

## LEGISLATIVE COUNCIL

Wednesday, 1 March 2017

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 11:32 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 the 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) (11:33):** 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*

#### ROAD TRAFFIC (ROADWORKS) AMENDMENT BILL

*Second Reading*

Adjourned debate on second reading.

(Continued from 30 November 2016.)

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (11:34):** I rise on behalf of the opposition to speak to the Road Traffic (Roadworks) Amendment Bill. I indicate that the opposition supports this bill. We always welcome any legislation that improves traffic management and traffic flows—

*The Hon. R.L. Brokenshire interjecting:*

**The PRESIDENT:** Order!

**The Hon. D.W. RIDGWAY:** It's early. Did the dairy cows reject you this morning, or you are angry or something?

*The Hon. R.L. Brokenshire interjecting:*

**The Hon. D.W. RIDGWAY:** Yes, okay. We welcome legislation that improves traffic management and traffic flows around roadworks, although I note the member for Unley introduced a similar bill earlier in 2016 and it was rejected by the government—I suspect because of their own media agenda. It is something we experienced up here when I introduced a bill to allow farmers to grow opium poppies. I was grateful that the government saw that it was a good idea, we worked on it and now that is law. I think next year we have the first opium poppy trials to be grown on South Australian land in the South-East.

The same thing could have happened with this bill if the government had not had their own agenda, their own media plans. We could have had this supported by both parties well into last year and have it in practice today, but sadly, it is not. It is important that we protect our road workers in the way that we protect our emergency services workers when they stop at an incident. However, when forced to unnecessarily reduce your speed when there are no roadworks in progress on prominent roads, it can frustrate motorists.

I am sure we have all seen that situation where you slow down, drive for a few hundred metres, and in some cases a few kilometres, and there are no actual roadworks going on. When

motorists are forced unnecessarily to reduce their speed, it brings about complacency and increases the risk of motorists becoming less inclined to obey the signs when they see them, when they are actually intended to be followed.

We are happy to see this bill pass and to see helpful progress on our roads. We acknowledge that this bill will cover a number of points to improve traffic and legislation in South Australia. It is worthy to note that the bill aims to improve planning behind the use of road traffic control devices by road workers and other authorised utilities. The Commissioner of Highways would also be granted the authority to issue permits to those requiring roadworks speed signs, but exemptions with appropriate time frames will be made in the case of emergencies such as another burst water main, as Minister Hunter would be well aware of.

Probably the most notable change in this bill is something I am very eager to see in action, namely, the improved coordination between utilities and the Department of Planning, Transport and Infrastructure. Disruption and the cause of congestion due to non-urgent roadworks will be considered more carefully, with planning toward the time frame of when the work will be carried out, to avoid the duplication of work.

It probably has nothing to do with this bill, but I always like to put the following incident back on the record. Members would know I lived on the South Australia-Victoria border. We had an upgrade of the highway, and ETSA at the time decided that they wanted to move the powerline closer to the side of the road so that they could manage the maintenance better. So, they moved all the powerlines to the side of the road. Then, when the highway was widened, they decided they would move the powerline back into the farmer's property so that it would not be a safety problem. They moved the powerline back out (this is the SWER line that went to our part of the community) when the road was widened—shifted it out into the farmer's paddocks.

Then, two employees of the Commissioner of Highways, I think, collected native vegetation seeds and revegetated the side of the road because there was no powerline anymore. Of course, ETSA found it was problematic to service the line in the middle of the farmer's property, so they moved it back to the edge of the road and poisoned all the trees that we taxpayers had paid for to have the seeds harvested and then sown. You can see that lack of coordination and planning can result not only in congestion on the roads, but also a huge waste of money.

I think the duplication of work is very unnecessary. We have often seen a new hot mix put over a road and then, 12 months later, SA Water or another one of the utilities coming along to dig it up to do some repairs and maintenance—not necessarily as a result of a burst water main, but maybe just some other utility work.

Lastly, the bill will address the structure and enforcement associated with penalty levels. This will ensure that penalties will be issued for the misuse and/or breach of conditions for the placement of traffic control devices at roadwork sites. I think it is also very important that if you are going to have a set of rules they have to be abided by, and if somebody does misuse them then there are some penalties as well.

This bill will address some of the long overdue issues, and is another example of the government's approach to try to apply a quick fix to a bandaid solution. But the government has missed one big opportunity in this bill and that is to allow motorists to turn left on a red light. I gave a contingent notice of motion yesterday that during the committee stage of the bill I will seek to move an amendment with regard to this which will give motorists the ability to make a left-hand turn on a red light.

People might balk at this, but 56(1)(a) of the Australian Road Rules currently allows a left turn at a red light, but not at a red traffic arrow, if there is a left turn on red permitted after stopping sign. There are other provisions of the road rules, such as the give-way rule, 62(1)(b), which also cater for the situation in which they may be framed. In effect, the law already allows for us to do left turns if the appropriate signage is in place, and can be put up at any intersection where there is an option to see this as desirable.

This is what the member for Unley moved in the House of Assembly; he had special leave to introduce this amendment. Likewise, we have had to move a contingent notice of motion yesterday to allow this to happen. It just makes sense. We are getting more and more congestion. The

government has had a passion for reducing our carbon footprint and making this city a carbon neutral city. Surely some of these initiatives, where you could have traffic flowing more quickly—we have all sat with a red light and no vehicles, when you could turn left quickly and get on with your business, whether it is a plumber, a handyman, a tradesperson, or whether one of the general public.

We are becoming more congested in Adelaide. Only six of our intersections allow for a left turn on red after stopping. There is obvious need to take action on this to help improve the traffic flow. These proposed amendments will help get traffic moving by allowing motorists to access the left turn on red option at appropriate intersections. It was proven, and strongly supported, by the locals of the Brisbane City Council to introduce more left turns on red after trials conducted at five intersections in 2013 and 2014. There are now 50 signed intersections with this change across Brisbane.

We have six intersections that we have been trialling in South Australia. It just seems logical and I beg members of this chamber, when we get to the committee stage of the bill, to support that amendment. It is a sensible amendment. It would make for easier traffic flow. It would reduce waiting times at intersections and reduce emissions. Brisbane is a bigger and much more complicated city, yet they are able to do it quite well. With those few remarks I ask that members, at the committee stage of the bill, consider that particular amendment. It is an important step forward, and I look forward to their support at the committee stage of the bill. I commend the bill to the parliament.

**The Hon. T.T. NGO (11:42):** I rise to support this bill. Nothing is more annoying than having to slow down because of traffic control devices left out on the road when there are no workers present. This morning there were huge traffic jams in trying to get to the city. I believe that was not from the traffic control devices, it was more about setting up the Clipsal V8 events for the end of the week.

While most people understand the need for traffic control devices to be in place when there are workers present, the effectiveness and legitimacy of these devices is diminished when these devices are consistently left out on busy roads at times when works are not occurring. Whilst the misuse of traffic control devices, or a lack of coordination regarding roadworks, not only comes at a social cost to people, whether it be time lost spent with loved ones or missing the bounce of the footy, but the resulting traffic congestion also comes at an economic cost.

This bill amends the Road Traffic Act to ensure that, moving forward, congestion does not become a major social and economic problem in South Australia, by implementing measures including the induction of roadworks permits. These roadworks permits will specify the periods in which the permits operate and can specify when works are to be undertaken. This should allow for greater coordination of roadworks to keep traffic moving. If works are conducted outside of hours permitted by these permits, then penalties for the designated authority involved will apply. Defying a permit will now result in a \$20,000 fine for the first offence, and \$50,000 for second and subsequent offences.

I understand that the bill will ensure that everyone is held to the same standards, with public authorities and utilities being subject to the permit regime, except when they are required to carry out roadworks as a matter of urgency. This should address the longstanding problem of a lack of coordination by utilities with the Department of Planning, Transport and Infrastructure (DPTI) when planning maintenance work, which can result in duplicated works, such as digging up a road which has just been resealed. This is now the quite vindicated pet gripe of many South Australians.

Another measure I am very supportive of in this bill is the introduction of different speed limits, depending on the level of danger posed to workers or road users. This will better align South Australia to nationally agreed roadwork practices as the norm if SA is to implement a 25 km/h speed limit, regardless of the level of danger posed to workers and road users. This bill sets new speed limits for different categories of work zones, with the use of 25 km/h and 40 km/h speed limit signs being used, depending on the level of hazards.

This will, no doubt, please many motorists who feel, on occasion, that the use of 25 km/h speed signs are excessive when compared to the level of risk posed to them and those working on the road or nearby. I am also pleased to see that the bill will allow DPTI staff, or any other designated authority, to remove speed limit signs when used inappropriately. For example, when workers are

not engaged in the work area and the condition of the roadwork area is not such that it represents a greater than normal level of hazard for persons using the road.

I also commend the penalty provisions contained in the bill in relation to incorrect use of speed limit signs or other traffic control devices, as these hefty penalties will serve as a deterrent and reflect the cost of unnecessary congestion. Penalties covering the inappropriate use of different speed limit signs, whether it be 25 km/h, 40 km/h, 60 km/h or 80 km/h, are necessary, particularly to account for roadworks in the greater metropolitan area and regional areas of South Australia. Imposing penalties only for 25 km/h would deny the benefits to the regional communities of this state.

As the Hon. Mr Ridgway just mentioned, he will be moving some amendments regarding turning left on a red light. Obviously, our party has not made a commitment on that yet, but I personally think it is not a bad idea. It can be looked into further. I know there is one in Mansfield Park, where I go to church, where you can turn left, and I have found that very useful. Obviously, we have to consult with the traffic and safety engineers about whether it is safe to turn in some of these areas. If it is safe to turn left on the red, and these are my personal views, then I think it should be supported. On that note, I support this bill.

**The Hon. J.E. HANSON (11:50):** I rise today to speak to this important bill. Before I speak about the bill itself, I think it is appropriate, as we are on the topic of roads, to discuss the extensive transformation currently being undertaken to our road network in South Australia. The South Australian Labor government is currently undertaking record levels of investment to improve our road network, through projects on the north-south corridor (which is South Road, of course), the \$896 million Torrens Road to River Torrens project, the \$985 million Northern Connector project and the \$620 million Darlington upgrade project.

This is in addition to the over \$500 million being spent over four years on road improvements such as road resurfacing works; regional South Australia being the big beneficiary, with \$322 million being spent in the regions to improve the important roads that are so vital to our road transport industry and those living in regional areas. These projects not only benefit the hundreds of thousands of people who use South Road every day but also are of great value to the road transport industry, as was recently explained by the SA Freight Council when they ranked them ahead of the unviable and uneconomic Globe Link proposal, which may cost up to \$3.6 billion. It is an expensive project to protect four Liberal seats in the Adelaide Hills from the impending threat of Nick Xenophon.

In 2015, the government launched the Operation Moving Traffic initiative to improve efficiency, reliability and safety across the transport network. On 18 April 2016, the Operation Moving Traffic report was released by the Minister for Transport. The report consists of a number of proposed short to medium-term actions in key areas that will begin the process of change needed to keep people and goods moving in South Australia.

As many of you are aware, congestion on our roads not only impacts how people move in cars but also affects the reliability of our public transport network and our road transport network, which has a negative impact on our economy. Whether it be people arriving late for work, goods arriving late to businesses or people arriving late to football, people are affected by this.

The short-term initiatives include Australia's first smartphone app to give commuters real-time alerts on traffic congestion and roadworks using real-time bluetooth traffic data. This has now been released and is called Addinsight. It is free to download on both Apple and android, with over 11,000 downloads to date. I look forward to downloading it. Another short-term initiative is extending trials of new systems of traffic signals to key arterial roads, such as the South Road and Cross Road traffic corridors, to keep traffic moving. This bill also seeks to better manage roadworks.

Roadworks have long been a frustration for many motorists. While some of this frustration may be unwarranted, due to the improvements occurring to our road network, there have been many instances where this frustration is warranted. This is often due to poor planning of roadworks, for example, during peak periods, thus making people late to work or social events, or on the way home from work, or late at night when roadwork signage is left out even though there may be no workers present or any evident danger. This bill will reduce the frustration experienced by many motorists in regard to the incorrect use of road signage via increased penalties and the ability for authorised officers to remove speed limit signs when used inappropriately.

The bill also addresses another frustration experienced by the public, namely, the coordination of roadworks by the introduction of a roadworks permit. Many members of the public have complained about roads being resurfaced only to be dug up months later by utilities. This will be a thing of the past, hopefully, with DPTI and utilities such as a SAPN and SA Water now being required to submit a forward schedule of works, which will ensure that these works are better coordinated.

I commend the work of the Minister for Transport and Infrastructure for formulating this comprehensive approach to improve the way roadworks are conducted in South Australia, and I look forward to seeing the benefits once this bill becomes law.

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

### **STATUTES AMENDMENT AND REPEAL (SIMPLIFY) BILL**

#### *Second Reading*

Adjourned debated on second reading.

(Continued from 28 February 2017.)

**The Hon. T.T. NGO (11:55):** I rise to speak on the Statutes Amendment and Repeal (Simplify) Bill 2016. The simplify bill was introduced in the lower house by the Premier on 15 November last year, the government's inaugural Simplify Day.

The bill and associated regulations made by the Governor on Simplify Day aim to cut red tape and make things easier for business. This Simplify Day process is now an annual one, with work already underway to progress reform for this year's simplify bill.

The government commenced this process with the essential aim of creating a stable and easy to navigate regulatory environment. We want to make sure, as a government, that we are promoting innovation and facilitating investments and growth, while still upholding our community safety and environmental standards. We know that South Australia is a great place to establish and grow a business. We want to make our competitive advantage even greater.

I note that this Simplify Day process comes off the back of many important recent government reforms similarly aimed at red tape reduction. One reform that immediately stands out is the reform of our state taxation system over the past few years—the 2015 budget introducing the most comprehensive reform in this area in South Australia's history. We will have abolished five business taxes by 1 July 2018, most notably getting rid of stamp duty on commercial properties, progressively phasing out this tax to nothing.

We have seen \$740 million in tax reductions over the past two years, with ongoing reductions of over \$268 million each year from the 2018-19 financial year. Our taxation reform is just one way we are helping to make South Australia the best place in the country to do business.

We are also in the process of delivering major planning reform and liquor licensing reform. We have created the ReturnToWorkSA system, streamlined live music regulations and we are now transitioning to electronic certificates of compliance for plumbing, electrical and gas trades.

This government has clearly evidenced its commitment to red tape reduction and is continuing to do so through initiatives such as Simplify Day. The simplify bill amends 26 acts of parliament and repeals 11 redundant ones. The contents of this bill represent changes that are not all necessarily major reforms, but nonetheless make a real and lasting difference to business people in our state.

I would like to touch upon a couple of large reforms contained within this bill: the removal of heavy vehicle registration label requirements and the digital licensing reforms. The removal of the requirement for heavy vehicles to have registration labels affixed is an important reform and one that was called for by the heavy vehicle industry.

The heavy vehicle industry was inconvenienced by this requirement. It meant that truck drivers would have to take vehicles off the road in order to fulfil an unnecessary requirement to have a registration sticker affixed. We got rid of this requirement for light vehicles long ago. Now this

process is being abolished, heavy vehicle companies do not have to worry about this loss of productivity over some red tape. They also do not have to worry about keeping track of their vehicles to avoid fines for trucks without stickers on them. It is a very practical and common sense reform and I am pleased to see it contained within the bill.

The other aspect of the bill I would like to mention is the changes to facilitate the use of electronic licences. This reform allows for the issue of licences, permits and other authorisations or documents, such as proof of age cards and driver's licences, without causing doubt over which document (physical or electronic) is valid.

The changes will also allow documents to be issued through an approved information system such as an app, meaning that licences will reflect up-to-date information rather than just a snapshot in time when a physical licence was printed. The technology will also allow for reminder notifications when licences are due for renewal, helping people to accurately maintain their licences and personal details in a modern user-friendly format.

Lots of work is currently underway to develop this technology. A trial was conducted on a newly created mySA GOV app, which commenced in mid-2016 and was well received by many South Australians. The government is working with cyber security and technology companies, and with the support of SAPOL, to ensure the security of the app technology and the protection of personal information.

It is envisaged that this new system would commence with the introduction of things like boat licences and land agent licences at the outset. It is important to note that physical licences will remain available once the digital version is enabled; this would be an 'opt in' system. Eventually, this app could include digital driver's licences.

The introduction of an electronic licensing system is a big red-tape reduction measure, creating a much more accessible system for updating and renewing licences and holding them on a secure, real-time digital platform. This is keeping up with technology in today's society as we move towards apps on our smartphones and tablets.

Overall, this bill is a great example of this government's proactive stance on cutting red tape. The government wants to make sure we are getting rid of unnecessary burdens to business wherever we can, attracting even more businesses to come and set up shop in South Australia. I commend the bill to the house.

**The Hon. J.M. GAZZOLA (12:04):** I rise to speak on the Statutes Amendment and Repeal (Simplify) Bill 2016. As I get older, I like to and hope to simplify my life, therefore I support the bill. I want to speak on several aspects of the bill, in particular surrounding licensing. This bill contains a number of changes that will substantially reduce red tape for the industry of second-hand vehicle dealers. The government is seeking to remove the requirement for second-hand vehicle dealers to seek approval to trade at locations other than their registered premises. This means that for events like car shows, these dealers are able to trade elsewhere for that relatively short time frame without having to put in an application to seek approval to do so.

This bill also removes what is effectively a duplication of the practice of second-hand vehicle dealers having to ensure their premises are appropriate for doing business in order to gain approval to register their business. In practice, the Commissioner for Consumer Affairs checks the premises has council approval. This is a clear duplication of process where the local government approval is sufficient. It also removes a compliance obligation for businesses that can cause delays in commencing trade.

Reforms to the second-hand car dealer industry are also proposed from the consumer perspective in terms of the Second-hand Vehicle Dealer Compensation Fund. This fund provides compensation for customers who have a valid claim against a dealer and where they have no other avenue for recovering that claim. At the moment, the Magistrates Court administers this process. This amendment would mean that the commissioner would manage the claims process with a right for the consumer to appeal to the Magistrates Court rather than going directly to the Magistrates Court.

The commissioner already determines much larger applications for compensation from the Agents Indemnity Fund. This would provide efficiency for consumers in lodging their claims as well as taking some burden of the court system. Through this bill, the government is looking at ways to reduce unnecessary costs for business. An example of this is the removal of penalties for late lodgement of licence renewals with Consumer and Business Affairs for holders of occupational licences and registrations. Instead of being issued a fine for failure to renew on time, as is currently the practice, under this reform Consumer and Business Services would issue a final notice prior to the cancellation, reducing costs for business and red tape in government.

This bill also seeks to reduce burdensome requirements on business partners in the area of building work, plumbing, gas fitting or electrical work. In these business partnerships, one business partner may not be active in the trade itself; that is, perhaps a family member does the accounts while the other does the building work. Currently, even those non-active partners are required to hold their own contractor's licence. This licence is generally between \$217 and \$422 each year, depending on the type of licence, plus the time the partnership loses in having to go about the renewal process.

The bill allows those non-active partners to apply for an exemption, which may be made subject to conditions. This is an example where we have achieved a reduction in annual costs and paperwork but have maintained appropriate regulatory arrangements by retaining the flexibility to regulate against unsuitable persons who may seek to enter these industries.

The bill also looks at reducing duplication in the bookmaker industry. Currently, bookmakers have to hold a licence in their own right and must also obtain permits for each particular event. In practice, the Liquor and Gambling Commissioner approves permits on the basis of recommendations from the proprietors of racing venues. Irrespective of whether a permit has been issued, racing venue proprietors can decide whether or not to allow a bookmaker to operate at any of their events. Accordingly, the issue of a permit, as it currently occurs, is a redundant regulatory measure.

The bill includes a reform to an obscure inconsistency for conveyancers. Currently, if you are an individual conveyancer, you are registered to carry on business in partnership. However, if you are a body corporate conveyancer you have to apply for approval from the Commissioner for Consumer Affairs to carry on business in partnership. The bill seeks to remove this inconvenience for body corporate conveyancers to align with the same registration as individual conveyancers.

I also want to briefly mention the large amount of future considerations that were identified in the process of preparing for Simplify Day 2016. The government received many great ideas from business and the community about how we can reduce red tape through last year's consultation process. Some of the ideas were ones that could be committed to straight away, and form part of the bill we are debating today. Others required further consideration or longer term processes. There was a range of commitments to consider in the transport sector, including a few that are already progressing, including:

- the Segway trials now occurring along the River Torrens in the CBD;
- establishing a conditional registration scheme for historic and second-hand vehicles; and
- reforming bus lane access for private bus companies, increasing their access. A red tape reduction for the tourism industry.

Outside the transport sector there is the potential to:

- simplify building work contractors' licensing arrangements to only two types of licence;
- conduct a review into incorporated associations laws and removing any unnecessary or burdensome practices;
- change South Australian procurement policy to reflect recent amendments to the commonwealth competition legislation, extending protections against unfair contract terms for small businesses;
- consideration towards removing the requirements placed on particular commercial property owners to have a real estate licence;

- a review of public notifications and community notices to streamline and update requirements and explore the benefits of using electronic media;
- a consideration of distraint laws—the law allowing a landlord to remove a tenant's belongings in certain circumstances where a tenant is behind in rent—in terms of potential modernisation and harmonisation with other jurisdictions across Australia;
- reviewing the need for indemnity insurance in some low-risk circumstances for non-habitable structures, such as garages or tennis courts.

As you can see, there is a broad program of work already underway for the 2017 Simplify Day process, in addition to the consultation process to harness additional ideas. This government is committed to making things easier for business, and one way we can do that is by cutting red tape where it is unnecessary and over-burdensome.

This bill is a great step in focusing us on red tape reduction to an even greater extent and I look forward to its passage through the council and to the introduction of the 2017 Simplify Day later this year. I commend the bill to the house.

Debate adjourned on motion of Hon. J.E. Hanson.

### **LOCAL GOVERNMENT (MOBILE FOOD VENDORS) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 15 February 2017).

**The Hon. T.T. NGO (12:13):** I rise to speak on this important bill. This bill seeks to remove the burdens and inconsistencies which currently exist for entrepreneurs wanting to establish a food truck business. The most important element of this bill is the standardisation of the planning process for the establishment of food trucks. Currently, 68 different approaches in 68 different local councils exist in this area. This bill establishes a statewide approach to ensure each individual council facilitates the establishment of these businesses. This removal of red tape to the regulation of mobile food vending is an important exercise of the state government to ensure that we are continuing to grow our local economy.

This bill's main functions are to: (1) introduce a new definition for mobile food vendors under the Local Government Act; (2) ensure that local councils are required to issue a permit for mobile food vendors; and (3), to set out that conditions attached to these food truck permits must be consistent with any associated regulations which the bill creates.

It is the regulations which accompany this bill that outline in detail the proposed statewide approach to food trucks and requirements placed upon councils. I have been told that the government has circulated these regulations amongst various members of parliament and stakeholders. The introduction of the bill and associated regulations means that councils will be required to automatically grant permits for food vendors to trade on council-controlled roads within the council area. Currently, councils can refuse permit applications at their discretion or refuse to institute a system for granting food truck permits altogether.

The state government wants to see these businesses thrive, not to be stifled by red tape. Just as importantly, whilst the establishment of food trucks across South Australia represents a form of competition for brick and mortar establishments, I believe that there is significant potential for both industries to thrive. Council will be required to establish location rules specifying council roads where food trucks are able to trade within the council area. Importantly, this gives councils the ability to limit where food trucks can and cannot trade. For example, a council can ensure that food trucks are not trading right out the front of fixed-premises businesses and instead direct them toward areas where they can increase the level of economic activity in that council area.

I also note that this bill was created following an extensive community consultation process undertaken by the state government. In November 2015, the government released a discussion paper outlining potential options for supporting the food trucks industry in South Australia. This discussion paper was then put out for consultation including through the YourSAy website. Following



this consultation period, a position paper was then released in May 2016 incorporating the community's feedback and outlining the government's plan to assist mobile food vendors in the future. The formulation of the bill and associated regulations have also involved consultation with existing food truck vendors, industry associations, the Adelaide City Council and the Local Government Association.

I am told that, in the event the bill passes, the Local Government Association has agreed to assist in the rollout of the new system across all councils. The government wants to ensure that all councils are adequately prepared for the rollout of the new system and it is very appreciative of the Local Government Association's readiness to be involved in this process.

Unfortunately, the opposition has indicated that it will not be supporting this bill. The Liberals claim to be the party supporting small business, but here we see them refusing to pass a bill that would assist small business entrepreneurs to enter the market, increase economic activity, encourage more competition in the food industry and reduce red tape. I find that extremely disappointing. With that in mind, I commend the bill to the council.

**The Hon. G.E. GAGO (12:20):** I rise to support this bill and to make a few comments, particularly around permit fees, hygiene and safety standards for food truck businesses and balancing the interests of fixed-premises businesses and mobile food businesses. In relation to permit fees, the draft regulations impose a maximum fee that councils may charge these mobile food vendors. This maximum permit is currently set at \$2,000 for annual permits or \$200 for monthly permits, excluding GST.

It is important to note that it is up to councils as to whether they set fees below this maximum level. Some councils may wish to attract food trucks to their area through setting lower fees, whereas other councils might want to dissuade large groups of food trucks in their areas. One way they could do that is by increasing the fee, or at least not reducing it. Under the regulations, operators are required to obtain a permit in each area they seek to trade in; therefore, a food truck operating in three different council areas would require three permits and would be required to pay the three fees associated with each of those council areas.

I would also like to touch on the continued standard upheld for food trucks under the bill and regulations. The regulations make it quite clear that vendors are subject to all South Australian requirements under the Food Act 2001, the South Australian Public Health Act 2011 and the Environment Protection Act 1993 in maintaining the same hygiene and environmental standards as all other food establishments. People can absolutely rest assured that the health and safety standards of these venues is identical to that of fixed businesses.

Food trucks are regularly inspected by councils in the same way that fixed-premises businesses are, and this will continue under the proposed system. The regulations specify that food trucks are not to interfere with the normal operation of roads and must take care to not unduly interfere with things like disabled car parking spaces, footpaths, access points or public transport zones. If a vendor is found to be in serious breach of their permit conditions, the bill specifically provides for the termination of that particular permit. Furthermore, the regulations require the vendor to notify other councils with whom they have a permit that their permit in another council area has been cancelled, so that that can be scrutinised carefully.

We know that the vibrancy of Adelaide, particularly our CBD, has been a major objective of this government. We have made a number of significant reforms to assist in creating a vibrancy in not just our business areas, but also in the living spaces, particularly around our Adelaide CBD. We have made many changes to our liquor licensing laws to make it easier, for instance, for small bars to establish themselves, especially in our laneways. Everyone in this place would have to agree that that has been a huge success. From being fairly dingy and dark little alleyways, these laneways now have vibrant restaurants, clubs and other food venues.

We have also made a number of significant reforms to ensure that we particularly make our entertainment area within the CBD safer for everyone to be able to enjoy. We know that in the past we have had some fairly significant issues with drunk and disorderly behaviour and the violence and disruption associated with that. This government, again, made a series of legislative reforms to assist in improving the safety and the public access to our entertainment areas. For instance, we introduced

legislation that made barring patrons who demonstrated unacceptable behaviour from our pubs and clubs possible.

Also, we introduced lockouts to help improve the drunk and disorderly behaviour on the streets, and that has also met with considerable success. Our hospitals in the city area have reported a drop in the number of drunken presentations and also injuries associated with violence from drunken behaviour. We have been very successful in helping to improve the vibrancy of Adelaide and I believe this legislation assists in doing that as well.

I am sure there is not one person in this chamber who has not, at one point in their lives, enjoyed the convenience of a mobile food van, whether it is a cup of coffee, a hot dog or a pie floater. There are some food trucks that have a wonderful array of delights like pancakes and all sorts of things—and I know the Hon. John Gazzola has availed himself of several of these mobile food vans in the past.

They can contribute to the vibrancy of our city, generally speaking, but they also help liven up specific events by providing an array of interesting and quite delicious and exciting foods for spectators. For instance, from my own personal example, I live not too far from the Parklands and there are a number of really large sporting events and other public activities that go on in the Parklands, and there are many areas around the Parklands that are a long way from fixed food venues, a considerably long way.

There was an event, not long ago, occurring in the Parklands and there, in a series of parking bays, were about four or five different food and beverage mobile vans. It really made that sporting event come alive and I know that the spectators enjoying that sporting event really appreciated the convenience of having those amenities there. As I said, not only was it a fabulous convenience for those people, but it helped bring a degree of vibrancy to that particular event.

Finally, I would like to outline the balance that is sought between fixed and mobile food businesses in these changes. The bill and regulations seek to get the balance right between fixed-premises businesses and mobile food businesses. Clearly, this legislation is designed to make sure that we do not, in fact, damage fixed businesses but, rather, set up a system of mobile food vendors in a way that helps complement the fixed businesses and in a way by which councils can have some control over that.

It helps bring new entrepreneurs into the marketplace at a comparatively low start-up cost, which is a good way to help us support the start-ups of new businesses but, as I have indicated previously, in limited locations. There are a number of restrictions to those locations, which I have already outlined.

The regulations outline that councils will be able to determine location rules outlining where food trucks can trade. These location rules can come in the form of a map, for instance, indicating where food trucks can trade, or it could be a blanket metre rule. For example, they can establish a simple distance rule and leave it at that. Through giving councils the power to determine locations of trade, the balance between fixed premises and mobile food vending businesses is evened out.

I note that councils are also able to amend their location rules whenever they choose, in order to better suit trading activity. For instance, if they have events coming to their council area in locations that do not have very many fixed businesses, then they can change rules and alter fee structures in such a way as to encourage mobile food vendors to come along and trade in that particular area.

These proposals are not intended to create undue competition with fixed premises. Their purpose is to increase the number and variety of food options in the market. I believe there is plenty of market space to accommodate both. I have given a very good example of the Parklands. Some Parklands areas have very few fixed food and beverage venues associated with them. We know that the legislation around our Parklands is incredibly strict—and so it should be; that legislation is there to protect our Parklands.

I know that each and every one of us in this chamber enjoys the wonderful Parklands that surround this city, but the downside to that is that it does restrict the ability for venues to be able to establish themselves in some areas around the Parklands where, for instance, there are large

sporting and other public groups. For instance, an organisation might have their end-of-year picnic barbecue there and include all family members. So, there can be large gatherings in a public space and, as I said, many locations do not have easy access to other food venues.

These vendors have no regular daily customer base. They are subject to weather conditions in terms of generating revenue and have to pay for water, electricity, gas and taxes just like fixed premise businesses do. Moreover, often food trucks are stepping stones to establishing a fixed premise business. Examples that spring to mind include Burger Theory, Sneaky Pickle and Low & Slow.

This bill seeks to establish an easier system of regulation for mobile food vendors, establishing consistency across council areas, increasing economic activity and promoting entrepreneurialism. It is extremely disappointing to learn that the opposition is not going to support this very important bill that, as I said, does help establish consistency, increase economic activity and promote entrepreneurialism. With those few words, I commend the bill to the house.

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

### **ELECTRONIC TRANSACTIONS (LEGAL PROCEEDINGS) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 28 February 2017.)

**The Hon. K.L. VINCENT (12:35):** I indicate that, while the Dignity Party does support this bill, we do have a few questions and concerns about it. We understand that this bill only allows for people to opt to receive a summons and legal proceedings via email rather than hard copy letter should they choose, but we have a few concerns about the implications of that and would like to ask the government some questions to which we hope they can respond before the passage of this bill.

First, we would like to know who in the community was consulted about this change, particularly from the disability community and, even more particularly within that, people with communication-specific disabilities. My staff member who attended the briefing on my behalf did ask a question as to who was consulted; I understand the response she received was that the disability community had been consulted, but the staff at that briefing were not able to indicate exactly who that comprised, so we would be interested to know the names of groups or individuals who had been consulted as appropriate and what concerns or ideas they may have raised.

Of course, as I have said, we know it is not compulsory to receive your documents by electronic means, but we wonder whether the government has considered some potential implications, particularly for people with disabilities, including vision impairment or people who are deaf or hard of hearing, even people with an intellectual disability or acquired brain injury, as well as people who might be of culturally and linguistically diverse backgrounds and have English as their second language, and others who may agree to receiving these documents via email without necessarily fully understanding what this means.

Many people have limited internet access and significant challenges in understanding legal proceedings, and our departments, systems and processes are increasingly relying on this, and it is not fair if people do not have easy access to electronic means to receive this information.

I, on behalf of the Dignity Party, will be holding a briefing next week on what is often referred to as the digital divide, that is, the divide between people with and without ready access to computers and the internet. I encourage members to come along as this is a very serious issue for many in our community in 21<sup>st</sup> century Australia.

I suppose those are our concerns. Who particularly from the disability community has been consulted? Did they raise any concerns about the potential implications for the use of electronic means, such as whether these emails will be accessible to people using screen readers or whether there will be any in a form of English or simple language that makes them easy to understand, particularly for people from non-English speaking backgrounds?

So, while we support the general thrust of the bill, we have concerns for people who may not have ready access to technology and also for people who may have some literacy and other communication needs to be taken into account, and if the government could respond to those concerns we would be grateful.

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

### SENTENCING BILL

#### *Introduction and First Reading*

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

*Sitting suspended from 12:40 to 14:17.*

#### *Parliamentary Committees*

### LEGISLATIVE REVIEW COMMITTEE

**The Hon. J.E. HANSON (14:17):** I bring up the 40<sup>th</sup> report of the committee 2016-17.

Report received and read.

**The Hon. J.E. HANSON:** I bring up the 41<sup>st</sup> report of the committee.

Report received and read.

#### *Parliamentary Procedure*

### PAPERS

The following paper was laid on the table:

By the President—

Park Lands Lease Agreement between the Corporation of the City of Adelaide and Tennis SA Inc.

#### *Question Time*

### MORRISON, MR W.

**The Hon. J.M.A. LENSINK (14:20):** My questions are to the Minister for Correctional Services on the subject of the death in custody of Mr Wayne Morrison on 26 September 2016.

1. When will the internal departmental review be completed?
2. Has the CCTV—

**The Hon. J.S.L. Dawkins:** It would be nice, Mr President, if questions could be asked without interruptions.

**The PRESIDENT:** It would also be nice to allow the ministers to answer without interruption. The Hon. Ms Lensink, you should proceed with members respecting your right to ask questions.

**The Hon. J.M.A. LENSINK:** I am just looking at the minister to see whether he got the first question, because I will start at the second one. Did you get the first question?

**The Hon. P. Malinauskas:** No, start again, if you like.

**The Hon. J.M.A. LENSINK:** My questions are to the Minister for Correctional Services on the subject of the death in custody of Mr Wayne Morrison on 26 September 2016. The first question is:

1. When will the internal departmental review be completed?
2. Has the CCTV footage from the vehicle used to transport Mr Morrison been included as part of the review?
3. Have any staff been suspended while the investigation takes place?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:21):** The death of Mr Morrison in custody, like any death in custody, is a tragedy. However, like any other death in custody, Mr Morrison's passing does automatically initiate a Coroner's inquiry. SAPOL, Major Crime, I am advised, remain actively investigating the incident, so Major Crime is conducting an investigation of the incident and there will be a coronial inquiry in due course.

My advice is that the Department for Correctional Services is cooperating fully with both SAPOL, Major Crime, and the subsequent coronial inquiry. An internal investigation remains underway, I am advised, and the outcome of that will be known in due course. But the principal inquiry that is being undertaken, of course, is the one being conducted by SAPOL, Major Crime.

We expect the coronial inquiry to commence once Major Crime has conducted their inquiry. Presumably, all CCTV footage that is relevant to the matter has been obtained by SAPOL, Major Crime, to assist them in the conduct of their inquiry. Regarding whether or not officers involved have been suspended, I am happy to take that question on notice and get that information back to the honourable member as soon as possible.

**MORRISON, MR W.**

**The Hon. J.M.A. LENSINK (14:23):** Supplementary: does the minister have a time frame, even as a ballpark, of when the internal review may be completed?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:23):** I am happy to get that information for the honourable member.

**MORRISON, MR W.**

**The Hon. T.A. FRANKS (14:23):** Supplementary: when the minister said that the Department for Correctional Services is cooperating fully, does that mean that each correctional officer involved in this incident has cooperated fully with the Major Crime investigation?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:23):** That's a good question and I thank the honourable member for her supplementary question. The department is cooperating fully and making all information available to the Major Crime branch of SAPOL and will, in due course, do the same with the coronial inquiry.

Regarding individual officers within the Department for Correctional Services, they, of course, are afforded a number of rights under the law. It is up to them, in conjunction with their legal counsel—and I do understand that correctional services officers who were involved in the event have received legal representation—to exercise their rights under the law regarding the degree of cooperation.

**TASSONE, MR B.**

**The Hon. S.G. WADE (14:24):** I seek leave to make a brief explanation before asking the Minister for Correctional Services a question relating to Bruno Tassone.

Leave granted.

**The Hon. S.G. WADE:** Bruno Tassone has been awarded an out of court settlement of \$100,000 which will be placed in the Prisoner Compensation Quarantine Fund. As the health services to Bruno Tassone were provided by the South Australian prison service part of SA Health, and those health services were related to the action that Mr Tassone brought, is the liability for paying the damages being shared by SA Health and the Department for Correctional Services?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:25):** My understanding is that the Crown Solicitor's Office was conducting this matter in terms of payments in conjunction with SAICORP as the state's insurer. The honourable member is right to point out that prison health is a branch of our state health system, it falls under our health department in South Australia, but in terms of the payment, my understanding is that it was provided for by the state's insurer, SAICORP.

### ROAD SAFETY PETITION

**The Hon. J.S. LEE (14:25):** I seek leave to make a brief explanation before asking the Minister for Road Safety a question about a road safety petition.

Leave granted.

**The Hon. J.S. LEE:** On Wednesday 15 February, the member for Morialta, John Gardner, in the other place, brought a petition to the attention of parliament on behalf of the Highbury Primary School community calling for improved road safety measures and school crossings around the Highbury Primary School. The petition, signed by 571 residents, is calling for safer crossings on Lower North East Road and Valley Road, which are key roads near the school, as well as improved signage, road markings and better crossings immediately surrounding the school and preschool. The lead petitioner, governing council member and concerned parent, Abraham Shuken, stated:

...several local roads are simply unsafe for hundreds of kids to cross, in particular the four-lane, major road—Lower North East Road.

My questions to the minister are:

1. What plans will the minister put in place to ensure that children and community members residing near Highbury Primary School are safe when crossing Lower North East Road and Valley Road?
2. With the petition gaining the support of 571 signatures, being a large representation of the school community, when will the minister address the concerns of those residents?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:27):** This state government remains utterly committed to road safety. I think it is well known that this government has a strong track record when it comes to road safety, with last year recording record results when it comes to fatalities on South Australian roads. We also know, through a number of measures that this state government has put in place, for example, the graduated licencing scheme, we have seen a reduction in road deaths in the cohort of people, that is, young drivers. This speaks to our commitment and our degree of success that we have had in the area, and our desire to make sure that we are constantly investing in the area of road safety.

However, there is, without doubt, room for improvement. One death on our roads is one too many and although each and every road death is tragic, ones that occur amongst a younger demographic or younger people are particularly heartbreaking within the community. The honourable member has asked a question in regard to traffic crossings and the like. These are important pieces of infrastructure. Keeping our kids safe as they travel in and around school zones is obviously something that is important to all parents.

I am not in a position to be able to comment authoritatively just at the moment regarding the particular intersection or crossing that the Hon. Ms Lee has raised; however, I am more than happy to seek the appropriate information from my department and get it back to her. I also offer to the member for Morialta, if he wishes to meet with me or my department directly regarding this particular issue, particularly if there is a petition with over 500 constituents putting their name to it.

I am more than happy to facilitate higher level discussions with the department so that if there are genuine concerns to be raised and there is a genuine priority that needs to be met that it can be contemplated in the context of all other areas where the government is expending large and significant sums of money to ensure that we do have safe traffic crossings in and around our schools.

### TREATY COMMISSIONER

**The Hon. J.E. HANSON (14:29):** My question is to the Minister for Aboriginal Affairs and Reconciliation. Can the minister please inform the chamber about the appointment of the Treaty Commissioner.

**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

member for his first question in this chamber. It is an excellent question, and it was very well researched and very well asked. I must say, I know the honourable member has a deep interest in this area from his time on the Tea Tree Gully council. This is an area we have discussed a number of times, so I thank him for his question and his longstanding interest, and I am sure it is a passion he will bring to this chamber in reconciliation.

Creating a community where all our citizens have the capacity to contribute, reach their potential and fulfil their aspirations for a strong and prosperous South Australia should be the focus of any government. The treaty process will signal a new direction and create a truer level of transparency and accountability, both for the government and for Aboriginal South Australians. Australia is the only nation of those that we compare ourselves to without a treaty with our first peoples. This remains a major obstacle in the reconciliation journey.

Treaty is collectively moving forward on a journey towards creating pathways and harnessing the levers that government has to enable strong economic opportunities for Aboriginal people. The South Australian government wants to address areas of disadvantage that many Aboriginal people in the state face. This can only truly be achieved in unity and agreement with the Aboriginal community. Treaty will allow for Aboriginal people to come together and strengthen their governance and representative models to provide a strong voice for their community and successfully negotiate solutions to address the diverse issues impacting on their local communities.

Treaty will allow for government to receive and understand the priority areas that Aboriginal people nominate and investigate what levers the government is able to use to deliver positive change. Whilst treaty is a government policy, it will be something that everyone in the community, business and institutions can use to consider how they may participate in our journey towards reconciliation and doing what may be within their power to help alleviate the disadvantage faced by so many Aboriginal South Australians. South Australia in general and South Australian Labor governments have a strong history of reform in this area. We now have an opportunity to become one of the first jurisdictions in the nation to deliver a legacy such as this.

To assist with the treaty consultation process, the government has appointed a Treaty Commissioner who will have a number of very important functions. Firstly, to undertake consultation with Aboriginal South Australia about a framework for treaty discussions to continue, and also, importantly, to facilitate treaty-making processes between the South Australian government and the South Australian Aboriginal community. The Treaty Commissioner is a role that necessarily needs to be filled by someone who is well-respected, has extensive experiences with Aboriginal people, has experience in delivering high-level advice to government and who brings something special to the role, which, by their own personal standing, adds value and integrity to the process.

On this basis, the government has appointed Kokatha and Mirning man, Dr Roger Thomas—a senior Aboriginal leader with a successful career both inside and outside government. Dr Thomas has extensive experience in conducting public consultations with Aboriginal communities. He has held various positions on state, national and international advisory committees dealing with Aboriginal issues. He was the inaugural professor of Indigenous Engagement and adjunct professor of education at the University of Adelaide and also the dean of the Centre for Australian Indigenous Research and Studies.

Appointing Dr Thomas to the role of commissioner for treaty is the next step towards commencing discussions and negotiations around what treaty will look like. I am very confident that Dr Thomas will be an effective steward in bringing together communities and government to consider what form treaty will take and what benefit there will be for Aboriginal people in this state.

In regard to particular questions asked by the Hon. Rob Lucas in this chamber yesterday, I have sought advice from my department, and I can advise that Dr Thomas formally started in the role of Treaty Commissioner on 28 February 2017. His total remuneration package is \$189,000, and prior to taking that role, Dr Thomas took leave without pay from his role as manager of Aboriginal Heritage within the state government. I look forward to updating the chamber as treaty consultations progress.

**TREATY COMMISSIONER**

**The Hon. K.L. VINCENT (14:34):** Supplementary: what is the framework that the commissioner has been given upon which to consult? In other words, is he going into that role with a few options for what a treaty might look like, or is it completely up to interpretation or consultation with Aboriginal people?

**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) (14:35):** I thank the honourable member for her question. As I have said previously, the best results are delivered in Aboriginal affairs and Aboriginal policy when Aboriginal people are involved in, not just the process, but in what the final shape of, whether it is policies or services, look like. Dr Thomas's first role will be to conduct extensive consultations right throughout South Australia about what that framework will look like, and, once that is done, he will be heavily involved in those discussions and negotiations about exactly what it looks like after that.

**TREATY COMMISSIONER**

**The Hon. R.I. LUCAS (14:35):** Supplementary question to the minister: has the new Treaty Commissioner, in his initial discussions with the minister, expressed caution about the minister's timetable of trying to conclude the first treaty with an Aboriginal nation by the end of this year?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:36):** I thank the honourable member for his question. I have had very preliminary discussions with the new Treaty Commissioner. The new Treaty Commissioner is keen to get started on the job as quickly as possible and get going as quickly as possible. We have not got into the depth of discussion about exactly when we are looking to do things and what the timetable will be.

Certainly, the Treaty Commissioner is looking at some time, hopefully towards the middle of this year, to wrap up the work in terms of the framework and we will see how quickly he can move after that. In answer to the question, no, I haven't had advice provided by the Treaty Commissioner about the ability or otherwise of having a treaty, as I have said, as an ambition of the government, finalised by the end of this year.

**TREATY COMMISSIONER**

**The Hon. R.I. LUCAS (14:37):** Supplementary question: I just want to clarify that, that is, that the Treaty Commissioner has not expressed a view to the minister that the need for appropriate and proper consultation with Aboriginal nations would make it difficult to conclude the first Aboriginal treaty with an Aboriginal nation prior to the end of the year?

**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):** The answer is no.

**ILLICIT SUBSTANCE ABUSE**

**The Hon. D.G.E. HOOD (14:37):** I seek leave to make a brief explanation before asking the Minister for Police a question regarding illicit substance abuse in South Australia.

Leave granted.

**The Hon. D.G.E. HOOD:** According to the most recent wastewater studies, which the minister has alluded to himself in this place, which was conducted by the University of South Australia, methamphetamine use has increased by some 25 per cent in the past year in South Australia. The figures have doubled since wastewater screening began just five years ago. In particular, ice, like many other illicit substances, is a source of major health problems, often leading to the development of psychosis and can be the cause of uncontrollable violent outbursts in some individuals.



So far, in 2016-17, there have been some 6,245 Code Black incidents in hospitals, compared to just 4,765 at the same time last year. Those under the influence of illicit substances are threatening the health and safety of hospital staff and emergency workers in some cases. My questions for the minister are:

1. Given the sharp increase in Code Black incidents, what is the government's response to this specific problem?
2. Are Code Black incidents reported to SAPOL as a mandatory part of the process and, if so, how does SAPOL respond to these incidents?
3. How many perpetrators has SAPOL apprehended and/or prosecuted for their involvement in such incidents in recent times?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:39):** Let me thank the Hon. Mr Hood for his questions on a rather alarming topic, to say the least. Let me start with a higher level response that the government has developed in regard to the growing ice concern, or what some people are describing as an epidemic.

I am very glad that recently the Premier of the state announced the establishment of a South Australian government ice task force which he has asked me to chair in conjunction with minister Vlahos and other key agencies around the state, including SAPOL. The aim of the ice task force is to develop a cogent, deliberate state government response to the issue in a way that is reasonably within the control of the state.

We have been realistic from the outset about the establishment of this task force: this is not going to be a response that is going to fix the issue of ice within our community. It is simply a task force aimed at developing some quick responses that are within the control of the state government and implemented quickly—within 60 days—with the view of mitigating the impact that ice is having on our community. Law and order is but one component of the area that we are looking at but nevertheless it is a very important one.

We are really lucky that in South Australia we have one of the best, most well resourced police forces in the nation. We have more sworn police officers per capita than any other state in the country. That is a record that we are seeking to maintain with our record investment back into the police, continuous real increases in the size of the police budget and an additional 313 sworn police officers coming online by the middle of next year.

That work is being maintained and as a result of those resources that SAPOL has at its disposal it is able to conduct a number of operations in and around methamphetamines generally. One of the most significant operations is Operation Atlas which has been successful in apprehending a number of offenders and also looking at not just the distribution of drugs but also their production as well. We know that outlaw motorcycle gangs are involved in the production and distribution of this insidious drug and we have a number of men and women in uniform (and also not in uniform) at the moment within SAPOL working incredibly hard to tackle this challenge.

However, we need to do more because, as the Hon. Mr Hood pointed out, there are a number of key statistics which point to the fact that this problem is getting worse rather than getting better. The Hon. Mr Hood referred to wastewater statistics. We know from those numbers coming through from the analysis that has taken place up to this point—and the analysis that is available is mainly around metropolitan Adelaide—that the numbers are on the rise. We also know anecdotally from regional South Australian areas that there is a problem with the use of crystal methamphetamine. We also know from the statistics that the Hon. Mr Hood referred to in regard to Code Blacks and other incidents that our emergency services are on the front line dealing with this day in and day out.

That is exactly why, through both empirical evidence and anecdotal evidence, the Premier has decided to convene this task force. We are looking at everything. We are not just looking at a law and order response, we are not just looking at resources in respect to SAPOL, we are also looking at treatment and, if there is a need, further legislative change around law and order as well. These are all the options that we will be taking on board and hearing from experts directly about over the course of 60 days.

At the end of that process we will be announcing a policy. Again, we are being realistic about this. The state government is not going to fix the issue of ice within 60 days. What we can do is come up with a response that is appropriate and urgent because of the fact that we have an increasing issue that we need to try to do something about as a community and, indeed, we need to accept responsibility and do something as a government.

#### ILLICIT SUBSTANCE ABUSE

**The Hon. K.L. VINCENT (14:43):** As well as treatment for people with a pre-existing drug addiction, will the task force also be looking at preventative measures for people who might be at risk of developing an addiction if they have not already done so? How does the minister envisage reaching out to those people?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:43):** We had our first meeting of the task force last week to discuss exactly how we are going to go about community engagement. It is a bit of a balancing act, as it always is with consultation. We want to make sure that we are talking to experts but we also want to balance that by talking to people who have experienced the effects, whether as an addict or a family member of an addict, of drug consumption in the past as well. We want to try to take all those views into account. It will be literally impossible to meet with everyone over the course of 60 days, which is exactly why, through the government's YourSAy website, there will be an opportunity for any interested party in South Australia to make a contribution.

There is also a section within the Department of the Premier and Cabinet that has taken up the responsibility of taking submissions from experts within the area, from advocates of both drug addicts, family members and support groups, to be able to seek to make a submission, with a view to being able to make a presentation directly to the task force, including myself and minister Vlahos. Those opportunities are being afforded to people. At the same time, we want to have action based on the feedback we get through the community engagement process, but I don't want to be sitting around consulting in December this year. We want to get out a response ASAP, so we are trying to balance those factors.

I would say to any members of the community, including through you, the Hon. Ms Vincent, that if there are people within this sector, within the community, who have been affected by this issue and who have ideas then I would encourage them to put them up through the YourSAy website. If they think they have a proposition that is worthy of particular attention, they should engage through the YourSAy website seeking to make a presentation to the task force.

#### ILLICIT SUBSTANCE ABUSE

**The Hon. A.L. McLACHLAN (14:46):** Supplementary: has SAPOL made any submission to the task force regarding an increase in policing powers?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:46):** As police minister I have asked SAPOL to do exactly that, yes.

#### ILLICIT SUBSTANCE ABUSE

**The Hon. A.L. McLACHLAN (14:46):** A further supplementary on another topic: what is the government's estimate of the proportion of ice produced by organised crime?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:46):** I don't have that statistic readily available. It is hard to get statistics on a sense of the scale of the issue, full stop. It is an illicit market; we don't have market regulators who are able to report on who is producing ice and who isn't, but we do know that organised crime is involved in the production of ice—they are a major source of this problem. We also know they are involved in the distribution of ice, but as it stands I don't have a statistic regarding how much they are responsible for.

#### TASSONE, MR B.

**The Hon. R.I. LUCAS (14:47):** I seek leave to make an explanation prior to directing a question to the Minister for Correctional Services on the subject of the Tassone payout.

Leave granted.

**The Hon. R.I. LUCAS:** The minister told the media earlier this week that Mr Tassone's initial claim was for in excess of \$2 million. In response to a question from Matt Abraham on ABC Radio, when he was asked how involved was the minister in the decision, he said, 'No, I was quite a few steps removed.' When I put a question to the minister this week, when I asked whether he or his office was advised by senior officers in the department about proceedings in relation to the possible settlement of the claim, he said, 'I'm happy to take that on notice, but to the best of my knowledge, no', which was consistent with the answer he gave to Mr Abraham that he was quite a few steps removed. My questions to the minister are:

1. Does the minister believe that it is an acceptable practice that a minister such as himself would not be advised of a claim of greater than \$2 million against his department and the government?

2. Why didn't the minister establish requirements on his department that, where massive claims against the department and the government such as this one (which was in excess of \$2 million, according to him), he as minister and his office be advised not only of the claim but of the progress in dealing with that particular claim?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48):** It won't come as a surprise to many within this chamber that, unfortunately, many offenders within our prison system, of which we have approximately 3,000, regularly make spurious claims. It is a statement of fact that our prison system is made up of people who are fundamentally dishonest. So, I don't think that every single time a prisoner decides to make a spurious claim there would be any reasonable expectation for me to receive a brief on each and every one of those spurious claims.

#### CORRECTIONAL SERVICES DEPARTMENT

**The Hon. R.I. LUCAS (14:49):** A supplementary question. That was not my question. It wasn't every spurious claim. It is where a massive claim in excess of \$2 million, as the minister has acknowledged, against the government or the department is made that he didn't establish procedures where he was advised by his department of that particular claim in progress in dealing with the claim.

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:49):** I think the test or the threshold question that Mr Lucas is asking is the dollar figure he is using. The \$2 million figure—

**The Hon. R.I. Lucas:** You used the figure.

**The PRESIDENT:** Order!

**The Hon. P. MALINAUSKAS:** The \$2 million figure represents the initial claim made by Mr Tassone. Mr Lucas is using the \$2 million figure claimed by Mr Tassone as some kind of evidence of the veracity of the claims—quite the opposite. I think the \$2 million figure speaks to the spurious nature of the claim, and again I would say that I don't intend to set up a reporting line so that every single time a prisoner makes a spurious claim I get a brief on it.

#### CORRECTIONAL SERVICES DEPARTMENT

**The Hon. R.I. LUCAS (14:50):** A supplementary question: can the minister outline then what are his requirements of his department in relation to financial claims that might cost the government and the department? What are the guidelines that he establishes, or has established, for his department in terms of when he should be or must be advised?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:50):** The Department for Correctional Services is assiduous in providing me with briefings of matters that pertain to decisions that are within my remit. I think the department is doing a good job. I regularly talk to the Chief Executive of the Department for Correctional Services regarding matters which I have authority over.

*The Hon. R.I. Lucas interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! The minister has finished his answer. Will all members—

*Members interjecting:*

**The PRESIDENT:** Order! Will all members please address each other—

*Members interjecting:*

**The PRESIDENT:** Order! Will all members address each other while in this chamber as 'the honourable'? The Hon. Mr Ngo.

### **SA WATER INFRASTRUCTURE**

*Members interjecting:*

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

**The Hon. T.T. NGO (14:51):** My question is to the Minister for Water and the River Murray.

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Yes, well, there is a lot of talking across the chamber. The Hon. Mr Ngo has the floor.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. P. Malinauskas interjecting:*

**The PRESIDENT:** Will the honourable minister please desist while his colleague is on his feet ready to ask a question? The Hon. Mr Ngo.

**The Hon. T.T. NGO:** My question is to the Minister for Water and the River Murray. Will the minister inform the chamber about the recent announcement that SA Water will invest an additional \$55 million to improve our water mains over the next five years?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:52):** I thank the honourable member for his excellent question. He has clearly done some research and has read my letter. He has read my lovely letter the Hon. Mr Brokenshire referred to yesterday. Mr President, you may recall that last year SA Water announced that the average metropolitan water bill (combined water and sewerage bill) would be reduced by \$87—an announcement that I imagine would be strongly supported by SA Water customers, a reduction in their bill of such a magnitude.

You may also recall, Mr President, that the Hon. Robert Brokenshire came into this place yesterday to attack that reduction in the average water bill. A former member of a Liberal government that privatised ETSA was having a go at SA Water for reducing customer bills. It was absolutely amazing. Anyway, South Australians want a water system that delivers reliable access to clean water all year round. We know that in regard to mains water bursts, South Australia's investment in infrastructure maintenance and renewal means we have fewer bursts than comparable water utilities interstate—a significantly better performance than Victoria or New South Wales, for example.

But we are continuously striving to do better. This is why last week I joined the Chief Executive of SA Water, Mr Roch Cheroux, to announce that we will invest an additional \$55 million to improve our water assets and reduce the number of water mains failures in Adelaide over the next five years. This significant investment will see a further 100 kilometres of water mains relayed by 2020, in addition to the 274 kilometres already planned across the state and announced last year.

Around 48,000 metres of these replacements, I am advised, will occur in regional South Australia, with a significant focus on Whyalla, Moonta Bay, Crystal Brook and Victor Harbor. SA Water is also trialling several smart technologies, such as water mains pressure modulation in Kadina and pipe spray lining in Berri, to create efficiencies in how we manage our assets and give them longer life.

I would also like to take the opportunity to acknowledge the member for Giles, Mr Eddie Hughes, and minister Geoff Brock in the other place for their ongoing advocacy for infrastructure investment in our regions. They are continuously on my case, advancing the cause for further investment in the regions—

*An honourable member interjecting:*

**The PRESIDENT:** Order!

**The Hon. I.K. HUNTER:** —and I can only say that their approaches to me must outnumber those I get from the Liberals opposite about 100 times over.

We are also investing an additional \$4 million to install smart water networks in the Adelaide CBD. This will enable SA Water to monitor changes in flow and pressure so they can fix faults and leaks before they escalate. This significant investment in pipe replacement will reduce the impact of water mains issues on SA Water customers and the broader community.

We know that we can't stop every single burst and leak in a highly pressurised 27,000 kilometre pipeline system, but by investing this money we can reduce their frequency and severity and the impact on our community. It will also reduce the impact of burst mains on commuters, which is especially important during peak hour travel. At the same time, this investment will also generate, I am advised, 150 new local jobs, creating a boost in local employment.

As I advised the chamber yesterday, there will be no increase in SA Water customer bills as a result of this increased expenditure on these upgrades. This is because the \$55 million investment is coming as a result of a reprioritisation of resources that was, I am advised, negotiated successfully with ESCOSA.

The government, along with SA Water, is committed to listening to customer feedback to ensure that we provide the best possible water service for South Australians. SA Water will work with local councils and local communities to ensure that these replacements are done with the minimum amount of disruption possible.

There is, I am advised—and it's live, I think—a fantastic interactive map on the SA Water website that allows people to look at the upgrades and look at the pipes in their own street and seek information about the age of the pipes in their own area and whether those pipes are scheduled for replacement in the near term. The colour coding of green and pink, and indeed purple, I think, also on that map explain those differences, and I encourage all members to seek it out and check the utility of that device.

That is another outstanding example of the government and SA Water working together to deliver a better service for the people of South Australia in what is, of course, their own publicly-owned water utility. That is a striking contrast to the Liberals' plans for water in South Australia. We have known for a long time that the Liberals started out on a corporatisation, which was, of course, just code for pre-privatisation. We know that at the time it was called out for what it was in the media, as a precursor to privatisation. That's the Liberals' plans for SA Water.

The Hon. Rob Lucas, the minister for privatising ETSA, privatising Glenthorne Farm (when he sold the farm), and of course Modbury Hospital last time they were in government, and corporatising SA Water, getting it ripe and ready for a Liberal government privatisation scheme. I can't believe that Mr Lucas is still in this place, but of course he's got unfinished business.

We know that he won't rest until he gets to complete his business, and that is completing the journey of first corporatising SA Water and then privatising it. He's probably got a few mates over at the Adelaide Club that he's talking to right now who can't wait to get their hands on those assets. Or maybe he will just do what he did with ETSA, if he ever gets into government again, which is to degrade the network and then sell it to overseas interests.

This government will never privatise SA Water. It is far too valuable to not be kept in public hands. We make the critical investments to ensure that it delivers on its need to provide for the public good, which is water, and that it will stay in public hands whilst we have a Labor government in South Australia.

*Members interjecting:*

**The PRESIDENT:** Order!

### **MEDICAL CANNABIS**

**The Hon. T.A. FRANKS (14:59):** I seek leave to make a brief explanation before addressing a question to the Minister for Police, representing the Minister for Mental Health and Substance Abuse, on the topic of medical cannabis.

Leave granted.

**The Hon. T.A. FRANKS:** Over a year ago, federal laws passed that have had the effect of legalising access to medical cannabis, cultivation and manufacture, as well as patient access, in this country. As of this month, in Queensland, GPs will be able to prescribe medical cannabis for patients under the laws passed in that state last October. The laws give certain specialists, such as oncologists, paediatricians, neurologists and palliative care specialists, the right to prescribe medical cannabis, as well as other doctors, including GPs, the ability to apply to Queensland Health for permission to prescribe drugs for patients who have certain conditions.

By comparison, in South Australia we have had a discussion paper on medical cannabis patient access that was released late last year and closed on 31 January this year, which recommended in its options that GPs not be able to prescribe medical cannabis under any circumstance, and we have constituents and industry players who are consistently, in correspondence, referred to the Minister for Substance Abuse when asking questions about patient access and other areas of access to medical cannabis in this state. My questions to the minister are:

1. Can the minister clarify for the public record why this government has chosen that the Minister for Substance Abuse and not the Minister for Health takes carriage of medical cannabis?
2. Can the minister also confirm that it is the case that not a single doctor in South Australia of any class—GP or specialist—has yet been able to become an authorised prescriber of medical cannabis and that, in effect, there is no patient access to medical cannabis in this state as a result?
3. What training, if any, has been provided in South Australia to the medical community for professional development in medical cannabis?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:01):** Those questions pertaining to areas within the responsibility of either the Minister for Health or the Minister for Substance Abuse I am more than happy to take on notice and pass on to the appropriate member in the other place.

### **MEDICAL CANNABIS**

**The Hon. K.L. VINCENT (15:02):** Supplementary: can the minister also bring back information to the council as to whether the ministers in the other place have been approached by any medical practitioners saying they would like to be an authorised prescriber?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:02):** I am also happy to take that on notice for the appropriate ministers in the other place.

### **LIQUOR LICENSING**

**The Hon. T.J. STEPHENS (15:02):** My questions are to the Minister for Police:

1. What are the functions and mandate of the licensing enforcement branch of SAPOL?
2. What are the staffing levels and budget of this branch?

3. How does this amount of police resources compare to that which is committed to eradicating the scourge of methamphetamine in this state?

4. Is the minister seriously considering breath testing hospitality workers in licensed venues?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:02):** I am happy to confirm that I don't personally have any intention to start breath testing those people working in licensed premises. However, it is, of course, my expectation as the Minister for Police that all members of SAPOL seek to enforce the law, or the areas of law they are responsible for, whatever the law may be, as determined by forums such as the one we are in right now.

Regarding the licensing enforcement branch, it is an important function within SAPOL. The licensing enforcement branch has an important job to do to ensure that those members within the hospitality industry, amongst others, who are serving alcohol are doing it in a way that is compliant with the law that this parliament has established. Regarding its specific number of resources, that is a question that is entirely a matter for the Commissioner of Police. He determines what SAPOL will do with the extraordinary and record level of resources that are allocated to him by this government. I am more than happy to get that information for the honourable member and provide it accordingly.

#### RED BALLOON DAY

**The Hon. G.E. GAGO (15:04):** My question is to the Minister for Emergency Services. Can the minister update the council about Red Balloon Day 2017?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:04):** I would love to take up the opportunity to answer this important question from the Hon. Ms Gago. Again, I thank her for her question. As members may be aware, yesterday was National Red Balloon Day 2017, a day on which we take the opportunity to say thank you to the extraordinary commitment and dedication of our firefighters, both volunteer firefighters and also professional firefighters. Marking the last official day of summer in Australia, which was yesterday, is a fitting opportunity to do this.

To be part of Red Balloon Day the public, businesses and organisations, were asked to fly a red balloon from their letterbox, fence or window to let our firefighters know just how much we appreciate their dedication, hard work and tireless efforts in protecting our lives, homes and communities all year round. Importantly, all money raised from this worthy initiative is donated back to the state's fire agency charities in South Australia. In the case of the Country Fire Service, that is the CFS Foundation, and in the case of the MFS, that is the Australian Professional Firefighters Foundation, which both deliver vital support to firefighters themselves, as well as the broader communities they are a part of.

Whether it is volunteers or paid professionals, the one thing that always strikes me about our men and women firefighters is how humble and hard working they are. They do incredible work, not out of a need for recognition or adulation, but simply out of a genuine motivation to be able to serve and protect the communities that they are a part of.

While Red Balloon Day marks the last day of summer in Australia, at least officially, it is important to note that we are still in the midst of fire danger season. During this time, our firefighters are on high alert, and despite a very wet summer to date—in fact the third wettest on record for our community—the risk of bushfire remains. In that sense, I remind members to help spread the word that we need to be prepared and plan to survive, instead of leaving it until it's too late.

Whether that is by using the CFS's new online tool 'My Plan to Survive' or by checking the bushfire danger rating through the CFS website or on Alert SA, we are all doing our part to make sure our firefighters are not placed in more risk than they need to be. That is why it is vital that the community, especially us as parliamentarians, get behind Red Balloon Day, when it rolls around next year, to honour the difficult and often dangerous work our firefighters undertake each and every day, as well as the enormous sacrifices they make to protect our lives and property.

Just before question time I had the opportunity to pop up to the Burnside CFS to get an important public message out that the Bureau of Meteorology has declared that they believe that this will be an Indian Summer, which essentially means that we are expecting the summer weather to be protracted into the autumn months. The bureau is predicting that we will have a hotter and drier autumn than what is traditionally the case, which means our firefighters, particularly our CFS firefighters, will be remaining vigilant over the coming months.

It is also really important that we continue to adhere to the various bans that could be issued during the course of the autumn months and we also make sure, as a community, that we have our bushfire action plans in place to ensure that we can keep loved ones safe in the event that there is a bushfire, without jeopardising the safety of our firefighters, particularly volunteer firefighters, who are working in regional areas keeping our community safe.

### HIGH RISK FOOT

**The Hon. K.L. VINCENT (15:08):** I seek leave to make a brief explanation before asking questions of the minister representing the Minister for Health regarding high risk foot and amputations.

Leave granted.

**The Hon. K.L. VINCENT:** High risk foot is defined by the presence of conditions that will negatively impact on the function of the foot or its structures, placing the lower limb at risk of an infection, ulceration or amputation. Whilst diabetes is the most common precursor diagnosis for high risk foot, other conditions that may contribute to risk include renal failure, requiring haemodialysis, systemic arthropathies and autoimmune diseases.

South Australia has one of the highest prevalence of lower limb amputation in Australia. People in South Australia's regional and remote communities are more likely to have limb amputations as a result of diabetes. Limbs 4 Life has sought funding to continue its work with amputees, but has not been given sufficient funding, as we understand it. My questions to the minister are:

1. What is being done to reduce the number of South Australians with diabetes?
2. How are high risk foot clinics working to reduce the number of amputees in South Australia?
3. Is the minister aware of the work of Limbs 4 Life and their peer support for amputees?
4. Will the minister allocate sufficient funding for peer educators to be trained to work with people who have had amputations?
5. Will the minister ensure the provision of peer support in South Australia in line with the stated SA Health policy?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:09):** I thank the honourable member for her most important question relating to foot health issues and lower limb issues, and undertake to take that question the Minister for Health in the other place and seek a response on her behalf.

### NORTHERN ECONOMIC PLAN

**The Hon. J.S.L. DAWKINS (15:10):** I seek leave to make a brief explanation before asking the Minister for Employment a question regarding the Northern Economic Plan.

Leave granted.

**The Hon. J.S.L. DAWKINS:** In November last year in this place, I asked whether the minister would bring back information about further discussions he may have had with the Mayor of Gawler in relation to the absence of the Town of Gawler from the Northern Economic Plan. The minister stated as follows:

I have had discussions with the Mayor of Gawler and in the near future I am happy to bring back some further information to update the chamber, but maybe I will be able to update the honourable member even before that.



Will the minister provide an update on Gawler's absence from the Northern Economic Plan, which he assured me and this council that he was examining, and deliver the information that we have not received so far?

**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) (15:11):** I thank the honourable member for his question and his advocacy for people in the northern areas of Adelaide, particularly in his area around Gawler. I will come back this week, tomorrow, with some information about a program we are starting to help entrepreneurs and start-ups in the Gawler region specifically that forms a greater part of the Northern Economic Plan. I just don't have the details in front of me now but I undertake to bring them back for the honourable member—

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

**The Hon. K.J. MAHER:** —this week. I will bring some information this week for the honourable member.

### INDUSTRIAL HEMP

**The Hon. J.M. GAZZOLA (15:11):** My question is to the Minister for Manufacturing and Innovation. Can the minister update the chamber on the recent round table held to discuss the industrial hemp and medicinal cannabis industry in South Australia?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:12):** I thank the honourable member for his question. It is a very good question and I thank him for his interest in manufacturing in South Australia. It follows a different part of the question that the Hon. Tammy Franks asked previously.

*An honourable member interjecting:*

**The Hon. K.J. MAHER:** A different part of the question but they were both good questions. On 30 January this year, the state government hosted a roundtable discussion with key industry participants to look at potential opportunities for the economic development of an industrial hemp industry and a medical cannabis industry in South Australia. The round table was a constructive discussion designed to identify opportunities for and barriers to the respective industries' development in this state.

The discussion was attended by representatives from industry, industry associations, researchers, lobby groups, state government departments, and I also note the valuable and active participation of the Hon. Tammy Franks, who has had a longstanding interest in this area, and the Hon. David Ridgway, who contacted the government and asked to be present and was an active contributor, and I appreciate his time on that day and his participation in those discussions.

Interest in these industries has developed partly following changes implemented by the commonwealth government. As the Hon. Tammy Franks alluded to earlier, it is part of a framework to provide access to medicinal cannabis in appropriate circumstances for patients in Australia. The South Australian government recognises that there may be economic opportunities to develop both industrial hemp and medical cannabis industries in our state.

The industrial hemp discussion initially focused on opportunities and benefits of developing an industrial hemp industry in South Australia which could include areas such as primary production and also value-adding for things like production of textiles for clothing, building products, and things such as cosmetics. The discussion then went on to look at barriers to realising these opportunities, including licensing regimes, trialling of crops and the importance of developing export market opportunities.

The medical cannabis discussion covered a range of topics, including classification, definition, research, cultivation and the importance of industry development. At the conclusion of the round table I committed to responding to the industrial hemp element of the discussions within

30 days. I can inform the chamber that the government will be supporting the Hon. Tammy Franks' ambition to develop an industrial hemp industry.

With regard to her bill that is currently before the parliament, given that it's before this chamber I won't go into details, but over the next couple of weeks I will be speaking to the different parties in this chamber about amendments to the Hon. Tammy Franks' bill, particularly into the licensing and inspection regimes that will be needed to go along with that.

By removing barriers to the cultivation of industrial hemp, we will give growers and manufacturers the opportunity to explore any possible potential benefit for the industry in South Australia. With the appropriate rules and regulations in place, our primary producers will be able to consider whether they want to become involved in the hemp sector, with the potential to further develop industries through the growth and manufacturing of these products. At that roundtable discussion, I also committed the government to considering how it might support economic development opportunities in medicinal cannabis industries in South Australia.

I can inform the chamber that, following the round table, I have written to the federal Minister for Industry, Innovation and Science, the Hon. Arthur Sinodinos, to clarify a range of matters that were raised by participants at that round table, particularly clarification on the step-by-step process for obtaining cultivation licences, manufacturing licences and also the processes for importation of medical cannabis products into Australia. There has been some movement on this by the federal health minister in the last couple of weeks.

I have also sought clarification on the rationale behind any possibility of change in the current prohibition of export markets for medical cannabis products. Clearly, if a medical cannabis industry has an opportunity to develop in this state, the capacity of export could be an essential criterion for reaching the critical mass required to achieve economies of scale for a profitable industry in this state. I look forward to continuing to inform the chamber about progress in this area, and I look forward, in the coming weeks, to looking at the bill that is currently before parliament, put up by the Hon. Tammy Franks.

### MEDICAL CANNABIS

**The Hon. K.L. VINCENT (15:17):** Supplementary question: is there scope for the minister to consider, or has the minister already considered, whether people who use medical cannabis might still be able to maintain a driver's licence and have the right to drive a car, providing, of course, that the properties were such that it could be proven that they did not impact their driving skills?

**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) (15:17):** I thank the honourable member for her question. That was outside the remit of what we met about, which was particularly about the economic development opportunities. Those areas are portfolios that I am not directly responsible for, but I would be quite certain that if someone is affected by a drug that is detectable by a drug driving regime there will be no exceptions to that, and if there are detectable levels of any drug, the full force of the law will be applied.

### INDUSTRIAL HEMP

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:18):** Supplementary question: has the minister reviewed the work into industrial hemp done by PIRSA that was commissioned by the Hon. Robert Kerin when he was minister for agriculture in the late 1990s? If he has, is he able to provide those findings to this chamber, maybe during the debate on the bill?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:18):** I thank the Hon. David Ridgway for his question. It's great that he is now allowed to ask a question and that his silence is broken in this chamber. It is a fantastic thing, after he was brutally sidelined earlier today by the Christopher Pyne forces in this chamber. They took all the questions off him.

*Members interjecting:*

**The Hon. K.J. MAHER:** I'm getting there.

**The Hon. D.W. RIDGWAY:** Point of order, Mr President. I know he is performing at the Fringe, but he shouldn't bring that into the chamber and perform here as a Fringe act.

**The PRESIDENT:** Can the minister get to the question.

**The Hon. K.J. MAHER:** I thank the honourable member for the question about the trials that have been previously conducted by PIRSA. He is now on the record as having asked two questions, which will be very good for his deplorable faction of the Liberal Party, which he and Tony Pasin are the leaders of here. Now that he has had two questions, I'm sure that will be most satisfactory.

In relation to the previous trials, I think it was two trial sites, as I understand it, in South Australia, some time ago. One was either on the Eyre Peninsula or Yorke Peninsula and one in the South-East, maybe around the Kybybolite area, as I have been informed. I think, though, that they weren't completely successful trials of those at the time. A number of people have given me reasons as to whether the right strains were used in those trials, or whether it was where people chose to grow it.

I am happy to find out some more information about those trials in the past. In terms of changing the legislation, we are not suggesting that it is going to be a crop that is going to be grown everywhere around South Australia, but to give the opportunity, if it is appropriate and if it is economically viable in those areas. In terms of the previous trials that were undertaken, I am happy to get a bit more information about those for when we have the debate on the bill in the not too distant future.

#### FROME STREET BIKEWAY

**The Hon. M.C. PARNELL (15:20):** I seek leave to make a very brief explanation before asking a question of the Minister for Police, representing the Minister—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Parnell is on his feet.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Parnell has been sitting there quietly and patiently waiting for his question, so allow him to say it without interjection.

**The Hon. M.C. PARNELL:** Thank you, Mr President. I have sought leave to ask the Minister for Police, representing the Minister for Transport, questions about the Frome Street bikeway.

Leave granted.

**The Hon. M.C. PARNELL:** I refer the minister to today's article in InDaily, which contains almost as many different points of view on the Frome Street bikeway and the state government's response to it as there are councillors on the Adelaide City Council. To cut straight to the chase, my questions of the minister are:

1. Is the state government's co-funding deal with the Adelaide City Council for bicycle infrastructure dependent on the council modifying the Frome Street bicycle lanes to allow four lanes of motorised traffic?
2. If council decides to leave the Frome Street bikeway as it is, will this risk state government funding for other bicycle infrastructure projects?
3. Who is telling the truth in this matter and who is peddling false information in relation to the Frome Street bikeway?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:22):** I thank the honourable member for his questions regarding this hot topic. I am more than happy to take the questions on notice and make sure that the relevant minister in the other place, the Minister for Transport, minister

Mullighan, is able to take these questions up and get the information back to the honourable member in due course.

*Matters of Interest*

**SOUTH AUSTRALIAN COUNTRY PRESS AWARDS**

**The Hon. J.S.L. DAWKINS (15:22):** Last Friday evening, I was delighted to attend the Country Press SA Awards dinner at the Hahndorf Resort. The dinner was hosted by Mr Ian Osterman, the new Chairman of Country Press SA, and also, of course, the editor of the host newspaper, *The Courier*, at Mount Barker. The evening was conducted by the MC, Mr Andrew Manuel, the immediate past president of Country Press SA, and also the proprietor of the *Plains Producer* newspaper.

I was delighted to be told that it was actually 15 years since I started presenting my award for the best community profile through Country Press SA. This year, I was very pleased that Ms Lauren Novak, political writer for *The Advertiser*, was pleased to accept my invitation to judge my award. I was also delighted that the winner of the award was Mr Greg Mayfield of *The Recorder* at Port Pirie, a stalwart of country press around this state and well known to many people in the parliament. Mr Mayfield won it for a profile entitled, 'Heart of Fire'. If I can read briefly from Lauren Novak's comments:

Many entrants profiled survivors of the Pinery bushfires but Greg Mayfield's account of Brad Dennis' near-death experience was the most engaging.

It was also interesting to learn on the night that the second place in my award was Louis Mayfield from the *Whyalla News*, who happens to be Greg's son. Third place went to Jane Kuerschner of *The Murray Pioneer*. There were some interesting results on the night in the best newspaper over 5,000 circulation. The winner was the *Yorke Peninsula Country Times*. This is the first time that august journal has taken out that award in the top category. Second place went to *The Murray Pioneer* and third to *The Leader*.

In the best newspaper 2,400 to 5,000 circulation the winner was the *Plains Producer* from Balaklava which, remarkably, had gone up a category from the previous year due to its 81 per cent increase in circulation—a great result for that organisation. The best newspaper under 2,400 was won by *The Loxton News*—congratulations to them. In the other award categories, the best advertisement image branding was won by *The Border Watch* and the best advertisement priced product went to *The Recorder* and the best advertising feature was won by *The Leader* at Angaston.

The best supplement, the best headline, and the best news photograph all went to *The Border Watch*. The best sports photograph was taken out by *The Courier* and the best front page went to the *Northern Argus*. The editorial writing award went to *The Recorder* at Port Pirie and none other than Mr Greg Mayfield, who I mentioned earlier. The excellence in journalism award was taken out by *The Border Watch*. The best sports story was won by *The Murray Pioneer*. The award for digital initiative was taken out by the *Plains Producer*. The young journalist of the year award went to Todd Lewis of *The Border Watch*. The most outstanding advertising representative award went to Ms Tina Traeger from the *Eyre Peninsula Tribune*.

Time does not permit me to read out many of the other placegetters and the people who were highly commended. However, once again, I thank Country Press SA for the very professional way they organise their award process. Certainly, when I invite someone like Lauren Novak—and other people who I have asked in the past, to judge my awards—the professionalism and the way in which it is conducted is appreciated not only by me but by those people who judge the awards.

**CENTRELINK DEBT RECOVERY SYSTEM**

**The Hon. G.E. GAGO (15:27):** Since July 2016, Centrelink has implemented a new online compliance intervention system which was designed to match income data provided by the Centrelink recipient with the income provided to the Australian Tax Office. When the income does not match, recipients receive a letter advising them to update their details. If the updating of details does not solve the discrepancy, Centrelink will issue a debt letter if it is deemed that the customer was overpaid. Since this system was implemented it is estimated that Centrelink has issued up to 20,000 debt letters per month, with the burden of proof falling on the welfare recipient.

A whistleblower from Centrelink has stated that the matching system is riddled with errors. According to this source, there are instances of Centrelink generating debt based on payments that have never been made, as well as cases of recipients receiving debts larger than the amount of Centrelink payment they had been paid. The whistleblower also states that the system was often duplicating portions of a person's income incorrectly, considering leave, termination and maternity leave payments in the calculation of a payment.

The system is averaging out a payment that someone may receive only for a portion of the year and assuming that the payment has lasted the entire year. This, of course, has led to grossly inaccurate debt accounts for thousands of Centrelink recipients. Disputing these debts has become increasingly difficult as, according to the whistleblower, compliance teams are being instructed to not fix errors in the system and that errors should only be looked into if the customer specifically identifies them.

Review officers are also being told that they cannot accept evidence of a person's financial position and history if those documents had already been provided to Centrelink. Therefore, despite the matching system manufacturing incorrect assessments, a customer is unable to show payslips or documents that prove their real situation.

The source has stated that these errors have produced millions of dollars of incorrect debts. For those affected by this fraud system it is an extremely difficult process to resolve the errors, as customers have to spend hours on hold trying to contact someone. In an open letter from the commonwealth Public Service Union, Centrelink department staff stated:

Many of us warned the Department of Human Services that the debt system wouldn't work. Despite our combined 100 years of experience in welfare systems, the department is still not listening.

The inability of the matching software to do its job has not been helped by the cutting of 5,000 workers by the federal government. The CPSU Centrelink staff state:

We need more staff who are permanent and well trained and who are genuinely consulted about how things work so they can help you.

The Department of Human Services does not record the number of errors made at the fault of the department, which means there is no accountability for these mistakes. The brunt of the customers' understandable anger is landing on front-line staff at Centrelink call centres and offices around the country, and it is the responsibility of the federal minister to resolve this issue immediately.

The seriousness of these debts cannot be overstated. It is impossible to know at this point how many in our community have paid a debt that was raised in error. It is also hard to believe that all of these people will be remunerated in the future.

There are serious consequences for customers when they feel they have to pay unjustified debts. These are already some of the most financially vulnerable people in our community—students, aged, disability pensioners—who are losing out because of the incompetence of this federal government. The emotional as well as the financial pressure that can be put on a person is extreme. Twitter users who have commented on their deteriorating mental health due to these debts have been advised by Centrelink—get a load of this—to contact Lifeline.

The federal government must immediately investigate these serious flaws in their system to ensure that no-one else has to pay an unfair and unjustifiable debt. My message to South Australian Centrelink recipients is: if you receive a debt letter that you believe to be incorrect, make sure that you persist in making contact with Centrelink and ask an authorised review officer to re-examine your debt.

### **SOUTH-EAST WASTEWATER DISPOSAL**

**The Hon. M.C. PARNELL (15:32):** I rise today to report on some very unhealthy and worrying attitudes within the Department of State Development. From recent communication that I have had with the agency, I believe that the successor to the old mining department continues to hold the community in contempt and that it has learnt nothing from recent developments in public perception of its role.

Nowhere have these attitudes been more pronounced than in the South-East of South Australia. The background to this matter is that in 2015 I applied under the Freedom of Information Act to the Department of State Development for a copy of Beach Energy's wastewater management irrigation plan for South Australia. In fact, there is not just one plan, there are several plans, and they each show when and how wastewater from gas mining activities is disposed of.

In the South-East groups such as the Limestone Coast Protection Alliance have been passionate supporters of their region and protecting valuable agricultural land from gas mining, particularly unconventional gas. Through research these groups learnt that the main disposal method used by gas companies is to use this wastewater to irrigate pasture. However, the details of where this disposal has taken place have never been published.

The plans that I sought relate to the disposal of wastewater from Beach Energy's Penola operations at Jolly-1 and Katnook. The plans ultimately released were redacted by removing all information that showed where the wastewater was being dumped. The only information provided was that it was being sprayed onto farm land as fertiliser.

It is important for the public to know this information, because there is no other way to assess whether there is potential for contamination of the local environment, neighbouring properties, sensitive ecosystems or even drinking and stock water supplies from local aquifers.

The community has a right to this information so that it can judge for itself whether government and industry assurances are valid. The legal reasons given for not disclosing the location of the wastewater disposal sites were, firstly, unreasonable disclosure of 'personal affairs', and secondly, documents affecting 'business affairs' which would be contrary to the public interest to disclose. Both these arguments are dodgy at best. To justify the decision, the department stated:

Oil and gas exploration is a topic of significant community debate and the association of these landowners with oil and gas exploration may expose them to negative treatment by the community and could reasonably be expected to reduce the willingness of third parties to enter into similar arrangements in the future.

Beach Energy made similar claims. It is a real insult to the people of the South-East to suggest that they are incapable of having a rational and civil debate about the future of their district without reverting to vigilantism.

Are our fellow citizens in the South-East of our state so lawless and disreputable that they are likely to take out their wrath against individuals connected to the gas industry? Is the Wild West really the Wild South-East when it comes to South Australia? I do not think so, but that is the suggestion of the Department of State Development and Beach Energy in their bid to keep their wastewater disposal sites secret.

According to both the department and Beach Energy, if the public were to find out where the wastewater was being disposed of, they would identify the farmers involved and this 'may expose them to negative treatment by the community'. In other words, the people of the South-East cannot be trusted to know where industrial waste is being dumped in case they take it out on the farmers involved.

The department's attitude is a massive insult to the people of the South-East. There is absolutely no evidence that the people who are directly or indirectly involved in the gas industry are being ostracised, discriminated against, harassed or negatively treated by the rest of the community. These are people who live in the community, they shop in the community and their kids go to local schools.

Certainly, the gas industry is controversial, but to use that controversy as an excuse to deny access to environmental information only serves to reinforce negative attitudes to the department. As was put to me by one local, 'The department doesn't trust us, so why should we trust them?' The matter is now under investigation by the Ombudsman, who is undertaking an external review of the department's decision to withhold the property locations. In a preliminary determination released last week, the Ombudsman has said:

The agency [Department of State Development] has not provided my office with any evidence to suggest that those opposed to unconventional gas exploration have harassed or otherwise mistreated persons associated with the industry. The applicant—

that's me—

has submitted that this has not occurred. Absent such evidence and in all the circumstances, I do not consider there to be a meaningful risk that, in the event of disclosure, landholders identified in the documents would be subject to unlawful behaviour.

As the matter is still before the Ombudsman, I do not propose to say any more about the likely outcome of these proceedings. However, I want to take this opportunity to call on the government to apologise to the people of the South-East for its lack of confidence in their civility and their capacity to engage in rational debate about the future of their community. An apology is the least the government can do to repair the trust in a community which the Natural Resources Committee of parliament recently found had not given a social licence to the gas industry to operate in their region.

### **POLICE, LICENSING ENFORCEMENT BRANCH**

**The Hon. T.J. STEPHENS (15:38):** I rise today to speak about an issue which is a continual source of frustration for me and those involved in the hospitality industry. I speak about the Licensing Enforcement Branch. I have a tremendous respect for the South Australian police force and what our men and women in blue do on a daily basis, often putting themselves in harm's way to keep us safe.

My gripe is not with the police, but it is with this Labor government whose priorities are clearly misplaced. It does not seem to matter what the policy prescription is when it comes to cracking down on liquor licensing and its culture. Law abiding people are usually unfairly affected. This is the case for lockouts, licence breaches and even the proposed breath testing of staff. The problem lies with the government's approach. It is placing the blame for the poor behaviour of patrons on the licensee, rather than on the individual misbehaving. Whilst I believe that drunk patrons should not be served as a principle of responsible service, the determination of what constitutes a drunk patron is not an exact science.

Does the person have to be visibly affected, violent or obnoxious, or should it be based on measured consumption? The point is that it is a judgement call, which leads to inconsistency; and because there is no objective test, how then can staff and licensees be fairly prosecuted for breaching the terms of a licence? And what about the mix of drugs and alcohol? This is an issue that this government is actually hiding from.

An example of this government's heavy-handedness was the prosecution of the Clare Valley Racing Club last year for breaches that could be considered frivolous and which involve the poor behaviour of patrons. I have been informed of the particulars of the several breaches, which include the serving of six cans to a patron instead of the stipulated four; the drinking of beer and wine directly from carafes instead of cups; patrons obtaining pass-outs to drink in car parks; crowd controllers being indifferent to the intoxication of patrons; and crowd counters not working.

All of these breaches are explainable and understandable, particularly at a large event run by volunteer staff—and I highlight the word 'volunteer'. It is disappointing that licensing enforcement officers do not attempt to work with the licensee in order to ensure compliance rather than simply sit back and wait for things to go wrong and pounce.

In the case of the first breach, the poor volunteer was actually duped by patrons into selling six cans instead of four to one customer. However, in his opinion, he genuinely believed he was serving two customers. Wow—why don't we bring in the STAR Force! If there is no carelessness or negligence on the part of the volunteer, why is he being hauled before police and the Licensing Court? The fact is he was very distressed that he had caused the club trouble but also that he himself faced a hefty penalty. All of this could have been avoided if officers had targeted the true offender, the irresponsible patron who tried to circumvent licensing rules by obtaining more than four drinks in one transaction.

The club was very confident that they had less than 4,000 patrons, despite being licensed for 7,000. The club was still cited for breaching this condition of the licence simply because the electronic counters of security guards stopped working and could not produce an accurate reading. This is ridiculous when it can easily be proven that the club was well within its licence conditions.

If the burden of responsibility for patron behaviour was on the individual rather than the licensee, then most of the resources spent on licensing enforcement could be spent on fair dinkum

policing and crowd control. If licensing enforcement officers saw regular examples of severe intoxication and the added effects, then they should be assisting licensees with removing these patrons or escorting them somewhere they can be helped.

Licensees, especially those running a community event with volunteers, should not be treated as the bad guys who cause this mess, as it is the irresponsible patrons who should be, in the eyes of the law, locked up. It is conceivable that if the burden of responsibility shifted to the individuals, then the genuine chance of reform of our drinking and nightlife culture may be possible.

My final point is that the recent proposal to breath test hospitality staff falls under this same category. How will this improve the compliance of licensed venues? How will this ensure that licensed venues are safer and better for all? It is no surprise that the hospitality industry is unanimous in its objection to this proposal.

I can think of at least one clear example where a blanket rule of zero BAC for staff would not work, and that is at cellar doors. Preventing a winemaker from sampling wine whilst spinning a yarn with patrons over a tasting is not only draconian but it will ruin a great tradition in this state and one that is essential to tourism and our culture. So, I will continue to press the government on this issue to ensure a permanent change in this area of public policy and I will do everything I can to protect volunteers.

### **ADELAIDE FRINGE**

**The Hon. J.M. GAZZOLA (15:43):** I was pleased to hear about the government's recent funding boost for the Adelaide Fringe, ensuring the festival stays affordable and accessible to all, not only for patrons but for the artists themselves, many of whom have scrimped and saved their own money to present a show. I know most do it for the love of performance or artistic expression, and I thank them for their infectious enthusiasm and energy that weaves magic through the streets of Adelaide during Fringe season.

Elena Kirschbaum, the director of Gluttony, was quoted in an ABC article on 24 February as saying, 'I think most of Australia has no idea that one of the best festivals in the world is on their doorstep.' It has been reported that tens of thousands turned out to watch the Fringe opening parade, kicking off another huge celebration and platform for the performing arts. Adelaide hosts the second largest annual arts festival in the world. After busting its own record for the highest ticket sales in an opening weekend, the Adelaide Fringe keeps going from strength to strength. Fringe director, Heather Croall, said on ABC Adelaide:

We've had the biggest ticket selling opening weekend ever, which was a wonderful record to break. The Croquet Club had to move site down to the river but they've had a record opening weekend as well, so I think since they opened the doors they've had about 32,000 people through the site.

Next year, the government will invest an additional \$1 million into the festival, \$900,000 of which will be put towards reducing the inside charges for ticketed events, allowing more money to flow back to the artists. The remaining 10 per cent will go towards a national marketing campaign, raising awareness interstate of this gem of a festival we host in Adelaide.

The ABC reported that the fiscal benefits of the 2016 Fringe were \$77 million in gross economic expenditure. The ABC is already introducing another dimension to the festival's international exposure with the Fringe Fling. The Fringe Fling is a collaboration between ABC Adelaide and BBC Scotland, where BBC Radio Scotland featured two special live broadcasts. These broadcasts brought a bit of the Adelaide Fringe to the ears of Scotland, as well as its Australian audience. The presentation by Sonia Feldhoff and Janice Forsyth included live music, comedy, performance and conversations with various artists on 20 and 21 February.

The Adelaide Fringe is a wonderful opportunity for both local and visiting performers, as well as their audiences. Flinders University creative arts graduate, writer and director, Matthew Cropley, was mentioned by Sophie Perri in *Adelaidenow* as saying:

Fringe is the perfect avenue for attracting audiences outside of the usual theatre crowd and networking with people in the industry.

I am reminded of the importance of a thriving arts scene, of which the Fringe artists are an integral part, by the recent words of Arts SA chief, Peter Louca:



Art has always mobilised across societies and been a vehicle for the exchange of ideas, beliefs and values. Art should be transformative, informative; it should be a commentary and a reflection of our wellbeing. It projects us into a space, emotionally and psychologically.

The Fringe Festival sees children, teens, adults and seniors have the opportunity to enjoy its vast array of offerings, where there is likely something for everyone. I look forward to delving into the delights of what the 2017 Fringe Festival has to offer, knowing that this festival contributes to our social fabric, collective welfare and the economy of this state. Again quoting the Executive Director of Arts SA, Peter Louca:

...having an internationally recognised city isn't just a means for Australian arts patrons to feel connected to a diverse and fully realised world of creativity. It also allows Australian artists to tell our stories to the rest of the world. It's an exchange which is utterly vital to the vibrancy of our local artists and the prestige of those artists on a global stage.

To all who have travelled here, welcome to Adelaide and enjoy our Fringe Festival.

### DRUG REHABILITATION CENTRES

**The Hon. D.G.E. HOOD (15:48):** Drug rehabilitation centres play an important role in treating drug addiction and reducing harm in society. As members would be well aware, these facilities can provide a great deal of assistance when families and individuals need them most, in particular counselling, group therapy, withdrawal management or detoxification (as it is sometimes called), and importantly, an education process, which allows those affected to understand their addiction and in many cases prevents them from falling into further addictive behaviour.

In some instances, drug rehab centres may also provide residential treatment. In fact, I have visited a number personally where I have seen the way they are set up and, in my experience, these are some of the most successful of their kind, in addition to non-residential treatment programs. They are, though, quite costly. Residential treatment is at times necessary to manage addictions, but as I say it can be very costly.

In the current ice epidemic, as it has been labelled, it is very important that drug rehabilitation facilities are well resourced and accessible to all. However, in reality, these facilities are not accessible due to the very high cost that is normally associated with them, limited availability and scarce funding. Those who wish to receive immediate treatment for their addiction face a large bill, up to \$30,000 for a place in a private facility, or face waiting up to six months before a public or charity run facility can provide residential treatment.

As an example, according to information online, Visible Recovery in Adelaide has the capacity to house up to 10 residents at a time, at a cost of \$2,500 per week, with residential treatment programs ranging from one month to one year. Visible Recovery hopes to raise funds to build a bigger not-for-profit centre in Lockleys, and we wish them well.

As you would appreciate, \$10,000 is a very significant amount of money, particularly to those who are physically and financially drained from insidious illicit drugs, such as methamphetamines or ice. The likelihood of an ice user coming up with \$10,000 to go into rehabilitation is slim, at best, unless they have external support. All too often I come across stories of addicts mortgaging their homes, receiving loans from parents, grandparents or other family members, and resorting to rehabilitation facilities and programs overseas.

The exorbitant fees associated with local private facilities is not an indictment on the providers, but rather represents a lack of government funding and the great demand for rehabilitation facilities and services. I am not often in this place arguing for more government funding for various things, it is something that I resist, but in this case I think a substantial increase in government funding is probably the only way forward.

Not that long ago, South Australian Network of Drug and Alcohol Services' executive officer, Andris Banders, criticised the closure of three rehab centres in Adelaide due to the cut in funding from the government. More recently, reports surfaced which claimed that the \$300 million in federal government funding for treatment of ice addiction is not reaching the front lines of drug rehab centres. This is despite some facilities reporting a 125 per cent increase in admissions for ice addiction.

Unfortunately, the lack of funding and resources will result in the closure of beds and, ultimately, the closure of drug rehab centres. No-one wins.

This is simply unacceptable. Generally, there is a very small window of opportunity where addicts are in the right frame of mind and actually willing to rehabilitate. Without accessible drug treatment at that particular time, however, many addicts may simply decide to continue using the substances that got them into trouble in the first place. Waiting six months for a place in rehab is not an acceptable circumstance at this time. Six months for an addict can literally mean life or death in some cases.

Recently, the government rejected a bill by the member for Bragg in the other place which explored the idea of mandatory rehabilitation for those under 18, something which Family First supports. Due to the current shortage in existing treatment facilities, supporting the bill and mandatory rehab for minors would likely require a purpose-built rehab centre funded and managed by the government. It is, however, disappointing that this bill has not progressed any further.

Family First encourages the government to invest more in rehab—federal and state, I should point out—explore innovative ideas to address drug dependency and strongly lobby the federal government for a decent portion of the \$300 million funding required for the facility I have just outlined. We call on the government to provide further resources to drug rehabilitation services and particularly to those on the front lines.

Strict penalties set by the legislature, enforced by the police, and adequate sentencing by the judiciary is only part of the answer. Rehabilitation is equally important and must not be neglected in the ever evolving war against drugs. The federal government has a significant role to play here, as does the state government. This problem has been allowed to go on for way too long.

### FINANCIAL TECHNOLOGY

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:53):** I rise today to make some comments around the FinTech industry and in particular Blockchain. Blockchain technology may not be something that many members of parliament are overly familiar with or have even heard about. This is an area that I have taken a keen interest in and it is something that I am excited about. It is something which I believe will play a significant role in South Australia's future, across a range of sectors.

For the uninitiated, and at the risk of oversimplifying it, ultimately, Blockchain is a secure, unhackable, distributed ledger that will allow for instantaneous peer-to-peer transactions using cryptocurrency. I should note that by summarising this complex technology into a single sentence I do Blockchain and its plethora of possibilities a great disservice.

So, what does this mean in practical terms? In practical terms, Blockchain will cut out the middleman and free up untold amounts of idle cash, reducing the time that money effectively spends in limbo. For instance, imagine if you could transfer funds directly to another person or business and not have to go through a bank. Or, on a stock exchange, imagine if you could trade shares instantly without the exchange holding the shares and the money while the transaction clears. That would mean these funds are not sitting in the coffers of another earning them interest. It means less fees and charges and, importantly, it means instant transfers. This is an exciting new technology that has untold possibilities.

Those who have heard of Blockchain may know that it is the next big thing, but they are not quite sure how it will evolve. A good analogy that I use to describe Blockchain is that, at the moment, it would be compared to where the internet was in the 1990s. Back then, we all knew that the internet was exciting but it appeared complex and foreign, and we never knew how much it would ultimately consume us. Nowadays, many of us could not imagine a world without the internet, especially younger generations.

As a South Australian member of parliament, my end goal in pursuing this exciting technology is for the betterment of South Australia. South Australia has a rich history of innovation and entrepreneurial spirit and these attributes will be fundamental to reinvigorate our economy. Blockchain, like the internet, is the next big technological advancement that South Australia needs

to capitalise on. This technology has the potential to transform our economy, the way that we do business and it even has huge potential for governments.

Some of the potential benefits for South Australia and areas that South Australia could take the lead in utilising this technology include a range which I will go through briefly. Lands title: a South Australian invented the Torrens title and South Australia could easily lead the way with a new Blockchain-based conveyancing system. Water management and water trading: water rights and entitlements could be traded on Blockchain, reducing settlement rights on trades to less than one day, allowing for more efficient use of water.

Grain trading has already taken place. AgriDigital, a company in New South Wales, ran a successful pilot program last year and they traded 1.5 million tonnes, which is about 5 per cent of the nation's crop, using Blockchain technology. This has the potential to save the grain industry hundreds of millions of dollars nationwide every year.

Another area with a lot of potential is electricity microgrids. I know of a concept where you would have a chip in every solar panel on your roof, you would have a neighbourhood-based system where it would record, with a cryptocurrency, every electron that you produce on your property, it goes into the battery and then you pay for it when it leaves the battery. There are some opportunities to put some distributor generation around this state and to allow the benefits to go back to the person who owns the solar panel.

There is also a huge opportunity in the procurement process and cyber security aspects of defence. In government administration, the state of Delaware in America has progressively moved a whole bunch of government registers onto Blockchain and they are seeing some great advances in efficiency.

The state Liberal Party is aware of these possibilities and we are on the front foot. On Friday, our leader, Steven Marshall, will host a Blockchain summit at Adelaide Oval. In what can only be described as a massive coup for South Australia, we have secured two keynote speakers, Joseph Lubin and Chami Akmeemana, both world-leading pioneers in Blockchain technology, who have been described as the Bill Gates and Steve Jobs of this industry.

Our phones have been ringing hot and we have been inundated with interest from a broad cross-section of industries, including banks, universities, accounting firms, and even interstate and overseas guests who are coming to listen to this sold-out event at Adelaide Oval. I will also be attending the world Blockchain Conference in Washington DC later this month and look forward to bringing those benefits back to South Australia.

Time expired.

#### *Motions*

### **MEDICAL TREATMENT CONSENT**

**The Hon. K.L. VINCENT (15:58):** I seek leave to table certain documents in relation to a resolution of this council last year.

Leave granted.

**The Hon. K.L. VINCENT:** I lay upon the table correspondence from Mr Tim Macindoe, member of the New Zealand parliament, together with a relevant document in relation to the resolution of this council on 8 June 2016 concerning Charley Hooper and growth attenuation and sterilisation of children with disabilities.

#### *Bills*

### **CROWN LAND MANAGEMENT (LIFE LEASE SITES) AMENDMENT BILL**

#### *Introduction and First Reading*

**The Hon. J.M.A. LENSINK (16:00):** Obtained leave and introduced a bill for an act to amend the Crown Lands Management Act 2009. Read a first time.

*Second Reading*

**The Hon. J.M.A. LENSINK (16:01):** I move:

That this bill be now read a second time.

Honourable members may think this bill is very familiar when (I am sure) they read it in great detail, as they are wont to do. It would be familiar because it has been in this place twice before, firstly in 2005, in a similar form, moved by my colleague the Hon. David Ridgway, and secondly in 2012. So, time flies when you are having fun, as they say. This parliament has not dealt with a shacks bill for several years and so I have reintroduced it to reaffirm the Liberal Party's longstanding commitment to shacks in South Australia.

Because I have made extensive speeches on these bills before, I will refer the avid 10 readers of the Legislative Council *Hansard* to my previous speech on this particular one, which was on 5 February 2012. I did the second reading there and went into it in some detail. There were further second readings on 16 October 2013, and it was passed in November 2013. However, I will briefly speak to the bill again to outline some of the details.

The history of shacks in South Australia is that it was the last Liberal government that undertook an extensive program of freeholding in the 1990s, and the figure that is used is in the order of some 3,000 sites and structures. Most of those shacks have been substantially renovated or removed, etc. This matter deals with those which were on crown land and were probably the more difficult ones to freehold at that stage. Some of them, I think, missed the bell in terms of the changing of the guard within the government. When the Labor Party took over, the policy of removing shacks was resumed.

The ones that are on crown land are in various states. There is no incentive for the people who have those leases to improve them or maintain them. Some of them are getting very old—well over 80 years old—and certainly need some upgrades. When the current tenure holders pass on, then the tenure reverts to the Crown and the shack has to be pulled down at the expense of the family. There are a number of locations where the crown land sites exist. They include Fisherman Bay, Lucky Bay on Eyre Peninsula, Glenelg River in the South-East, Milang on Lake Alexandrina, Smoky Bay at Ceduna, and there are a couple of sites on Kangaroo Island as well.

There may well be others. There seems to be a range of little shacks here and there. Interestingly, there used to be shacks all across the coast. We have got a problem at West Beach at the moment with asbestos being exposed when there are storms and that is a legacy of some of those old shacks that we used to have there. There are also some at Hallett Cove and there are probably other locations along the metropolitan coast. Pictures from the 1940s and that sort of era will show that there were an extensive number of shacks before the development and private tenure took over.

Shacks have a great tradition in Australia, generally, particularly around the January and Christmas holiday times. Lots of families enjoy those shacks. There are some 300 that are related to this crown lands issue. A number of these ones are small. Some do not have toilets or showers. There are two sites that are fairly well looked after, those at Glenelg River and those at Milang, where the councils have been quite involved in providing amenity to those areas. The councils have been very supportive of this particular proposal within the legislation, which would enable them to take care and control of those sites to manage them.

This particular legislation inserts a new section 44A into the Crown Land Management Act, and what would take place is that a head lease would be granted from the state government to participating councils for at least 99 years. Councils would appoint shack management committees, which would determine what will take place at each site. Each shack would be audited for what services exist at the present and to ensure that they will be upgraded to meet contemporary standards. There would then be subletting arrangements between councils and lessees, and those conditions are outlined in the legislation.

I think it is worth repeating some of the comments that have been made by members over the years, Labor members, and to repeat a speech from then environment minister John Hill on 5 May 2005, responding to Mitch Williams, the member for MacKillop's bill. He said that the

government's long-term opposition goes back to the Dunstan era. There are certainly comments on the record from ministers from that time opposing shacks in general. The Hon. John Hill said the following:

In the mid to late 1970s, the then Dunstan government initiated a policy to remove all the shacks from along our coast, whether it was a river or a beach front. The basis of that policy was that that coastal land, that river land, should be in the public domain. The government had that as a policy position and, I understand, gave a time frame to shack holders to remove their shacks in the late 1980s...

We certainly have had opposition from various government members on the record as well. Minister Gago, in this place, talked in 2005 about wholesale, irreversible excavation of cliff faces and loss of vegetation and narrow and rickety boardwalks, which is all spurious nonsense that we expect from this government.

Chloe Fox, who was the acting minister at the time, in an interview with *The Border Watch*, in reference to Glenelg River shacks said that most of the shacks were subject to seasonal flooding, which is actually quite a nonsense because there had only been three episodes in about 50 years. At the time of the most recent iteration of this bill, five years ago, the government members' criticism was that waterfront land is an important public asset to be enjoyed by everyone.

I agree with that particular statement, but the fact is that a lot of the shack sites do not exclude anybody from that waterfront and the people who have shack leases maintain the area, and in many instances make sure that it is kept free of weeds and waste and they look after it because of the ownership of it. Even the Hon. R.P. Wortley, our esteemed President, said that, 'Ms Lensink wants to hand out prime chunks of crown land to benefit a select few.' I think we can tell from the comments of Labor members that there is probably a bit of envy going on.

Of course, what they have forgotten is that shacks were often established as a cheap form of holiday accommodation for many working people. Indeed, there were unions in certain parts of Australia who set up shack sites because they recognised the need for families to have cheap accommodation. That particular aspect of our heritage and our history has been completely neglected by this government.

We had a rally several years ago in favour of shacks and well over 100 people came from all over regional South Australia to attend that rally. I think it is timely that this bill be reintroduced to demonstrate the Liberal Party's commitment to this particular matter for those who are on crown land. It is our intention, if we were to form government next year, to:

- investigate freeholding for shacks on crown land;
- provide a renewable tenure option for shacks where that is not a possibility;
- require that all shacks be upgraded to meet modern safety, amenity and environmental standards;
- establish partnerships where regions are supportive of their shack precincts;
- strengthen links between shack lessees, local rangers and friends of park groups; and
- investigate tourism opportunities, as certainly takes place in Victoria.

If you go across the border at the Glenelg River to Nelson, the Victorian government has management committees and a very well-established program to support shacks in that particular state, which is a sad comparator to what takes place in South Australia. With those comments, I commend the bill to the house.

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

## **NATIONAL PARKS AND WILDLIFE (LIFE LEASE SITES) AMENDMENT BILL**

*Introduction and First Reading*

**The Hon. J.M.A. LENSINK (16:12):** Obtained leave and introduced a bill for an act to amend the National Parks and Wildlife Act 1972. Read a first time.

*Second Reading*

**The Hon. J.M.A. LENSINK (16:13):** I move:

That this bill be now read a second time.

This is a companion bill to the bill that I just introduced and, again, for avid readers of *Hansard*, this bill was introduced into this chamber previously on 31 October 2012. It was not taken to a vote but I did speak extensively about the different national parks and the historical arrangements where there were shacks located in those parks and why we believed that the shacks should continue to be allowed to stay in those areas.

This particular legislation is very similar to the previous bill that I have just introduced. It mirrors the provisions of the Crown Land Management (Life Lease Sites) Amendment Bill, except that it does not seek a subleasing arrangement with the local council because that would not be an appropriate arrangement. However, it still does attempt to provide the same incentives for lessees to upgrade/improve their shacks for the benefit of those facilities but also for the environment—again, leases for five years with subsequent right of renewal/transferability with the consent of the relevant authority, and so forth. Again, all the infrastructure, and so forth, will be required to be upgraded.

I did speak at some length, when I introduced that bill in 2012, about the arrangements. As with many other shack lessees, the ones located in national parks have been there, in many cases, for generations. The lessees also have the privilege (a word I use in inverted commas) of paying council rates, but most of them do not receive any services in return.

The most significant national parks that have had such arrangements are the Innes National Park, which contains Pondalowie Bay, and also shacks at Shell Beach and Dolphin Beach. The Coorong National Park has a number of sites along there where shacks are present, and the Little Dip Conservation Park, on my understanding, has only one site left there.

The Innes National Park has quite an interesting history. I will not repeat all that again because I already spoke about that on 31 October 2012, but there are a number of leases there. There is an active fishing village, with people who reside there still, and a number of cray fishermen who work from that particular site, quite an active group of people who have been going there for many, many years or who, obviously, still live there.

One lady to whom I spoke when I visited there several years ago had been coming there since 1952, which was actually well before the park was proclaimed. It is worth noting that in all of these instances these shacks were there since before the park was proclaimed, and I think they were allowed to be retained to recognise that fact.

At the Innes National Park and Pondalowie Bay (or Pondie to the locals) I have been told that they often provide impromptu services to people who might visit the beach and are not used to taking their boats down there and get bogged on the beach. They have even prevented drownings in the area because they have been first on the scene. Like most shack areas, they provide a significant amount of rubbish removal and looking after that particular area.

We also have the Coorong National Park, which was proclaimed in 1966. A number of shacks were there well before then. There is an interesting history, again, in terms of the transfer to the national parks, to which I referred in that speech, where land was transferred into the park by that particular government and that then had a knock-on effect for the people who had shacks. It is the site of the original Strathalbyn fishing club, which has been there for many years.

The Little Dip Conservation Park, which I also mentioned, some of the original shacks were possibly there up to 100 years ago. It was clearly a place the local residents liked to attend when they were having their Christmas holidays. Usually, shacks in regional areas are associated with particular farming communities, so it is an opportunity for people from the same region to holiday in the same area year after year. They have some heritage associated with that area.

I think it is worth mentioning, too, if people think this is a really strange arrangement for people to have tenure in national parks, that anybody who goes skiing in Australia will actually be within a national park, and anybody who either stays in accommodation or has a beer in a hotel is within a national park lease with a local state government authority.

Do not let anyone fool you to say that this is some sort of strange arrangement, that we are trying to seek some sort of special deal for people who have their little iron, tin or fibro shacks. They have been there for some time, in many cases for many years, before the area was even considered for proclamation as a national park. We think they should be allowed to continue to stay. With those comments, I commend the bill to the house.

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

*Parliamentary Committees*

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

Adjourned debate on motion of Hon. M.C. Parnell:

That it be an instruction to the Select Committee on Statewide 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.'

(Continued from 15 February 2017.)

**The Hon. G.E. GAGO (16:22):** I rise to support this motion on behalf of the government. We support the review of the actions of parties involved in the management of electricity shortfalls. Firstly, I advise the council that ESCOSA has functions under the Electricity Act 1996 for licensing and monitoring the performance of businesses in the electricity and gas supply industries. Businesses that engage in the generation of electricity and operation of a transmission or distribution network fall under the commission's licensing and monitoring regime. The commission's role encompasses the regulation of service reliability standards for SA Power Networks and ElectraNet.

Of course, we know nationally the Australian Energy Regulator is responsible for ensuring market participants, including generators, large businesses, retailers and the Australian Energy Market Operator (AEMO), comply with national energy laws and rules. The regulator investigates potential compliance breaches and takes actions to enforce compliance where appropriate. Where the regulator's investigations reveal serious contraventions, court imposed penalties may be warranted. The regulator conducts investigations and collects and maintains evidence on the basis that it may be used in court proceedings.

The government also supports actions to provide an affordable, secure, reliable and safe electricity supply. To promote this, the South Australian government is taking a number of steps. It is procuring 75 per cent of its long-term electricity needs from new generation, which increases competition in the energy market and contributes to power system security. It is also procuring 25 per cent of its long-term electricity needs from new dispatchable renewable energy. We have committed \$24 million towards a program to incentivise companies to extract more gas and supply it to South Australian energy markets. We have committed \$500,000 towards ElectraNet's assessment of a new high-capacity interconnector between South Australia and the Eastern States in the NEM.

We have also committed \$31 million to help large South Australian businesses manage their electricity costs through the Energy Productivity Program. We have changed the national electricity law to enable better monitoring of the electricity wholesale market to ensure a competitive environment. We have submitted a package of rule change proposals to enhance system security

and we are advocating for a national emissions intensity scheme to promote orderly transition away from the emission-intensive electricity generation.

The government supports the amendments put forward by the Hon. Mark Parnell in relation to expanding the terms of reference of the Select Committee on Statewide Electricity Blackout and Subsequent Power Outages. We believe that these changes assist in looking at the bigger picture and ensuring that we capture all those issues that have contributed to the instability of our power supply.

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:26):** I rise to speak to the amendment moved by the Hon. Mr Mark Parnell in relation to the terms of reference of the Select Committee on Statewide Electricity Blackout and Subsequent Power Outages. The Hon. Mr Parnell would like to add the subsequent power outages on 27 and 28 December 2016 and 8 February 2017. He then goes on to talk about the role of power companies, state and national regulators and the state and commonwealth governments in the National Electricity Market and reforms that would improve electricity reliability and affordability in South Australia whilst reducing carbon emissions, and then any other relevant matters.

I indicate that the opposition will be happy to support the amendments, but if members recall, the original terms of reference were very much about the original statewide blackout in September; about advice and policy decisions the government had made over the last 15 years that led to a situation where because of a storm, or say a cyclone like they often have in Queensland and Western Australia (where they do not lose the whole state), the whole state lost power; how this all happened; and were there some lessons to be learnt along the way that were not learnt by the government in relation to all those issues? Point (h) of the honourable member's amendment states:

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

We have the Chief Scientist, Dr Alan Finkel, doing quite a big body of work. He is well resourced by the federal government to do that work. I am sure the government's \$30 million policy group, headed up in the Department of State Development, is doing some work on that. I can understand that in the long term that would be important—and as chair I will try to constrain things a little—but I want to make sure that we adhere to the original terms of reference, and we will include the Hon. Mark Parnell's where possible. This is one of the select committees that needs to report by the end of the year; we cannot let it drift along.

I am more than happy to have some expanded terms of reference, and I said this at our meeting the other day. A lot of them would have been covered under the original 'Any other relevant matters', but at the end of the day, the member has moved the amendment and we are all happy to support it. However, I do not want to smother, if you like, the select committee with people's plans for what we can do in the next 20 or 30 years when the original terms of reference were really about the here and now: why did it happen, how did it happen, and are there any immediate changes we can make to ensure that it will not happen again? With those words, I support the amendment.

**The Hon. K.L. VINCENT (16:31):** Thank you, Mr Acting President. Sincere apologies for the delay and thank you to the council for its indulgence. The Dignity Party will support the motion, including the Hon. Mr Parnell's amendments. We would also like to raise some additional points for the select committee to consider under the banner, potentially, of 'any other relevant matters'. These points are, I am sure, unsurprising to members, as we have been raising them with the government both in meetings and in person, and also through the media.

They include the impact of statewide blackouts and blackouts lasting many days on people reliant on electricity for life-saving and life-sustaining equipment—such as ventilators for breathing and therefore to stay alive—and emergency planning for these people, including standing instructions on what to do in these circumstances. We are particularly concerned about the apparent inconsistent information that was being given out between local government and state government as to exactly where people should go if they needed backup electricity for something like a ventilator or an electric wheelchair, for example.

They also include the impact on people with sensory disabilities reliant on television or film or video rather than radio, due to being deaf or hard of hearing, and also on people at the other end



of the spectrum who might be reliant on radio broadcasts rather than television, due to a visual impairment, to know what is happening during emergencies and electricity blackouts. More broadly, they include the impact on people with disabilities or people with health conditions who need electricity to operate not only life-sustaining equipment but other disability or medical related equipment, such as hoists to get in and out of bed, on and off the toilet, or in and out of an armchair, for example, or even to power a blender to allow for PEG feeding.

We certainly support the motion. We understand that power blackouts are not convenient or good for anyone when it comes to personal lifestyle or business in this state, but I also want to highlight that there is a section of the community that has particular needs that are not always fully understood or remembered, so we would love to see those on the agenda as well. With those few words, I indicate our support for the motion as amended by the Hon. Mr Parnell.

**The Hon. M.C. PARNELL (16:33):** I would like to thank the Hon. David Ridgway, the Hon. Gail Gago and the Hon. Kelly Vincent for their indication of support for this motion. I also indicate that I have had private indications of support from the Hon. Rob Brokenshire. As a member of the committee, I understand that he has no problem with it.

I think these amendments are, at one level, routine. They are, as the Hon. David Ridgway said, very likely just elucidating things that we were going to be doing anyway. I make a couple of additional observations. I agree with the Hon. David Ridgway that this committee will need to report by the end of the year.

It is always the danger with committees formed in the last year before an election that unless the committee is vigilant it can let its work get away with it and not meet sufficiently to come to a conclusion. I hope that is not the case here. It is certainly not my intention to bog the committee down with unnecessary work. I would like to see us report and I think the people of South Australia expect that of us.

The Hon. Kelly Vincent mentioned that when we are considering 'any other relevant matters', we do have a cohort of people for whom energy is not just a convenience, but it can be life or death. In response to the honourable member, I note that one of our pre-existing terms of reference was to do with the cost of blowouts. I think that cost also includes the potential cost, which refers to life preserving, lifesaving and enabling considerations.

The Hon. Gail Gago mentioned ESCOSA, the Essential Services Commission. I am pleased to tell the chamber that ESCOSA will be one of our first witnesses; in fact, they will be here on Friday. I look forward to talking to them.

I mention by way of an aside, and it is something that I have raised in the past, but I will raise it again, I think it would be good practice for this parliament to do what other parliaments do, especially the Victorian parliament, where they routinely notify the world at large of upcoming hearings for select committees and for standing committees; they advertise the rooms that they will be held in and they advertise in advance the witnesses that are going to be heard. I subscribe, for example, to the Victorian parliament's notification service and I get a ping in my inbox telling me the latest inquiry that is being held and the witnesses that are coming along.

*Members interjecting:*

**The ACTING PRESIDENT (Hon. J.S.L. Dawkins):** Order! The Hon. Mr Parnell, my advice is that a discussion on the way the committee would operate is not a matter for the council now.

**The Hon. M.C. PARNELL:** No, and I thank you, Mr Acting President, for bringing me back on track. The barbs of the Leader of the Government are off a duck's back; they don't hurt me. I am just making the point that ESCOSA will be coming along to the committee. I am hoping that the public will pay attention to the work of this committee, it is an important committee, and the public is looking for answers to make sure that our electricity supply is reliable and that it is sustainable and affordable.

As the Hon. David Ridgway said, those words, to a certain extent, mirror what the Chief Scientist, Dr Alan Finkel is doing. He refers to it as his 'trilemma'—not a dilemma, because there are three elements: we want our power to be reliable, we want it to be affordable, and we want it to not impact on the planet in terms of carbon emissions in particular.

With those few words, I thank all members for their support and I look forward to these words being incorporated into the terms of reference for the select committee.

Motion carried.

#### *Motions*

### **SITTINGS AND BUSINESS**

**The Hon. J.E. HANSON (16:38):** I move:

That Orders of the Day, Private Business Nos 7 to 15 be discharged.

Motion carried; orders of the day discharged.

### **NATIONAL DISABILITY AWARDS**

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

That this council notes the work of Peter Wilson and the Determined2 team, and—

1. Acknowledges the benefits of the Immersion Therapy Program developed and delivered in South Australia;
2. Congratulates Peter Wilson on being the joint winner of the Excellence in Inclusive Service Delivery Award at the 10th National Disability Awards.

(Continued from 30 November 2016.)

**The Hon. J.M. GAZZOLA (16:39):** I rise to support this motion. The annual National Disability Awards are an important way to acknowledge innovation and excellence in disability services. The National Disability Awards recognise and align closely with key priority areas for action under the National Disability Strategy 2010-20, which establishes a high-level policy framework for government action to improve the lives of people with disability, their families and carers. Mr Peter Wilson and Determined2 are joint winners with Nightlife Disability Services Victoria for the Excellence in Inclusive Service Delivery Award.

In 2007, Mr Wilson was seriously injured in a motorcycle accident, leaving him with a significant impairment. After an extensive recovery period, Mr Wilson became involved in recreational scuba diving. This experience led him to consider the therapeutic benefits of weightlessness and in 2015 he established Determined2. Mr Wilson is managing director of Determined2. The Determined2 immersion therapy program provides people with disability, injury or a medical condition with the therapeutic benefits of being weightless and enjoying a variety of exciting activities in the familiar environment of their local pool.

The reported benefits of weightlessness for people with injuries or illness include improved freedom of movement, an opportunity to explore their capabilities in a safe environment and a sense of confidence and achievement. The immersion therapy program is the only service of its kind in Australia and we are proud that it is a South Australian initiative. I am sure on behalf of everyone, but on behalf of myself I congratulate Mr Wilson on this award and applaud him for his ongoing work and contribution to a more inclusive South Australia.

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

### **CORCORAN, MR M.**

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

That this council notes the contribution to the South Australian community of Maurice Corcoran AM and—

1. Acknowledges the ongoing commitment of Mr Corcoran to ensuring that public transport is accessible to all; and
2. Congratulates Maurice Corcoran on being given the Lesley Hall Leadership Award at the 10th National Disability Awards.

(Continued from 30 November 2016.)

**The Hon. J.M. GAZZOLA (16:42):** I rise to support this motion and join in congratulating Mr Corcoran on being awarded the Lesley Hall Leadership Award at the 2016 National Disability

Awards. The National Disability Award categories celebrate and acknowledge individuals and organisations that demonstrate excellence, passion, vision and a commitment to assisting people with disability to achieve their goals. To be awarded the Lesley Hall Leadership Award recognises Mr Corcoran's significant contributions in the development of the national standards for accessible public transport and in improving opportunities for Australians living with disability.

Mr Corcoran has positively influenced the disability agenda and during his 30-year career he has inspired change for Australians with disability across many sectors. From 1994 to 2000, Mr Corcoran was the national disability representative on the national task force on accessible public transport standards and on the federal attorney-general's steering committee on accessible public transport.

Mr Corcoran is well aware of the importance of being able to access transport and how this impacts on education, employment, health, shopping, entertainment and social activities. He played a very important role in bringing about changes to the provision of accessible public transport, which has made such a difference to community participation.

The accessible public transport standards also provide a level of certainty to operators and providers of public transport and infrastructure about their responsibilities under the Disability Discrimination Act 1992. In recognition of his work on developing the accessible public transport standards, Mr Corcoran was honoured with the national award in 2002 from the Human Rights and Equal Opportunity Commission. In 2006, Mr Corcoran received the Order of Australia in recognition of his sustained service to people with disability and his contribution to the development of various national standards, particularly those for accessible public transport.

The state government has continued its focus on improving accessibility of public transport infrastructure. Specific initiatives which demonstrate our commitment to this include:

- the upgrade of the City South tram stop to accommodate a wider platform, improve accessibility for all people and install a platform shelter;
- continued upgrade of existing train stations with new platform surfaces, improved station accessibility, new bicycle enclosures and improved lighting, shelter and amenity of stations; and
- continued purchasing of accessible buses.

I am pleased to report that I am advised that the Adelaide Metro bus fleet is currently 89 per cent wheelchair accessible, and 100 per cent of train and tram services are wheelchair accessible.

As chair of the Disability Advisory Council of South Australia, Mr Corcoran represented Australians with disability in the development of the United Nations Convention on the Rights of Persons with Disabilities and in the development of Australia's response, the National Disability Strategy 2010-20. The strategy is a 10-year plan to improve life for Australians with disability, their family and carers across key policy areas. As a result, major disability reforms continue to be implemented by state, territory and local governments.

In South Australia, this work is being progressed through the introduction of disability access and inclusion plans across government agencies. This initiative builds on earlier work undertaken by Mr Corcoran over a decade ago when he was responsible for managing the South Australian government's previous disability strategy, 'Promoting independence: disability action plans for South Australia'.

In 2011, the South Australian government established the Community Visitor Scheme to protect the rights and wellbeing of people experiencing an acute mental illness and people with disability who live in disability accommodation or in supported residential facilities. Mr Corcoran was appointed as principal community visitor for the scheme.

On behalf of the South Australian government, I would like to thank Mr Corcoran and acknowledge his commitment and efforts over many years to champion the rights of people with disability to ensure that they have the opportunity to contribute to and participate fully in their communities.

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

### HONG KONG-AUSTRALIA BUSINESS ASSOCIATION

**The Hon. J.S. LEE (16:48):** I move:

That this council—

1. Congratulates the Hong Kong-Australia Business Association-SA Chapter (HKABA-SA) on achieving 15 successful years of its business awards program;
2. Acknowledges the wonderful work of current and past committee members in the development of strong economic and cultural ties with Hong Kong/China;
3. Recognises the economic and social contributions made by HKABA-SA to South Australian business and the multicultural community; and
4. Highlights the entrepreneurship and success stories of past award recipients and shines the spotlight on South Australian companies and organisations that are successfully trading in Hong Kong and China.

Today, it is my privilege to move the motion standing in my name in the parliament to congratulate the Hong Kong-Australia Business Association-SA Chapter on achieving 15 successful years of its business awards program in South Australia.

I wish to thank and acknowledge all the current and past presidents and committees of Hong Kong ABA-SA for their leadership of the association. Their hard work and contribution is a true testament to the continuous success and advancement of Hong Kong ABA-SA over the years. His Excellency the Hon. Hieu Van Le, Governor of South Australia, is a patron of Hong Kong ABA-SA, and I would like to acknowledge his wonderful support of the association over the years.

Nationally, the Hong Kong-Australia Business Association was established by the Hong Kong Trade Development Council in 1987 as a conduit to reinforce economic and cultural ties between Hong Kong, China and Australia. Australia's policy towards Hong Kong is underpinned by a substantial commercial interest and by the presence of a large Australian community living in Hong Kong.

Australia's commercial interests in Hong Kong are extensive and range from banking, accounting, legal, engineering, information technology services, retail and general trading. Some 90,000 Australians are resident in Hong Kong, while around 550 Australian companies are based there, and a further 1,000 Australian companies have representative offices in Hong Kong. We ought to be incredibly proud that Australia is one of the major English-speaking study destinations for students from Hong Kong. In the last two years I have hosted international students from Hong Kong as my interns. They are delightful young people who are keen learners, just like many of our international students.

My long-term association with Hong Kong ABA-SA started almost two decades ago. The business awards program has since become an important flagship event on the Hong Kong ABA-SA chapter calendar. Thanks to the hard work and determination of successive presidents, chairs and committee members, the business awards program has gone from strength to strength over the last 15 years.

The business awards in the early days started out with the key focus of shining the spotlight on South Australian companies that were successfully doing business in Hong Kong and later on extended to companies who were using Hong Kong as the gateway to China. Honourable members may not realise that I was the inaugural chair of the Hong Kong ABA business awards. Just like the old famous Chinese saying, 'A journey of a thousand miles begins with a single step'.

Please allow me the indulgence to describe how that single step started. In 2000, a small group of us, consisting of Victor Moo, who was the president, Norman Sheun, who was the immediate past president, Patrick Ho and I, who were the vice presidents at the time, travelled to Sydney in the year 2000 to attend the New South Wales chapter of the Hong Kong ABA awards to learn about the awards proceedings so that we had the right framework to run the same awards program for the SA chapter.

The SA committee decided to introduce the business awards in 2001. I was fortunate enough to be entrusted by three senior leaders, Victor Moo, Norman Sheun and Patrick Ho and the whole committee, to chair and manage the inaugural Hong Kong ABA awards program for South Australia. Little did I know at the time that there was so much work involved. Two important events took place in order to deliver the first Hong Kong ABA business awards program in South Australia. At the end of 2000, most of the committee travelled with the SA delegation to the International Hong Kong Forum, organised by the Trade Development Council of Hong Kong and hosted by the Hong Kong government.

During that forum, we enjoyed wonderful hospitality, including the robust conference program, Hong Kong harbour cruise and a VIP cocktail reception at the Hong Kong Government House. At the time, three leaders, Victor, Norman and Patrick, plus John McLachlan, a senior captain of the SA chapter of Hong Kong ABA who happens to be the father of the Hon. Andrew McLachlan, were all there in Hong Kong. We were there, and the committee wanted us, particularly me, to identify our very first keynote speaker for the inaugural business awards.

In the year 2000, the chairman of the Hong Kong Trade Development Council was Mr Peter Woo. At Hong Kong Government House, I pointed in the direction of Mr Peter Woo (who was a guest speaker that night) to Patrick Ho and Victor Moo and I said, 'Hey, Mr Woo would make an exceptional guest speaker for us, don't you think? Shall we ask him?' They looked at me in a funny way and said, 'Sure, why not? But don't be disappointed if he says no, because don't forget that South Australia is a small pond. He is a big fish and a very busy man.'

I was younger then—a lot younger then. The great thing about being young is that when you are young, you have nothing to fear. So, during the meet and greet session with Mr Peter Woo, I explained to him that South Australia was about to embark on its first exciting business awards. I thought he would be interested to become a part of it as the new chair for the Hong Kong Trade Development Council. I elaborated to Mr Woo that, with his substantial business background, the business community in Adelaide would be thrilled to meet someone of his calibre, and it would be a great honour to welcome him to beautiful Adelaide.

Mr Woo pondered my request in deep thought and provided a surprising response—certainly a lot better than I thought. Mr Woo reached out and shook my hand and said, 'Jing Lee, if you build it, I will come.' In shock, I asked for clarification. I said, 'Mr Woo, are you saying that if I go ahead and organise these business awards, you will come to Adelaide, no questions asked?' He nodded with confirmation and gave me his business card to make contact.

For those who may not know who Peter Woo is, please allow me to give our honourable members his short bio. Peter Woo Kwong-ching is a prominent Hong Kong businessman. His past appointments included chairman of the Hong Kong Trade Development Council from 2000 to 2007, and he was chairman of the Wheelock and Company Limited and The Wharf Holdings Limited until May 2015. He was also chairman of the council of the Hong Kong Polytechnic University from 1993 to 1997 and chairman of the Hong Kong Hospital Authority from 1995 to 2000. Last year, in *Forbes* magazine, Peter Woo was listed in the world's billionaires rankings, and was ranked 8<sup>th</sup> in Hong Kong's 50 Richest People list.

Mr Woo's diversified interests are reflected in his businesses, focusing on real estate development in Hong Kong, China and Singapore. The group owns several investment properties such as Harbour City and Times Square in Hong Kong, as well as operating other businesses such as i-Cable Communications, Modern Terminals Limited and Marco Polo hotels. For those interested in luxury retail goods, he also owns Lane Crawford and the premier fashion house Joyce. Mr Woo serves on the advisory boards of various Fortune 500 companies.

When you think about it, having someone like Peter Woo as the first keynote speaker for the Hong Kong ABA South Australia business awards, the program was off to a flying start. Mr Woo and his wife, Bessie Pao, travelled in their private jet to Adelaide 15 years ago. It was a great kudos to Hong Kong ABA-SA and subsequently the association was recognised by CITCSA and awarded the International Chamber of the Year for organising the very successful inaugural business awards.

In addition to securing a dynamic business leader from Hong Kong to speak at the first Hong Kong business awards, back in Adelaide the wheels were set in motion for us to secure a major

sponsor. That major sponsor was none other than Clipsal. As all honourable members will know, Clipsal was an iconic South Australian electronics accessories company. The Hong Kong ABA business awards provided a fantastic platform to involve a local giant like Robert Gerard to be the major sponsor.

Clipsal had all the right reasons to be involved as the major sponsor for the business awards. Robert Gerard is a smart and astute businessman and he seized the opportunity to align Clipsal with the awards as a way of giving back to the business community as well as demonstrating Clipsal's strong presence in Hong Kong and China. For those who are interested to know how sponsorship from Clipsal was secured, if you were expecting a long and drawn-out process, such as how government grants are usually processed, then you would be very disappointed. It was one of the easiest sponsorship deals ever made.

I remember making an appointment to see Robert Gerard at Clipsal's Bowden site. When I arrived there with Norman Sheun and Victor Moo it was around morning tea time. Robert Gerard was walking the factory floor in his usual way. When we arrived at Clipsal Robert Gerard said hello to us, in his larger-than-life personality, and his quick question was, 'So, you mob are here to get some sponsorship money from me, hey?' I said, 'Yes, indeed.' He asked how much we wanted and we quickly agreed to a sponsorship amount. He took his chequebook out of his drawer and wrote a cheque personally, we shook hands and agreed on the terms without signing any formal papers. The deal was done with a golden handshake in less than 10 minutes. Robert Gerard was invited onto the judging panel and he accepted without hesitation. Jamie McKeough, managing director of William Buck, offered its boardroom for us to conduct the award judging process.

Some honourable members may be interested to know that the inaugural awards gala dinner event held on 18 August 2001 was launched by one of our esteemed colleagues, the Hon. Rob Lucas, a former treasurer and minister for industry and trade at the time. With some of the most powerful names behind the inaugural awards, Peter Woo as the guest speaker, Hong Kong TDC, Hong Kong ETO and the Hong Kong tourism board providing full support, it became a sensational success, paving the way for further achievements over the last 15 years.

It was an incredible privilege to witness the hardworking presidents and committee members who worked diligently to ensure the Hong Kong ABA-SA business awards have grown from strength to strength. I would like to thank the current President, Wayne Chao, Darren Wilson, Frank Bueti and the organising committee for giving me the opportunity to be the keynote speaker for the 2016 business awards presentation gala dinner, which was held last year on Friday 14 October.

As always, the business awards night attracted strong support from the business community. The current president, Mr Wayne Chao, was elected in 2016. Wayne is a driven young entrepreneur who is the founder of I Age Media and director of several companies focusing on facilitating cultural and business ties between Australia and China. I would like to place on the record my thanks to Wayne for his wonderful work as president.

Prior to Wayne Chao, the immediate past president was the late Mark Higgs. I pay special tribute to a dear friend, Michael Higgs, who has served the association with distinction. It was with much sadness that we farewelled a great friend last year. Michael William Higgs was a proud South Australian born in Adelaide on 18 March 1967. He passed away on his birthday on 18 March 2016 at the age of 49 years—much too young to leave us.

He was a devoted husband to Rosanna, and loving and proud father of Luke and Adam. He was a special and adored son of Michael Higgs senior and Frances. Mike Higgs senior had a very close bond with his son. The day of the funeral was an incredibly emotional day for all of us. I could not hold back my tears when I hugged Rosanna, Mike's father and Mike's children on the day. It was such a sad loss to his family and the community of South Australia.

Everyone who had the pleasure to work with Mike has valued his input and respects him as a wonderful friend and community leader. Mike was an incredible asset and a highly driven president of the Hong Kong ABA-SA. He dedicated much of his experience, business skills and time to promote and advance the association in South Australia.

He served as president for nearly three consecutive terms and, even though there was so much responsibility associated with the role, he did it with grace and diligence, and he loved every

minute of his time at Hong Kong ABA-SA. His legacy and commitment to the association lives on within the committee and the members.

It was incredibly fitting to see the committee create a Mark Higgs Entrepreneur Award for the 2016 Hong Kong ABA business awards last year. This award embodies the objectives behind Mike's presidency, and we know that his spirit of leadership will be forever remembered and honoured by the association and the business community in South Australia, as well as in Hong Kong and China.

Hong Kong ABA-SA, over the years, has attracted some dedicated leaders. I take this opportunity to formally acknowledge the past presidents of the Hong Kong ABA as they have always played a significant role in the promotion and advancement of the association and also the improved opportunities for many South Australian businesses.

Victor Moo was the first president of Hong Kong ABA-SA and held the presidency twice between 1997 and 2002, and a second time from 2005 to 2008. At the 2016 awards Victor was presented the life member award—very well deserved.

Norman Sheun was the second president of Hong Kong ABA-SA between 2002 and 2004. Both Victor and Norman served Hong Kong ABA-SA very well and helped pave the way for the success of the association in years to come.

Mr Patrick Ho has a generous nature and is a strong leader. A successful business migrant from Hong Kong, Patrick Ho was the president of Hong Kong ABA-SA between 2008 and 2013. Until this very day he is still very much involved in guiding and supporting the association.

Another great contributor to Hong Kong ABA-SA is Darren Wilson, the Vice President of Hong Kong ABA and the chair of the business awards program for a number of years. Darren has worked extremely hard to deliver a successful business awards program, such as organising the intimate boardroom lunches at ANZ. Steven Marshall, state Liberal leader, and the Hon. Rob Lucas and I have attended and spoken at these boardroom lunches, and they are great initiatives for the association to network and engage with business leaders.

Another quiet achiever and contributor to Hong Kong ABA-SA is Frank Bueti, coordinator of the international events and co-business awards chair. Frank is a humble businessman who has introduced and established amazing initiatives and connections between South Australia and Hong Kong.

Frank is truly an inspiring individual who has done so much for others with compassion and humility and without asking for personal recognition. Frank's business skills, together with his enthusiastic attitude, help to attract new members to Hong Kong ABA, particularly from the food and wine industry. Hong Kong and China are two growing export markets for South Australia, and Hong Kong ABA was very fortunate to have someone as capable and as hardworking as Frank to be the international events coordinator.

Other long-term committee members I would also like to acknowledge are Tony De Corso, Becky Houston, Frank Cutillo, Tai Nguyen, Susan Lee, Attilio Cavuoto, Cheng Chang, Natasha Parsons, Andrew Faulkner, Ian Mathison, Victoria Li Hong, Chris Vounasis, Ryan Gu and Jim Stylianopoulos. All of these members have a great passion for building bridges between the people and communities of Hong Kong and South Australia and ought to be congratulated.

It was a great honour to be invited to be on the judging panel for the 2016 Hong Kong ABA business awards. The judging panel is hand selected by the committee and renewed every year. The panel discusses, assesses and chooses the worthy winners based on the criteria of individual nominees. I place my congratulations on the record for the 2016 award winners in parliament today. Mr Adam Bannister received the 2016 Exporting Services to Hong Kong/China Award on behalf of Minter Ellison. Minter Ellison is an internationally acclaimed law firm which provides expert services in addressing the challenges of a globalised marketplace.

Mr Geoff Hardy from Wines by Geoff Hardy received the 2016 Exporting Goods to Hong Kong/China Award. Geoff Hardy is a dedicated South Australian producing some of the most premium South Australian wines who is developing strong connections with wine importers and clients in Hong Kong and China. Mr Michael Zhang from Aurees Tiles received the award for

Importing Goods from Hong Kong/China. Aurees Tiles has a strong focus on providing a vast range of high-quality imported tiles, along with expert advice and excellent customer service.

Mr Simon Hou from DG Real Estate received the Young Professional of the Year Award. Throughout Simon's career in real estate, he has excelled in providing exceptionally high-quality services to the Chinese community in South Australia. Mr Nicho Zhongwei Teng from Haneco Lighting Australia received the Mike Higgs Entrepreneur of the Year Award. Haneco Lighting Australia celebrated their fifth anniversary this year which I attended. The company is a specialist LED lighting manufacturing company, and it has a great presence throughout Australia.

Ms Ling Sun from AOJI Education Adelaide received the Women in Business Award. Ling is a dedicated individual who provides an exceptional educational service to international students from Hong Kong and Asia. Past award winners have advanced and built strong international links with mainland China and Hong Kong, and their cultural and business links remain strong in helping other exporters to explore international markets. Some of the past winners included the Confucius Institute and the Adelaide Festival Centre, particularly the OzAsia Festival. They are noteworthy examples of great organisations in South Australia doing exceptionally well in the international markets.

In conclusion, I would like to congratulate once again Hong Kong ABA on their outstanding achievements in terms of building successful economic and cultural ties with Hong Kong and China. Their economic and social contributions for the South Australian community have been exceptional in every way. I commend this motion to the chamber.

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

#### *Parliamentary Procedure*

### **VISITORS**

**The PRESIDENT:** I would like to acknowledge Mr Som Parkash, who is a member of the Legislative Assembly in Punjab, India, and his wife, Anita Parkash, who is a political activist in Punjab, India. Welcome both of you.

#### *Motions*

### **WIND FARMS**

Adjourned debate on motion of Hon. D.W. Ridgway:

1. That a select committee of the Legislative Council be established to investigate wind farm developments in South Australia, with the following terms of reference—
  - (a) separation distances between wind turbines and residences or communities;
  - (b) the social, health and economic impacts of wind generators on individual landholders, communities and the state;
  - (c) the need for a peer-reviewed, independent academic study on the social, health and economic impacts of wind generators;
  - (d) the capacity of existing infrastructure to cope with increased wind power;
  - (e) the costs and benefits of wind power in South Australia;
  - (f) the environmental impacts of wind generators and wind power generally;
  - (g) the siting of wind generators in South Australia;
  - (h) the approval process of wind farms in South Australia;
  - (i) the preparation of the State Wind Farm DPA;
  - (j) an assessment of the impact of wind farm developments on property values; and
  - (k) any other matter the committee deems relevant.
2. That the committee consist of three members and that the quorum of members necessary to be present at all meetings of the committee be fixed at two members and that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.



3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.
5. That the evidence and submissions given to the previous Legislative Council Select Committee on Wind Farm Developments in South Australia be tabled and referred to the select committee.

(Continued from 9 December 2015.)

**The Hon. T.J. STEPHENS (17:10):** On behalf of the Hon. D.W. Ridgway, I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### *Bills*

### **STATUTES AMENDMENT (REGISTERED RELATIONSHIPS) BILL**

#### *Introduction and First Reading*

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

#### *Second Reading*

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (17:11):** 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.

Last year, our Parliament made considerable headway in reforming the laws that discriminate against members of our community who identify as lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ). I am very proud of what our Parliament has achieved so far with and for our LGBTIQ communities, but there is still more to be done.

South Australia has a celebrated history as a state dedicated to achieving equality and fairness for all of its citizens. At the Opening of Parliament in February 2015, His Excellency the Governor announced that the Government would invite the South Australian Law Reform Institute (SALRI) to review legislative and regulatory discrimination against individuals and families on the grounds of sexual orientation, gender, gender identity or intersex status. SALRI then delivered a number of reports setting out recommendations for reform.

On 26 July 2016, this Parliament passed the Statutes Amendment (Gender Identity and Equity) Bill 2016 which removed binary notions of sex and gender and amended provisions of South Australia's legislation which previously failed to set out how the law would apply to a person who is intersex or gender diverse. The Bill also removed interpretive language in South Australia's legislation that had the potential to discriminate against people based on their relationship status.

This Parliament has also recently passed:

- the Births, Deaths and Marriages Registration (Gender Identity) Amendment Bill 2016 which aims to remove discrimination experienced by LGBTIQ South Australians by providing for a simpler, more direct and less invasive process for people to change their registered sex or gender identity on the formal record; and
- the Relationships Register (No 1) Bill 2016 which establishes a relationship register that will allow unmarried couples, whether in heterosexual or non-heterosexual relationships, to register their relationships, receive a certificate of registration and know that their relationship is respected and recognised here in South Australia.

The Statutes Amendment (Surrogacy Eligibility) Bill 2016 is also currently before the Parliament. The Bill, if passed, will grant same-sex couples the right to access assisted reproductive treatment and surrogacy.

This Bill is consequential to the Relationships Register (No 1) Bill 2016 which implements the recommendations set out in the SALRI Equal Recognition of Relationships report as they relate to the establishment of a relationship register, amendment of access and eligibility provisions and the amendment of the Wills Act 1936.

On the commencement of the Relationship Register (No 1) Bill 2016, unmarried couples, both heterosexual and non-heterosexual, will be able to register their relationships. It is intended that once a relationship is registered, the same benefits as are currently afforded to married South Australians are extended to persons who are in registered relationships. The Relationship Register (No 1) Bill 2016 goes some way to achieving this. However, in order for the intentions of this bill to be fully realised, the South Australian statute book has been reviewed to locate all instances where a marriage or domestic partnership is referred to and, where appropriate, this Bill will amend those references to include a reference to a registered relationship.

Our Government has been working hard to bring about equality for all South Australians. It is my hope that, through finalising this reform to the recognition of relationships in South Australia, we come one step closer to bringing about equality for all South Australians.

I commend this Bill to the House.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Family Relationships Act 1975*

###### 4—Amendment of section 11—Interpretation

The proposed amendment amends the definition of close personal relationship to refer to sex or gender identity rather than 'gender' and inserts a definition of registered relationship in the appropriate place to mean a relationship that is registered under the *Relationships Register Act 2016*.

###### 5—Substitution of section 11A

As a consequence of the *Relationships Register Act 2016*, the proposed amendment amends the definition of 'domestic partner' to include persons who are in a registered relationship with one another.

###### 6—Amendment of section 11B—Declaration as to domestic partners (other than domestic partners in registered relationship)

This amendment allows for evidence that a person was, at a particular date, in a registered relationship with another person to be provided by producing a certificate issued under the *Relationships Register Act 2016*.

##### Part 3—Amendment of *Administration and Probate Act 1919*

##### Part 4—Amendment of *Civil Liability Act 1936*

Part 5—Amendment of *Governors' Pensions Act 1976*The amendments proposed to the preceding Acts are consequential on the Relationships Register Act 2016 and operate to amend the definition of 'domestic partner' to include persons who are in a registered relationship with one another, and to insert, in the appropriate place, a definition of registered relationship to mean a relationship that is registered under the Relationships Register Act 2016.

##### Part 6—Amendment of *Housing Improvement Act 2016*

###### 10—Amendment of section 4—Interpretation

This amendment inserts a definition of domestic partner to the effect that it will have the same meaning as under the *Family Relationships Act 1975*, which as proposed by the amendments in Part 2 of this measure, includes persons who are in a registered relationship with one another under the *Relationships Register Act 2016*.

##### Part 7—Amendment of *Inheritance (Family Provision) Act 1972*

Part 8—Amendment of *Judges' Pensions Act 1971*The proposed amendments to the preceding Acts are consequential on the Relationships Register Act 2016 and operate to amend the definition of 'domestic partner' to include persons who are in a registered relationship with one another, and to insert, in the appropriate place, a definition of registered relationship to mean a relationship that is registered under the Relationships Register Act 2016.

##### Part 9—Amendment of *Parliamentary Superannuation Act 1974*

Part 10—Amendment of *Police Superannuation Act 1990*The proposed amendments to the preceding Acts are consequential on the Relationships Register Act 2016 and operate to amend the meaning of 'putative spouse' to include persons who are in a registered relationship with one another. The amendments also insert, in the appropriate place, a definition of registered relationship to mean a relationship that is registered under the Relationships Register Act 2016. The amendments also allow for evidence that a person was, at a particular date, in a registered relationship with another person to be provided by producing a certificate issued under the Relationships Register Act 2016.

Part 11—Amendment of *Public Trustee Act 1995*

Part 12—Amendment of *Southern State Superannuation Act 2009*

Part 13—Amendment of *Superannuation Act 1988*The proposed amendments to the preceding Acts are consequential on the Relationships Register Act 2016 and operate to amend the meaning of 'putative spouse' to include persons who are in a registered relationship with one another, and to insert, in the appropriate place, a definition of registered relationship to mean a relationship that is registered under the Relationships Register Act 2016. The amendments also allow for evidence that a person was, at a particular date, in a registered relationship with another person to be provided by producing a certificate issued under the Relationships Register Act 2016.

Part 14—Amendment of *Supreme Court Act 1935*

22—Amendment of section 13H—Pre-retirement leave

The proposed amendments are consequential on the *Relationships Register Act 2016* and operate to amend the definition of 'domestic partner' to include persons who are in a registered relationship with one another, and to insert, in the appropriate place, a definition of registered relationship to mean a relationship that is registered under the *Relationships Register Act 2016*.

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

At 17:12 the council adjourned until Thursday 2 March 2017 at 11:30.