

**LEGISLATIVE COUNCIL****Tuesday, 28 March 2017**

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 14:20 and read prayers.

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

*Bills***STATUTES AMENDMENT (SURROGACY ELIGIBILITY) BILL***Assent*

His Excellency the Governor assented to the bill.

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

His Excellency the Governor assented to the bill.

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

His Excellency the Governor assented to the bill.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

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

Reports, 2015-16—

Adelaide and Mount Lofty Ranges Natural Resources Management Board  
Alinytjara Wilurara Natural Resources Management Board  
Eyre Peninsula Natural Resources Management Board  
Kangaroo Island Natural Resources Management Board  
Northern and Yorke Natural Resources Management Board  
South Australian Arid Lands Natural Resources Management Board  
South Australian Murray-Darling Basin Natural Resources Management Board  
South East Natural Resources Management Board

Regulations under the following Acts—

Construction Industry Training Fund Act 1993—Exemptions  
Housing Improvement Act 2016—Fees  
Housing Improvement Act 2016—General

Regulations under National Schemes—

Education and Care Services National Law—Education and Care Services  
National Amendment Regulations 2016

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

Regulations under the following Acts—

Motor Vehicle Act 1959—Lane Filtering  
Road Traffic Act 1961—Lane Filtering  
Road Traffic Act 1961—Road Rules—Lane Filtering

*Ministerial Statement***STATE ENERGY PLAN**

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:23):** I table a copy of a ministerial statement on the topic of energy made earlier today in another place by my colleague the Premier.

**ADELAIDE CROWS AFL WOMEN'S TEAM**

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:23):** I table a copy of a ministerial statement, entitled 'Inaugural AFL Women's league Crows football team', made earlier today in another place by my colleague the Minister for Recreation and Sport.

**AUSTRALIAN ENERGY MARKET OPERATOR FINAL REPORT**

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:24):** I table a copy of a ministerial statement on the final AEMO report made earlier today in another place by my colleague the Treasurer.

*Parliamentary Committees***ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE**

**The Hon. T.T. NGO (14:24):** I bring up the report of the committee on biodiversity.  
Report received.

*Parliamentary Procedure***ANSWERS TABLED**

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

*Parliamentary Committees***STATUTORY AUTHORITIES REVIEW COMMITTEE**

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:30):** By leave, I move:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991, the Hon. J.A. Darley be appointed to the Statutory Authorities Review Committee in place of the Hon. T.A. Franks (resigned).

Motion carried.

*Question Time***YEEND, MR S.**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:30):** My question is to the Minister for Manufacturing and Innovation. Does the minister condone the Premier's behaviour towards Mr Shane Yeend at a Labor Party fundraiser last December when he allegedly said, 'How dare you effing embarrass me. You can shove your business up your arse.'

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:30):** I thank the honourable member for his question. I do not intend to go into any detail about what are private conversations, either between myself and other people or between the Premier and other people. The Premier has

made a statement on this, and all I will say is that the behaviour of the gentleman concerned speaks for itself.

**YEEND, MR S.**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:31):** Supplementary question: does the minister agree that the Premier's behaviour on that night contravenes the Premier's own ministerial code of conduct, which explicitly states that ministers must ensure that their personal conduct is consistent with the dignity, reputation and integrity of the parliament and the minister?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:31):** I have already said, and the opposition leader obviously was not listening properly, that I don't intend to go into details about private conversations. It's easy.

**BUSINESS ENTREPRENEURS**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:31):** Further supplementary: is it the government's policy to intimidate entrepreneurs who want to set up business here in South Australia?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:31):** Nothing at all could be further from the truth. Nothing could be further from the truth. As I've said, I won't go into private conversations between individuals. What I will say, though, is that the Australian Cannabis Corporation—I think that is the company that this particular person is associated with—has had and continues to have constructive dialogue with the government. Either myself, my office or my department would have had somewhere in the order of a dozen discussions with that particular company and with a number of other companies and individuals who have an interest in this area.

The honourable member asks about our support for innovation and entrepreneurship. I am happy to tell him a lot about that. Just last year, this government made the biggest investment this state has ever seen in the area of innovation. Just last year, in last year's budget, \$18 million of new money. This has blown up in the opposition leader's face again. That's why they only let him have the lead question once a week or so these days. It blows up in his face all the time.

We announced last year a \$50 million state government backed venture capital fund. We announced a \$10 million early stage commercialisation fund. We announced \$7½ million to support the University of South Australia's Future Industries Institute. We are very proud of our record in this area. We have and we will continue to support innovation and entrepreneurship in this state.

**MEDICAL CANNABIS**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:33):** Further supplementary question: the minister said his office had met, so has the minister discussed establishing a cannabis industry with Mr Yeend in South Australia, and what support has the government offered Mr Yeend in relation to this business or past business ventures?

**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) (14:33):** I've met with representatives of that corporation, and I know that my department has discussed with representatives. I suspect the Hon. David Ridgway, at the hemp and cannabis round table, probably met with representatives of that corporation and had discussions with them as well.

**YEEND, MR S.**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:34):** Further supplementary: has the minister met with Mr Yeend?

**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) (14:34):** I reckon, if my memory serves correctly, I had a meeting with him about a year ago, some time last year.

#### MEDICAL CANNABIS

**The Hon. S.G. WADE (14:34):** My question is to the Minister for Manufacturing: how many medical practitioners are currently authorised to prescribe medicinal cannabis in South Australia?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:34):** My understanding is, and I am happy to go away and get better advice if this is wrong, it was only in recent weeks that the federal body, the Therapeutic Goods Administration, has opened up a prescribed practitioner pathway. Previous to that, my understanding is that the federal TGA would allow a particular patient and a particular medical practitioner to access medicinal cannabis since the federal government made changes, I think it was last November.

I am not sure how many, since a few weeks ago when that was changed to a prescribed practitioner model, have been authorised in South Australia. I am happy to write to the federal Therapeutic Goods Administration, which is under the control of the federal Liberal government, and ask them how many in South Australia and see if I can find out breakdowns for other states as well for the honourable member.

#### MEDICAL CANNABIS

**The Hon. S.G. WADE (14:35):** My supplementary is: given that the patient pathway is actually a matter for state governments, and as the minister—

**The Hon. K.J. MAHER:** What pathway are you talking about?

**The Hon. S.G. WADE:** The patient pathways—

*Members interjecting:*

**The PRESIDENT:** Allow the Hon. Mr Wade to finish his question.

**The Hon. S.G. WADE:** Mr President, if I might be allowed a bit more latitude to perhaps put the question in context. In the context of the minister's responsibility for medicinal cannabis and in the context of SA Health having issued a discussion paper on patient pathway options for South Australia, I ask the minister will he have delegated responsibilities from the Minister for Health or from cabinet to effect the patient pathways being consulted on by the SA Health discussion paper? We just want clarity on the ministerial arrangements.

**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 apologise to the chamber for the honourable member's confusion and confusing the chamber on this question. I think we are all less informed after having listened to his two questions. We are all significantly less informed now. Primary responsibility rests with the Therapeutic Goods Administration and the Office of Drug Control. The Department for Health, and I can't remember but I think it was towards the end of last year, issued a discussion paper about how things could be clarified. I will go and check, but I think that's due to report soon and I am happy to inform the member when it does.

#### MEDICAL CANNABIS

**The Hon. S.G. WADE (14:37):** Supplementary: as the minister responsible for medicinal cannabis, considering that his Labor colleagues in New South Wales have moved towards GP-based prescription and that his SA Health discussion paper recommends specialist focused prescription, what's his intention?

**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 government intends to release the results of this discussion paper in due course. I gather the honourable member

has just announced a Liberal policy that they will allow GPs to issue medicinal cannabis in South Australia. I thank the honourable member for his one policy so far.

**The PRESIDENT:** The Hon. Ms Lensink.

**The Hon. T.A. FRANKS:** Point of order: the Hon. Kelly Vincent has attempted to have a supplementary probably for the last three supplementaries. I think she should be recognised.

**The PRESIDENT:** I would be the first one to recognise the Hon. Ms Vincent, but it is very difficult with her laptop to see any red light or whatever. I can't see it from here.

**The Hon. T.A. Franks:** I also pointed.

**The PRESIDENT:** I wasn't looking at you, I was looking at the contributors. The Hon. Ms Vincent.

### MEDICAL CANNABIS

**The Hon. K.L. VINCENT (14:38):** Thank you, sir. My supplementary is: could the minister advise whether he has any figures on how many people are currently using medical cannabis to treat conditions legally, or otherwise, and does he also have figures by how much that figure might grow if the legal pathway was simplified?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:38):** I thank the honourable member for her considered question. I agree with much of the premise of the question that the pathway should be simplified and that was the whole point of the discussion paper that the government released. I don't have figures, but I can ask and bring back an answer as to the numbers of people who might be accessing the legal pathway to medicinal cannabis. I am not sure I will be able to find an answer to how many are accessing it illegally. The first part of the question, though, I am happy to see if I can find a response to bring back to the honourable member.

### MEDICAL CANNABIS

**The Hon. T.A. FRANKS (14:39):** Supplementary: when the minister clarifies how many authorised prescribers there are in South Australia from the federal information, will he provide a list to the chamber of those authorised prescribers?

**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) (14:39):** I thank the honourable member for her supplementary question. I am happy to go away and take advice about whether that is something that can be done. I don't know what the privacy or other rules are around prescribers.

**The Hon. S.G. Wade:** If they are authorised, they are authorised.

**The Hon. K.J. MAHER:** I am happy to go and ask and find out.

**The PRESIDENT:** The Hon. Ms Lensink.

*The Hon. S.G. Wade interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Lensink has the floor.

*The Hon. S.G. Wade interjecting:*

**The PRESIDENT:** The Hon. Mr Wade will desist.

*Members interjecting:*

**The PRESIDENT:** The honourable members will desist. Have a little respect when your colleague is on her feet to ask a question.

*Members interjecting:*

**The PRESIDENT:** Will you two gentlemen like to go outside and continue this while the Hon. Ms Lensink asks her question?

**The Hon. J.M.A. Lensink:** I need the minister here actually: it's his question.

**The PRESIDENT:** Well, you stay, Hon. Mr Wade.

### UNEMPLOYMENT FIGURES

**The Hon. J.M.A. LENSINK (14:40):** I seek leave to make a brief statement before asking the Minister for Employment a question about unemployment.

Leave granted.

**The Hon. J.M.A. LENSINK:** A report released yesterday by the Brotherhood of St Laurence reveals that youth unemployment is at 13.5 per cent, with underemployment at 18 per cent—the highest it has been in 40 years. South Australia, unfortunately, takes the mantle of worst in the nation, with 16.1 per cent of 15 to 24 year olds unemployed. This state lost 8,700 full-time jobs in February, and statistics show that nearly 156,000 South Australians are either unemployed or underemployed. My questions to the minister are:

1. Does he find these figures acceptable?
2. What is the government doing to tackle youth unemployment and underemployment, particularly in parts of Adelaide's north?
3. How is his government proposing to improve these figures?

**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) (14:41):** I thank the honourable member for her questions and her interest in this area. There are a number of measures of unemployment, most notably the monthly release by the Australian Bureau of Statistics of the unemployment figures, as well as any number of other reports or statistics that other organisations release. Any unemployment is of concern to us all. We would like to see as many people who want to work are afforded the dignity that a job provides them, and I think we all share that sentiment in this chamber.

The ABS stats show that in South Australia over 80 per cent of young people, as defined by the ABS as 15 to 24 years old, are either employed or are studying full-time. That is around, in South Australia, nearly 190,000 young people out of a population of 216,000 that are either employed or in full-time study, but of course, as I think the honourable member mentioned, the recent Brotherhood of St Laurence report looked at those who might be employed but are looking for more work.

I am sure we would all like people who want a job or want more hours to have the best possible chance to do that. What we are seeing in recent times are reasons for optimism for employment in South Australia. I know the Liberal Party hates that—they hate that. They will South Australia to do poorly—that's in their DNA. They want us to do badly. They talk us down; they want South Australia to do badly. This is the problem—

*The Hon. D.W. Ridgway interjecting:*

**The Hon. K.J. MAHER:** This is the problem, Mr President. If ever the people of this state are unfortunate enough to have them inflicted upon us as a government, they won't be able to make that switch. They want South Australia to do badly. The fact of the matter is that, for the last 18 months, month after month after month, we have seen employment growth in this state. Every month for the last 18 months more people in South Australia are employed than in the last month.

That is a fact: a fact that I know the Liberal Party here hate. They like talking down South Australia, they like us to do badly, and they will us to do badly. We don't share that same view and pessimism for South Australia's people. We don't share their view. We're putting in place policies that seek to bring out the best in South Australia.

The honourable member talked about particular areas that are facing higher unemployment rates than others. In our northern suburbs we launched a \$24 million Northern Economic Plan, part of which directly addresses youth engagement; it looks at providing jobs as well. Our recent \$2 million announcement of the ZF Lemforder bus, with Precision Components—50 jobs that would not be

there if it was not for that investment. Over a whole range of areas we are doing everything we can to make sure that people who want jobs are afforded the dignity that works provides.

#### **AUTOMOTIVE INDUSTRY**

**The Hon. A.L. McLACHLAN (14:44):** Supplementary: what does that ZF company do?

**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) (14:44):** I thank the honourable member for his question. ZF Lemforder is a European-based company that is primarily involved in drivetrains throughout the world as an automotive manufacturing supplier. They have been one of the 74 tier 1 and tier 2 supply companies in South Australia for quite some time. I have been there, I think, three times, most recently in the last month. Before that, it was probably six weeks before that I was at ZF Lemforder's headquarters. Their project with Precision Components is a great project, and I am happy over maybe a muscat at dawn at Adelaide Club to talk to the honourable member more about what ZF Lemforder are doing.

#### **NORTHERN ADELAIDE FOOD PARK**

**The Hon. R.I. LUCAS (14:45):** Supplementary question: can the minister indicate how many companies have moved into the food park that the minister referred to?

**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) (14:45):** I don't have that information. Firstly, I didn't refer to the food park at all so the honourable member has probably been here long enough to know he is breaching standing orders. I note this is the first time I have ever heard the honourable member ask a supplementary question where he didn't say 'arising from the original answer' because he has been found out, and he knows he has procedurally stuffed it up. I am happy to go away and find an answer. Even though that's obviously his question for the day—that's his question for the day—it's not a supplementary question but I am happy to find out, and I thank you for your question of the day.

#### **AUTOMOTIVE INDUSTRY**

**The Hon. R.I. LUCAS (14:46):** Supplementary question: when the minister referred to 'ZF Lemforder', did he really mean ZF Lemforder?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:46):** That's a ridiculous question.

**The PRESIDENT:** The Hon. Mr Hanson.

*Members interjecting:*

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

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Will the honourable members on the front bench please desist and allow the Hon. Mr Hanson to ask a question.

*Members interjecting:*

**The Hon. J.S.L. DAWKINS:** Point of order.

*Members interjecting:*

**The PRESIDENT:** Order! There's a point of order.

**The Hon. J.S.L. DAWKINS:** We need to finish the conversation across the chamber and proceed with questions.

**The PRESIDENT:** Whichever side you are on, the next person who talks when someone is on their feet, their side will lose a question and it will go to the crossbench. Do you understand? The Hon. Mr Hanson.

### GAWLER BUSINESS DEVELOPMENT

**The Hon. J.E. HANSON (14:47):** My question is to the Minister for Manufacturing and Innovation. Can the minister please update the chamber on how the government is supporting innovation in Gawler?

**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) (14:47):** I thank the honourable member for a very good question, and I thank him for his ongoing interest in job creation, job retention, and innovation—and innovation is exactly what is happening in Gawler. Indeed, I know the Hon. John Dawkins, who has a great interest in all things innovative, asked me about this only recently, and I thank him for his advocacy and also the Mayor of Gawler for the advocacy that is shown for innovation in this area.

I know that while members opposite, like the Hon. John Dawkins, occasionally have flashes of innovation, the member for Light, Mr Tony Piccolo, has been a longstanding champion for innovation in Gawler. Tony Piccolo has been a massive advocate for this and the area. He is a longstanding champion. He is one of the best local members, believe me, everyone says so. No-one knows more about being a local member than the member for Light—the very good member for Light.

#### *Members interjecting:*

**The Hon. K.J. MAHER:** He won preselection to run in that seat once. He won preselection to run in that seat. Not only has the member for Light, the great local member, been a strong supporter for fostering innovation in his local area, but he is consistently coming up with new and innovative ways to ensure that we are reminded of the needs of the constituents of the Gawler community. In this case, the member for Light worked with the Gawler Business Development Group and Business SA to develop a proposal to accelerate the growth in entrepreneurs, businesses and jobs in the Gawler region. We recognise the impact that things like the closure of the GM Holden plant at Elizabeth will have on the whole of South Australia, but northern Adelaide and areas like Gawler as well.

This pilot program will give a significant boost to innovation and entrepreneurship in the Gawler region. The Northern Entrepreneur Growth Program is made up of a number of different streams provided by Business SA and the Gawler Business Development Group. These programs are designed to ensure that these entrepreneurs have the skills they need to give their ideas the best possible shot at success.

Business SA is delivering the Northern Entrepreneur Scheme and Northern Business Coaching. These two programs provide support and advice to help grow and develop businesses. Perhaps most importantly, they provide one-on-one mentoring for entrepreneurs. While the formal mentoring program only lasts 12 months, I suspect that, as with many of these programs, in time many long-lasting business and mentoring relationships will be developed.

The Gawler Business Development Group is providing start-up support to help entrepreneurs get off on the right foot, but equally importantly, helping established entrepreneurs take the next steps to grow their businesses and increase their profits. In addition to the skills developed through those participating in the programs, the added value of developing business relationships with other entrepreneurs and established businesses cannot be underestimated. I am confident that the pilot programs included under the Northern Entrepreneur Growth Program are going to deliver excellent results for the region.



### GAWLER BUSINESS DEVELOPMENT

**The Hon. J.S.L. DAWKINS (14:50):** A supplementary question: minister, why was the Town of Gawler not included in the original Northern Economic Plan, given that it has as many employees at Holden as the City of Port Adelaide Enfield?

**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) (14:51):** I thank the honourable member for his question. Whenever programs are being designed and areas are being taken into account, there are always areas that will and will not be included. The Northern Economic Plan, the development of the plan, was an initiative between the state government and the councils of Port Adelaide Enfield, Playford and Salisbury. Of course, as demonstrated with this particular program, we recognise that it is not just those council areas but places like Gawler that are going to be affected.

*Members interjecting:*

**The PRESIDENT:** Order!

### SPEECH PATHOLOGY

**The Hon. K.L. VINCENT (14:51):** I seek leave to make a brief explanation before asking questions of the minister representing the Minister for Mental Health regarding speech pathology services in the Child and Adolescent Mental Health Service (CAMHS).

Leave granted.

**The Hon. K.L. VINCENT:** It has come to my attention that there are significant concerns about the proposal to remove speech pathology under a restructured Child and Adolescent Mental Health Service in South Australia. This possibly raises the following issues. Removal of speech pathology expertise is at odds with evidence of contemporary multidisciplinary mental health care for children and young people. Removal of this expertise could also be particularly problematic for the very priority groups that the restructured service proposes to focus on; that is, Aboriginal people, those under the guardianship of the minister, and people of culturally and linguistically diverse backgrounds.

A model of care, as proposed under the restructure, presumes that the NDIS will pick up quite a few of the children and young people who will no longer be eligible for CAMHS under the restructure. Also, this model of care proposed presumes that children and young people who are no longer eligible can be triaged to community-based services. Speech pathology access to community-based services and private practice has significant barriers, and there is a possibility that these children will miss out on services only speech pathology could otherwise provide, as I understand it.

I understand that the model of care proposed under the restructure is also problematic in that it seems to presume that children and young people will be able to access therapy through the education system when this may or may not be the case. My questions to the minister are:

1. Does the minister acknowledge that services provided by speech pathologists to young people and adolescents with mental illnesses within CAMHS are specialist trained and that other services, such as speech pathologists within the education department, may be unlikely to fill the gap by removing speech pathology from CAMHS?

2. Does the minister acknowledge that the groups of children and young people who will be most in need of speech pathology as part of their mental health team, given that we know about the increased prevalence of speech, language and communication problems in these groups and the complexity of clinical care, when there are co-occurring mental health and communication issues?

3. Does the minister also concede that there is a reasonable assumption that this decision reflects cost shifting to the NDIS, the federal government, MBS and the SA Department for Education in an attempt to reduce the operating budget of CAMHS?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:54):** I thank the honourable

member for her comprehensive questions. Of course, I would be more than happy to facilitate the taking of those questions on notice for the relevant minister in the other place.

#### TREATY NEGOTIATIONS

**The Hon. R.I. LUCAS (14:54):** My question is to the Minister for Aboriginal Affairs. Has the state government indicated to Indigenous groups that it is prepared to include in treaty negotiations the issue of the payment of financial compensation?

**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) (14:55):** I thank the honourable member for his question. I know that, in the consultations that have already occurred, there hasn't been discussion of what will or won't be, possibly, included in the treaty. That is left open at this stage. Consultation has been about a framework. I'm not aware that that's either been raised or discussed at any consultations.

#### TREATY NEGOTIATIONS

**The Hon. R.I. LUCAS (14:55):** Supplementary: is the minister prepared to take on notice whether or not the state government, or its negotiators, has given an indication to Indigenous groups that it is prepared to consider discussions about the issue of financial compensation in treaty negotiations?

**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) (14:56):** I'm happy to take it on notice and, if the answer is different, bring back a reply.

#### PARIS CLIMATE CHANGE AGREEMENT

**The Hon. T.T. NGO (14:56):** I have a question for the Minister for Climate Change. Can the minister tell the house about the role that batteries and new technologies will play in helping Australia meet our commitment to the Paris agreement?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:56):** I thank the honourable member for his most important question. The clear advice is for the Australian government to meet the obligations that they have signed up to in terms of the Paris Agreement, and that is to limit global warming to 2° or less, preferably.

The electricity sector must decarbonise by the middle of the century. That point has been made in this place several times in recent months. This means that we need to find ways of putting more renewable energy into the Australian grid, not less, which is what the Liberals' ambition is, of course. Their ambition, their energy policy, is still encapsulated in a picture of a lump of coal being passed around the front bench of federal parliament.

We need to improve ways in which we can store energy that's produced in a renewable fashion. This is why the South Australian government has stepped up; we are not shying away from the challenge. We know that the federal government hasn't got a plan at all. We have seen this white-knuckle panic from the federal government in recent weeks, suddenly realising, goodness me, that they haven't got a plan, and so they have come up with some thought bubbles in recent days.

We, of course, will continue in our way of helping the federal government wherever we can. We know, as the experts have told us, that the only way the federal government can actually meet the commitment that it signed up to in Paris is to decarbonise electricity generation in this country, and it is South Australia that is leading the way and showing the way that can be done.

As I said, as others have come up with thought bubbles, we are responding and we are, at the same time, putting downward pressure on electricity prices whilst securing more clean energy for this state.

**The Hon. D.W. Ridgway:** I haven't noticed that on my bill.

**The Hon. I.K. HUNTER:** There's plenty of evidence to show that, in fact, the penetration of renewables has been driving down the wholesale price of electricity for a long time. The Hon. David Ridgway raised the point, 'What are the margins the retail providers are making?'

**The Hon. D.W. RIDGWAY:** I didn't raise that question. Point of order, Mr President: I did not raise any issue about retailers.

**The PRESIDENT:** Let me acknowledge you on your feet. Point of order, the Hon. Mr Ridgway.

**The Hon. D.W. RIDGWAY:** I did not raise any issues about retailers. I asked: show me on my bill where prices have gone down?

**The Hon. I.K. HUNTER:** The Hon. Mr Ridgway might not understand what his question actually meant, Mr President, because his bill is sent to him by retailers. So, if renewables are indeed driving down the wholesale cost of electricity and yet he is not seeing it on his bill, then the Hon. Mr Ridgway must surely understand there is a problem with the retail margin.

Our Premier has announced a comprehensive energy plan, a comprehensive energy plan which actually has a real cogent plan in it, unlike the plan that the Hon. Mr Lucas carries around with him continuously, painted in black, entitled '1836—back to the future'.

Our Premier has announced a comprehensive energy plan that will give our state control—our state—again of our energy future. A key part of the plan is a new \$150 million renewable technology fund. The fund will see the southern hemisphere's largest battery installed right here in South Australia to store renewable energy and add significant stability to our grid. This announcement complements Carbon Neutral Adelaide, South Australia's 50 per cent renewable energy target and our commitment to zero net emissions by 2050, which I have discussed in this place over the last year or two.

These policies—bold, strong and consistent—are the reason we have seen a proliferation of investment in South Australian companies helping to pave the way to a low carbon economy. Tindo, Australia's only solar panel manufacturer, is based in Mawson Lakes, I am advised, creating local jobs in the advanced manufacturing sector. ZEN Energy, I am advised, established in South Australia in 2004, is selling battery storage to households and commercial operations from their Tonsley headquarters, and they have already employed, I am advised, about 40 people there, with more growth on the horizon. Then we have, of course, Sundrop Farms, which grows premium produce in an arid climate using a state-of-the-art greenhouse facility, using salt water, sea water and solar thermal energy to produce electricity, desalinate water and to warm the greenhouse.

The government's energy plan will see further investment in renewable energy, advanced manufacturing and future technologies. So, while we have been very busy implementing this once-in-a-generation investment in our state's future, what have those opposite been doing? Have they been jumping to their feet congratulating the government on our activity whilst the federal government has been doing absolutely nothing? No. Have they stayed silent? No, they haven't done that either.

What they have done is said, 'We don't want to actually have an energy plan. We're going to outsource it to the feds. We're going to outsource responsibility for electricity in this state to the federal government to make determinations in South Australia's best interests.' We have seen how well that has worked for us, having the federal government, led by Prime Minister Malcolm Turnbull, indicating an interest in South Australia or indeed the National Electricity Market and how well that works in the interests of South Australians. That's the plan that the Liberals have: abdicate responsibility for a major sector—

*Members interjecting:*

**The PRESIDENT:** Order! Allow the minister to finish his answer.

**The Hon. I.K. HUNTER:** —and to deliver a public good. Whilst the Liberals, we know, hate renewable energy (they love coal), it is worth taking note, I think, of what experts and the community are saying about Premier Weatherill's energy plan. Credit rating agency, Moody's, said:

...this plan—if executed as outlined—has a high likelihood of improving the state's energy security and reliability over time.

David Green, a partner at Lyon Group, said:

...the announcements by the government today have been very positive for our full pipeline of projects, so we've looked to have a significant number of projects in South Australia, particularly because of the quality of the solar resource there but also because of the benefit that batteries will bring to the market, and so from Lyon's perspective we've been pursuing a pipeline of projects, which is very significant for South Australia.

Mr Kane Thornton from the Clean Energy Council said:

The South Australian government has today outlined a strong and detailed strategy to create a 21<sup>st</sup>-century power system that is more resilient and affordable, while making greater use of renewable energy and storage.

The range of measures announced by Premier Jay Weatherill demonstrates that renewable energy and energy storage can contribute toward a more resilient and secure energy system.

Ms Amanda McKenzie from the Climate Council said:

Smart, clean, renewable energy coupled with storage technology is the future of Australia's energy system. Renewables and storage technologies means zero emissions, affordable power and electricity that's available every hour of every day.

Mr Andrew Stock, also of that council, has added:

This announcement means there will also be significant local economic opportunities available, opening up the market for a number of Australian-based battery storage companies. It's a huge opportunity for innovation here in Australia, including manufacturing, delivery and operations.

So, a number of people have said, 'This is a good plan. This is a plan that's going to deliver jobs for the future; economic uplift for the state.' In contrast to our thought-out and measured response, we have seen the federal government fail again to take responsibility for the National Electricity Market. A federal Liberal government that lurches from thought bubble to thought bubble. We have had Malcolm 'King Coal' Turnbull saying that he wouldn't support taxpayer funds being used to bail out Hazelwood in Victoria, but that is exactly what he and Steven Marshall, the member for—

**The Hon. R.L. BROKENSHERE:** Point of order, Mr President.

**The PRESIDENT:** Point of order, the Hon. Mr Brokenshire.

**The Hon. R.L. BROKENSHERE:** I trust that a minister of the Crown would honour protocols and the Prime Minister that we should all respect is the Hon. Prime Minister, Malcolm Turnbull, and Mr Marshall is the Leader of the Opposition. Why are they breaking protocols, sir? They need to be pulled to order.

**The PRESIDENT:** Order! Minister, please use the correct titles.

**The Hon. I.K. HUNTER:** Thank you, Mr President. If the honourable member had not interrupted me, I was just about to say Mr Steven Marshall, member—I think that is where I stopped and he jumped to his feet—for Dunstan. That is exactly what those two were demanding that we do in South Australia with Alinta. Whilst the honourable Prime Minister has ruled this out in Victoria, he and his opposition leader in South Australia have said, 'No, no, this is what the South Australian government should be doing, bailing out a private energy company.' Once again, Mr Malcolm Turnbull and Mr Josh Frydenberg have one rule for the Eastern States and one for South Australia.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. J.S.L. DAWKINS:** Point of order. The minister seems to want to make a habit of eight-minute plus answers, and it does take away questions from the rest of the chamber. I ask you to bring him to a conclusion.

**The PRESIDENT:** Honourable minister, can you come to a conclusion, please?

**The Hon. I.K. HUNTER:** I would have been finished a lot longer ago without the interjections, of course, but I will try to speed up my delivery. As always, the Prime Minister has been heavily backed in by Steven Marshall, the Leader of the Opposition and the member for Dunstan. When the

community was calling for leadership, Steven Marshall, the member for Dunstan, was afraid to defend South Australia. That was not his first instinct.

His first instinct was to get on the phone to the Prime Minister and say, 'What can I say?' or to get on the phone to the member for Sturt and say, 'What can I say?' Where was he when the federal Liberals were trashing any semblance of national energy policy? Nowhere; he was missing in action. Then the feds cut the renewable energy target. They tried to abolish the Clean Energy Finance Corporation. They slashed funding to the Australian Renewable Energy Agency.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. I.K. HUNTER:** They abolished an effective and efficient national market-based mechanism that was reducing carbon emissions and it is exactly what all of industry is now calling for to be reinstated in terms of an emissions intensity scheme. All these initiatives were part of a comprehensive federal policy that would have seen new investment in energy assets, and they trashed them—the federal Liberal Party trashed them.

Then what did we see: lo and behold, private industry withdrawal, because there was no security for them, no security for investment. They can't risk their capital in an environment where they don't know what the federal government, from day to day, will be advocating in terms of energy policy. How can any private fund manager or any private company invest their shareholders' capital when they don't know what the energy market policy arising from the federal government will be from day to day?

The whole way through in this lurch from thought bubble to thought bubble, the member for Dunstan, Mr Steven Marshall, and the South Australian Liberal Party have been on the phone trying to find out what their running orders are from the member for Sturt. 'What can we say on radio?' Their first instinct is not to stand up for South Australia, not to jump to their feet and say, 'This is in South Australia's interest.' No, indeed, they go to the member for Sturt and the Prime Minister and say, 'What are we allowed to say?'

They were told, 'Don't make any decisions. Don't go out and stand up for your community. Why don't you hand over all decision-making powers to the federal government.' That's exactly what the Liberal policy is: let's abdicate all responsibility and let the feds—

*Members interjecting:*

**The PRESIDENT:** Order! Will you come to a conclusion?

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** The honourable Leader of the Government, please desist.

**The Hon. I.K. HUNTER:** We know how well that works. We have seen that the federal Liberal government just doesn't care about South Australia's energy security. This is why we are taking charge. As a state, we are taking charge of our energy future. South Australians will be backing this government, as they are right now, because we have a plan in place to deliver energy security and to drive down costs in the longer term, which the Liberals have no interest in.

Once again, on many issues, we have the community, we have the trade unions, we have the business sector and we have the energy companies backing the government's plan, and we have the Liberals out there saying, 'No, no, let's wait. Let's wait for another review to be done and let's ask Canberra what we are allowed to do and say.' This state government will be standing up for South Australians. We will run our own energy policy in South Australia, because we cannot rely on the federal government to stand up for South Australians' interests.

#### **ALINTA ENERGY**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:09):** Supplementary: why won't the government release the request made by Alinta to the public of South Australia so we can all make a judgement about it with all of the facts on the table?

*Members interjecting:*

**The PRESIDENT:** Order! The minister is on his feet.

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:09):** The former Prime Minister Mr Tony Abbott has been in the media recently saying, 'I've got a plan for energy,' and that was for the taxpayer to bail out the Hazelwood coal-fired power station and keep it running. That's what Tony Abbott said: 'Hey Malcolm, I've got a plan for you.' What did the Prime Minister say, Mr President? The Prime Minister said on Radio Adelaide and ABC Northwest:

It's a substantial generator, it is the oldest in fact in Australia and has been slated for closure for many, many years. The company has decided to close it because the cost of making it safe—

*Members interjecting:*

**The PRESIDENT:** Order! Point of order. Will the minister please take his seat.

**The Hon. D.W. RIDGWAY:** Point of order: Mr President, as you know, we have had 12½ minutes of the minister's reply. I have asked a simple question: why won't the government release the request from Alinta, that the Premier says doesn't exist and the Treasurer says does, to the public of South Australia so we can all make a judgement with all the facts, and he is now raving on about the Prime Minister. Bring him back to the answer of the question.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. D.W. Ridgway:** Why won't you make it public?

**The PRESIDENT:** Order! Will the honourable Leader of the Opposition desist. Minister, you have been asked a simple question. Please keep it very brief.

**The Hon. I.K. HUNTER:** To continue:

The company has decided to close it because of the cost of making it safe runs into many hundreds of millions of dollars.

That is the Prime Minister of Australia, and this joke over here on the Liberal Party benches wants us to bail out a private generator. That is their policy, a coal-fired power station way beyond its years.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. I.K. HUNTER:** Even his own prime minister says that's a stupid idea.

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

**The PRESIDENT:** Order! Sit down, minister.

*Members interjecting:*

**The PRESIDENT:** Order this very instant! The next one to speak—

*The Hon. T.J. Stephens interjecting:*

**The PRESIDENT:** The Hon. Mr Stephens, please keep your opinions to yourself. Please don't refer to members across the chamber, no matter what side you're on, as a joke. Everyone has the right to ask a question and everyone should have the respect in letting them answer.

**The Hon. I.K. HUNTER:** Mr President, I withdraw any allegation that the Hon. Mr David Ridgway is a joke: he's just not funny.

**The PRESIDENT:** Okay, well that's better.

#### **PARIS CLIMATE CHANGE AGREEMENT**

**The Hon. J.M.A. LENSINK (15:12):** I apologise to the chamber for having a supplementary question, however it relates to the original response from the minister. How many people did his government send to the Paris climate change discussions and how does that compare to the Australian delegation?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:12):** I don't know; I can always find out. But I hesitate to say to the Hon. Michelle Lensink, the answer might surprise her, and it might go to show, in fact, the absolute low-level of interest from the federal government to find out how many sessions they were in, how many speaking sessions they had compared to South Australia, for example.

*Members interjecting:*

**The Hon. I.K. HUNTER:** South Australians are actually committed to getting the climate change plan, that was adopted in Paris and adopted by Canberra in recent times, through. We are committed to it. The federal government don't have a plan. They have no plan to actually reach those targets. This has been raised time and time again by academics, by experts in the field and their own advisers. They have no coherent plan to reach the Paris targets.

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

**The Hon. I.K. HUNTER:** They can't show how direct action will actually deliver it without an emissions intensity scheme. They can't even show they have a plan to deliver on the requirements of the Paris accord. So, they have signed it, but they have got no way to get there. They will rely on South Australia and on Victoria and on Queensland with our renewable energy schemes, our projects, our targets, to actually make the federal government—

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

**The PRESIDENT:** The Hon. Ms Lensink, you have asked the minister a very important question and then you proceed to abuse him from across the chamber while he is trying to answer it.

*Members interjecting:*

**The PRESIDENT:** Order! Allow the minister to finish his answer.

**The Hon. I.K. HUNTER:** It will be South Australia's renewable energy policies and our energy plan that makes the federal government look good when it goes overseas and brags, or attempts to brag, about its ability to reach the targets that it signed up to in Paris. They have no plan whatsoever to get there. It is South Australians and other states like South Australia that will help actually get there.

#### **COST OF LIVING**

**The Hon. D.G.E. HOOD (15:14):** I seek leave to make a brief explanation before asking the Minister for Employment a question regarding the cost of living in Adelaide.

Leave granted.

**The Hon. D.G.E. HOOD:** According to the Worldwide Cost of Living 2017 report, the cost of living in Adelaide has significantly increased in the past 12 months. The report considers the price of more than 160 products and services, such as food, drink, rent, utilities and entertainment, in 132 cities across the world. Based on the findings of the report, Adelaide has moved up substantially—in fact, 18 ranking points—to now rank number 35, which means Adelaide is the 35<sup>th</sup> most expensive city in the world in which to live. My questions to the minister are simply:

1. How is it that Adelaide has moved up so substantially in such a short time?
2. What action is the government taking to reduce the cost of living in this city?

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:15):** I thank the honourable member for his questions. I'm happy to have a look at that particular survey, and I think it would be greatly affected by the basket of goods and services that is obviously included in however they calculate their cost of living. I am also happy to go and find the breakdown for the cost of living in Adelaide in the world standard that we use, the ABS's Consumer Price Index, over that relevant period as well.

I do know that I regularly have people talk to me about some of the advantages of living and doing business in South Australia. Our relatively affordable housing is often brought up with me as one of the reasons that people appreciate living in Adelaide or make a choice to move here—or, in many cases, I find with people that I know they come back to Adelaide after periods of not having lived here. I think it was towards the end of last year that KPMG rated Adelaide as having the cheapest cost of doing business, and that factors in things like the affordability of real estate to do business.

In terms of the general cost of living, there are a whole range of programs in other ministers' areas that offer concessions for people to make sure that those who need help with living can obtain it. I am happy to go and find a range of those things we are doing across a range of portfolios, particularly to help those that are most marginalised in society with things like the cost of water and the cost of electricity.

#### **AUTOMOTIVE WORKERS IN TRANSITION PROGRAM**

**The Hon. A.L. McLACHLAN (15:17):** I seek leave to make a brief explanation before asking the Minister for Manufacturing and Innovation a question.

Leave granted.

**The Hon. A.L. McLACHLAN:** On 1 November last year, the minister provided a response to a question taken on notice regarding the Automotive Workers in Transition Program. The response stated that a worker tracking options paper is currently being finalised with the intention of tracking longitudinal outcomes, including employment outcomes for the whole cohort. My question to the minister is: has the options paper been finalised and, if so, when will it be publicly released?

**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 his question and his interest in the manufacturing and automotive area, specifically. I have missed him, Mr President. I used to get a lot of attention from the Hon. Andrew McLachlan, but he has showered his attention on the minister for corrections more recently. In relation to that particular study, I don't have information in front of me about where that particular study is up to, but I am happy to take it on notice and bring back exactly where that study of that particular program is up to.

#### **MOUNT GAMBIER ULTRAFAST INTERNET**

**The Hon. J.M. GAZZOLA (15:18):** My question is to the Minister for Manufacturing and Innovation. Can the minister update the chamber on the state government's recent announcement about ultrafast internet in Mount Gambier?

**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 honourable member for his question and his interest in ultrafast things, including ultrafast internet. Stage 1 of the state government's \$4.7 million Gig City initiative will deliver high-speed internet to 14 innovation precincts across the greater Adelaide area from mid-2017. This investment in critical infrastructure will give South Australia an edge in attracting high-tech start-ups and entrepreneurs to our state from across the region. Gig City will offer symmetrical internet speeds of at least one gigabit per second, which is something like 100 times faster than the national average.

Businesses will be able to take full advantage of this ultra high-speed internet for new technology opportunities with things like big data analytics simulation and cloud computing. On the back of the significant interest in this initiative, the government has recently committed to investigate opportunities to expand this initiative outside the greater Adelaide area and particularly into Mount Gambier. As the largest regional centre in South Australia, and with world renowned cultural institutions like the James Morrison Academy of Music, Mount Gambier represents a significant and logical next step in expanding the successful Gig City program.

For this reason, the state government has recently entered into a memorandum of understanding with the City of Mount Gambier and the University of South Australia to make Mount



Gambier one of the first regional centres to take advantage of this ultrafast internet. The state government will work closely with the City of Mount Gambier and the University of South Australia to look to expand the Gig City program to a new digital hub in Mount Gambier.

In the last couple of weeks, I had the opportunity to visit Mount Gambier and to announce our intention to expand the Gig City project with the University of South Australia's regional manager in Mount Gambier, Mr Ian McKay, who expressed to me how important projects like this are for attracting and also retaining students once they have finished studying.

Initiatives like this will help make sure that we give every possible opportunity to people who want to start or expand businesses to stay in regional centres or to, in fact, take advantage and move to regional centres. The state government is committed to working to extend where possible the initiative to deliver internet speeds with at least one gigabit per second at affordable prices to tenants like start-up businesses and entrepreneurs working in a new hub located in one of our state's foremost regional cities. This partnership with the University of South Australia and City of Mount Gambier is an exciting partnership and I will be keen to inform the chamber as this project develops.

### **WATER INDUSTRY ACT, REPORTING OBLIGATIONS**

**The Hon. M.C. PARNELL (15:21):** I seek leave to make a brief explanation before asking a question of the Minister for Water and the River Murray about reporting obligations under the Water Industry Act.

Leave granted.

**The Hon. M.C. PARNELL:** I received some correspondence last week from the Eyre Peninsula Water Action Group and I note the correspondence went to a number of members of parliament. In this letter, signed by the secretary of the group, John Hunwick, there is a claim that the minister has failed to comply with reporting obligations under the act. In particular, the claim is that there are annual reviews for the years 2014-15 and 2015-16 that have not been tabled in parliament, and also a five-yearly Eyre Peninsula demand and supply statement which they claim is also late. According to the Eyre Peninsula Water Action Group the excuse that was given by the Eyre Peninsula Natural Resources Management Board, I presume, was:

The assessment of the 2014-15 water year was undertaken in-house only, and the 2015 annual review document was not prepared.

Given the fundamental importance of groundwater to all who live on the Eyre Peninsula, my questions of the minister are:

1. Is the minister in breach of the Water Industry Act 2012?
2. Regardless of statutory reporting requirements, when will these reports be tabled in parliament?
3. If they are not to be tabled, why not?

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:23):** I thank the honourable member for his most important questions. I too am a frequent correspondee of Mr Hunwick and I am, in fact, quite used to answering his questions.

The questions posed by the honourable member, which have been, I suppose, translated from correspondence, are not accurately reported, in my view, and certainly not the honourable member's terminology in terms of an excuse from the NRM board. In fact, it is not an excuse, it is actually an explanation of what has happened. The South Australian government has, of course, as we would be expected to, invested significantly in the management and planning of water resources, particularly in the Eyre Peninsula region. Our investment enables us to monitor and report on the potential for water shortages and then management responses according to that projection.

A key measure is the Eyre Peninsula demand and supply statement, which annually reviews water security on the Eyre Peninsula and estimates when water demand may exceed supply. The fourth review of the demand and supply statement was completed, I am advised, in November 2015, and it demonstrated that water supply on the Eyre Peninsula is secure until 2025-26.

Underpinning the demand and supply statements for Eyre Peninsula are groundwater status reports, which report annually on the condition of the Musgrave and Southern Basin's prescribed groundwater resources. These reports are prepared using data collected from an extensive groundwater monitoring network, and ensure the demand and supply statements are based on the latest and best available science.

I am advised that, under the Water Industry Act 2012, we are required to manage situations where water demand is expected to exceed available supply. Where this occurs, a planning process is then established five years before supply is estimated to be exceeded, so we have plenty of time to put in place whatever measures we need to prepare for that. Based on the most recent demand and supply statement, I am advised there is no need to commence planning for an alternative supply on the Eyre Peninsula until at least 2020 and, additionally, that could be pushed out on further annual reviews.

In accordance with Water for Good, South Australia's water security plan, the government is currently comprehensively reviewing the Eyre Peninsula demand and supply statement. In addition to the demand and supply statement, the groundwater resources in both the Southern Basins and Musgrave Prescribed Wells Area are managed by a recently developed water allocation plan.

The Eyre Peninsula Natural Resources Management Board endorsed the plan, which I considered and adopted back in June 2016. In developing the plan, the Eyre Peninsula NRM Board invested in considerable new science to better understand the operation of the groundwater resources into the prescribed wells area, and the NRM board has also sought the community's input prior to settling on the endorsed version of the plan. My understanding is that these plans are regularly updated to the NRM's website. I will check that that has been done in these instances, but I would be surprised if it has not.

#### **EMERGENCY SERVICES LEVY**

**The Hon. J.S. LEE (15:26):** I seek leave to make a brief explanation before asking the Minister for Emergency Services a question about the ESL.

Leave granted.

**The Hon. J.S. LEE:** Given that South Australian families are struggling to make ends meet, with \$8.4 million in ESL bills still owed to the state government following three consecutive hikes by this Labor government, will the minister rule out a fourth consecutive hike to the emergency services levy?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:27):** I will tell you what I will rule out, and that is an \$80 million cut to the emergency services sector, which is very much on the cards if the opposition were to win government at the next state election. This government firmly believes in well funding our emergency services sector to ensure they have everything they reasonably need to be able to do the incredibly important work of serving our community to keep it safe.

We have a number of agencies that fall within the emergency services sector that rely, essentially, entirely on the revenue derived from the emergency services levy, and within those agencies we have literally thousands of volunteers who go out of their way to volunteer to serve our community. I think, and this government believes, that we should be resourcing those volunteers with everything they reasonably need to be able to do the incredible job they do in as safe an environment as reasonably possible, and that means that they need to be funded adequately.

The emergency services levy, and the funds that have been derived as a result of that levy, have been able to ensure that emergency services under this state Labor government are well resourced, can conduct their operations safely in the full knowledge that they have the support of the government and the South Australian people when it comes to having things like appropriate trucks and vehicles (in the case of the CFS), PPE clothing, which is absolutely critical when it comes to conducting operations against bushfires, and also training.

Training is an incredibly important component of the work done by the emergency services sector, to ensure that those people who volunteer their time and effort can undertake their operations in a way that is consistent with best practice globally, and also in a way that they can maintain their

safety while they put themselves in harm's way. We are committed to making sure they have the resources they can. Of course, whenever decisions are taken in respect to what happens to the ESL going forward, the government takes into account a whole range of different variables, as we do on each and every occasion.

### EMERGENCY SERVICES LEVY

**The Hon. J.S. LEE (15:29):** Supplementary question: with the government or the minister committed to resourcing, will the minister rule out a fourth hike in the ESL in this year's budget?

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:30):** What I can rule out is a drastic cut to the budget of emergency services, which may well be on the cards with the Liberal Party already publicly committing itself to a substantial change to the way the ESL currently operates. We know that if the opposition is committed to reinstating the remissions to the emergency services levy, then that money needs to be found somewhere, and we don't know where that's going to come from. Is it going to come from the emergency services budget? I don't know. I don't know where that's going to come from. What I can rule out, since the Hon. Ms Lee has asked the question a second time, is this government drastically underfunding emergency services.

The men and women who work within this sector do an outstanding job. There have been any number of incidents that have occurred over the last few years that have demonstrated how important it is that our emergency services have the equipment and resources they need to be able to conduct their operations safely, but also in a way that benefits all South Australians. Think only of the Pinery fire; think only of the substantial storm event that occurred last year—these are classic examples of the sort of challenges that our emergency services sector has to deal with in today's day and age.

When those services are called upon, the South Australian community, I think, reasonably expect that the state government is doing everything it can to resource them adequately. I think the volunteers who put themselves in harm's way reasonably expect that their state government is resourcing them adequately. We are committed to doing that. We are committed to doing that, and our commitment is demonstrated in spades with our track record: substantial investments in training; substantial investments in PPE; substantial investments when it comes to trucks within the CFS; substantial investments in introducing and ensuring that a higher percentage of the CFS fleet has important technologies like burn-over protection technologies. These all have to be funded in some way or another, and the emergency services levy is a very important component of ensuring that funding exists so that those agencies, those volunteers, can get the resources they deserve.

If the Liberal Party go to the next election with a commitment to reinstate the remissions to the emergency services levy, they have to pay for that somewhere, and how do we know that there isn't going to be a direct cut to the emergency services sector? I know for a fact that there are many a volunteer out there, right now, who are very concerned about the prospect of those opposite being elected and seeing their resources cut in a way that compromises their safety. We won't let that happen. We will resource them adequately to ensure they can get on with keeping South Australians safe.

### *Bills*

### STATUTES AMENDMENT (JUDICIAL REGISTRARS) BILL

#### *Committee Stage*

In committee.

Clause 1.

**The Hon. A.L. McLACHLAN:** Honourable members would be aware that I have two sets of amendments in the alternative. I only propose to move one set of amendments, which is [McLachlan-2], which is seeking to amend the bill to make the appointment of judicial registrars permanent. I will not be proceeding with [McLachlan-1].

Honourable members will recall that in my second reading speech I put forward the alternatives, but after discussions with members of the crossbench and taking soundings from the Law Society and the Bar Association, it was decided by the Liberal Party to pursue the permanent appointment which, in our view, has regard to core stakeholders in respect of this bill and is the preferred course of action.

I will make a few comments revisiting the Liberal Party position. Temporary appointments or fixed terms of judicial officers are controversial within the legal fraternity or community, as they raise issues of the judicial officer's independence, and as it may create conditions or at least the appearance of conditions that might inhibit the judicial officer from an inclination to act without fear or favour. It is as much about the possibility that it may inhibit the judicial officer's inclination as much as it is also about the appearance of the conditions or the appearance that the judge or judicial officer may not be able to act in good conscience.

As I said, we have taken into account the views of the Law Society and the Bar Association. Our amendments are congruent with their formal position. It is our belief that it is in the public interest that our amendments prevail. We do not see it as a question of cost, as they will be appointed in any event. We have listened carefully to the government's arguments, both at the second reading stage and the summing up of the second reading.

The government's arguments seem to be simply based on the fact that some other jurisdictions do it and that it is a good idea, but there is no real philosophical underpinning as to why they should limit the appointments to a set period. At the end of that period, you would think that the person who has relied on this position for income will become increasingly, almost by definition, inclined to worry about their reappointment. The process of reappointment is quite critical.

In the second reading summing up, the minister drew comparisons to auxiliary judges, but I point out to members of the chamber that auxiliary judges are appointed under the Judicial Administration (Auxiliary Appointments and Powers) Act. It is specified in that act that they have to be retired as a judge of the High Court, Federal Court or Supreme Court of a state or territory. It is a very different situation to what we are debating today.

Those officers will have already served a long career. They will not be reliant upon the good graces of the government, and it would be my understanding that they would already be receiving a pension from the government, so their income is not held captive to the state. I also note that the government has mentioned other jurisdictions which have permanent appointments. Some do, some do not. I would be interested in exploring during the committee stage the process of reappointment and the consultation that will take place.

Our system of justice cannot be distilled down to simply factors of cost, although I question why cost is potentially an issue here. It seems to me that we want seven years because if they are not performing, the current system of removing a judicial officer is too difficult and they will not be reappointed. I do not see any other philosophical rationale for not making them permanent; in fact, by not making them permanent, it is an implied criticism of our current system of taking complaints against judicial officers.

Again, I am drawn to the words of Kirby and the Forge case. It was a minority judgement, but it is as much about the perception of independence and impartiality as the actual technicalities of whether or not they are independent or whether the Chief Justice, as he raises in his letter, can manage the issues of independence.

Judicial independence, in my view, does not exist to serve the other two branches of the executive, nor is it designed to serve the judiciary itself. It is more designed to protect those who are being governed rather than the governors. With those words, I would like to give an opportunity for other crossbenchers to have a say and then I have a few questions for the government.

**The CHAIR:** Can you clarify: are you going to continue with set one of your amendments?

**The Hon. A.L. McLACHLAN:** Not set one, only set two, which is in relation to deleting the restriction on seven years' appointment and replacing it with those that allow permanent appointment.

**The CHAIR:** Minister, do you have anything to say with regard to that? No.  
The Hon. Mr Parnell.

**The Hon. M.C. PARNELL:** I will put the Greens' position on the record. It would be no great surprise for members to know that the Greens have consistently advocated for judicial independence. It is one of the fundamental building blocks of our legal system. We want to make sure that all people who are making judicial and even quasi-judicial decisions are as independent as possible from the executive.

In thinking about this bill and the debate, it reminded me of a year that I spent in the United States as a 21 year old, when one of the young people with whom I was working took me for dinner at their place, I think it was. In the front yard of the house was a corflute, and the corflute said, 'Vote 1—this kid's dad—'for judge.' As a law student in Australia, I never really got used to the idea that judges would be up for election and, presumably, if they were perhaps too lenient on criminals, they would not get re-elected in certain places. The tougher you were, the better your chance of keeping your job.

We are not talking here about the popular election of judges, but we are talking about people making judicial decisions whose tenure is dependent on re-appointment by the government of the day. I know that as this bill was being debated, there were two possible schools of thought. One was to accept time-limited tenure but make sure these judges only did a very limited range of work, in particular not contested matters. The other school of thought was to not have these people tenured but have open-ended appointments and allow them to do any kind of work. That is ultimately the amendment that the Liberals have put forward, and the Greens are persuaded by those arguments.

I do not know if we had this last time, but certainly all members were provided with a copy of a letter from the Chief Justice of South Australia, the Hon. Chris Kourakis, and I just want to put it on the record. In his short two-paragraph letter, he points out that the bill, if enacted, would 'substantially benefit the administration of justice'. He points out:

There are many procedural applications which needlessly take the time of Judges, Masters and Magistrates which could be more usefully spent on matters of substance.

I do not disagree with any of that. He then goes on to say:

Under the provisions of the Bill, the Chief Justice, Chief Judge and Chief Magistrate will control the matters which a Registrar may determine. Moreover, the Chief Justice, Chief Judge and Chief Magistrate must be consulted before the appointment of a Judicial Registrar to their respective Courts. Together those provisions sufficiently ensure the independence of the Registrars notwithstanding their limited tenure.

With all due respect to the Chief Justice, I disagree with that. I do not think that just consulting the head of each court about appointments and giving them the power to allocate work guarantees judicial independence. I understand it is the intention that, mostly, the work that these judicial registrars will be doing will be uncontested, high-volume, routine matters, but it is not limited to those matters and, if we are not going to limit it to those matters, the Greens' position is that we do not want to limit tenure.

I will pose a question that the minister might consider: are there implications for payroll, if you like, for government coffers, in whether a person is employed on a fixed-term contract or whether it is more open-ended? In particular, will any retainers or particular fees be different? Is there anything in this bill that means that these people will be paid more or less under each of the models—the government's model for fixed tenure and the opposition amendments for open-ended tenure? I put that on the record, but the position the Greens have landed on is that we support the Liberal set of amendments.

**The Hon. A.L. McLACHLAN:** I have a few questions on the Chief Justice's letter, which was raised by the minister in his summing-up, which are probably more appropriately asked at clause 1. Minister, was this letter from the Chief Justice requested by the Attorney?

**The Hon. P. MALINAUSKAS:** I am advised that it was.

**The Hon. A.L. McLACHLAN:** Did the Attorney write a letter to the Chief Justice setting out his request? If so, will he table a copy of that?

**The Hon. P. MALINAUSKAS:** I am advised that that was not in writing, no.

**The Hon. A.L. McLACHLAN:** Is the minister aware whether the Attorney-General sent to the Chief Justice the Liberal amendments? Were they the subject of the discussion between the Attorney and the Chief Justice?

**The Hon. P. MALINAUSKAS:** I am advised that the Attorney-General did indeed consult with the Chief Justice regarding the amendments.

**The Hon. A.L. McLACHLAN:** I note for the benefit of the chamber that the nature of the amendments has not been raised. Is the Chief Justice, in writing this letter on his letterhead, speaking on behalf of his brother and sister judges, or would that have otherwise come in his capacity as chair of the Courts Administration Authority?

**The Hon. P. MALINAUSKAS:** That would be a matter for the Chief Justice. I could not possibly speak for the Chief Justice or say in what capacity he was writing the letter.

**The Hon. J.A. DARLEY:** I indicate that I will not be supporting these amendments for the following reason: I think any person offering themselves for appointment will fully understand that the job is for seven years, and it would have no influence on their decisions.

**The Hon. D.G.E. HOOD:** I indicate that Family First also will not be supporting the amendments. I think the letter from the Chief Justice should be considered very seriously, and I am not suggesting members have not done that; I am sure they have, but I think the Hon. Mr Darley has said it well. The time frame involved is considerable, and although I would acknowledge that it is a theoretical possibility, I find it unlikely that in practice it would affect one's decision.

**The Hon. A.L. McLACHLAN:** I have set out the Liberal Party view. The letter is brief and does not go into other matters which one would imagine should have been raised in relation to this bill. Basically, my reading of it is very different from that of my honourable friends on the crossbench from Family First and Xenophon.

Basically, he is saying that he is going to do his best to manage the independence, but it is not, in my view, an endorsement of the bill nor a criticism of the opposition's amendments, for what it is worth, but we will have to divine a meaning from these two brief paragraphs.

In any event, it does not convince the Liberal Party to be swayed from pursuing its amendments. Ultimately, it is for the parliament to decide the full conditions surrounding judicial appointments, not necessarily the Chief Justice, although I appreciate that he is going to do his best, should this bill pass unamended, as we would expect him to do.

Clause passed.

Clauses 2 to 10 passed.

Clause 11.

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

Amendment No 1 [McLachlan-2]—

Page 5, line 9 [clause 11, inserted section 16A(2)]—Delete 'term of appointment (which must be for at least 7 years), the'

The committee divided on the amendment:

Ayes .....	11
Noes .....	10
Majority.....	1

AYES

Dawkins, J.S.L.  
 Lensink, J.M.A.  
 Parnell, M.C.  
 Vincent, K.L.

Franks, T.A.  
 Lucas, R.I.  
 Ridgway, D.W.  
 Wade, S.G.

Lee, J.S.  
 McLachlan, A.L. (teller)  
 Stephens, T.J.

## NOES

Brokenshire, R.L.  
Gazzola, J.M.  
Hunter, I.K.  
Ngo, T.T.

Darley, J.A.  
Hanson, J.E.  
Maher, K.J.

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

Amendment thus carried.

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

Amendment No 2 [McLachlan-2]—

Page 6, lines 1 to 3 (inclusive) [clause 11, inserted section 16A(10)]—Delete subsection (10)

Amendment No 3 [McLachlan-2]—

Page 6, after line 14 [clause 11, inserted section 16B]—After subsection (1) insert:

- (1a) A Judicial Registrar must retire from office on reaching the age of 70 years (but, on so retiring, may continue to act in the office for the purpose of completing the hearing and determination of proceedings part-heard before retirement).

Amendment No 4 [McLachlan-2]—

Page 6, line 17 [clause 11, inserted section 16B(2)(b)]—Delete paragraph (b) and substitute:

- (b) retires from office; or

The remaining amendments are consequential.

Amendments carried; clause as amended passed.

Clauses 12 to 21 passed.

Clause 22.

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

Amendment No 5 [McLachlan-2]—

Page 9, line 9 [clause 22, inserted section 7AA(2)]—Delete 'term of appointment (which must be for at least 7 years), the'

Amendment No 6 [McLachlan-2]—

Page 10, lines 1 to 4 (inclusive) [clause 22, inserted section 7AA(10)]—Delete subsection (10)

Amendment No 7 [McLachlan-2]—

Page 10, after line 15 [clause 22, inserted section 7AB]—After subsection (1) insert:

- (1a) A Judicial Registrar must retire from office on reaching the age of 70 years (but, on so retiring, may continue to act in the office for the purpose of completing the hearing and determination of proceedings part-heard before retirement).

Amendment No 8 [McLachlan-2]—

Page 10, line 18 [clause 22, inserted section 7AB(2)(b)]—Delete paragraph (b) and substitute:

- (b) retires from office; or

The principle is the same. Whilst it may not technically be consequential, the council has indicated that it is in favour of permanent appointment.

Progress reported; committee to sit again.

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

*Committee Stage*

In committee.

Clause 1.

**The Hon. A.L. McLACHLAN:** I indicate to the council that the Liberal Party will not be seeking amendment to the bill. We thank the minister for his answers in the second reading and that has satisfied the Liberal Party in the queries that it raised at the second reading.

Clause passed.

Remaining clauses (2 to 7) and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:00):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**ROAD TRAFFIC (ROADWORKS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 1 March 2017.)

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:01):** I would like to thank members for their contributions to what is an important bill. This government is intent on keeping South Australia moving, which is not only evidenced by the billions currently being invested in our road network but also via our Operation Moving Traffic reforms. This bill is an important part of our Operation Moving Traffic reforms and will allow for a comprehensive approach to the management of roadworks, which will improve safety for road workers and reduce frustration for motorists.

Over the years, motorists have often expressed their anger and frustration when being ordered to slow down in a roadworks site when there are no workers or any evident dangers present. This has also had a negative impact on compliance with speed limit restrictions through roadworks sites. While it will still be necessary to slow down when directed, this bill will allow authorised officers to remove speed limit signs that are used inappropriately, namely, where there are no workers engaged in the work area and the condition of the roadworks area does not represent a greater than normal level of hazard.

Further, the bill addresses the longstanding issue of the lack of coordination by utilities with DPTI when planning major upgrades which require roadworks. This bill will ensure that this problem is resolved via the introduction of a permit regime, which will apply when roadworks are to be conducted on roads under the care, control and management of the Commissioner of Highways. This will ensure works conducted on many of our major arterial roads will often be scheduled at off-peak times, unless they are urgent.

No longer will South Australians have to unnecessarily endure disruptions because repairs to our road network are undertaken at an inappropriate hour or speed signage is unnecessarily left out for the convenience of those conducting roadworks.

Bill read a second time.

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:03):** I move:

That it be an instruction to the Committee of the Whole that it have power to consider a new clause relating to reviewing and reporting on intersections controlled by traffic lights and the installation of 'Left turn on red after stopping' signs.

Motion carried.

*Committee Stage*

In committee.



Clause 1.

**The Hon. D.W. RIDGWAY:** I think the intention was just to vote on the second reading, and then obviously I moved the contingent notice of motion No. 2 in relation to the 'left turn on red' clause. There are two questions I would like to ask. Then we might report progress, and the minister can bring back a response tomorrow morning or whenever we next sit. They are future clauses, but instead of springing them on the minister at some point in the debate, I would rather raise them now and get an answer when he is able to give one.

Under proposed section 20—Work areas and work sites, subsection (6) provides that a minister must issue a roadworks permit and mentions that the fee associated with this permit is to be fixed by regulation. Can the minister give an indication of what the fee is likely to be? It is the opposition's and the Master Builders Association's understanding that the fee will be in the order of \$10 to \$20.

In relation to clause 6—Amendment of section 21—Offences relating to traffic control devices, proposed subsection (1a) details a penalty of \$20,000 for a first offence and \$50,000 for a subsequent offence. Do these penalties apply to each individual sign or collectively to a number of signs on the same worksite? If there were four signs on the same worksite, would the permit holder be up for a \$20,000 fine and then three subsequent fines of \$50,000 or would it just be a \$20,000 fine for that one worksite? I do not know what the response will be, but I ask the minister to bring back an answer on those two points.

Progress reported; committee to sit again.

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

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 1 March 2017).

**The Hon. T.A. FRANKS (16:08):** I rise on behalf of the Greens to speak to the registered relationships bill which, as members are aware, is consequential on previous law reforms passed through this parliament—indeed, a rainbow raft of law reforms that we have seen in the past month which, of course, the Greens welcome because we support equality.

I rise today to put on the record the Greens' support for what is essentially an administrative bill, but I also indicate that I have some questions about the workings of the relationships register and I flag those with the government. I thank the government for their previous information, and I have been in contact with the relevant ministers and the Premier's office about some of the concerns I will raise today.

The Premier quite rightly sought to act on this issue of relationships recognition because of the terribly sad case of Marco Bulmer-Rizzi and his husband David not being recognised as married when they came here on honeymoon and an unfortunate death occurred. At that time, in a speech that was a precursor to this bill, I noted that we have a situation in this state where the computer says no, in the worst examples of bureaucracy not recognising the fabric of people's lives—the slap in the face after having waited so long to get married, to be in the wonderful celebration of a honeymoon, and then to have that marriage not recognised in the event of a death.

I raise this question, as I have done previously in this place, because I am also concerned about situations in South Australia where South Australians have gone overseas to get married and have come back to this state seeking that that marriage be recognised in the case of the death of one of the spouses. My question to the government is: at present, where a couple has married overseas and one of the spouses has now died, does the death certificate still not recognise that they were married in another jurisdiction? Does the computer still say no?

With those few words, I look forward to the committee stage and some answers. These are not unexpected questions to the government, as I have raised them in the briefings. While the Greens support what is essentially an administrative bill, we want the computer to stop saying no to these

people and to recognise not just their love and their relationships but the fact that they have been married and that that should be recognised in their lives as in their deaths.

**The Hon. K.L. VINCENT (16:12):** I will not speak very long, as I have already spoken on behalf of the Dignity Party about the original relationships register bill, and I was very pleased to lend our wholehearted support to that because we believe that all consenting adult relationships have the right to be equally recognised under the laws.

Of course, we recognise that this is really a poor substitute for marriage equality and we would still love to see that, but it does at the very least allow for greater recognition than has existed previously for those couples who may be unable to get married because of their gender make-up or for those couples who may be of the right gender make-up under current law to get married but do not wish to, and that is an important option to have available as well.

All this current bill really does is tidy up some of the administrative aspects of that bill, as speakers have said, so I will not speak to it at any great length, but I certainly echo the questions that have been raised by the previous speaker and look forward to, hopefully, having prompt and comprehensive answers to those and seeing that those issues are dealt with, as I would not want to create a situation where, philosophically, we reach the point where we want to offer this recognition to other relationships but do not then provide proper administrative pathways, such that we are continually coming back with other bills to update that policy.

With those few words, I lend our wholehearted support to the bill on behalf of the Dignity Party. Hopefully, this will be the last time we need to come back and put in place the correct measures to ensure that we actually have this important option available to many more couples and families across the state.

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

### **RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS NO 3) AMENDMENT BILL**

#### *Second Reading*

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:15):** I move:

That this bill be now read a second time.

I am pleased to introduce the Rail Safety National Law (South Australia) (Miscellaneous No. 3) Amendment Bill 2017, which amends the Rail Safety National Law. The law is contained in a schedule to the Rail Safety National Law (South Australia) Act 2012.

In December 2009, the Council of Australian Governments agreed to implement national rail safety reform that created a single rail safety regulator to develop a rail safety national law, which a rail regulator would administer. The national rail reform aims will:

- support a seamless national rail transport system;
- not reduce existing levels of rail safety;
- streamline regulatory arrangements and reduce the compliance burden for business; and
- improve national productivity and reduce transport costs, generally.

The Rail Safety National Law commenced operation on 20 January 2013. The Office of the National Rail Safety Regulator was established as a body corporate under the law, with its scope now also enacted through legislation in all jurisdictions except Queensland, which is expected to become a participating jurisdiction on 1 July this year.

The National Transport Commission (ONRSR), together with jurisdictions, developed the law and are also responsible for identifying legislative amendments. Ministers of the Transport and Infrastructure Council are responsible for approving the law and its amendments. The amendment bill was approved by the council on 4 November 2016.

As host jurisdiction, South Australia is responsible for the passage of the law and any amendment bills through the South Australian parliament. Once commenced in South Australia, each participating jurisdiction has an application act that automatically adopts the law and subsequent amendments into its own legislation, except in Western Australia where its parliament needs to approve all amendments.

During its first three years of operation, the regulator has successfully discharged its obligations under the law, including facilitating the safe operation of rail transport in Australia by providing a scheme for national accreditation of rail transport operators and promoting the provision of national policies, procedures and guidance to industry, further progress in the consolidation of national rail safety data information, and education and training for safe railway operations.

The bill constitutes the third amendment package to be considered by parliament. The first amendment package commenced on 1 July 2015, and the second on 1 September 2016. When the ONRSR was established in 2012, the investment in major rail projects had an estimated value of \$15.4 billion; however, in 2016 major rail projects announced, or having already commenced, are in excess of \$60 billion and the ONRSR is not resourced to provide this level of oversight.

Consequently, this amendment package introduces powers for the regulator to charge additional fees for major rail projects, which are designed to ensure that regulatory oversight of operations can be properly maintained as the number of rail projects increases. The bill also includes a review mechanism that will allow a rail transport operator to seek a review of the regulator's decision that a project is a major project. This bill also:

- specifies the Rail Industry Safety Board Limited as a prescribed authority for the purposes of sharing information to achieve national law objectives;
- clarifies that a registered person may surrender a private siding from its registration without the need to surrender the entire registration or go through a variation process, as is currently the case; and
- introduces a procedure for a rail transport operator to surrender an exemption granted by the regulator, separate to the regulator's powers to suspend or cancel an exemption.

Subordinate legislation will specify the additional project component fee amounts and the criteria that the regulator must consider when determining whether a project component fee is payable. The bill has the support of the ministers of the Transport and Infrastructure Council and major stakeholders, including rail industry associations. I commend this bill to members and seek leave to have the explanation of clauses inserted without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

###### 3—Amendment provisions

Clause 3 provides that the amendments set out in Part 2 amend the *Rail Safety Law* set out in the Schedule to the *Rail Safety National Law (South Australia) Act 2012*.

##### Part 2—Amendment of *Rail Safety National Law (South Australia) Act 2012*

###### 4—Amendment of section 13—Functions and objectives

One of the functions under current section 13 of the Act is to engage in, promote and coordinate the sharing of information to achieve the objects of Rail Safety National Law, including the sharing of information with a prescribed authority. This proposed amendment will include Rail Industry Safety and Standards Board (RISSB) Limited as a prescribed authority.

## 5—Amendment of section 64—Application for accreditation

The amendment proposed to section 64 will allow the Regulator, on receipt of an application for accreditation—

- to notify the rail transport operator in writing—
  - that, in addition to the application fee referred to in subsection (2)(d), the Regulator is considering charging the operator the application (complex operations) fee prescribed by the national regulations; and
  - that the operator may, within 7 days or such longer period as is specified in the notice, make written representations to the Regulator showing cause why the application (complex operations) fee should not be charged; and
- to consider any representations made under this provision and not withdrawn.

The Regulator may only send such a notice to the applicant if the Regulator is of the opinion that the scope and nature of the railway operations in respect of which accreditation is sought is such that the scale and complexity of the regulatory oversight that will be required by the Regulator in respect of the operations will be significant. If the Regulator proceeds with a decision to charge a rail transport operator the application (complex operations) fee, the Regulator must notify the operator of that fact and include in the notice—

- the reasons why the Regulator is charging the fee; and
- the date on or before which the fee is to be paid; and
- information about the right of review under Part 7 of the Law.

## 6—Amendment of section 76—Annual fees

The proposed amendment to section 76 will allow the national regulations to provide that a decision of the Regulator to charge a particular fee according to a factor determined by the Regulator is a reviewable decision under Part 7 of the Law. This amendment is related to the amendment proposed to section 64.

## 7—Amendment of section 94—Surrender of registration

The proposed amendments to section 94 are to clarify that, where a rail infrastructure manager of a private siding is registered in respect of more than one private siding, the manager may surrender registration in respect of one or more of those private sidings without having to surrender registration in respect of all of the manager's private sidings.

## 8—Substitution of heading to Part 6, Division 2, Subdivision 4

The substituted heading proposed by this clause is consequential on the insertion of new section 213A by clause 9.

## 9—Insertion of section 213A

## 213A—Surrender of exemption

Currently, the Law makes provision for the cancellation or suspension of an exemption under the Law. The proposed new section will make provision for the surrender of such an exemption along similar terms as the surrender of an accreditation or a registration.

## 10—Amendment of section 215—Reviewable decisions

The proposed amendments to section 215 are consequential on the amendments to the Law proposed by clauses 5, 6 and 9.

Debate adjourned on motion of Hon. G.E. Gago.

*Ministerial Statement***OAKDEN MENTAL HEALTH FACILITY**

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:20):** I table a copy of a ministerial statement relating to the Oakden Older Persons Mental Health Facility made earlier today in another place by my colleague the Minister for Health and Substance Abuse.

*Bills*

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

*Final Stages*

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

At 16:21 the council adjourned until Wednesday 29 March 2017 at 14:15.

*Answers to Questions***EATING DISORDERS ASSOCIATION OF SOUTH AUSTRALIA**

In reply to **the Hon. K.L. VINCENT** (25 February 2016).

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety):** The Minister for Mental Health and Substance Abuse has advised:

As the honourable member may be aware, SA Health runs a Statewide Eating Disorder Service that delivers an evidence-based approach to clinical care, treatment and prevention of eating disorders in South Australia.

SA Health also supports a number of school programs aimed at developing healthy body image and improving resilience in the face of unrealistic media images. This partnership ensures that the safest and most appropriate interventions are an important part of our prevention of eating disorders in our community.

**EATING DISORDERS ASSOCIATION OF SOUTH AUSTRALIA**

In reply to **the Hon. K.L. VINCENT** (17 May 2016).

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

The Minister for Mental Health and Substance Abuse has advised that SA Health have advised:

The non-government sector plays an integral part of our mental health system, including support services for the treatment of eating disorders. That is why SA Health undertook an open market tender process in 2012 to provide support services for people with a lived experience of panic anxiety, obsessive compulsive and eating disorders (PACE).

Centacare Catholic Family Services were the successful tenderer and have provided services since 1 January 2013.

The PACE program provides non-clinical, recovery-orientated telephone, face to face, online advice and group support for all people across the state seeking assistance.

I have been advised that from 1 January 2016-30 June 2016 the PACE program provided the following services:

- 613 individuals participated in recovery support groups
- 1,443 face to face and telephone support contacts
- 71 individual contacts for advocacy services

SA Health also provides the Statewide Eating Disorder Service (SEDS) a specialised mental health service for South Australians located at Flinders Medical Centre which provides assessment, care and information for people living with an eating disorder.

In relation to any new national contact services, I am not aware of any new commonwealth initiative of this type that specifically addresses eating disorders.

Disappointingly, commonwealth funding for the Butterfly Foundation's National Eating Disorder telephone helpline has only been confirmed until 30 June 2017.

**DISABILITY SA**

In reply to **the Hon. K.L. VINCENT** (21 June 2016).

**The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety):** The Minister for Disabilities has advised that the Department for Communities and Social Inclusion has advised:

Where contracts are terminated or not renewed, Disability SA and disability services case managers work with eligible clients to ensure continuity of support as the care of the client is the number one priority.

The Department for Communities and Social Inclusion is not aware of any client who was without services during the transition to new arrangements.

All clients who transitioned to new service providers had arrangements in place with the new service provider from 1 July 2016.

Case managers from Disability SA or Disability Services provide case management support to people with disabilities and their families as required to ensure continuity of care.

The department is committed to providing information that is as accurate as possible.

**GAWLER RIVER FLOODING**

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (18 October 2016).

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

In 2005, the levee breached to the east of Baker Road, which is about two kilometres upstream of the bridge on Old Port Wakefield Road. The breach was reportedly caused by a tree in the levee bank falling over.

In 2016, there were levee breaches to the west of Bakers Road, between Bakers Road and the railway.

The Gawler River Floodplain Management Authority is undertaking a review of the 2016 flood event and is continuing to investigate options for reducing flood risk from the Gawler River.

#### NUCLEAR FUEL CYCLE CITIZENS' JURY

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (19 October 2016).

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy):** The Premier has provided the following advice:

Juror recruitment was managed by the newDemocracy Foundation, an independent research organisation, who advised on the community engagement strategy and design.

Using Australia Post's database, newDemocracy Foundation created a random sample of 25,000 addresses for the first jury and 10,000 for the second. Invitations were sent to these addresses, inviting the occupants to register their interest. Of the 1,500 registrations of interest, newDemocracy selected 52 jurors for the first jury and a further 300 for the second jury, matching participants to the census profile of the state based on gender, age, location and home ownership.

Jurors were not asked to state whether they identify as Aboriginal or Torres Strait Islander.

The jury was independently conducted by new DemocracyCo, who invited Aboriginal perspectives throughout the six days of deliberation. This included a session to hear Indigenous community perspectives, with around 20 Aboriginal people, many travelling to Adelaide from rural South Australia to share their experiences with the jury.

The South Australian Government's Response to the Royal Commission recognised the need for a bigger conversation about how Aboriginal people want to be seen, valued and recognised, and on 'unfinished business' from the past.

It also states that if broad social consent were to be achieved on a proposed nuclear waste facility, a local Aboriginal community would be given a final right of veto on any future facility on their lands.

#### NUCLEAR FUEL CYCLE CITIZENS' JURY

In reply to **the Hon. K.L. VINCENT** (19 October 2016).

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy):** The Premier has provided the following advice:

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Jurors were not asked to identify whether they had a disability.

#### HOME DETENTION

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (1 November 2016).

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

At the time the legislative changes came into operation the Department for Correctional Services had 116 existing offenders on release ordered home detention.

Initial modelling suggested growth in the order of an additional 129 offenders on home detention by the end of 2017-18.

As at 5 December 2016, the department has seen growth of an additional 98 offenders on home detention, made up of both release ordered home detention and court ordered home detention.

Projections are complex, the department saw an initial spike at the commencement of the legislative change due to existing prisoners who became suitable for release ordered home detention in accordance with changes to the

*Correctional Services Act 1982*, and for offenders whose matters that had been held over for sentencing who became eligible for court ordered home detention in accordance with the changes to the *Criminal Law (Sentencing) Act 1988*. The department is now starting to see this plateau as anticipated and will have a better indication of future projections.

In relation to additional staffing, I can advise that the department has already added 16-full time staff to Community Corrections, including case managers and intensive compliance staff.

The department will continue to monitor and respond accordingly at each incremental growth period to ensure that the legislation is properly and safely implemented.

#### PRISONER SUPPORT AND TREATMENT

In reply to **the Hon. K.L. VINCENT** (1 November 2016).

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

With regard to which types of programs are more successful in terms of reducing reoffending, the research has demonstrated that no one program is a panacea for reoffending, and the Department for Correctional Services is well aware of this with its approach.

The research supports the efficacy of group-based psychological programs based on the Risk, Need and Responsivity (the RNR Model) of offender rehabilitation. The RNR model emphasises the importance of risk assessment informing treatment, and also considering other factors that could impact an offender's engagement in the rehabilitation process (i.e. literacy, or intellectual impairment).

However, psychological programs are just one part of the puzzle, and it is very important that offenders get other supports to help them desist from offending (i.e. establishing pro-social supports, getting assistance with financial matters and housing, or skills training to assist them to gain employment upon release).

With regard to an overall statistic, the department does report an overall statistic through the Report on Government Services (ROGS) data which measures a return to Correctional Services in the two years following release from prison.

If one is measuring efficacy of individual programs, then the statistics will vary from program to program due to the fact that different offender groups reoffend at different rates.

It is also important to note, as mentioned above, that the research clearly shows that there is no single program that will address an offender's rehabilitation requirements.

The department is well aware of this research, and therefore staff working in Corrections adopt a multifaceted approach to rehabilitation which includes psychological programs, education, vocational training, release planning, and robust case management whilst an individual is under community supervision.

Through a continued emphasis on all of the above intervention strategies, the department is anticipating a reduction in the ROGS figure as detailed in the Reducing Reoffending 10 by 20 Strategy—this is considered to be the best figure to measure overall success of the department's multifaceted rehabilitation efforts.

#### BUSHFIRE ACTION WEEK

In reply to **the Hon. K.L. VINCENT** (1 November 2016).

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

The South Australian Country Fire Service (CFS) has a large range of community bushfire preparedness information which includes a Bushfire Survival Plan. The information provided by the CFS is available in a number of accessible formats, including audio files, large print, Easy English and in languages other than English, and all video content produced by the CFS is captioned.

The Alert SA website and mobile app have been developed by the South Australian government to ensure services and information are readily available to as broad an audience as possible. Alert SA is committed to making these services available to everyone who needs to use them, irrespective of their age, nationality or accessibility requirements.

Whilst we aim to make all content accessible, there may be some exceptions (for example mapping content) which may not be able to be optimised for accessibility.

A text only version of the Alert SA website is also available ([text.alert.sa.gov.au](http://text.alert.sa.gov.au)) which has been designed to be compatible with a range of screen readers, as well as with a range of older internet browsers.

During development works Alert SA has consulted with the following organisations:

- Blind Citizens Australia—Adelaide Branch
- Disability SA—Disability Access and Inclusion Plans Steering Committee
- Royal Society for the Blind



Alert SA is continually looking to improve the delivery of public safety and warning information and as always feedback is welcomed.

#### NUCLEAR WASTE

In reply to **the Hon. M.C. PARNELL** (3 November 2016).

**The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy):** The Premier has provided the following advice:

The second citizens' jury of more than 300 randomly selected South Australians delivered its report to the Premier on 6 November 2016 after deliberating on the issue over three weekends in October and November.

#### WEED CONTROL

In reply to **the Hon. J.A. DARLEY** (16 November 2016).

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

The vast majority of weed infestation issues are resolved without recourse to the law with NRM officers working cooperatively with landholders.

In 2015-16 there were two instances in which it was necessary to invoke the criminal/civil sanctions:

- One landowner was convicted of failing to produce an action plan following unsuccessful attempts to have him control a major blackberry infestation and was fined.
- A second landowner failed to control a large infestation of a declared weed and proceedings are currently underway to escalate that matter to a protection order.

#### PINERY BUSHFIRES

In reply to **the Hon. K.L. VINCENT** (29 November 2016).

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

The Country Fire Service (CFS) has a commitment to provide preparedness information in accessible formats. The CFS website meets web accessibility guidelines and information is available in various formats, including large print, audio, languages other than English, and Easy English.

A number of changes have been implemented as a result of the Pinery Fire, including changes to how warning messages are communicated, after advice was sought through an independent review of the CFS warning messages by the Bushfire Natural Hazards Cooperative Research Centre.

Warning text and community calls to action have been simplified and graphic maps which show the fire location and the warning area have also been included in messages. The CFS continues to provide information through multiple sources, including Emergency Broadcast Partners and social media sites such as Facebook and Twitter.

#### SA PATHOLOGY

In reply to **the Hon. K.L. VINCENT** (1 December 2016).

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

1. The review undertaken by Ernst & Young included a recommendation to 'Explore opportunities to contest regional services'. After consideration of the feedback received following consultation, this recommendation was not adopted or implemented.

2. The majority of sputum samples will not be split. A small number of sputum samples for Mycology (fungus) and Tuberculosis (TB) analysis—which have special laboratory containment requirements—will be split. Note that SA Pathology operates South Australia's only PC3 laboratory and is a national reference centre for TB. The requirement to split a small number of sputum samples, in order to refer them to our central laboratory centre of excellence, remains unchanged from the current arrangement and reflects world-class practice.

3. Regional revenue for year ending 30 June 2016 was \$13,615,000 (regional total revenue)/\$153,527,000 (total operating revenue) = 8.8 percent.

4. Yes.

5. The Efficiency Improvement Program is currently working through the detail of preferred laboratory configuration. Any full-time equivalent (FTE) changes or changes of hospital or laboratory sites are yet to be determined.

6. As above, any FTE changes are yet to be determined. Since 2014, no employees, including those with a declared disability, have lost their jobs.

7. Yes, which is why SA Pathology is focused on providing high quality diagnostic services. Our expert clinical pathologists, and world-leading researchers, work closely with our clinician colleagues and patients to reduce the burden of chronic disease. We are investing in cutting edge automation, such as the Roche Track system and Kiestra Microbiology platform at the new Royal Adelaide Hospital. Technology is the key to continuous improvement in the quality, consistency, timeliness and efficiency of laboratory testing. Automation also allows our people to focus on value-adding roles, helping us to futureproof our world-class pathology service.

#### SA WATER

In reply to **the Hon. J.M.A. LENSINK** (6 December 2016).

**The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change):** I am advised the internal sewer overflow in question was first reported at 9:40am on 18 November at 24 Edith Street, Gawler East.

Due to the nature of the overflow, SA Water provided a night's emergency accommodation as the property owners' insurance company would provide additional housing after this date, as part of their home and contents insurance policy. A Coles/Myer voucher was also given to the property owners to assist with immediate needs such as food etc. SA Water advised the customers if they had any other issues to contact them at any time to assist.

I am advised SA Water spoke with the customers over the following days and provided various accommodation options that would be suitable to house their whole family while repairs were undertaken. Pet boarding options were also provided to the customers to house their pets with special needs.

I am advised that the drainage system within the bounds of the customer's property did not have a compliant overflow relief gully, as required by plumbing standards, which may have contributed to the overflow. As a gesture of goodwill, SA Water provided the property owners with three floor waste grate valves which, once installed, will reduce the likelihood and seriousness of internal flooding occurring in the future.

I am advised that SA Water offered to reimburse any out of pocket expenses not covered by their insurance policy.

SA Water will continue to contact this customer to ensure they are being supported through this process and to provide any further assistance necessary.