I have had to work with you. I also offer my best wishes to you and your beautiful family for many years to come.

The Hon. J.S. LEE (16:19): I rise to make a brief contribution and express my thanks to the Hon. Gerry Kandelaars for his diligent way of chairing the Social Development Committee. In the many rides that we had to country regions to meet witnesses and in our deliberations, we shared many conversations about family, about fairness, about community and about social justice. I want to thank you for your contribution to parliament, particularly on so many levels to the committees that you served diligently.

I also want to express how beautiful it is to have met Glenys and on many occasions shared meals together when we attended multicultural functions. I want to wish you and your family and Glenys the very best during these difficult times. I hope we will see each other again and all the best.

The Hon. M.C. PARNELL (16:20): I will briefly add my contribution. I would like to start by thanking Gerry for your heartfelt and personal reflections on life and work and the balance between them. I am very familiar with the choice that you have made, and I know it is the right choice—absolutely, it is the right choice. We all know that positions in places like this are hard come by. We fight hard to get in here and we do not relinquish them lightly, but I think your choice to put your family and Glenys first is absolutely the right one.

The one thing that I want to reflect on from what you said was hearing about lung transplants. Again, this is something that I have some familiarity with. If any of us here are not organ donors, or if we are in any position to influence people in our families to make their wishes known when it comes to organ donation, it is a critical thing we can do because there are so many people who would love to hang onto life and for whom an organ is what makes that possible. Thank you, Gerry, for your service. Thank you for your friendship and your camaraderie. I wish you and Glenys all the very best.

The Hon. S.G. WADE (16:21): I join other members in honouring the service of the Hon. Gerry Kandelaars. I have found Gerry to be a person who is deeply committed to the parliament and to parliamentary committees. It is not a universal trait among politicians. Too often we disrespect this place, and the Hon. Gerry Kandelaars, I believe, has been very respectful. He has been active, diligent, hardworking, consistently balanced and fair, but he was not, shall we say, archaic in his understanding of parliament.

I will certainly have echoing in my ears for years to come the persistent reminders of the Hon. Gerry Kandelaars to make sure that we use our substantial powers with great respect to the citizens, that we ensure that our proceedings are always fair, particularly in terms of natural justice for people who might have had adverse statements made about them in the parliament.

One phrase that comes to mind with Gerry is that he is a true believer. It is good to be reminded about social justice and Labor Party values. Gerry is always a person who has kept the faith and perhaps at times inspired others to go back to their values. I have often enjoyed Gerry's passionate contributions in the parliament; he certainly did not bottle up his values here.

As the Hon. John Dawkins indicated, Gerry was very hardworking in the community and put me to shame in terms of my contribution to groups such as White Ribbon ambassadors and violence against women. Whether it was rainbow issues or Operation Flinders, Gerry Kandelaars showed himself to be a man of values that he was keen to promote throughout the community. I have the utmost respect for his decision to resign from this place and to share more time with Glenys. I wish you both all power, strength and peace in your journey.

The Hon. D.G.E. HOOD (16:23): I rise very briefly to associate myself on behalf of Family First with the motion. I would like to sincerely wish you a wonderful period ahead, Gerry. Obviously, there are difficulties ahead, but know that you are certainly in our thoughts. It has been a challenging period, no doubt, but you have handled yourself, from my observations, with dignity and that is worthy of respect.

When I reflect on your time in this parliament, albeit fairly brief by comparison to some others, you have certainly demonstrated to me and Robert, and no doubt everyone in this chamber, that you are someone who has a commitment to doing things well and a real sense of integrity about your daily work, which I have really come to respect. I have only worked with you on two committees during that time, despite the fact that you have been on 30 or something outrageous like that—and that might say something about how many committees we have here. It has been a pleasure working with you. I am sorry to hear the news that you have brought to us today, but it is with our very best wishes that we send you off.

I will reflect very kindly and warmly on a gesture you made a few years ago when I was quite ill and in and out of hospital for a number of weeks. You took the time to send a card to my hospital, as I recall, and I was very grateful for that. I think that speaks to the man you are. I also say that I will never stand in front of anybody putting their family first. I am not sure you will be able to bring yourself to do it at the ballot box, but that is okay, I understand. I sincerely and genuinely wish you, your wife and your family well.

The Hon. K.L. VINCENT (16:25): I will say a few brief words on behalf of the Dignity Party to acknowledge the contribution that the Hon. Mr Kandelaars has made today and also more broadly to this parliament. Gerry and I have not worked together particularly closely. I think we have served together on at least one, maybe two, committees, particularly on the Social Development Committee where I have always found Mr Kandelaars very diligent and passionate and thorough in his work particularly when it comes to matters of social justice—combatting domestic violence, for example. He has a strong record on what the Hon. Mr Wade referred to as rainbow issues or issues regarding LGBTIQ persons in our community.

One of the reasons that I greatly admire Mr Kandelaars' contribution to those particular matters in terms of the rainbow reforms is that I know that performing that particular duty is more than a job to him because of the nature of his family. While I have not met all of them, I have had the pleasure of meeting Glenys on a number of occasions, and the level of commitment and love that you have for each other has been evident to me even in those brief meetings.

I hope that the strength of that bond and also the strength that Glenys and yourself have showed in surviving this terribly difficult situation so far continues to hold you in good stead. I am sure that I speak for all of us when I say that Adelaide, being what it is, I am sure that we will meet again. I certainly hope so. You know where to find me, and if there is anything I can do to support you and your family as a soon-to-be former colleague and something of a friend, I am more than happy to do so.

Like the Hon. Mr Parnell, when I was listening to Mr Kandelaars speak I did think about the importance of organ donation. Members might know that I, in conjunction with the member for Fisher in the other place, have done a lot of work in recent years promoting organ donation. The member for Fisher, of course, whose son became an organ donor following his death, and me in particular because my former partner's mother became an organ donor about three years ago, see the importance that donation played, not only in allowing other people to continue their lives with their families and the people they love, but the sense of relief and peace that it brought to our families as well. I would certainly echo and associate myself with the comments of the Hon. Mr Parnell in that regard.

The journey that the Kandelaars family has embarked on and is continuing to make is not an easy one. On behalf of the Dignity Party, I have spoken of the challenges that family carers face in this place, in this state and in this country, and I hope that this is as easy a journey as it can be. I wish you every strength and every best wish as you make this incredibly difficult decision.

I will close with a couple of remarks. Apart from his passion for a number of issues that I share a passion for, one of the things that I have always admired about Gerry—and this might sound like an overly simplistic or a very small thing—but I have always appreciated the fact that it is not uncommon to walk into the Blue Room (the cafeteria) here at Parliament House and see Gerry seated with Toni and some other members of his office or ALP staff having lunch with them.

I have always appreciated that because it really sent a reminder to me that, no matter how busy we are or how hectic our lives are, it is important to take time out and spend quality time showing that we appreciate the people who help us achieve what we need to achieve. I always have lunch with my staff too, but it is usually on a corner of one of their desks as we are hunched over different computers, working on different things. Seeing Gerry take that time out has always meant a great deal to me.

The last thing I wanted to mention was the time at which he is leaving this place. I think he made remarks to the effect that he could no longer give this role the energy and the time it deserves. That is, I think, a really important thing to remember. We are in this place to serve with passion and enthusiasm and energy and if, for some reason, we can no longer deliver that, whether we just run out of passion—although I certainly cannot imagine that happening for many of us, particularly myself—or we have a change in circumstances, it is very difficult but it is the right thing to step down for the cause and allow someone who is able to provide that time and energy to these important causes. It is certainly not an easy decision, but it is one I deeply admire. I wish the Hon. Mr Kandelaars and his family all that can be as good as possible at this difficult time.

The Hon. T.A. FRANKS (16:31): I rise very briefly because others have said so many of the things I wanted to say. I cannot help but remark today in a very positive light on the impact that the Hon. Gerry Kandelaars has had on this place. I remember vividly the very honourable member's first speech and seeing the faces of some of his Labor right colleagues when we realised there was a sea change in this place on issues particularly to do with what has been referred to as 'rainbow communities'.

I want to say that I have really admired Gerry's open-mindedness and acceptance particularly of the most marginalised people in our society on AIDS/HIV issues, on issues to do with the trans community, those who are seen as gender diverse and queer and not important, often, in our public debates. Gerry accorded all those people the importance they truly deserve and I really appreciated his commitment there. Indeed, I also appreciated his commitment on one of those many committees in looking at one of my bills on the 'gay panic' defence not once but twice, giving him that extra work.

Gerry was a sea change in this place on some of those issues and it came from his passion (not just for his family who of course, I think he is representing when he speaks on some of those issues) and his deep-seated respect for the diversity of humankind across a range of issues. I always enjoyed that. I also enjoyed lunches with Gerry and his staff and the wonderful Toni and her ever-changing hair colours in this place, not just brightening up this place with that attribute but of indeed with the wit and wisdom and the genuine acceptance of that diversity. I have appreciated that.

Lots of people have referred to you today as 'Gerry' rather than 'the Hon. Gerry Kandelaars'. I think it is because you have done honour to this place and you will be honourable as you leave. I wish you and Glenys all the best and I wish your family health and happiness for a long time to come, long after you have left this place.

Sitting suspended from 16:33 to 16:46.

Matters of Interest

WOMEN'S MARCH

The Hon. G.E. GAGO (16:47): On 21 January, millions of women marched across the world in defence and promotion of women's rights and other issues including immigration, healthcare, environment LGBTIQ rights, racial equality and freedom of religion. The rallies were held the day

after the inauguration of Donald Trump and collectively was the largest single day demonstration in the United States history. It is estimated the march drew at least 600,000 people in Washington and worldwide participation has been estimated at 4.8 million people. Organising officials have reported that 673 marches took place across the world. In Washington, the women's march was the largest political demonstration ever to be held in the city, outdoing even the anti-Vietnam protests in the 60s and 70s.

Thousands of Australians, including men and women in Adelaide, took part in marches across the capital cities. The march was organised as a grassroots movement to make a statement that women's rights are human rights. While the rallies were not exclusively opposing President Trump, a large portion of women marched in response to his anti-women statements and policy positions. The slogan 'Build bridges not walls' was a constant theme and following the march the organisers posted 10 actions for the first hundred days for the campaign to maintain momentum from the activists.

Despite the strength of the movement, President Donald Trump has since made moves to reduce the rights of women throughout the world. On 23 January, President Trump reinstated the Mexico City policy, also known as the 'global gag rule' by many human rights organisations, which puts a ban on the United States funding international groups that provide abortions or even provide information about abortions and other forms of contraception. This means that an organisation will be stripped of US government aid funding if they so much as advise a woman about the possibility of abortion access in their country. Trump not only reinstated the policy, he actually expanded it.

Previously, the Mexico City policy only covered family planning organisations. Now, under the Trump administration it covers all international organisations that provide humanitarian services. This expansion under Trump will see 15 times more funding reduced compared to the former Mexico City policy. The policy was originally legislated by President Ronald Reagan in 1973. It has been law for 17 of the past 32 years with Democratic presidents of the past, including President Obama, rescinding the policy.

The policy requires non-government organisations to certify that they will not perform or actively promote abortion as a method of family planning, with any funding from any source, including funding from outside the US as a condition for receiving US funding. The policy has direct and serious consequences for the world's most vulnerable women. When the policy has been reinstated in the past, the number of abortions has not reduced. Rather, inexperienced people perform abortions in unsafe environments. In response to President Trump's actions, Belgium and the Netherlands have joined forces to back the creation of an international fund to finance access to birth control, abortion and sex education for women in developing countries. This fund will exist to replace the money removed by the US.

Alexander De Croo, Belgium's foreign trade and development minister said about Trump's expanded Mexico City policy:

Research shows that any support to these organisations leads to less access to contraceptives. Hence, it increases the number of abortions. The result of the measure is that many teenage girls will be scarred for the rest of their lives or even lose their lives.

Trump's sexist and discriminating behaviour has continued this week, with reports that he has set dress code standards for his staff, telling his female staff that he expects them to dress like women. I am not sure what that means. In response to Trump's continuing anti-women policy position, the group behind the Women's March has announced that their next action will be a general strike, titled 'A day without women'. As Trump continues to legislate to diminish the rights of women in the United States and around the world, activism is fundamentally important to send a message that women will not accept anything less than equality.

Women's rights are human rights and we stand with the women around the world and in Adelaide who marched on 21 January to protect these rights.

POWER SUPPLY

The Hon. R.I. LUCAS (16:51): I was interested today to read the headline of one of the original Labor hardheads, Graham Richardson, in *The Australian* this morning, under the heading

'Lemming-like Labor invites an electoral massacre'. He talks, in disparaging terms, about Labor as a brand in terms of the problems the nation and South Australia in particular face with reliability and affordability of power supply. Of course, he is a great Liberal Party hater, but he is expressing, in this particular article, his amazement at the arrogance and ignorance of the federal Labor Party, in particular about the critical issue of power and power supply. He says:

Government is achievable and it would indeed be a travesty if dumb ideological adherence to a renewables policy doomed to fail brought Labor undone.

He is trenchantly critical of the Labor Party's approach to the critical issues of affordability and reliability of power supply and their blind adherence, as he puts it, to the 50 per cent renewables target in such a very short time frame. We have seen that same arrogance and ignorance in South Australia in relation to the critical issues of affordability and reliability of power supply in the state arena. We have seen it from Premier Weatherill, Treasurer Koutsantonis and ministers in this chamber as well.

There was an unedifying interview from the viewpoint of Treasurer Koutsantonis with 5AA recently, as 5AA commentators David Penberthy and Will Goodings said that their Facebook page and telephones literally went into meltdown as a result of expressed anger at the arrogance and attitude of Treasurer Koutsantonis, Premier Weatherill and the government in relation to the critical issues of reliability and affordability of power supply.

David Penberthy is very well connected to the right of the Labor Party. He is, of course, married to the federal member for Adelaide, Kate Ellis, and has very strong connections with the right faction of the Labor Party through that particular connection. He has said, and this is him interviewing Treasurer Koutsantonis:

There are people in your party...who think you went too hard, too fast down the renewables path.

I think that was a telling commentary from David Penberthy, who, as I said, has very strong connections with senior powerbrokers within the right within Labor Party, and he is telling it as it is, that there are people within the Labor Party in South Australia who are strongly critical of the attitude of the state Labor Party. He goes on to say:

You're a right-winger...you're in the conservative tradition of the ALP. The number one test for a Labor Government should be how do you look after the interests of blue collar people and you're letting them down with punishingly high bills and an unreliable power supply. Why don't you muscle up and say all this renewable stuff, we've gone too far too soon and...we need to stop, pause and rethink?

Again, a trenchantly critical statement from David Penberthy to the Treasurer, who continues to have a tin ear and not listen to the criticisms being reflected through that particular program.

We have seen it in this chamber as well from minister Hunter, who has substituted substance in his replies to questions by an increasingly shrill shriek that he utilises during question time, thinking that shrill shrieking is a substitute for substance in terms of trying to respond to any questions which relate to the government's renewables policy and its impact on reliability and affordability of power in South Australia. We have seen increasingly desperate and untrue claims made by minister Hunter, which he knows to be untrue. He again repeated this week a claim that the Liberal government stopped the Riverlink interconnector, when he knows that was untrue. In fact, his government promised in 2002 to build the interconnector and 15 years later still has not done it.

Today, he again made an untrue claim that I had personally committed the Liberal Party in government not to privatise ETSA. I challenge him to find any such statement made by me as the minister for education during that particular period leading up to the 1997 election. He made some unsavoury claims, to which I will refer in a later debate, about the Hon. Mr Terry Cameron and myself. These are the increasingly shrill claims that he has made. Without being held up or asked to apologise, he called the Hon. Mr Brokenshire a liar in question time today. These are the desperate tactics being used at the moment by the government.

ROYAL ADELAIDE HOSPITAL CONSTRUCTION SITE INCIDENTS

The Hon. T.A. FRANKS (16:57): I rise today to speak on the topic of justice for Jorge Castillo-Riffo. I rise in the week that the case to investigate the death of Mr Castillo-Riffo, who was 54 when he was fatally crushed on the new Royal Adelaide Hospital construction site while working

on a scissor lift. Today, his widow, Pamela Gurner-Hall, stood on the steps of this place at lunchtime and read out these words:

The death of Jorge has left a great and vast void in my life and those of many others; his children, his grandchildren, aunts, uncles and cousins whom he grew up with, friends he met along the journey of his life, some new and others of his lifetime, those that shared his world of work too. It is a void difficult to describe in dimension.

There are others who unconsciously are affected, those whom he would have met, could have made friends with, could have helped, could have cherished and been cherished by. At age 54 he had much more of life to live. He was such a charismatic and dynamic personality, utterly authentic and strong in his convictions. Few forgot meeting Jorge.

One of Jorge's biggest frustrations was people who 'don't care'. He would come home from work and rave about this person or that who either demonstrated or actually said 'I don't care' often when Jorge was castigating them about some safety breach, possible risk or outright dangerous thing.

He was 'eagle eyed' when it came to safety and was naturally a cautious person. He watched out for everyone and was at times so outspoken he would be overlooked for re employment in an industry that doesn't like being reminded of the risks.

He liked his workmates too, in the main, and he enjoyed the satisfaction of completing tasks and projects. He would step up for those around him that he felt were being bullied, or persecuted or harassed in some way, the younger workers, the refugees, those who could not speak the language well or that he felt just needed a bit of friendship and support.

Nearly 500 people attended his funeral.

He died. He died in a scissor lift with his head trapped up against the ceiling. No one will ever know how long he remained conscious or what his last thoughts were or how much pain or fear he was registering. No one saw him. No one watched out for him and for a good while in the business of a new day and work to be done, no one cared.

In the tumult that followed, many did, but it was too late. His words echo in my head and the vision of him imagined or real is my horror.

The little things are the things I miss the most. At first, the sound of the door on the garage, I would wait for it. I would wait and wait and wait. The sound of him working around the yard, talking to his beloved little pet parrot, a kiss while I'm making dinner, the kiss goodbye in the morning, the soft words, light in his eyes and huge big smile. The love. He was a great dancer and he would dance around the house in a towel after his shower! I even miss the harsh words, the strong disapproving looks, the things of relationship and everyday life.

I am forever imprinted by his presence and his loss. I think that life takes us along a road whether we are ready or not and I feel like I am learning a new language and am not very good at it yet. I will love and miss him for my lifetime.

The closest thing to justice for Jorge is transparency of what happened, clarity as to how it happened, accountability for what went so very wrong, and legacy to ensure it never happens again and others learn and teach from it.

Those are the words of his widow, Pamela Gurner-Hall, written on 2 February 2017—not written for the speech she made today on the steps of Parliament House but read out today because they were the words she was prepared to say this week as her impact statement in the investigation of his death. We woke up to read in our Saturday newspaper that this investigation had been dropped; a trial due to start this Monday after 27 months of investigation was dropped last Friday.

His widow was told this was due to the witnesses not being appropriate; indeed, told that some of the professional expert witnesses were deemed to be, evidently, not professional and other witnesses to be unreliable. As she shared with us today on those steps, she will not be dropping this. She will seek justice for Jorge and, unlike those people who annoyed Jorge, we should care. We should not look away and we should support her calls for a Coroner's inquiry at the very least and ask the question why this case was dropped after 27 months of investigation, just days before a 10-day trial was due to start. It is not good enough that we will never know what happened to Jorge.

Parliamentary Committees

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE: ANNUAL REVIEW

The Hon. D.G.E. HOOD (17:02): I move:

That the report, entitled 'Annual review of the Crime and Public Integrity Policy Committee into public integrity and the Independent Commissioner Against Corruption 2015-16', be noted.

The Crime and Public Integrity Policy Committee was established under the Parliamentary Committees Act 1991. A key function of the committee is to consider the operations of the following South Australian integrity bodies, and there are a few:

- the ICAC, whose role includes the investigation of corruption and oversight of the investigation of misconduct and maladministration in public administration;
- the Office for Public Integrity, which receives and assesses complaints and reports about potential matters of corruption, misconduct and maladministration in public administration;
- the Ombudsman of South Australia, whose office investigates complaints about the SA government and local government agencies;
- the Office of the Police Ombudsman, which provides independent oversight of the South Australia Police; and
- the Anti-Corruption Branch of SAPOL, which ensures that allegations of corruption in public administration referred to the police by the ICAC are appropriately investigated.

During the review period from April 2015 until June 2016, the committee considered various annual and other reports tabled in parliament from the ICAC, the Ombudsman, the Police Ombudsman, the Commissioner of Police and the independent reviewer of the ICAC.

The committee is charged with examining these reports while also inquiring into and considering the operation and effectiveness of the ICAC Act. In particular, the committee must:

- consider the performance of functions and exercise of powers by the ICAC and the Office for Public Integrity (OPI);
- inquire into and consider the performance of functions and exercise of powers by the Ombudsman; and
- report to parliament on any matter arising of public policy.

During the review period in question the committee heard evidence from the ICAC Commissioner, Bruce Lander, the independent reviewer of the ICAC, the Hon. Kevin Duggan, the Acting Police Ombudsman, Mr Michael Grant, the Ombudsman of South Australia, Mr Wayne Lines, the South Australian police force, namely Commissioner Grant Stevens, Assistant Commissioner for Crime, Linda Fellows, and the Chief Superintendent, Doug Barr, ethical and professional standards. The committee made nine recommendations relating to matters of public policy. Overall, the committee found that:

1. There should be an obligation on a person executing a search warrant to provide a copy of that warrant to the occupier of a place or to the owner or driver of the vehicle to which the warrant applies;
2. The penalties under the ICAC Act may be too low to provide an adequate deterrent, specifically in the new section 54 confidentiality provision and Schedule 3 procedure for resolving legal professional privilege claims. These penalties should be reviewed;
3. The Local Government Code of Conduct should be revised to address various concerns expressed by the ICAC and the Ombudsman;
4. The Criminal Law Sentencing Act 1998 should be amended to allow the ICAC, as a law enforcement agency, to be able to make submissions in sentencing proceedings where the person has cooperated with the ICAC's investigation;
5. A detailed analysis should be performed in accordance with the terms of reference of the independent reviewer to ascertain efficacy of the ICAC;
6. The potential overlap in the jurisdiction of the Ombudsman and the Health and Community Services Complaints Commissioner should be reviewed and clarified;
7. Given that the ICAC will no longer be empowered to issue direction to the Ombudsman, consideration should be given as to whether the ICAC should remain in power to examine practices, policies and procedures of the Ombudsman. It may be more appropriate for an independent reviewer to fulfil this function; and
8. Also, in accordance with the recommendation made by the Ombudsman, the 'public interest' test in the Freedom of Information Act 1991 should be clarified.

Throughout this report the committee considered the potential impact of the reform package comprising:

- the Independent Commissioner Against Corruption (Miscellaneous) Amendment Act 2016;
- the Police Complaints and Discipline Act 2016; and
- the Public Interest Disclosure Bill 2016.

The committee notes that this reform has addressed many of the committee's recommendations in its first annual report. On behalf of the committee, I thank all those who gave evidence to the committee. I also thank members of the committee from this chamber: the Hon. Gerry Kandelaars MLC, who has been the Presiding Member of the committee; the Hon. Andrew McLachlan MLC (honourable and gallant); as well as my colleague the Hon. Robert Brokenshire MLC, a former member of the committee.

From the other place, I thank the Hon. Tony Piccolo, the member for Light; Mr Lee Odenwalder, the member for Little Para; Mr Vincent Tarzia, the member for Hartley; as well as Mr Chris Picton, the member for Kaurana and a former member of the committee. I was the acting chair of the committee. Finally, I thank the committee staff, especially Jane, for supporting the committee throughout the review, and I commend the report to the council.

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

Motions

SIGNIFICANT TREES

The Hon. M.C. PARNELL (17:07): I move:

That this Council—

1. Notes the importance of significant trees to our urban environment and amenity;
2. Notes that over 1,100 South Australian citizens have signed a petition calling on the state government to change the law to prevent the unnecessary destruction of significant trees and force property developers to incorporate important vegetation into their projects for the benefit of the environment and the wider community; and
3. Calls on the state government to take action now to protect more of the significant and regulated trees on the former Glenside Hospital site.

I put this motion on the *Notice Paper* today because it is crunch time for the trees on the former Glenside Hospital site. As members may be aware, the government has chosen Cedar Woods as the preferred developer for the former Glenside Hospital site and its intention is to build 1,000 homes on that site. In order to build those homes they have applied to the Development Assessment Commission to remove 83 significant and/or regulated trees. Members would recall that significant trees are the largest of trees, with a circumference of three metres or more, and regulated trees are still very large but slightly smaller, with a circumference of two metres.

This application will be heard by the Development Assessment Commission at 9.30 next Thursday morning. The local community has been campaigning hard for a number of months now to try to reduce the carnage that those trees are facing. Their campaign is a sound one and it is based on common sense. Let me say at the outset, the decision to sell Glenside and to transform it from a hospital site to a private development site, was effectively made many years ago. Certainly the Greens, and most members of the community, realise that that battle has been lost. There will be redevelopment on the Glenside site.

The questions that remain are: what type of development, how intensive will that development be, how high will the buildings be and, most importantly, how many trees need to be removed to facilitate that development? This is where our planning system is brought into disrepute in the way it is currently being handled. The reason I say that is because, whilst the land is zoned as suitable for housing, we do not yet know what housing is proposed. The reason we do not know that is because Cedar Woods has not yet lodged a development application to build any homes. They have not lodged any application to build apartments or townhouses or anything.

The only application that they have lodged is to remove 83 trees and to demolish certain non-heritage buildings that stand in the way of some future development. No-one is objecting to the removal of the old buildings; people accept that they are going to go. But, why on earth, is it appropriate to approve the destruction of these 83 trees before any application to replace them with apartments has even been lodged?

Like I say, the community groups that have been campaigning to save the Glenside trees, recognise that there will be development, but unless we know exactly what is proposed in terms of the location, the siting of apartments and townhouses, we do not know whether the developer's application to remove 83 trees is reasonable or not. We also do not know whether there is any compromise that would be possible. In other words, it may well be that once we have the plans for the apartments, it might be possible to, figuratively speaking, pick up an apartment block and move it a few metres one way or the other, and thereby save some of these significant trees. We do not know that because we do not yet have the development application.

I have put this on the agenda because it is important that this council expresses its concern about how these matters are handled. I will certainly be putting to the Development Assessment Commission, on behalf of the residents next Thursday, that it is both premature and unnecessary to be allowing the removal of 83 trees, particularly, as I say, when we do not know where the apartments are going and also because the developers themselves admit that it is an eight to 10-year project and so they will not be building on the whole of this site for possibly up to a decade, so why on earth would you approve the removal of the trees now?

I understand the developer has said that they promise not to remove all the trees straightaway, to only remove them as necessary, which, as they say, could take eight to 10 years. The point is, though, that under the Development Act, if you have a development approval you are legally obliged to start work within one year and you are legally obliged to complete it within three years. So, it is one thing for the developer to say, 'Oh yeah, we will just get our approval and we will sit on it for a decade.' No, they will be legally obliged to substantially complete the clearance work within three years.

The motion before the council, first of all, invites us to note the importance of significant trees. We have debated significant trees here in the past, but I can tell you that out in the community they are valued, and communities are distressed at how easy it seems to be to destroy significant trees. There are some fantastic videos online now, and I know people are often nervous about drone technology, but I can tell you, seeing the drones flying around Unley and filming some of those magnificent, centuries old river red gums that are now being surrounded and threatened by development, it really does put into perspective how important these trees are.

The Greens established a petition online some time ago, and I am very pleased that 1,100 South Australians have seen fit to sign that petition. The petition calls on the state government to change the law to prevent the unnecessary destruction of significant trees and also to force property developers to incorporate more remnant important vegetation into their projects. I am not talking about putting a glass roof over a tree in a shopping centre in Burnside (that ended in tears), but you can incorporate more vegetation.

Most importantly, this motion calls on the state government to take action now to protect more of the significant and regulated trees on the former Glenside Hospital site. The way that would happen is that the government holds the whip hand and the government needs to negotiate with Cedar Woods and encourage them not to proceed with their tree removal application until they have finalised their plans for the apartments that are to replace them. With those brief words, I commend the motion to the council.

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

Parliamentary Committees

**SELECT COMMITTEE ON STATEWIDE ELECTRICITY BLACKOUT AND SUBSEQUENT
POWER OUTAGES**

The Hon. M.C. PARNELL (17:15): I move:

That it be an instruction to the Select Committee on State-wide Electricity Blackout and Subsequent Power Outages that its terms of reference be amended by leaving out—

'and

(f) Any other relevant matters.'

And inserting—

'(f) Power outages subsequent to 28 September 2016 including on 27 and 28 December 2016 and 8 February 2017;

(g) The role of power companies, state and national regulators and the state and commonwealth governments in the National Electricity Markets;

(h) Reforms that would improve electricity reliability and affordability in South Australia whilst reducing carbon emissions; and

(i) Any other relevant matters.'

Last year, this chamber established a select committee to look into the statewide electricity blackout and subsequent power outages. The terms of reference were settled in this council to give that inquiry work to do and to get it underway. Whilst the existing terms of reference use the words 'and subsequent power outages', the substance of the terms of reference only refers to the statewide blackout that happened on 28 September. I think it is important if this committee is to properly investigate the subsequent outages to name them, and to also name the scope of investigation that is needed to properly give effect to that inquiry.

I have taken the opportunity to suggest a few extra paragraphs to those terms of reference. They name the power outages that took place between Christmas and New Year, on 27 and 28 December, as well as the outage on 8 February. That is the recent one which members will recall resulted in 90,000 homes having their power turned off for, in some cases, close to an hour.

I have also suggested adding to the terms of reference the role of power companies, state and national regulators and the state and commonwealth governments in the National Electricity Markets. Why that is important is that, as all members would be aware, there is a debate raging over whether the outage on 8 February, in particular, was avoidable. In other words, was it possible for the Australian Energy Market Operator to order Pelican Point to turn on their second generation unit?

There is a lot of to-ing and fro-ing. The AEMO says that it was too late in getting onto it; there was not time to turn it on. There is conflicting evidence that suggests that in fact there was plenty of time, even on that day. There are also questions to be asked about why when New South Wales was facing potential outages of power they had something like 36 hours' notice that that was likely. I think there are questions for the regulators to answer, and I think it makes sense for this existing parliamentary committee to seek those answers.

I have also suggested adding a term of reference that the committee look at reforms that would improve electricity reliability and affordability in South Australia whilst reducing carbon emissions. To a certain extent that might be stating the obvious, but I think we need to state it nevertheless.

Members would be familiar with the brief that the Chief Scientist of Australia, Dr Alan Finkel, has been given to look into the electricity network at a national level. When he was in Adelaide the other day, he described the task before him as a 'trilemma'. Not a dilemma, but a trilemma, and that is, how do you get an electricity system that is firstly, secure and reliable; secondly, affordable; and thirdly that does not add extra pressure on climate change? So, I think it makes sense for this committee to be looking at those matters as well. Finally, I have incorporated 'any other relevant matters' which was in the existing terms of reference but it has been renumbered.

I have had a brief informal discussion with the Leader of the Opposition, and whilst he has not endorsed these particular words, he has expressed some interest in exploring these subsequent power outages. I think that these terms of reference do honour to that desire. We need to fix them up. They were written before these incidences occurred, and I think we need to make sure that the committee looks at all aspects of the electricity system, not just that one event on 28 September. I commend the motion to the house.

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

SELECT COMMITTEE ON EMERGENCY SERVICES REFORM

Adjourned debate on motion of Hon. R.L. Brokenshire:

That the report of the select committee be noted.

(Continued from 30 November 2016.)

Motion carried.

NATURAL RESOURCES COMMITTEE: UNCONVENTIONAL GAS (FRACKING)

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

That the 119th report of the committee be noted.

(Continued from 30 November 2016.)

Motion carried.

Motions

WASTE MANAGEMENT

Adjourned debate on motion of Hon. J.M.A. Lensink:

That the Legislative Council requests the Environment, Resources and Development Committee to inquire into and report on waste management policies in South Australia, with particular reference to—

1. The efficacy of the solid waste levy in providing equitable encouragement of resource recovery compared to landfilling or stockpiling of materials;
2. The adequacy of regulatory and legislative powers within the Environment Protection Act 1993 to manage the waste sector, including licence enforcement and current penalties;
3. Best practice methods in the resource recovery and waste sectors;
4. Minimisation of hazardous risks in the resource recovery and waste sectors;
5. Relevant themes from the 2015 EPA/ZWSA Waste Summit which will inform this inquiry; and
6. Any other matter.

(Continued from 3 June 2015.)

The Hon. D.W. RIDGWAY (Leader of the Opposition) (17:22): On behalf of the Hon. J.M.A. Lensink, I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

MARRIAGE EQUALITY

Adjourned debate on motion of Hon. T.A. Franks:

That this council—

1. Supports marriage equality; and
2. Calls on the parliament of the Commonwealth of Australia to amend the Marriage Act 1961 to provide for marriage equality.

(Continued from 17 June 2015.)

The Hon. T.T. NGO (17:23): I move to amend the motion, as follows:

In paragraph 2, after the words 'marriage equality', insert 'by inserting a separate gay marriage definition whilst maintaining the current definition of marriage'.

I will speak briefly about my amendment to this motion, and in doing so offer my support for gay marriage or same-sex couples being allowed to marry. I do not have a preference for whether it is called gay marriage or same-sex marriage. For the purposes of this debate, I will stick to gay

marriage. Honourable members should note that this matter is a conscience vote for ALP members until 2019.

I understand that what I am about to say is not likely to win me many friends, especially those opposed to amending the Marriage Act. For a long time, I have openly expressed the view that it is more important to reach a compromise than to cater to only one side of the debate, particularly as I believe that there is a fairly even split in the community between those who are for and those who are against gay marriage. This is why current proposals to change the Marriage Act have become particularly divisive, causing angst for many people who have strong views on both sides of the debate. Because of this, I believe that a resolution needs to be found to this important matter of public policy, based on some form of compromise by both sides.

The federal Liberal member for Goldstein, Mr Tim Wilson, who is openly gay, penned an opinion piece in *The Australian* in June 2015 where he proposed the option of splitting marriage into religious marriage and civil marriage. This would leave religious celebrants to marry those who adhere to the values of a particular doctrine, in his words. Religious marriage would be recognised in law as a marriage between a man and woman. Civil marriage would be recognised as a marriage between two people and would be administered by civil celebrants.

The current definition of marriage in section 5(1) of the Marriage Act is 'the union of a man and a woman to the exclusion of all others, voluntarily entered into for life'. Taking a leaf out of Mr Tim Wilson's book, my amendment seeks a compromise whereby the Marriage Act could contain the current definition of a man and a woman, whilst creating a separate definition to accommodate two people of the same sex.

Since putting forward this proposal, I have heard two sides of the debate. One group firmly believes that marriage is for a man and a woman only, while the other group has strong views on the need to recognise marriage equality. I believe this position offers a significant compromise which, whilst not satisfying both sides of the debate entirely, in my view does satisfy the central concerns within this debate—allowing gay or same-sex people to marry. That is very important: it allows gay or same-sex people to marry.

I reject the idea that opponents of this proposal put forward that this will see one form of marriage become more equal than the other. My view is that there are two definitions provided for marriage. Just because they are different does not mean they are unequal. In my view, conservative Australians should also accept the idea of providing two separate definitions of what constitutes a marriage, as their notion of what constitutes marriage is protected without the need to deny a gay marriage to same-sex couples. It is also incumbent on religious institutions to consider how they can facilitate a compromise, which I believe will help them in the long run in maintaining their freedom of religious expression.

It is my belief that the majority of Australians would support my proposal if it were put to them. I have shared my proposal with many people who do not have fixed opinions on the same-sex marriage debate and I have not found one person who is opposed to my proposal. They also believe it is a good compromise because both sides are included.

I believe that, as members of parliament, we need to put our strong views aside and take the lead on this issue. By finding a compromise on such a difficult social issue, we can cater for all groups and unite the country. I urge honourable members to support my amendments. We can show other states that this parliament is about working together for the common good. With that, I put my amendment to the motion to the council.

The Hon. R.L. BROKENSHIRE (17:30): I rise to speak to the motion regarding same-sex marriage. There will be no surprise to colleagues that Family First does not support same-sex marriage and believes the traditional definition of marriage should be maintained. It is a longstanding Family First policy to support and uphold the traditional definition of marriage and, in our view, the role of the mother and father is unique and complementary and it is in the best interests of children to have balance.

Family structure plays a significant role in the development of children. Research has overwhelmingly shown that children have better outcomes if they are able to grow in stable family

structures, resting on stable, committed and faithful relationships. We had this debate just a few months ago, in the last week of sitting, and I am on the public record with my viewpoints there also.

A recent study published in the peer reviewed *Journal of Education, Society and Behavioural Science* presented evidence in favour of this conclusion. In fact, the large-scale study provided 1.6 million people as its total sample size, to which 512 children raised by same-sex parents were analysed from a pool of respondents who participated in the survey between 1997 and 2013. The study concludes that children raised by both biological parents who are of the opposite sex are less likely to have emotional issues. Our children represent our future and therefore it is critical that the wellbeing and welfare of children is a paramount consideration when making laws.

Secondly, I have put on the public record that in the lead up to the last federal election the Liberal government formed the policy that it will enable the people of Australia to have their say on same-sex marriage. For the record, this state has no legal position as a parliament of legislators because this is up to federal and commonwealth law and the federal government and federal parliament. The government did communicate the intention very clearly before the election and their policy was subject to public debate.

Upon re-election by the people of Australia, the federal government has a clear mandate to hold a plebiscite on same-sex marriage. Those in the federal parliament who argue against that are concerned that if people are able to get into a polling booth in a private position where they do not have to go for political correctness, or be embarrassed by adverse comments at dinner parties or any other place where they may discuss the matter, they will then be able to privately make a decision.

The government, through the introduction of a bill into the federal parliament to enable the people of Australia to have their say on the issue was simply following through on an election promise. As we all know now, that bill was defeated in the Senate last year. Supporters of same-sex marriage often assert that the majority of Australians are open to changing the traditional definition of marriage. I for one am not sure about that. It is our view that if this is indeed the case, then the plebiscite is the ideal way to confirm or deny this once and for all.

Same-sex marriage is undeniably a topic to which most people hold an opinion. Therefore, every Australian should be able to have their say on the matter and the will of the majority should be respected. I note that there are two amendments to the motion and I note that the Hon. Tung Ngo has tried to put a compromise forward.

As I said earlier, Family First's position is clear: we support marriage as per the current commonwealth law and we do not support any changes to that. I know that the honourable member is trying to find a compromise here. We are very clear and we stand by our position but, if there was to be a division on this clause by the Hon. Tung Ngo, then clearly we would have to support that rather than the motion as it stands at the moment, notwithstanding that we do not support the motion, as I have indicated. I also note that another colleague, the Hon. Stephen Wade, has tabled an amendment in which he proposes leaving out paragraph 2. I assume he proposes that amendment because he knows that the debate on same-sex marriage is a commonwealth decision and not a state decision.

I conclude by saying that clause 1 of the motion states that this council supports marriage equality. I would be surprised if the council actually supports marriage equality, that is, that 100 per cent of the legislators in the Legislative Council would support this motion. Rather, there may be some members of the council who support marriage equality, but not 100 per cent of the members, because for sure Family First with two members does not support marriage equality. With those words, we will listen to the debate and, if there is a division, as I said, we will have no choice but to support the Hon. Tung Ngo's amendment. However, in summary, we do not support this motion at all.

The Hon. S.G. WADE (17:36): I rise to reiterate my long-held personal view in relation to relationship recognition and marriage equality. As I have said in this house before, I believe that the state has an interest in recognising and supporting long-term relationships and that that should be done in a non-discriminatory way, including discrimination on the basis of sexual orientation or gender. That said, I am a long-term communicant of the Christian church and I respect the right of

the Christian church and other faith communities and, for that matter, communities of no faith to officiate and celebrate their own marriages as they understand them.

To be frank, I am disappointed that the opportunity for compromise was not taken some years ago. I suggested in a speech in 2009 that I believe that recognition of relationship should be taken out of the Marriage Act and should be in a freestanding act. One of the main motivators for that, in my view, was because I believe the continued use of the Marriage Act at the commonwealth level severely undermines separation of church and state.

The Christian church and our understanding of marriage has evolved over the years. I can remember, very early in my political awareness, the heartfelt battle against the Whitlam government reforms to the Marriage Act. I find it somewhat ironic that, some decades later, some members of my faith community want to defend the Marriage Act with such vehemence as though it was Holy Scripture when, in fact, only two or three short decades ago, we were declaring it to be an abomination of the Whitlam government.

Let me make it very clear: I would much prefer that marriage was left to faith and other communities to officiate and celebrate as they understand it, and that the state keeps its relationship recognition on a more formal, non-discriminatory basis. However, that is not the choice that either the federal government or the federal opposition has taken. Both the major parties in Canberra are committed to reforming relationship recognition within the Marriage Act.

I respect the comments of the Hon. Tung Ngo, but I do not believe that compromise is now possible. The major parties and, I think, the Christian churches made a fatal tactical error some time ago. For those of us who do want non-discriminatory relationship recognition, it has to be done in the Marriage Act. I do not really like the slogan 'marriage equality'; I would prefer to have 'relationship equality'. As people might understand it in the context of the comments I have just made, I will be supporting this motion.

The question might be asked, 'Why wouldn't I amend clause 2 as the Hon. Tung Ngo has chosen to do?' To be honest with you, I saw that that would lead us down a process of amendment and counter amendment and further amendment to almost the point of providing drafting instructions to the federal parliament. With all due respect to my federal colleagues, I will leave it to them. I am more than happy to affirm my long-standing commitment to the non-discriminatory recognition of relationships, but I propose to do that simply. In that context, and in accordance with the amendment that I have filed, I move to amend the motion as follows:

That paragraph 2 be deleted.

The Hon. T.J. STEPHENS (17:40): I rise to oppose the motion. I still and probably will always carry the traditional view that marriage is between a man and a woman. I have been reasonably consistent on this and I do not intend to change my views. The Hon. John Gazzola was kind enough to point out to the Hon. Gerry Kandelaars when he asked me if I would be prepared to pair him on this particular motion, that of course there are no formal pairs with regard to a conscious vote, and he is quite right.

However, as I hold the Hon. Gerry Kandelaars in high regard—whilst we agreed on virtually nothing when it came to conscience votes and his Labor philosophy, I always found that he was a really good fellow to interact with—with regard to our parliamentary duties, as a final act of respect I am putting on the record that I will be pairing with the Hon. Gerry Kandelaars on this particular motion and the amendments that go with it.

The Hon. K.L. VINCENT (17:42): I will be very brief because my beliefs on this particular matter are well documented. I support the definition of marriage being amended to allow same-sex couples to marry if they wish because as a Dignity Party MLC, I believe that autonomy, respect and dignity belongs to everyone in our community.

I would also like to briefly indicate that I will be opposing the amendment of the Hon. Mr Tung Ngo, mostly because I am not sure what its intention is. He noted that in introducing it that, under it, religious marriage would remain between a man and a woman, and civil marriage would be that of a same gender couple. I have one question to illustrate a potential problem, and I hope I am not over-

simplifying or being naïve, but what then of different gender couples or heterosexual couples who may wish to have a non-religious marriage but still have that marriage recognised?

I am not entirely sure given that the Hon. Mr Ngo said that just because things are different, does not mean they are not equal. If he is not trying to make anything different for same sex couples, then what is the practical point of introducing this amendment in the first place? What practical impact would it have? Those of us who support changing the definition of marriage do so because we believe that the same opportunities should belong to every couple, regardless of their gender makeup, so I do not think any of us who genuinely support marriage equality, as flawed a term as that is in this place, would support. With those few brief words, I will support the motion.

The Hon. G.E. GAGO (17:44): I rise to make a very brief contribution in support of this motion. Today I am a longstanding supporter of LGBTIQ community and strongly advocate for marriage equality. The public overwhelmingly supports same-sex marriage and it is the duty of federal parliament to amend the Marriage Act to enable equality before the law for these relationships. Reform is long overdue. Every single Australian deserves to be treated equally no matter who they are or whom they love.

For the record, I cannot support the Hon. Tung Ngo's amendment because it goes against the whole intent of the motion to do with equality. Every couple needs to be treated in the same manner in terms of marriage. The Hon. Tung Ngo's amendment would treat these couples in different ways. Just for the record, I support the Hon. Stephen Wade in his amendment. I think that is a helpful way forward.

The Hon. R.I. LUCAS (17:45): I have expressed my views previously but let me repeat them in this particular motion. I support the notion that marriage is between a man and a woman and therefore I do not support the interpretations that some have put on marriage equality. I support, whether it be register, civil unions or whatever it might happen to be between same-sex couples to give them the same legal rights and entitlements, short of being able to say that they are married.

For those reasons I will not support the motion if it was to be put in that way. I am not sure exactly how the amendments are going to be put. I will obviously support the Hon. Mr Wade's amendment because that actually opposes a key part of the motion, and I say no to the Hon. Mr Ngo's amendment.

The Hon. J.M. GAZZOLA (17:46): This is a conscience vote, as has been pointed out before, for government members, and I rise for the record to support the motion for marriage equality and to oppose the Hon. Mr Ngo's amendment. I thank all those who have contacted my office to express their views either for or against the proposal. I strongly believe that two persons who love each other should, if they wish, be allowed to express their love and commitment by marrying. I commend the motion.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (17:47): My position on this is patently clear: I am married, after all, to the love of my life, Mr Leith Semmens, who just happens to be a man, and so I think people have a very clear idea of where I stand on this.

I will be supporting the Wade amendment. I think he makes some cogent arguments for the deletion of paragraph 2 and it makes and leaves a much clearer statement of support for marriage equality or, as the Hon. Mr Wade would put it, relationship equality. I will not be supporting the Hon. Tung Ngo's amendments, for a very important reason, and that clearly is because the Hon. Mr Ngo proposes in his compromise amendment two different forms of marriage.

I understand completely what the Hon. Mr Ngo is attempting to do with his amendment. I know he means well and is very sincere in his desire to find a way forward through this debate which seems to be dividing the community, although perhaps not as much as he thinks. However, I say to him that his approach is a flawed one, and it is flawed because—and I paraphrase him now in something that he said when explaining his amendment. He said that just because the two different types of marriage he is proposing are different does not mean that they are unequal, but I would say to him that yes, it does.

I only have to hark back to what happened in America when they were dealing with civil rights issues and segregation and the famous phrase that was pronounced by the Supreme Court of the United States that 'separate but equal is not equal'. This was the desperate explanation that was used to support the ongoing position of race segregation in the United States of America. When the Civil Rights Movement was challenging the crippling effects of segregation on the African-American community they took up this challenge to say that segregation of separate but equal is not equal. Segregation, as we know now historically was struck down by the courts when they ruled that separate but equal can never be equal.

For those reasons I will be opposing the amendment by Mr Ngo. I will be supporting the amendment proposed by the Hon. Mr Wade and hopefully then come to very simple statements of support for marriage equality as will be advanced by the Hon. Tammy Franks, and I welcome that.

The Hon. J.A. DARLEY (17:49): For the record, I will support the motion concerning marriage equality. I will not support the Hon. Tung Ngo's amendment, but I will support the Hon. Stephen Wade's amendment.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (17:49): As members know, this is a conscience matter. It has been some time since I have put my position on the record, but I have a traditional view of marriage and believe that it is the jurisdiction of the commonwealth parliament. It is interesting that, in all sorts of other debates we have had in this place and question times where the commonwealth has been brought into the debate, it is really not a jurisdiction over which we have any influence, so I am always surprised when we are trying to send messages to the commonwealth.

I am reminded of, I think it was Rod Sawford, former member for Port Adelaide, describing where this Legislative Council ranks in the eyes of federal parliamentarians. I think they see themselves in the House of Reps as the A grade, the senators are B grade, the House of Assembly is C grade and, sadly for us, we are the D grade. So, I am not sure that they are ever going to take any notice.

The Hon. J.S.L. Dawkins: A few of them have got us a bit lower than that.

The Hon. D.W. RIDGWAY: My colleague, the Hon. John Dawkins, says that some of them have us lower than the D grade. I am digressing. I do not support the motion, I do not support the Hon. Tung Ngo's position, and I am inclined to support my colleague the Hon. Stephen Wade with his amendment. I certainly want on the record that I will not support the motion.

Personal Explanation

MEMBERS PAIRING

The PRESIDENT: The Hon. Mr Stephen's wants to make a contribution, can he do that?

The Hon. T.A. Franks: He already has.

The PRESIDENT: He wants to make an explanation.

The Hon. T.J. STEPHENS (17:51): I seek leave to make a personal explanation.

The PRESIDENT: I would love to hear it.

Leave granted.

The Hon. T.J. STEPHENS: Given that it is the Hon. Gerry Kandelaars' last day, I suspect he might have been a little bit emotional because he very cleverly, and probably without doing anything underhand, has the Hon. Andrew McLachlan pairing out with him, by written pair, even though I had agreed to pairing him out of respect. To be fair, I do not think we will double dip, so I will participate in the vote.

Motions

MARRIAGE EQUALITY

The Hon. T.A. FRANKS (17:52): I thank all members who have made a contribution. A majority of members of this chamber have gotten up and spoken and told the people of South Australia what they believe about this particular issue. I thank you for that, and I thank you for the

fact that this chamber, this council, while I do not believe it is D grade, will be showing up the federal parliament, because we will be taking this matter to a vote—something the politicians are elected to do. Regardless of whether or not we disagree with each other, we are put in the parliaments to exercise our votes. That is the principle of representative democracy, for which reason we are here.

I wish to address, firstly and unsurprisingly, the amendment to my motion put by the Hon. Tung Ngo. In echoing his colleague minister Hunter's words, I believe he does so from a place of wanting to find a compromise, but he also does so from a place of a lack of information. He says that this is a deeply divisive issue in the community. It is a deeply divisive issue in parliaments across our country, but I doubt that 72 per cent (and rising) of Australians supporting an issue is a deeply divisive community issue.

That is a 2015 figure from a Crosby Textor survey. As I say, it continues to rise. That survey showed a majority of support in every demographic that was surveyed, including people of faith, people in regional and rural areas, and older Australians. While Australian governments do not recognise same-sex marriages, the people of Australia are supporting this coming into practice.

The other area on which I had grave concerns regarding the representations made by the Hon. Tung Ngo was his claim that not one person had expressed that they disagreed with his position. I urge him to open an email he was sent yesterday from a coalition of groups, signed by: Australians 4 Equality Co-chair Tom Snow; Alex Greenwich, Co-chair, Australian Marriage Equality; Chris Pycroft, Co-convenor, New South Wales GLRL; and Anna Brown, Director of Advocacy at the Human Rights Law Centre. It is also signed by Andrew Birtwistle-Smith, the Chair of the South Australian Rainbow Advocacy Alliance. These groups represent many thousands of Australians who oppose the Hon. Tung Ngo's attempt at what he sees as a solution and this amendment. It goes on to read:

As representatives of the LGBTQ community directly affected by these reforms we are deeply concerned that this amendment indicates that 'gay marriage' should be treated differently from other marriages under law. We strongly believe our relationships and commitments should not be seen as different or having less value under Australian law.

While he might not have heard from one person, he has heard from representatives of many thousands of people opposed to his amendment.

I go on to note that the Hon. Tung Ngo chose to quote a gay member of parliament, Tim Wilson, a former voice in the human rights debate but now in our federal parliament. I note that he described the MP as 'openly gay'. I have never heard anyone in this place declare that they are openly straight or openly queer or openly bisexual, but somehow it is important that Tim Wilson is openly gay. The reason that is important is that it had to be closeted for so many decades and centuries.

In the fourth century, one couple that had to closet themselves away, but not for their same-sex attraction, were the saints Sergius and Bacchus. They were high up in the Roman military, they had to keep their Christianity secret and they were married to each other. Sergius and Bacchus both died for their Christianity and continue to be seen as martyrs and saints in various Christian religions. Over 30 Christian and Jewish religious groups in this state have signed off on letters to parliamentarians, and they have called on us before to support marriage equality.

More recently, a person who did not sign that particular letter a few years ago, Pastor Brad Chilcott, actually left his religion due to their stance in support of marriage equality. I commend him for that move. I also note that for over a decade the Quakers have made Senate submissions and made very public that they want to be able to marry members of their own congregation. When you talk about religious freedoms, there are two sides to that particular coin. When you say there are two sides to the coin of the marriage equality debate, you talk about gay and straight. There is not just gay and straight.

You have completely denied the reality and the lived experience of trans-people in your amendment. Many trans-people in this state have been married to each other but have not been able to have their gender reassignment recognised because they do not want to give up the person they love for the person they know they are. We have overcome that in previous months in this place. You have just denied the reality of their existence with your amendment for gay marriage.

This is not an issue that is easy for many people, because change is not easy, but we have seen marriage change so much in terms of what you have referred to here as 'traditional marriage'. I am certainly very glad that women are no longer chattels in marriage. I am very glad that an Aboriginal person can marry a white person in this country and that a black person can marry a white person in this country and nobody blinks an eye.

Once upon a time, it would not have been under the law. I am very glad that a Protestant and a Catholic can marry in this country. Again, once upon a time that would have caused great concern. A divorcee, as they used to be called, can now marry. A person can divorce with no fault, rather than having to prove fault.

These are all great advances in what we call marriage, and if you want to talk traditional marriage, well, I am going to stick to my fourth century saints, who were martyrs in the Christian religion, and honour the love of Bacchus and Sergius. With those few words, I oppose the amendment of the Hon. Tung Ngo, I support the amendment of the Hon. Stephen Wade and I urge members to support the motion.

The Hon. T.T. Ngo's amendment negatived; the Hon. S.G. Wade's amendment carried.

The council divided on the motion as amended:

Ayes 11
 Noes 6
 Majority 5

AYES

Darley, J.A.
 Gazzola, J.M.
 Malinauskas, P.
 Vincent, K.L.

Franks, T.A. (teller)
 Hunter, I.K.
 Ngo, T.T.
 Wade, S.G.

Gago, G.E.
 Maher, K.J.
 Parnell, M.C.

NOES

Brokenshire, R.L.
 Lucas, R.I.

Hood, D.G.E.
 Ridgway, D.W. (teller)

Lee, J.S.
 Stephens, T.J.

PAIRS

Kandelaars, G.A.
 Dawkins, J.S.L.

McLachlan, A.L.

Lensink, J.M.A.

Motion as amended thus carried.

Bills

ANIMAL WELFARE (GREYHOUND TRAINING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 February 2015.)

The Hon. J.S.L. DAWKINS (18:07): On behalf of the Hon. J.M.A. Lensink, I move:

That this order of the day be discharged.

Motion carried; bill withdrawn.

ELECTRONIC TRANSACTIONS (LEGAL PROCEEDINGS) AMENDMENT BILL*Introduction and First Reading*

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

Second Reading

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) (18:08): I move:

That this bill be now read a second time.

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

Leave granted.

In connection with the Criminal Justice Sector Reform Council, and in particular the work of the Criminal Justice Information Management project, the Government is introducing the Electronic Transactions (Legal Proceedings) Amendment Bill 2016.

This Bill amends the *Electronic Transactions Act 2000* to achieve greater efficiencies in the criminal justice sector by further facilitating the use of electronic technologies for communications between courts, police, legal representatives and members of the public.

The intent of the Bill is to focus on criminal proceedings, and proceedings closely related to the criminal justice sector such as fines enforcement and dealing with expiation notices. The language of the Bill reflects that it applies to criminal law, but that the focus is broader than strictly criminal proceedings.

Section 5 is amended to alter the definition of 'law of this jurisdiction' to expressly include the criminal law in the operation of the Act.

The Bill also amends the consent provisions of the Act, as the provisions do not reflect the almost universal and pervasive use of electronic communications in society that has developed in the 15 years since the Act was passed, including between citizens and government.

The requirements of sections 8, 9 and 10 of the Act, that giving information, providing a signature or producing a document electronically must occur only with the prior consent of the parties, have been amended to relax the requirements to facilitate the use of electronic information.

The amendments to each section are in the same terms, and provide that a person who is the subject of prescribed legal proceedings will be taken to have consented to receiving information by means of an electronic communication.

However, consent will be taken to have been given only where it is has been ascertained that the person (or their legal representative) is readily able to access or download the information, and print it (if required).

This caveat will protect those without reliable internet access, or those who may have access to a document, but would be unable to print the documents if they needed to. It will protect those in custody without internet access, or those in rural areas where internet access may not be adequate to download large documents.

The legal proceedings to which the Bill applies will be prescribed by Regulation. This has the benefit of controlling the uptake of the new provisions, to ensure agencies and the legal profession are equipped to make the best use of the new provisions, as well as allowing new types of proceedings to be added to the Regulations over time, as the use of electronic communications increases.

It is intended that the prescribed legal proceedings in the Regulations will consist mainly of criminal proceedings including bail proceedings, proceedings under the *Summary Procedure Act 1921* for prosecuting summary and indictable offences, sentence enforcement proceedings, and proceedings relating to orders of a restrictive nature such as intervention orders, non-association, place-restriction, paedophile and child protection orders in the *Summary Procedure Act*. Some non-criminal but related proceedings are also intended to be included, such as fine enforcement and recovery, and the issue and recovery of expiation fees.

Consultation on the Regulations will be undertaken to ensure that appropriate proceedings are covered, and to ensure that the sector is able to take advantage of the new provisions going forward.

As the world moves away from the use of paper documents, and technology use becomes more and more an integrated part of our everyday lives, it is important for the criminal justice sector to keep pace with the changes in society. The Government is pleased to encourage the use of electronic communications and decrease the use of paper wherever possible, and these provisions are a small but important measure to encourage this within the criminal justice sector.

A more cohesive and efficient criminal justice system will ensure the timely and accurate communication of information, and will improve the experience of those working within the system and also for members of the public who come into contact with the criminal justice system.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Electronic Transactions Act 2000*

4—Amendment of section 5—Interpretation

This clause amends the definition of *law of this jurisdiction* to ensure that the term includes any law whether in the civil or criminal jurisdiction.

5—Amendment of section 8—Writing

The clause inserts new subsection (2a) to establish that for the purposes of the requirement for consent in section 8(1)(b) and (2)(b) of the Act, a person will be taken to have consented to information required or permitted to be given to the person in relation to prescribed legal proceedings by means of an electronic communication.

Proposed subsection (2b) provides that proposed subsection (2a) only applies if, before giving the information by means of an electronic communication, it has been ascertained that the person, or a legal practitioner representing that person, will be readily able to access or download, and (if required) print, the information.

6—Amendment of section 9—Signatures

The clause inserts new subsection (1a) to establish that for the purposes of the requirement for consent in section 9(1)(c) of the Act, a person will be taken to have consented to the method referred to in section 9(1)(a), in relation to a person to whom a signature is required to be given for the purposes of prescribed legal proceedings.

Proposed subsection (1b) provides that proposed subsection (1a) only applies if, before communicating by means of an electronic communication in respect of which the signature of a person is required, it has been ascertained that the person, or a legal practitioner representing that person, will be readily able to access or download, and (if required) print, the information.

7—Amendment of section 10—Production of document

The clause inserts new subsection (2a) to establish that for the purposes of the requirement for consent in section 10(1)(c) and (2)(c) of the Act, a person will be taken to have consented to the production of a document required or permitted to be produced in relation to a person to whom prescribed legal proceedings relate by means of an electronic communication.

Proposed subsection (2b) provides that proposed subsection (2a) only applies if, before producing a document by means of an electronic communication, it has been ascertained that the person, or a legal practitioner representing that person, will be readily able to access or download, and (if required) print, the document.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

HISTORIC SHIPWRECKS (MISCELLANEOUS) AMENDMENT BILL

Final Stages

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

Parliamentary Committees

NATURAL RESOURCES COMMITTEE

The House of Assembly appointed the Hon. P. Caica to the committee in place of Ms Digance.

*Bills***STATUTES AMENDMENT (SURROGACY ELIGIBILITY) BILL***Final Stages*

The House of Assembly agreed to amendments Nos 2 to 5 made by the Legislative Council without any amendment and has agreed to amendment No. 1 with an amendment as indicated in the following schedule:

No. 1. New clauses, page 2, after line 11—Before clause 4 insert:

3A—Amendment of section 3—Interpretation

Section 3—after the definition of *recognised surrogacy agreement* insert:

registered objector—see section 8(3).

3B—Amendment of section 6—Eligibility for registration

Section 6—after its present contents (now to be designated as subsection (1)) insert:

(2) The fact that an applicant for registration has a religious objection to the provision of assisted reproductive treatment to another on the basis of the other's sexual orientation or gender identity, or marital status is not, of itself, grounds for finding that a person is not fit and proper to be registered.

3C—Amendment of section 8—Registration

(1) Section 8(2)—after paragraph (b) insert:

(ab) if the person notifies the Minister that the person has a religious objection to the provision of assisted reproductive treatment to another on the basis of the other's sexual orientation or gender identity, or marital status—that fact; and

(2) Section 8—after subsection (2) insert:

(3) A person referred to in subsection (2)(ab) may, for the purposes of this or any other Act, be referred to as a *registered objector*.

(4) The Minister must publish the Register on a website maintained by the Minister for the purpose.

House of Assembly's Amendment thereto

Proposed new clause 3C—delete subsection (2) (4)

STATUTES AMENDMENT (PLANNING, DEVELOPMENT AND INFRASTRUCTURE) BILL*Final Stages*

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

At 18:10 the council adjourned until Thursday 16 February 2017 at 14:15.

*Answers to Questions***ABORIGINAL HERITAGE ACT**

In reply to **the Hon. S.G. WADE** (23 June 2016).

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):

1. Please see my response to Hon Terry Stephens tabled on 5 July 2016.
2. I replied to the President of the Law Society on 14 June 2016 providing him with clarification on the question of my obligations in respect of the court order and other matters. However, as I previously informed the chamber, I will not provide a copy of my letter as there is an expectation when people write to me and I write back to them, that I am writing only to them and not to third parties.
3. Regulations and guidelines have been drafted, provided to key stakeholders and published as part of a four-month consultation period. Final versions of these documents will take into account feedback received during this process.

WATARRU COMMUNITY

In reply to **the Hon. T.J. STEPHENS** (4 August 2016).

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

As a result of families moving out of the community, the Watarru Community School service was suspended at the end of term 3, 2012.

I visited Watarru on 8 November 2016 and noted that the outside of the school was in reasonable condition. The inside of many school buildings were no messier than the bedrooms of my children.

There was no damage bill from this incident however the Department for Education and Child Development has secured the site and transferred items such as laptops and televisions to Murputja School.

APY LANDS, REGIONAL PARTNERSHIP AGREEMENT

In reply to **the Hon. S.G. WADE** (20 September 2016).

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

Three priority areas were identified for schedules in late 2013 and early 2014: schooling, roads, and governance and leadership. Schedules were not formally signed, primarily due to the instability and disruption of the APY Executive Board during this period.

There has however been significant progress in these areas using the principles of the Regional Partnership Authority to ensure the engagement and inclusion of Anangu:

Schooling – The Commonwealth Government's Remote School Attendance Strategy aims to increase rates of school attendance in APY schools and advice indicates that this has improved.

Roads – Both state and commonwealth governments are investing a total of \$106.25 million to upgrade 210 kilometres of the main access road between the Stuart Highway and Pukatja. At least 30 per cent of the total on-site labour hours are being undertaken by local Anangu for these works.

Governance and Leadership – the *APY Land Rights (Miscellaneous) Amendment Bill 2016* recently passed by the parliament will bring greater diversity, credibility and representation to the APY Executive Board, as well as improving APY administration and electoral processes.

The seven principles of the Regional Partnership Authority: shared vision and outcomes, mutual respect, shared responsibility, improved coordination, inclusiveness, accountability and increasing economic participation continue to be applied in the South Australian government's work with Anangu.

INDIGENOUS TOURISM

In reply to **the Hon. J.S.L. DAWKINS** (2 November 2016).

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

Following a formal tender process, Iga Warta was appointed to manage the property on behalf of owners (Adnyamathanha Traditional Lands Association).

SUICIDE PREVENTION

In reply to **the Hon. J.S.L. DAWKINS** (10 September 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 been provided with the following advice:

I Suicide prevention training has been provided for managers and general managers to provide initial counselling and support for Department of Planning Transport and Infrastructure staff. A best practice program for the department's public transport frontline rail and tram staff is currently being developed (see response II below).

The department also provides support and appropriate counselling should an employee be confronted by traumatic occurrences through the Employee Assistance Program and Critical Incident Response. Besides trauma counselling, the programs are designed to assist employees through difficult times and includes assistance in areas such as depression and anxiety and work related stress. The department is a strong supporter of Beyond Blue and R U OK.

A number of Wellbeing and Resilience workshops for individual business units have also been well received during the second half of 2016. Consequently, these are proposed to be extended throughout the department.

The department does not determine training packages provided by our private bus contractors and the provision of suicide prevention training for their staff is solely the responsibility of those companies.

II The department's Learning and Development and Rail Operations groups have been developing a Critical Incident Preparedness program, in consultation with Corporate Health Group (CHG). CHG has extended contact to registered psychologists within South Australia Police and the South Australian Ambulance Service to gain their insights and identify transferable content. This program is designed to assist front-line staff when confronted by situations such as a person threatening self-harm. The program is expected to be rolled out in early 2017.

SOUTH AUSTRALIA POLICE

In reply to **the Hon. K.L. VINCENT** (3 November 2016).

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

1. South Australia Police (SAPOL) staffing levels in rural and regional areas are not reduced on public holidays.
2. Annual leave allocation across all of SAPOL is managed to ensure constant staffing levels are maintained at specific times. Where busy policing periods occur or are anticipated (e.g. over Christmas or school holidays) the number of staff allowed on leave is reduced to ensure adequate staff are available.
3. Extra recruits from Recruit 313 will further enhance the existing SAPOL resources used to meet the needs across the organisation, both in the metropolitan and rural areas.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (15 November 2016).

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

In 2015-16 there were 11 purchases at a total cost of \$4,106.52 identified by the Auditor-General's Department. These relate to 15 restricted items purchased as summarised below.

Purchased Items	No. restricted items	Value
MYOB License Fee Upgrade	1	\$600.00
SD Memory Card	3	\$177.98
Camera with SD Memory Card	1	\$260.00
Camera Case	1	\$34.95
Go Pros	3	\$1,647.00
Go Pro Accessories	1	\$883.63
Vehicle Inspection Camera	2	\$220.00
Torches	3	\$282.96
TOTAL	15	\$4,106.52

The \$4.1k spend is less than 0.3% of the total SAPOL spend on purchase cards, that is approximately \$1.5m in a financial year. All purchases were for the discharge of policing duties and not for personal benefit.

To date there have been no 'restricted item' purchase sanctions. Awareness and education reinforcement will be provided to purchase card holders with each applicant required to agree and acknowledge their responsibilities when using purchase cards.

POLICE RECRUITMENT

In reply to **the Hon. A.L. McLACHLAN** (17 November 2016).

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

Pass marks for police applicants undertaking the TAFE exam are:

- Reading comprehension: 70%
- Written expression and writing: 70%
- Spelling: 60%
- Numeracy: 65%

Protective Security Officer pass marks are 50% in each subject.

The TAFE test is important as it enables screening out of numerous applicants who are not near the benchmark to undertake duties with South Australia Police (SAPOL).

In the 2015 calendar year, 1,769 people sat the TAFE pre-entry test. Of those people, 1,018 failed to meet the required standard and 751 passed and moved through the recruitment process.

For the 2016 calendar year, as at 30 November 2016, 1,790 people have sat the TAFE pre-entry test. Of those people 1043 failed to meet the required standard and 747 passed and moved through the recruitment process.

SAPOL has recently implemented a change to pre-entry requirements whereby any person who has obtained an ATAR of 70 will not need to sit the TAFE pre-entry test.

POLICE RECRUITMENT

In reply to **the Hon. A.L. McLACHLAN** (17 November 2016).

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

Information relating to the tertiary qualifications held by academy graduates was not recorded prior to November 2016. Currently, there are 253 cadets in the Police Academy. Of those 253 cadets, 64 have university bachelor degrees or above. This equates to approximately 25% of current cadets having a university degree or higher.

POLICE RECRUITMENT

In reply to **the Hon. T.J. STEPHENS** (17 November 2016).

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

Since R313 was announced, 97 new recruits have commenced at the Police Academy. Further courses consisting of 52 cadets per intake are planned from January 2017 through to June 2017 and a transition course of previous serving police officers is planned for February 2017. This will see the R313 target and additional targets relating to attrition being met.

A number of significant enhancements to the existing recruitment program have been implemented since the R313 announcement. These have included:

- A doubling of staff in Recruiting Section;
- The employment of additional staff in auxiliary areas such as medical and psychology areas;
- An increase in availability for TAFE pre-entry examinations;
- Streamlining of the recruit process, reducing the amount of time the process takes from the time an application is submitted to when a determination is made;
- Application of the criteria of 'life experience' reconsidered to be commensurate with the applicant's age;
- Increased marketing and specifically targeted campaigns relating to females and youth; and
- Monthly information seminars in the metropolitan areas and key regional areas.

ABORIGINAL EMPLOYMENT TARGETS

In reply to **the Hon. S.G. WADE** (6 December 2016).

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

1. The Department for Correctional Services (DCS) Annual Report was drafted in accordance with the requirements set out in the Department of the Premier and Cabinet Circular PC013 – Annual Reporting Requirements for 2016/16 Annual Reporting which does not contain a requirement to report on Aboriginal and Torres Strait Islander employees.

2. As at 30 June 2016, 77 DCS employees identified as Aboriginal or Torres Strait Islander, representing a percentage of 3.8% of DCS staff. This exceeded the South Australian Strategic Plan target of 2% of Aboriginal employees. 8.6% of trainee correctional officers who were recruited identified as Aboriginal or Torres Strait Islanders, representing an increase of 0.4% from the previous financial year.

3. 17 of those 77 employees were in the lowest salary bracket and were classified as follows:

Classification	Number of Employees
TRA100	3
ASO1	1
ASO3	2
CO1	4
CO2	7

4. In regard to new opportunities for career advancement, I can advise that last year the training program Tomorrow Senior Managers was advertised to all staff, and Aboriginal and/or Torres Strait Islander employees were encouraged to apply. Staff are encouraged to undertake private study, with varying levels of support, for example, study leave and/or part or full fee reimbursement provided by DCS. Trainees (TRA100) appointed in 2015-16 were made ongoing at the ASO1 classification in 2016-17. Training in the Certificate IV in Correctional Practice was offered to all CO2 staff, providing foundation skills for advancement to CO3.

5. DCS recognises the value in an increased representation of Aboriginal and Torres Strait Islander people in the workforce. This focus is led through DCS' Strategic and Business Plans as well as the Shaping Corrections framework. To achieve this DCS continues to work with government agencies to increase the participation of Aboriginal people in the department.

In 2015-16, DCS continued to participate in the South Australian government Jobs4Youth traineeship program, recruiting six Aboriginal trainee correctional officers and four Aboriginal administrative trainees. DCS also participated in the Australian government's Indigenous cadetship initiative through the placement of one employee within the Department's Aboriginal Services Unit. DCS has also advertised numerous positions through the Aboriginal Employment Register.

Corrections' Future is a pilot program led by DCS, in partnership with TAFESA in Port Augusta. The program is due to be launched in early 2017. Twenty places will be available, and funding has been secured so it is at no cost to participants.

Corrections' Future will deliver a pre-vocational qualification—Certificate II in Justice Services, mentoring, language, literacy and numeracy (if required) and work experience to Aboriginal and Torres Strait Islander community members from the Upper Spencer Gulf area. The program aim is to develop participants to have an increased understanding of the benefits of working within DCS, and to provide them with the knowledge and support to exit the program with an increased focus on achieving a successful outcome in DCS' recruitment processes. Benefits of the program include, engaging with the community and building strong foundations; building skills for the future, a ready workforce, and a steady supply of applicants for DCS (Aboriginal Liaison Officers, Correctional Officers and Community Corrections for example); building knowledge of the roles and changing community perceptions with regard to working in DCS; increasing employability opportunities for the community.'

HOME DETENTION

In reply to **the Hon. J.S. LEE** (7 December 2016).

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

Mr Raymond Jones is no longer at large. He was arrested by police on 18 December 2016 and subsequently placed in Department for Correctional Services (DCS) custody on 19 December 2016. The circumstances regarding Mr Jones is an example of where an offender released by the courts on bail under the *Bail Act 1985* (the *Bail Act*) is being wrongly linked to the new home detention legislation, court ordered home detention under the *Criminal Law Sentencing Act 1988* (CLSA) or release ordered home detention under the *Correctional Services Act 1982* (CSA).

Since 1987 courts have been empowered to release a defendant on bail with conditions of home curfew and intensive bail supervision. Intensive bail supervision orders include electronic monitoring conditions. The electronic monitoring of bailees is an established legal precedent. The court has the power to set conditions that it considers appropriate (including electronic monitoring) under the Bail Act. The government has removed the presumption in favour of bail for certain categories of offenders under section 10A of the Bail Act. A defendant has to demonstrate special circumstances if they are captured by section 10A and are still seeking bail. Again this is a matter for the court.

Mr Jones had been subject to an intensive bail supervision order under the Bail Act. The decision to place Mr Jones on bail was a court decision.

Mr Jones was not a sentenced prisoner on court to home detention under the CLSA nor was he released by the Department for Correctional Services on release ordered home detention under the CSA. Therefore the new legislation was not a factor in this case.