

LEGISLATIVE COUNCIL

Wednesday, 29 March 2017

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 14:18 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.

Ministerial Statement

WHYALLA SOCIAL HOUSING

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. J.E. HANSON (14:20): I bring up the 42nd report of the committee: 2016-17.
Report received.

Question Time

ALINTA ENERGY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:20): My question is to the Minister for Innovation and Leader of the Government in this place. Did Alinta's offer to the government to keep the Northern power station open in 2015 provide sufficient synchronous generation capacity to maintain the grid stability in the event of the Heywood interconnector becoming disconnected, and what generation capacity, frequency control and system restart services did Alinta offer to provide?

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) (14:21): I thank the honourable member for his questions. One thing I am not going to do in response to the member's questions is to get into the details of what was discussed between Alinta and the state government. The Treasurer and energy minister, who has the conduct of discussions with companies like Alinta, has made it very clear that he is not going to get into the fine-grained details of what was discussed—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —in its entirety. If the honourable member is suggesting that any discussions that they have (should they ever form government) with any company will immediately be made available to the general public, that is an interesting policy proposition. Unless they say that they accept that they will also have discussions with companies that they will not immediately make available, then that must be their stated policy. I am not going to get into the fine-grained details of what was or was not discussed.

What is clear about their position is that they would have spent tens of millions of dollars of taxpayers' money bailing out an old, inefficient coal-fired power station. They would have put money into this generator. Anyone who has any knowledge of the energy system says that if you put money into one generator like that it is almost certain that you are going to have to put it into all generators. So, this would have snowballed into a massive amount of money that the opposition (if they were in government) would have been putting into many generators. It is wacky policy. They are the only

ones who think this is at all clever. One is the loneliest number and that's why they are in opposition. They are the only ones who think that it's a great idea to be bailing out coal-fired generators.

What is absolutely embarrassing today for the opposition is the announcement of Pelican Point going back to full capacity, providing an extra 240 megawatts into the system. Again, people who know anything about this system seem to agree that that could not have happened, would not have happened under their policy of supporting inefficient coal-fired power stations. That is what is abundantly clear.

ALINTA ENERGY

The Hon. J.M.A. LENSINK (14:23): I seek leave to make a brief explanation before asking the Minister for Employment a question regarding Alinta Energy workers at Port Augusta and Leigh Creek.

Leave granted.

The Hon. J.M.A. LENSINK: On 17 November 2015, the minister delivered a ministerial statement on Leigh Creek and stated:

The state government's priority is the 440 workers at Port Augusta and Leigh Creek who will lose their jobs as a result of the closure of Alinta's operations...

This came only months after Alinta Energy had approached the government for \$25 million to keep the Port Augusta power station operating. My questions to the minister are:

1. Will the minister admit to being a complete hypocrite when he made that statement, given that his government had the opportunity to keep the Port Augusta power station in operation for \$25 million and refused to do so?
2. Did the minister inform the workers that his government had the opportunity to keep the power station in operation and save their jobs and chose not to do so?
3. Will the minister apologise to the workers for his betrayal?

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 thank the honourable member for her questions. Answer to No. 1: no. Answer to No. 2: I have spent a lot of time with workers in both Leigh Creek and Port Augusta. These workers are very skilled and highly trained and they did everything that was in their power and their skills to keep operating what was an inefficient power station that was losing money. We have seen some projects in the area give great transformation to the area. Sundrop Farms is one such example, which has provided up to a couple hundred jobs now.

What we wouldn't do—as I have already explained, but obviously the Hon. Michelle Lensink wasn't listening—what we didn't do, as their boss in Canberra, the Prime Minister, wouldn't do either, is bail out a coal-fired power station when we are seeing them close right around Australia and right around the world. That's not what we were going to do.

ALINTA ENERGY

The Hon. J.M.A. LENSINK (14:25): Supplementary: was the minister aware of the offer from Alinta, and did he disclose it to any of the workers?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:25): To remind the Hon. Michelle Lensink, as I answered her leader's question not minutes ago, I am not going to go into detail of what was or wasn't discussed. It seems to be their policy that they are committing to that if they are ever in government they will undertake to tell the public straightaway about any discussions they have on a commercial basis.

If that's their policy, as it seems to be, then good luck to them operating in the commercial environment. The Hon. Michelle Lensink now has the opportunity to get up and say, 'That's not our

policy. We will do what you do.' She has a choice now to get up and say, 'Our policy won't be to disclose immediately confidential conversations,' or that it will be. This will be very interesting.

ALINTA ENERGY

The Hon. J.M.A. LENSINK (14:26): Supplementary: has the minister, the Leader of the Government, been instructed by his minders not to go into any of the detail, given that the Treasurer and the Premier have managed to stuff up their stories and he might stuff it up further?

The PRESIDENT: I think we could frame a question a little bit better than that, the Hon. Ms Lensink. Minister, are you going to answer it?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:27): I will answer it with the answer it deserves. I have already answered this question. I am not going to go into detail about what was or wasn't discussed. The Hon. Michelle Lensink has not said what their policy is, as I invited her to do, so we have to assume that their policy is to disclose immediately every single conversation they have with business when they are in government. That will be very interesting. We thank her for her announcement of policy today.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Wade.

STATE ENERGY PLAN

The Hon. S.G. WADE (14:27): My questions are to the Leader of the Government. What is the expected lifespan of the batteries proposed under the government's energy plan, and what is the forecasted cost to replace them at the end of that life?

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) (14:28): I thank the honourable member for his questions and his ever-increasing ability to confuse and misunderstand just about everything that he asks questions about. There is an expression of interest going out. That is why you have these things, to test the market about what the parameters might be.

STATE ENERGY PLAN

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:28): Supplementary arising from the minister's answer: hasn't the government committed \$150 million to battery technology?

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) (14:28): The answer to that question is no.

The PRESIDENT: That was a quick ending to a very exciting question. The Hon. Ms Gago.

MACK, PRIVATE MILLER

The Hon. G.E. GAGO (14:28): My question is to the Minister for Aboriginal Affairs and Reconciliation. Can the minister advise the chamber on how the government has recently supported the reinterment of an Aboriginal veteran?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:29): I thank the honourable member for her question. She is very good at making herself heard, having had to put up with this lot opposite for so many years. She is very good at making herself heard, and I thank her for her excellent question and her ongoing interest in this area.

Last Friday, I had the honour of attending a full military funeral for Private Miller Mack, with all the honours deserving of a soldier who has put their life at risk for their country. It was a beautiful

ceremony at Raukkan Aboriginal community in the very same church that is pictured on the Australian \$50 note. I was joined by around 200 people, including the Hon. Terry Stephens, but not a single person who attended that funeral had met Private Mack and the reason for that is that Private Mack died in 1919. It has taken 98 years to give him a funeral befitting his military service and also to allow him to be buried on country with his ancestors.

Private Mack enlisted in the Army in 1914 and served in World War I as a member of the 50th Infantry Battalion, the first South Australian battalion to see active service. The 50th Battalion fought in the infamous Messines battle in 1918, which, until the Hiroshima bomb, held the dubious distinction of the biggest human-made explosion in history up until that time. In Belgium, 19 mines went off resulting in the deaths of 10,000 German troops instantly and the blast was allegedly heard in Dublin and all the way to London.

Private Mack was in the first group of soldiers to storm across following these detonations and by all accounts was an exceptionally brave soldier. Shortly thereafter, Private Mack was subjected to a particular type of gas resulting in some pretty dire side effects, including severe bronchial pneumonia. He was evacuated to London for medical treatment and sent back to Australia soon after that.

The colour of Private Mack's skin did not matter in the trenches of war, but upon his return to Australia he resumed his place in many ways as a second-class citizen, sent back to Point McLeay Mission, which is known as Raukkan today, under the instruction of the Protector of Aborigines. Private Mack's health continued to worsen. He was diagnosed with tuberculosis and died on 3 September 1919.

I know for many Aboriginal people who have served in our military forces, it can be a difficult decision for family to decide whether the person is buried alongside your brothers and sisters in arms or on country with thousands of generations of cultural connection. Unfortunately, at the time, Private Mack did not receive the dignity of either. Private Mack's final resting place at that stage was an unmarked pauper's grave in the West Terrace Cemetery. He lay there alone until two years ago when his family inadvertently discovered his burial place.

I want to pay tribute to the Aboriginal Veterans of South Australia Association, particularly Francis Lovegrove, for their tireless work to bring Private Mack back home. In closing, I would like to pay tribute to the military and the Ngarrindjeri Regional Authority, in partnership with the South Australian government, for returning Private Mack to his country.

MAD MARCH LATE NIGHT PUBLIC TRANSPORT

The Hon. J.A. DARLEY (14:32): I seek leave to make a brief explanation before asking the Minister for Police, representing the Minister for Transport and Infrastructure, questions regarding Mad March.

Leave granted.

The Hon. J.A. DARLEY: Statistics from 2015 indicated that activities during Mad March injected approximately \$203 million of associated spending into Adelaide, and I understand this year it was even higher. Mad March is renowned as being the busiest time for Adelaide. The Clipsal, the Adelaide Festival, WOMADelaide, Writers' Week and the Fringe Festival injected approximately \$203 million of associated spending in 2015, with over half a million people visiting South Australia during the period.

Accommodation is often at capacity and it is well known that the Adelaide Fringe is one of the best arts festivals in the world. Many of the shows that are offered are held at night, often not finishing until quite late in the evening. Staff who work at the venues are often rostered on until 1am during the week or 3.30am on weekends. In the evenings, many public transport services only run hourly, with the last service finishing at midnight. Given the above, can the minister advise why there are not more late night public transport services being offered during Mad March and will he consider any potential improvements before March 2018?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:34): I thank the honourable

member for his question. As always, I will find out the answer to that question from the responsible minister in the other place and I take the question on notice accordingly.

APY LANDS SPECIAL GENERAL MEETING

The Hon. T.J. STEPHENS (14:34): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation a question about the APY lands special general meeting.

Leave granted.

The Hon. T.J. STEPHENS: Recently, the APY have organised a special general meeting and it is floated for the dismissal of the APY general manager. My question is: does the minister intend to exercise any of his powers of intervention, and what action has the minister or his department taken to address this situation?

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 thank the honourable member for his question and his very genuine interest in these matters. I have been informed that a special general meeting was attempted to be held either last week or this week or over both times. I have asked for reports on what occurred at the special general meeting that was attempted to be held and, of course, will seek advice on anything that came out of that special general meeting.

I do note that next week we have fresh elections in the APY lands for a new executive. I would prefer there not to be any turmoil or any disagreements at all in the APY lands, but I do recognise that, just as we do occasionally in this place, elected members of what is an elected body disagree with each other occasionally and they have mechanisms under the act to try to look at how they resolve those disputes.

As I said, there is a fresh election. I understand nominations have closed. It takes place next week on the APY lands. That is under the new system that we passed in this place last year to change a number of things, including, for the first time, making sure that women are properly represented on the APY executive. I know the honourable member has asked me a number of times before, and we have had quite a lot of discussion about this, particularly the possible power to use an administrator. My position remains the same that I don't oppose using that power. I would be, of course, keen to give a fresh executive a fresh start, but that remains a very live option to use an administrator if governance becomes unworkable or difficult, as it has at various times in the past since the act was enacted in the early 1980s.

APY LANDS SPECIAL GENERAL MEETING

The Hon. T.J. STEPHENS (14:36): Supplementary: has the minister had any contact with the CEO over the last month and has he been advised of any of these problems that seem to be arising of what the actual issue is?

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): No, I haven't had any contact with the chief executive of APY over the last month. We have departmental officers who are regularly based in and around the APY lands. I am happy to go check if, through the department, there has been contact over the last period of one month. I can come back and let the honourable member know.

APY LANDS SPECIAL GENERAL MEETING

The Hon. T.A. FRANKS (14:37): Supplementary: where there is a lack of nominations, given the new system that has women and men—and I understand there are some areas where there are no women that have nominated—what are the procedures that will be followed, and will quorum in any way be affected if there are vacant positions left?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive

Transformation, Minister for Science and Information Economy (14:37): I thank the honourable member for her question. Off the top of my head—and if this isn't entirely correct, I am happy to come back and correct it—I believe there were no nominations for women in two of the electorates. I haven't spoken to the Electoral Commissioner directly, but I think departmental officials have spoken to the Electoral Commissioner and my understanding is that in the near future nominations will be reopened to have those positions filled. Again, I will check if this is incorrect, but my guess is that, if it is two positions out of 14 that aren't filled, quorum will still be achieved, but if that is wrong I'm happy to come back and bring back an answer.

SA WATER, NEW TECHNOLOGIES AND SYSTEMS

The Hon. J.M. GAZZOLA (14:38): My question is for the Minister for Water and the River Murray. Can the minister update the chamber about how SA Water is investing in new technologies and systems to improve the experiences of their customers?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:38): I thank the honourable member for his most important question. SA Water is investing in new technologies and systems that aim to improve their delivery of safe, accessible and clean water across our state. For example, SA Water recently finished training two network specialist operators on the installation of Quicklock Australia's repair fittings, a new type of trenches technology.

This training, I am advised, was undertaken on the job within the Victor Harbor and Lobethal sewer networks. For those who may not be fully conversant with the trenching requirements for laying sewers, the traditional method of repairing failed joints and pipes did involve expensive deep excavations. These excavations, of course, are time-consuming. They are expensive and sometimes impose minor safety risks which need to be mitigated, usually through some sort of infrastructure in the trench.

With this new technology, with these new fittings, technicians will be able to repair pipes in a much safer and more cost-effective manner. For example, after accessing a water main, a trolley is placed inside the pipe and manoeuvred into place with the aid of a remotely operated camera. A repair sleeve is then placed on the affected section and inflated, ratcheting into position over the area and sealing it against leakage.

In Victor Harbor, the technicians installed a 150 millimetre seal from a four-metre deep sewer access point in the middle of the road. I am advised the seal was installed at a distance of 41 metres from the operator. In Lobethal, they worked with the other Woodside depot members at an easement sewer drain that had caused recurring problems for seven years. These problems necessitated revisits by technicians every 12 to 18 months for repairs. The drain has blocked once again due to tree root intrusion, which is a common occurrence in our sewerage system in South Australia because of our relatively shallow placement of sewers compared to other states. Of course, in this instance, it overflowed upstream.

The drain was jet cleaned and four Quicklock seals installed to rehabilitate the drain. The job was completed in couple of hours and required no clean up of the surrounding area. I am advised that SA Water will continue to expand the use of this new technology, following the successful uses of it in these two locations. As a result, I think we can expect to see quite a deal of improvement in repair response times and a reduction in maintenance costs.

SA Water has also been trialling SmartBall technology. A SmartBall is a ball a little smaller than a basketball that is inserted into a particular spot in a water main. The SmartBall travels through the pipe, emitting an acoustic signal that allows SA Water to collect a wide range of data. SmartBall technology collects information that can detect leaks and also gas pockets. It can also conduct pipe wall assessments to identify high points of stress on the pipe walls. That information is collected and then used by SA Water technicians to determine future maintenance and capital works programs.

SA Water has carried out an initial inspection trial using the SmartBall, comprising of three runs. The first run was a 2.8 kilometre stretch of mild steel main, focusing on finding small leaks and air pockets. The second run was 3.6 kilometres in length on the Norwood cast iron trunk main, focusing on leak detection, gas pocket detection and pipe wall assessment. The third run was 5.6 kilometres in length on the Adelaide cast iron trunk main.

We hope that the assessments will provide SA Water with a greater ability to detect leakage points, air pockets and areas of high stress loading on the pipe. A decision can then be made on whether the main should be repaired and brought back into service or abandoned with network modifications to shift supply or replaced under a capital works program. This sort of approach to technology ensures that the risk and cost benefit to the customer is balanced and provides value for money in terms of our capital program.

The cost of the three runs conducted, including the preparation work, the site excavations, condition assessment and reinstatement, is about \$250,000, or roughly about \$21,000 per kilometre in the run. The longer the run, the more cost effective it is to conduct the assessment. Once the final report comes through, SA Water will evaluate the effectiveness of this technology. If it is indeed as successful as we hope it will be, SA Water will add it to the range of tools that it uses to carry out condition assessments on large critical trunk mains to avoid failure on high-risk pipes and so that we can also plan for early maintenance and capital works attention.

This is very exciting technology and builds on the technology we have announced in the CBD in terms of getting an early look at potential failures and by utilising pressure sensors and other mechanisms which I have talked about in this place previously. I would like to congratulate SA Water for again leading in terms of innovation and making sure that we get quality and value for the investment that the taxpayer puts into delivering a very important service to its customers.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to acknowledge the presence of the Hon. Mr Ian Gilfillan. Welcome.

Question Time

PELICAN POINT UPGRADE

The Hon. R.L. BROKENSHIRE (14:44): I seek leave to make a brief explanation before asking the minister representing the Minister for Mineral Resources and Energy a question about South Australia's power fiasco.

Leave granted.

The Hon. R.L. BROKENSHIRE: This morning, ENGIE announced it would spend \$40 million to upgrade its mothballed generator at Pelican Point—

An honourable member: Hear, hear!

The Hon. R.L. BROKENSHIRE: Wait for the real hear, hear—returning it to the full capacity of 479 megawatts. Furthermore, that ENGIE, through an energy offtake agreement with Origin Energy, will supply gas to Pelican Point, adding a further 240 megawatts of electricity to the South Australian supply. While this agreement will run for the next three years, the big news is that it will help get South Australia and the government through the 2017-18 summer.

Back when I was police minister I received briefings regarding the then Community Action for Pelican Point group, which was a group that was protesting about the building of Pelican Point. In fact, there were serious allegations that the Labor Party was directly behind that group and, unfortunately, police had to take many paddy wagons down there to arrest protestors. In fact, the slogan was, 'We already have Port Power, we don't need Pelican Point power.' In one of the protests, the Hon. Kevin Foley said:

Port Adelaide is at risk. So industrialised we will not be able to go about our everyday lives.

I think a lot of people in Port Adelaide would like some industry and some jobs. My questions to the minister are:

1. Was this announcement sitting ready for when the news finally broke that Labor had turned down an offer by Alinta to keep their Port Augusta station open for three more years for a government contribution of \$25 million? Was it sitting there waiting? A yes or no would be good.

2. Is the government hoping that firing up Pelican Point will take the heat off until after the March election next year?

3. Is the government providing funds to ENGIE to assist with the Pelican Point upgrade. If so, how much will the government contribute?

4. Does the minister agree that Labor should have been involved in trying to stop the building of Pelican Point back at the turn of the century?

Members interjecting:

The PRESIDENT: Order!

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 his, I guess, questions. I am happy to refer his conspiracy theories onto the energy minister and see if he wants to respond to these sorts of things.

TREATY NEGOTIATIONS

The Hon. R.I. LUCAS (14:47): I seek leave to make an explanation prior to directing a question to the Leader of the Government on the subject of Aboriginal treaties.

Leave granted.

The Hon. R.I. LUCAS: In the Christmas/New Year edition of *The Australian*, Meredith Booth wrote an article headed: groups on course to settle treaties. In that she quoted various interviews that she conducted with the Adnyamathanha Traditional Lands Association (ATLA) and the Ngarrindjeri Regional Authority. She summarised those particular interviews as follows:

Indigenous languages taught in public schools and more autonomy on health, lands and cultural sites are among the ambitions of South Australian indigenous groups seeking the nation's first treaties with the state government.

Given the answer to the question given by the minister yesterday, can I ask the minister, in light of Meredith Booth's interviews with those particular groups, has the state government indicated to Indigenous groups that it is prepared to include in treaty negotiations and discussions the issues of Indigenous languages taught in public schools and more autonomy on health, lands and cultural sites?

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) (14:48): I thank the honourable member for his question. The state government has not indicated anything that may or may not be in treaties, certainly that I'm aware of.

MOTORCYCLE LANE FILTERING

The Hon. T.T. NGO (14:48): My question is to the Minister for Road Safety. Can the minister tell the council about new laws introduced by the state government to allow motorcycles to lane filter?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:49): Let me thank the honourable member for his important question, because this speaks to a topic that affects many, many road users across the state. I am very pleased that yesterday I was able to table new regulations to allow motorcyclists to lane filter in South Australia, commencing from 15 April this year.

Lane filtering is the practice of riding a motorcycle at low speeds, or in this case below 30 km/h, between stationary or slow-moving lanes of traffic travelling in the same direction. This is quite a distinct practice for something else known as lane splitting, which is a term used to describe moving through traffic at speeds above 30 km/h, and that remains illegal in all Australian jurisdictions. As minister, I have been very pleased to be able to introduce these new regulations and laws that give motorcyclists greater certainty and, indeed, align our regulations and laws with some other jurisdictions across the country.

Lane filtering is currently already allowed in New South Wales, Victoria and Queensland and is also being trialled in the ACT. In considering the introduction of similar laws in South Australia, it was important to consider what the impact of lane filtering had been interstate and I am pleased that there have been no noticeable concerns reported from these jurisdictions. The motorcycling community has strongly advocated for this change for a number of years now to the Department of Planning, Transport and Infrastructure and we have worked collaboratively with motorcycling community groups, SA Police, the department, the RAA, the Motor Accident Commission and pedestrian and cycling groups in the development of these regulations.

We know that motorcycle riders are vulnerable road users. Motorcyclists account for around 4 per cent of all registered vehicles in South Australia and motorcyclists account for 14 per cent of all fatalities on our roads and 17 per cent of serious injuries. Those statistics represent a dramatic overrepresentation when it comes to deaths and injuries amongst motorcyclists on our roads. In the past five years, there were 14 serious rear end casualty crashes involving at least one motorbike rider where the rider was not considered to be at fault.

Some motorcyclists believe that lane filtering will improve their safety by having greater control over their exposure to traffic, particularly vehicles from behind. Moving in between two lanes of stationary or slow-moving traffic may reduce a motorcyclist's risk of being hit from behind by an inattentive driver. It will be important for motorcyclists to familiarise themselves with the new laws and the following conditions will apply:

- only riders with an R or R-Date licence class—that is, those who are not required to display an L or P plate—may lane filter;
- lane filtering is only allowed under the speed limit of 30 km/h and is only permitted when it is safe to do so;
- lane filtering is not permitted in school zones, next to parked cars, between vehicles and the kerb or on roundabouts; and
- the practice is not permitted in bicycle, bus or tram lanes.

Riders who fail to comply with any of these conditions will face a \$360 expiation fee and the imposition of three licence demerit points. This is commensurate with the penalty for speeding between 10 and 19 km/h over the speed limit, which we know more than doubles the risk of a crash occurring in urban areas. Police can charge motorcyclists with a number of road traffic offences if lane filtering is done in a negligent or dangerous manner. The state government urges all road users to familiarise themselves with the new changes and be aware of motorcyclists engaging in lane filtering on the road.

Let me conclude by acknowledging the work that has been undertaken with the motorcycling community, particularly the Motorcycle Riders Association and Ride to Review. Those two organisations, with their capable leadership, have been in active discussions with my office and have worked collaboratively to do this. In my assessment, this is one of the rare occasions where there has been an opportunity to do something very, very simple that has a positive effect on so many road users around the state.

It has worked well in other jurisdictions and I have every reason to believe that it will work well here. Sometimes it is the simple things that government can do that can make a really big difference to people. I think this has been a good example of it and I hope that it works well for many years to come.

MOTORCYCLE LANE FILTERING

The Hon. M.C. PARNELL (14:54): My supplementary question is: where you have a situation where there is a dedicated right-hand turn lane, for example, and there are traffic lights and multiple lines of traffic that are stationary, is it permissible for pedal cyclists to lane filter by working their way to the head of the traffic, for example, so they can join the front of the right-hand turn queue? Just to assist the minister further, lane filtering for cyclists is already legal in the left-hand lane. When traffic is stopped at a traffic light, the bike is allowed to go up on the inside. My question

is: are there other circumstances? If the minister doesn't know the answer, could he look into whether cyclists are able to lane filter in limited circumstances to help get to the head of traffic?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:55): My understanding is, and I will seek to confirm this for the honourable member's benefit and indeed the community at large, that alterations to the regulations that have been tabled in the parliament speak specifically to motorcyclists and not to cyclists. However, for the sake of clarity and accuracy, I will seek to take on notice the particular parts of the question the honourable member has asked.

MEDICAL CANNABIS

The Hon. T.A. FRANKS (14:55): I seek leave to make a brief explanation before addressing a question on the topic of medical cannabis and advice given by SA Health to the Minister for Manufacturing and Innovation as the lead minister, as noted by the Premier in the other place yesterday.

Leave granted.

The Hon. T.A. FRANKS: I note and draw the attention of the minister to the current SA Health's frequently asked questions guide on the website as accessed by myself this morning. Under the header of health topics, medicine/medicinal cannabis, in answer to the question 'What is cannabis?' under frequently asked questions, it states the following:

Cannabis is a drug made from the dried flowering heads and leaves of the plant *Cannabis sativa*.

Cannabis contains a complex mix of approximately 60 unique chemicals called cannabinoids and a range of other chemical compounds. The main active ingredient responsible for the 'high' produced by cannabis is delta-9-tetrahydrocannabinol (THC).

That is where the explanation ends for SA Health. However, if one looks at the World Health Organisation's document on cannabis use:

Cannabis. A generic term used to denote the several psychoactive preparations of the cannabis plant. Cannabis is the preferred designation of the plant *Cannabis sativa*, *Cannabis indica* and, of minor significance, *Cannabis ruderalis*...

Three plants rather than SA Health's one. It goes on to note:

Cannabinoids are a class of diverse chemical compounds that act on cannabinoid receptors in cells that modulate neurotransmitter release in the brain. The composition, bioavailability, pharmacokinetics and pharmacodynamics of botanical cannabis differ from those of extracts of purified individual cannabinoids. Cannabinoids are basically derived from three sources: (a) phytocannabinoids are cannabinoid compounds produced by plants *Cannabis sativa* or *Cannabis indica*; (b) endocannabinoids are neurotransmitters produced in the brain or in peripheral tissues, and act on cannabinoid receptors; and (c) synthetic cannabinoids, synthesized in the laboratory, are structurally analogous to phytocannabinoids or endocannabinoids and act by similar biological mechanisms.

It further goes on to note:

Cannabis preparations are usually obtained from the female *Cannabis sativa* plant. The plant contains at least 750 chemicals and some 104 different cannabinoids.

It further goes on to observe that there's not just THC but, of course, cannabidiol (CBD) and cannabinol (CBN). Indeed, while THC is the primary psychoactive compound, CBD, a non-psychoactive compound, ranking as the second cannabinoid, acts to ameliorate the THC effects. It also notes:

Cannabis sativa is constantly changing. New non-cannabinoid and cannabinoid constituents in the plant are discovered frequently. From 2005 to 2015, the number of cannabinoids identified in the whole plant increased from 70 to 104 and other known compounds in the plant increased from some 400 to around 650...

My question to the minister is: if the department is so out of date and can't get it right, how can we trust the department to play a role in providing information not just to the public but to the professionals, the medical professionals, and how will we have an industry in medical cannabis in this state if SA Health cannot even get their frequently asked questions answers correct?

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 (14:59): I thank the honourable member for her question and her afternoon biology lesson for us today.

The Hon. D.W. Ridgway: Chemical lesson, not biology.

The Hon. K.J. MAHER: Plant biology. As the honourable member pointed out, and as most of the literature I have read generally talks about, around 400 different chemical elements make up the cannabis plant, and typically from what I have read it talks generally about 60 to 80 cannabinoids as part of the chemicals that make up the cannabis plant.

As the honourable member pointed out, the cannabinoid most talked about is THC, which has psychoactive properties and is being researched around the world for possible uses in medical treatments. I think the next most commonly referred to cannabinoid of the 60 to 80 is CBD, which has, as I understand it, lower or little psychoactive properties like the THC, but also is being looked at, and trials are taking place around the world on the effects they might have.

I am happy to go away and look at the website to which the honourable member refers. It may be the case, if it is a frequently asked question, that it might be responding to what are the most frequently asked questions, and my guess would be that THC is probably the cannabinoid most frequently asked about. I suspect that could be one of the reasons it is referred to on the frequently asked questions list, rather than being an absolute comprehensive study of all chemical elements or the biology of the cannabis plant.

I suspect that it might also be the case that, given the changes in the federal law in November last year, most of the publicity has been around THC and its medical application, and that might be why they are referring to it on the website. I will have a look at it. I am assuming they are not saying that this is the only cannabinoid that might be used but are saying that this is a cannabinoid. I suspect that, as a frequently asked question, is the one most asked about, but I am happy to ask the folks in the health department about that for the honourable member.

MEDICAL CANNABIS

The Hon. T.A. FRANKS (15:02): Supplementary: when the minister asks them, ask why they didn't respond to this advice being given to them in your round table when they were alerted to the lack of their attention to CBD and, indeed, cannabis indica in those discussions.

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) (15:02): I am happy to ask the good folks in the health department those questions for the honourable member.

SOUTH AUSTRALIA POLICE 801 GROUP

The Hon. J.S.L. DAWKINS (15:02): I seek leave to make a brief explanation before asking the Minister for Police a question about the 801 Group.

Leave granted.

The Hon. J.S.L. DAWKINS: In recent months I have become aware of the efforts and activities of members of the 801 Group, which incorporates serving and retired police personnel who are concerned about the health and wellbeing of colleagues. Members in this place may be aware that the SAPOL call sign for 'police in trouble' or 'police need urgent assistance' is 801.

As well as regular meetings in the northern and southern suburbs, the focus of the group has been the development of a Facebook page. The support provided by this group for SAPOL personnel suffering from psychological injuries has been highly valued. Early this month, the Facebook page membership reached 250 for the first time. However, soon after this milestone, news came through of the tragic suicide of a SAPOL officer on Eyre Peninsula. Within four hours over 1,000 new members joined the Facebook group, and within days the membership had grown to over 2,900. The membership is estimated by the voluntary administrators to be 80 to 90 per cent serving, retired or ex-police, and many more would be from the families of police officers.

The extraordinary response to the work of the group demonstrates a strong commitment to one of the founding principles and ongoing aims of the 801 Group 'to stop one of our mates from

suiciding'. The existence of 801 has been acknowledged by both SAPOL and the Police Association of South Australia. However, there is a great opportunity for all in the police sector to benefit from the work of this voluntary group. My questions to the minister are:

1. Is the minister aware of the 801 Group?
2. Will the minister meet with the administrators of 801, all of whom are volunteers, to explore ways to assist in the provision of 'a safe place to go and chat with your mates'?
3. Will the minister examine further ways in which the concerns of nearly 3,000 members of the police community can be harnessed to prevent more suicides within police ranks and across the broader community?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:05): I thank the honourable member for his question and acknowledge his ongoing commitment and work in a number of community sectors regarding mental health issues. Before going into a bit of detail I want to take the opportunity in this place to acknowledge the passing of the individual police officer concerned and pass on my condolences to his family.

Mental health and wellbeing for our men and women serving in uniform is something that I think all South Australians should be reasonably concerned about. Naturally, it will not come as a surprise to the honourable member that I have already been in active discussions with both the police commissioner and the Police Association of South Australia regarding this particular issue, not specifically just because of the more recent tragic suicide but as a general issue regarding the mental health and wellbeing of our men and women in uniform. It is an issue that has received some coverage and some scrutiny in recent years, and I think that is really consistent with the genuine concern that a number of people within the community have.

Regarding one of the Hon. Mr Dawkins' specific questions, yes, I am aware of the 801 Group. Of course, any group that is advocating for the concerns and needs of the police is a group that I'm willing to meet with should they seek to do so. However, as I have said, I have already had active discussions with both the Police Association of South Australia and SAPOL itself regarding what is currently being done in this area to seek to prevent such instances occurring or to minimise the risk.

It is important to note that SAPOL and the government have already been proactive in this particular area in ensuring that there is a range of services in place for active sworn serving police officers and, indeed, their families, to ensure that we are serving their needs regarding their mental health and wellbeing in a way that reflects the particular challenges that police officers face on a day-to-day basis and the difficulty of their work in the service of the community.

SAPOL already has in place a proactive employee assistance program. The employee assistance program reflects itself in a contract with a separate organisation that operates separately to SAPOL to provide free services, up to six times, for a police officer to be able to call 24 hours a day, seven days a week to seek assistance in the area of mental health and wellbeing generally. There is an employee assistance section in the South Australian police force that has within it a number of resources with training specifically in dealing with officers who may be in need. There are four psychologists, three social workers and three nurses in-house to provide assistance to employees.

The employee assistance program entitles each SAPOL employee—as I said, just to be clear—to six free sessions every two years, and those sessions can also be accessed by family members. The employee assistance section provides an initial triage and counselling service for employees as well as a consultancy training and assessment service to assist employees' physical and psychological wellbeing.

Also in the South Australian Police Enterprise Agreement 2016, SAPOL agreed to develop a number of strategies in consultation with the Police Association of South Australia to promote the prevention of physical and psychological injuries to police. This is something that SAPOL takes seriously. Only today, immediately prior to question time, I was fortunate enough to be in attendance at another police graduation. I say another because there have been a lot lately, because we are, of course, increasing substantially the size of the South Australian police force.

The Hon. R.L. Brokenshire interjecting:

The Hon. P. MALINAUSKAS: I can't resist responding to commissioner—sorry, former minister—Brokenshire's intervention. Of course, we are committed to delivering 313 extra police officers, which is why we have seen a number of graduations taking place recently. I am sure that if the honourable member wants to come along to some of those graduations I can facilitate that for him.

At today's graduation, where there were approximately 25 graduating police officers, the address given by Assistant Commissioner Fahy to all those new recruits, many of them young, made it very clear that SAPOL actively encourages all police officers to speak freely, candidly and safely to SAPOL about any concerns they are experiencing within their workplace, trying to break down any stigma that might be attached to speaking up when it comes to individuals' mental wellbeing. Even at a graduation, that message is being sought to be sent through all police officers.

This is a complex area, and the nature of the work of being a police officer means that they are faced with challenges on a daily basis that few other members of the community have to deal with in their workplace. We owe it to our police officers, our men and women in uniform, to do everything we can to mitigate the risk. There is always going to be room for improvement, which is why, as I have stated, I have recently been in discussions with the Police Association and SAPOL about how that may look. There are already a number of services in place, and of course we would actively encourage any member of the policing community to take those services up if the need arises.

BUSINESS TRANSFORMATION VOUCHER PROGRAM

The Hon. J.E. HANSON (15:12): My question is to the Minister for Manufacturing and Innovation. Can the minister please update the chamber on how the government is supporting business in Murray Bridge?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:12): I thank the honourable member for his question and his interest in supporting regional businesses. I am pleased to be able to inform the chamber and the honourable member that I was fortunate to visit a family-run poultry business in Murray Bridge earlier this month, to inform them that they had been successful in their application for a government business transformation voucher that would give them the opportunity to seek advice on processes and how to expand their business.

Almond Grove Free Range Poultry has been operating for some 15 years, producing free-range chickens, eggs and turkeys for South Australian and interstate consumers. They applied for a business transformation voucher after demand for their goods rapidly increased over the past 12 months, with the company looking to move to producing turkeys year round. The \$19,400 voucher will go towards a review of their production and processing capacity for turkey breasts, as well as the development of processed meat products, such as smoked turkey breast, chorizo, bacon and pepperoni, using South Australian specialty butchers.

I was very fortunate when I visited to be able to sample a couple of these products. The turkey pepperoni and the smoked turkey breast were delicious. They would be even more delicious on a nice crispy biscuit or a buttery pastry, but they were delicious just on their own. When I visited the Almond Grove—

The Hon. D.W. Ridgway: There would have been an extra turkey there the day you were there.

Members interjecting:

The Hon. K.J. MAHER: We have a rare genius interjection from the Hon. David Ridgway, talking about a turkey. It is not an obvious joke to make, and I thank him for taking the opportunity. This is why he is the leader of the people on the opposite side. He is regarded as a genius and a leader of men and women—a genius!

The Hon. T.A. FRANKS: Point of order: I think the member for Finnis has established that calling a member by the name of an animal is unparliamentary.

The PRESIDENT: I would say that was a very good point. I think the whole chamber—and I have said this before—should be very careful with how they arrange their questions and their interjections to at least have some respect for the members of this chamber.

The Hon. K.J. MAHER: There is, of course, only so much I can take from the Hon. David Ridgway. When I visited the Almond Grove Free Range Poultry farm in Murray Bridge to deliver the good news to the owners, John Holland and his wife Deb, as I said, I was fortunate to sample some of their fantastic produce, and a lot of this is being developed in partnership with specialty butchers in both the Adelaide Hills and metropolitan Adelaide.

On top of the new line of products, they are the only Humane Choice accredited turkey farm in Australia and export around 40 per cent of their whole free-range turkeys interstate, particularly, as one would expect, during the peak periods of Thanksgiving, Christmas and Easter. The South Australian government is committed to assisting local manufacturers like this to invest in projects to substantially grow their businesses, increase productivity, increase their competitiveness and help set them up for long-term growth.

That is why we have the \$4.5 million Business Transformation Voucher Program, which has supported businesses, including some I have mentioned on occasion in this chamber, around metropolitan Adelaide and regional South Australia to build on and expand their businesses. I look forward to informing the chamber of further business transformation vouchers and the success of those who have accessed this scheme.

TRANSPORT SUBSIDY SCHEME

The Hon. K.L. VINCENT (15:16): I seek leave to make a brief explanation before asking questions of the minister—some meaty questions, no less—representing the Minister for Transport regarding the South Australian Transport Subsidy Scheme (SATS).

Leave granted.

The Hon. K.L. VINCENT: The South Australian Transport Subsidy Scheme, or SATS as it is much more conveniently known, is provided through the Department of Planning, Transport and Infrastructure. It enables people who have disabilities that impede their ability to catch public transport to receive up to 80 subsidy vouchers per six months. The subsidy is either 50 per cent or 75 per cent of the total fare, depending on the significance and nature of the person's disability. The scheme does not require people to use access cabs with their voucher and some people may still be able to transfer into a standard cab and have their wheelchair stored in the boot during travel. The scheme is essential for South Australians with disability to lead independent lives.

However, it has come to my attention that SATS voucher users may have to pay the full \$1 levy that would be put in place as part of the taxi reforms to accommodate Uber and other ride sharing services in the state. I understand there seems to be some confusion as to whether that \$1 should be added to the total fare and therefore paid by the passenger themselves or not. My questions to the minister are:

1. Will the minister confirm if taxi drivers are expected to levy the \$1 charge against SATS voucher users?
2. If yes, will SATS voucher users have to have the levy implemented in full against them or are the taxi drivers expected to absorb this cost themselves?
3. Could the minister please confirm if SATS users are required to pay the full \$1 levy and whether the minister will be levying the \$1 charge for every trip undertaken which utilises a SATS voucher?
4. While I'm on the subject, could the minister also please clarify whether the on-time bonus and lifting fee for access cabs are also available to drivers in country areas?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:18): I thank the honourable

member for her questions. Of course, I will make sure that the questions are passed on to the minister responsible in the other place and the questions are taken on notice accordingly.

WYNDGATE FARM

The Hon. J.S. LEE (15:18): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question about Wyndgate Farm.

Leave granted.

The Hon. J.S. LEE: Wyndgate Farm on Hindmarsh Island is a 1,174-hectare property covering 23 per cent of the island. It was purchased by the state Liberal government in 2001, with funds provided by the Howard Liberal government. The purchase and subsequent environmental management of Wyndgate aim to contribute to the preservation of the Coorong's unique and fragile environment.

My question to the minister is: why has DEWNR-owned Wyndgate Farm on Hindmarsh Island not yet been declared a conservation park despite assurances given to volunteer groups that this would happen some two years ago?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:19): I thank the honourable member, for once, for a really sensible question. She has obviously done her research on this fabulous property down on the Fleurieu. The answer is pretty simple: there are a lot of complications in terms of the different parcels of land that had been brought together.

There are a lot of issues with private ownership abutting public ownership, simple things like fencing, weed control and many other programs dealing with the land itself and Crown land, defining how we will facilitate this process of bringing it together. It is still on track. We are committed to it but we have encountered some problems in terms of some of these details and we are working through them assiduously and with quiet deliberation. We will get there, but we want to do it properly.

REGIONAL CLIMATE CHANGE ADAPTATION PLANS

The Hon. G.E. GAGO (15:20): My question is to the Minister for Climate Change. Could the minister update the house on the progress of implementing regional climate change adaptation plans in line with the SA Strategic Plan target 62?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:21): I thank the honourable member for her most important question.

The Hon. J.S.L. Dawkins: We don't need a 12-minute answer on this.

The Hon. I.K. HUNTER: Well, unfortunately, it is a 12-page answer, so we might have to wait for a little while, but there you go. The CSIRO's State of the Climate 2014 report highlighted the significant impacts that climate change is already having on our community. It shows that since 1910, Australia has faced an overall warming of about 0.9° Celsius. In South Australia, average temperatures have also risen by almost 1° Celsius over the same period, accelerating over the last 40 years, I am advised.

We have also seen a decline in the amount of rainfall across most regions in our state and an increase in the frequency of extreme weather events. Unfortunately, some of the excellent climate change data has been scrapped by the federal government and so we can't utilise that data that we used to have access to to help us in planning for adaptations in the future. That is part of their insidious program of sacking scientists and taking science out of public policy, but there are plenty of other examples of where they have done this.

The Climate Change in Australia initiative remains online, as I understand it, with a trove of quality information accessible to the public. It shows that for the Alinytjara Wilurara and SA Arid Lands regions winter rainfall is projected to decrease and average temperatures are predicted to increase in all seasons. For the Adelaide and Mount Lofty Ranges, Eyre Peninsula, KI and Northern and Yorke, time spent in drought is projected, with some relatively high level of confidence, I am told, to increase over the course of the century.

Mean sea level will continue to rise and the height of extreme sea level events will also increase. Again, that is with a very high degree of confidence. There is high confidence also that climate change will result in a harsher fire weather climate into the future for us. Scientists are confident that the Murray-Darling Basin region will continue to have higher temperatures than historical averages. It is clear that we have two very important tasks going forward. We must reduce the amount of carbon we emit into the atmosphere and we must work with our regions to ensure that they are able to adapt to the changing climate that they have already been locked into.

South Australia's Climate Change Adaptation Framework, released in 2012, provides for a coordinated and collaborative approach to preparing for the impacts of climate change in South Australia. This framework recognises that preparing for the impacts of climate change is a responsibility that is shared and will require a joint effort by all levels of government, business, communities and individuals. You might recall that, in 2013, this strategy was awarded the National Climate Change Adaptation Research Facility's Adaptation Champions Award and, in 2013, the Resilient Australia National Award.

Complementing the framework is target 62 from South Australia's Strategic Plan, which is to develop regional climate change adaptation plans in all 12 government regions. Target 62 will also help our state to better prepare for natural disasters, look after our land, our rivers and our wetlands, ensure that industry and agriculture are highly efficient, and provide leadership in managing the Murray-Darling Basin.

I am pleased to advise the chamber that we have now completed regional adaptation plans with the eastern Adelaide, western Adelaide and far north regions. This means that we have now completed plans covering all 12 government regions in the state. Delivery of the RAPs is a major achievement for climate change adaptation in South Australia.

For much of South Australia, the development of the RAPs was the first time that climate change adaptation was discussed on a regional scale. Regions have been able to discuss climate change adaptation with their communities, businesses, universities and their local state and even federal elected members. The Department of Environment, Water and Natural Resources will now take those regional RAPs and deliver a whole-of-government statewide climate change adaptation plan in response to the completed RAPs. That is a story for another day.

Matters of Interest

WOMADELAIDE

The Hon. T.T. NGO (15:25): As another Mad March comes to an end, I take this opportunity to talk about one of its most iconic events, WOMADelaide. This year marked its 25th anniversary. The event livens up our Botanic Park with music, art, dance and food from all around the world. The first ever festival in 1992 was a joint venture between the Adelaide Festival and the UK-based WOMAD organisation, established by Peter Gabriel in 1982 for the presentation of a festival presenting the world of music, arts and dance from around the globe.

WOMADelaide was subsequently staged as a standalone event biennially from 1993 in alternate years to the then biennially staged Adelaide Festival. It has only recently shifted to an annual cycle from 2004, once again as part of the Adelaide Festival program, which has also (since 2012) moved to an annual cycle. In February 2004, the WOMADelaide Foundation, a not-for-profit body on the commonwealth government's Register of Cultural Organisations, was established to present the festival each year. From there, it became a four-day event in 2010 in celebration of the Adelaide Festival's 50th anniversary, running over the Monday public holiday in March.

For this year's event, it has been reported that attendance peaked at 90,000 people. Many of them are tourists. The positive economic impact on the state is profound. Last year's figures show that \$15.5 million was injected into the South Australian economy from the activity generated from WOMADelaide. WOMADelaide has become a big name international festival, which greatly assists South Australia in upholding its reputation as a Unesco City of Music.

The demonstration of heritage through music is an important cultural perspective not lost on me, Mr President. This is particularly the case when considering the many Indigenous performances that were showcased at this year's event. Indeed, WOMADelaide was opened with the Welcome to

Country led by Steve Gadlabarti Goldsmith, an elder of our local Kurna people. I have also spoken in this place previously about how important storytelling in a native language can be, which I often try to do at home with my kids.

I am also pleased that Aboriginal storytelling was given a primary focus in this year's festival. One performer, Gawurra, sang in his native Gupapuyngu language, reviving ancient song lines, which saw him win four National Indigenous Music Awards in 2016, including album of the year. In KidZone, which was a space at WOMADelaide designated for children, at the end of each day there was a feature containing Kurna and Ngarrindjeri stories with Allan Sumner.

Food is another expression of culture. It was great to hear that one of our renowned chefs, Poh, relocated her lunch and dinner service restaurant to the Botanic Park for WOMADelaide. As the chef-in-residence at this year's Taste the World Restaurant, Poh served up a feast of dishes inspired by childhood memories of her birth country, Malaysia.

WOMADelaide has received numerous industry awards over the years, including the 2015 Australian Event Award's Best Cultural, Arts or Music Event, the SA Music and Fowler's Live Awards, Best Festival/Best Music Event for four years running—between 2012 and 2015—the 2008 Helpmann Award for Best Contemporary Music Festival and nominations in each of the 2005, 2010, 2015 and 2016 Helpmann Awards for Best Contemporary Music Festival.

The state government continues to be the principal partner for WOMADelaide, but a big thank you must go to many of WOMADelaide's other local sponsors, such as Coopers, Yalumba, Hills Cider, the University of South Australia, Novatech, ABC Adelaide, Adelaide City Council and Foodland, amongst many others, who help make this event such a success. This amazing South Australian-made festival is only possible with the tireless work of its organisers and volunteers. To all the many of them, I say thank you.

MALAYSIAN-CHINESE SCHOOL DELEGATION

The Hon. J.S. LEE (15:30): It is with great honour I rise today to speak about the visit of a Malaysian-Chinese school delegation to Adelaide. As the shadow parliamentary secretary for multicultural affairs and trade, as well as the first Malaysian-Chinese migrant to be elected in the South Australian parliament, it was indeed a great privilege to welcome the delegation of eight special guests from SJK (CINA) Wangsa Maju Primary School of Malaysia to Adelaide.

The delegation consists of Datuk Yew Teong Look, who was the key driver to set up Wangsa Maju school. He is the chairman of the school board, Director of Malayan Railways Limited (KTM) and also a former member of the Malaysian parliament. The distinguished Datuk Yew was joined by the lovely Ms Lim Soh Cheng, the school principal who happens to live in my old hometown of Kepong in Malaysia. It was a pleasure to meet Ms Lim, together with other passionate leaders, including Dr Lim Lek Chai, Ms Chin Kim Moi, Mr Yeap Ghim Chuan, Ms Tan Lay Hoo, Mr Siow Chin Hion and Mr Yoon Chin Toong.

I would like to place on the record my special thanks to the team at the Adelaide Institute of Business and Technology, particularly the very diligent Mr Don Chen, managing director, Dr Lim Lek Chai, board member and lecturer, and Philip Stewart, director of Adelaide International School, for their kind invitation to participate in the memorandum of understanding signing ceremony on 22 March 2017. The MoU provides the important collaborative framework between Adelaide International School, St George College and Wangsa Maju Chinese Primary School in Malaysia.

The tripartite MoU intentions include:

- establishing a teacher exchange program once a year between the three schools;
- establishing a student exchange program twice a year between the three schools;
- setting up an overseas study advisory board at Wangsa Maju;
- setting up an international language centre;
- setting up a SACE international program centre at Wangsa Maju by Adelaide International School.

I had the honour to be the official witness for the signing of the MoU between the three dynamic principals: Ms Kerrie Evans, principal of Adelaide International School, Ms Gina Kadis, principal of St George College and Ms Lim Soh Cheng, principal of Wangsa Maju Primary School.

This MoU will enhance exchanges and development between two languages, two education systems, and also strengthen the bond between the people of South Australia and Malaysia. The Malaysian Wangsa Maju school was established in 2015 with a global focus. It is the first Chinese primary school ever to have an outreach program to overseas mainstream English schools. We are incredibly fortunate that Wangsa Maju school has selected South Australia as its primary footprint.

Many honourable members would know that St George College is a community focused school where their strong sense of community takes root from the rich cultural heritage of the Greek community, which founded the school in 1983. Through the great work and connections of Adelaide International School, St George College was identified to be a suitable partner to Wangsa Maju school.

All the schools that signed the MoU passionately embrace multiculturalism. They all have a strong focus on the development of cultural and linguistic competencies that will ensure their students are well prepared for the challenges and opportunities in an increasingly connected world. Under the leadership of Gina Kadis, principal of St George College, the school has a vision to be globally inclusive, which includes the introduction of the Chinese Mandarin language into their school curriculum. Dr Lim Lek Chai has provided me with some insights about Chinese education. He informed me that Chinese education in Malaysia has the most comprehensive system outside of mainland China, Hong Kong and Taiwan.

The Chinese community generally believes that mother tongue education is about preserving the Chinese community's roots and heritage and a pathway to progress in society. I will always be forever grateful to my parents, who had the vision to send me to a Chinese primary school in Malaysia. I have benefited greatly from a bilingual educational system. I am confident that the partnership between the three schools will produce rewarding educational, cultural and economic outcomes for many years to come. I convey my heartfelt congratulations to the MoU partners and wish the three schools every success in a rewarding journey of collaboration.

OPERATION FLINDERS

The Hon. J.A. DARLEY (15:35): I rise to speak about Operation Flinders, which is an organisation that works with at-risk youths. Operation Flinders was established in 1991 and has engaged with over 7,000 participants over its 25 years of operation. Fourteen to 18 year olds who may leave school or engage in criminal offending, drug and/or alcohol abuse and self-harm are identified as being at risk and nominated for the program.

Groups of eight to 10 participants undertake an eight-day trek through the Northern Flinders Ranges, during which time they will cover over 100 kilometres. They are required to carry a 10 to 15 kilogram pack, which includes their food, shelter and sleeping gear. They are supported by a team leader, assistant team leader and two support staff, who are often already known to the participants.

Some teams are also supported by a peer group mentor, who are young people who participated in previous exercises and have been identified as having leadership skills. These young people are invited back to assist with future exercises and sometimes act as a crucial buffer between the young people and the leadership team.

For most participants, the experience is something completely foreign to them. Many have not been exposed to the wilderness before and are pushed out of their comfort zone to improve or discover their confidence, self-esteem, respect, discipline and even cooking skills. This is not done through punishment or a boot camp type of environment but rather through positive experiences, teamwork, responsibility, encouragement and a sense of achievement. Five operations are run each year, with approximately 40 base and field support staff, including two exercise commanders, South Australian ambulance paramedics, communications, logistics and operations officers, cooks, drivers and a general hand.

It is worthwhile noting that Operation Flinders has over 400 volunteers, without which the program could not run. They are some of the most skilled and passionate volunteers I have ever

encountered and are a credit to the organisation. Team leaders are highly skilled in bush survival and navigational techniques, which are then passed on to participants. Most importantly, team leaders are given training to support young people with the emotional and psychological effects of the program.

A relatively new initiative is the ReBoot program, which is a partnership between the state government, Hyper, Red Cross and Operation Flinders. ReBoot sees young people who have had interactions with the juvenile justice system undertake the exercise with the hope that it will act as a diversion program to direct them away from criminal behaviour. I am pleased to hear that the five ReBoot participants from this most recent exercise were reported to have been engaging well with the program and demonstrated some of the best behavioural turnarounds from the participants.

Independent studies have shown that Operation Flinders is meeting its objective as a crime prevention strategy. The cost of funding a participant, which is approximately \$3,300, is considerably less than the cost of incarceration, which is approximately \$200,000 per year. Clearly, this is a good investment not only in a financial sense but also for the community to have positive members of society.

Operation Flinders would not be able to exist without the generosity of their sponsors, supporters and the state government. I strongly encourage everyone to support them where they can. I congratulate everyone involved in Operation Flinders, from the participants, volunteers and staff, to the sponsors and supporters. I hope this fantastic program continues to have the support of the government for many years to come.

PENALTY RATES

The Hon. G.E. GAGO (15:39): The Fair Work Commission's slashing of Sunday and public holiday penalty rates will result in the take-home pay of workers in the retail, hospitality and fast food industries being up to \$6,000 less per year. Up to around 700,000 workers are expected to be worse off because of this decision.

The plan to roll back on these rates will have a devastating impact on Australia's lowest paid workers, who receive penalty rates as compensation for the unsocial and irregular hours that the industries require they work. Weekends and public holidays still mean something to Australians, as it gives us time to spend with our friends and families and engage in community activities that often fall on weekends.

Long hours and shiftwork have also been proven to result in adverse health effects to employees, and regulated minimum penalty rates recognise this as recompense. Indeed, a recent poll found that 82 per cent of Australians support compensation for working outside the usual working week for these reasons.

Changes to penalty rates will result in significant changes to the total income of workers in the hospitality and retail sectors, who are already in the bottom 30 per cent of Australian income earners. Disposable income for these people is minimal, as wage growth in the private sector is at an all-time low, while the cost of living is at an all-time high.

A recent report by Australia Institute's Centre for Future Work found that, at the current rates of wage growth, it would take 17 years until base wages were able to offset this cut to penalty rates for these workers. Many of the workers in these industries earn only enough to cover their living expenses. Unexpected expenses, particularly, can cause immense pressure for some of our lowest paid workers. This dramatic cut to penalty rates will certainly add to the financial burden. Of those hit hardest, women and young people will be disproportionately affected by this pay cut.

Despite the already excessive gender pay gap, the cutting of penalty rates will have an unfair impact on low paid women, who represent more than half of the workforce in these sectors. A huge 40 per cent of young people rely on Sunday penalty rates to keep up with their living expenses. The reduction of the take-home pay for these workers will increase these burdens, as employees only have the option to increase their working hours to make up for lost pay.

Despite what some proponents may argue, it has been shown repeatedly that a cut to workers' take-home pay will result in less household consumption and spending, leading to a

potential drop in trade for local businesses. There is no evidence that suggests that more businesses would open on weekends, or for longer hours, because employers are spending less on wages.

Federal employment minister, Michaelia Cash, claimed that penalty rates deter weekend work; however, this completely ignores the fact that the hospitality sector has grown faster than the rest of the workforce in the past few years. Minister Cash has also failed to point out that the hospitality sector is the biggest employer of 457 visa holders in recent times. The Turnbull government wants Australians to think that this penalty rate cut is a good thing, that it will create employment and that it is even a 'gift', as one federal MP called it. However, any extra employment is likely to come from existing staff working more hours for the same, or less, pay.

While companies are making record-breaking profits, it boggles the mind how the Prime Minister could allow workers to get a pay cut. It is clear to those who live or have lived on wages that incorporate penalty rates—and I certainly have—that they are necessary to maintain relative living standards.

With current wages stagnating and underemployment at an all-time high, it could not be a worse time to reduce workers' take-home pay. Prime Minister Turnbull needs to act now to reverse this cut. This decision will not necessarily end with just the hospitality and food service industries; nurses, hairdressers, aged-care workers and workers from many sectors rely on these penalty rates to make a living, and they are likely to be next. Penalty rates are not a bonus or a gift. Penalty rates are compensation that many in our society rely on to pay the bills and put food on the table.

MEMBER FOR MAWSON

The Hon. R.I. LUCAS (15:44): I rise to speak about the increasingly obnoxious and boorish behaviour of the member for Mawson, Leon Bignell. Members in this chamber will be familiar with his behaviour over many years in relation to excessive expenditure on overseas trips, expenses that have been widely publicised, and embarrassing Facebook photos of himself with a glass of beer in hand and a KFC bucket on his head at Adelaide Oval.

A number of government ministers and MPs have been openly discussing over a period of time, and have been openly critical of, Mr Bignell's behaviour on those occasions and many others. He has proved to be an embarrassment to himself, his party and to the state of South Australia, given that he is a minister of the state.

I refer to another recent incident earlier this year where Mr Bignell, the member for Mawson, was at a function at Adelaide Oval associated with a cricket match being conducted at Adelaide Oval. The member for Mawson Mr Bignell's boorish behaviour was again apparent when he embarrassed himself and the government on that occasion in front of many other guests at that particular function.

For some reason, evidently, the member for Mawson, Mr Bignell, wanted the Adelaide Crows to give him a jumper of the new Adelaide Crows women's team in the AFL Women's league. At that particular function, on three separate occasions, the member for Mawson, Mr Bignell, approached a senior Crows official in front of many other guests (so this was not a one-on-one discussion) in an increasingly aggressive manner demanding to be given an AFL Women's Crows jumper. On the third occasion the member for Mawson, Mr Bignell, approached this senior Crows official at this public function, the member for Mawson, Mr Bignell, was told in very blunt terms to go away and to put his request in writing in a more appropriate manner.

Obviously, the events of that particular evening were reported to Premier Weatherill because on the following morning Premier Weatherill rang an even more senior Crows office holder, and in that telephone conversation apologised for the behaviour of the member for Mawson, Mr Bignell, at the function the previous evening. He said that Mr Bignell's behaviour was being dealt with by the Premier and the government, and told the senior Crows office holder that the Crows need take no further action in relation to the member for Mawson Mr Bignell's request for the jumper.

The Premier concluded by saying that the government preferred that this particular incident would attract no further public attention, the inference clearly being that the government would prefer to keep the matter out of the public arena as it was a matter of some embarrassment to the Premier and the government in terms of the minister's behaviour in a public place.

I am also advised that another senior cabinet minister, that is, other than the Premier, also apologised to that senior Crows office holder about the behaviour of Mr Bignell at that particular event and that particular function. Sadly, the member for Mawson Mr Bignell's behaviour at that particular function has been typical of his obnoxious and boorish behaviour over a long period of time.

I have to say that I am pleased that the Liberal Party at the moment has a long list of very talented potential candidates looking to contest preselection at the next state election for the electorate of Mawson. Certainly, I look forward to the circumstances in March 2018 when the good people of Mawson will be given the opportunity to make some judgement about the obnoxious and boorish behaviour of the member for Mawson, Mr Bignell, and will have the opportunity to remove him not only as their local member but also as a minister of the Crown in this particular government.

Parliamentary colleagues and others who know the member for Mawson, Mr Bignell, have become increasingly embarrassed by his behaviour over a long period of time. This recent event only adds to the circumstances, as I said at the outset, of his unfortunate experiences in terms of wasting taxpayers' money on overseas trips and on lavish expenses, again at taxpayers' expense.

DISABILITY ACCESSIBILITY

The Hon. K.L. VINCENT (15:50): There is a symbol which you may recognise as the international symbol of disability access but, sadly, as another Mad March fades into the sunset of the South Australian calendar, it is clear that the meaning of this international symbol does not seem to apply to arts events in our state because, if it did apply, then a wheelchair user booking some theatre tickets, for example, would be safe in the common understanding that the venue where the theatre performance was to take place would be one that would welcome and accommodate wheelchair users and users of other mobility aids.

Every year, following the month of March, I hear feedback from people with disabilities, in particular, about the inaccessible nature of events, even those which purport to be accessible. The arts is, of course, an important sector of the South Australian economy, creating thousands of jobs, attracting visitors from interstate and overseas, and generating positive social and financial benefits; yet the lack of knowledge and understanding and responsibility for ensuring access to arts events is astounding. Sticking the little blue access symbol on a venue, program guide or a website without also explicitly checking that the performance is actually accessible is, sadly, commonplace.

To maintain our progressive lead in the arts in our ageing society we must work on making all venues, materials and shows accessible to all. As an example, I attended one event recently marked as accessible only to find, and not for the first time, that while I could get into the foyer of the building with my wheelchair there was a significant step up to the actual theatre where the show took place. This is embarrassing. It is 2017 and it seems our state fails to learn from festival to festival. With every complaint the buck is passed from booking agency to venue to event organiser. Without consultation with people with disabilities this situation will never be properly rectified.

Angry and disappointed constituents contact my office because they have saved their money, booked tickets for a concert and anticipated a great time out, only to have their reasonable expectations of equal access dashed when they are informed that wheelchair users cannot be accommodated, sometimes at the 11th hour. We need to avoid buck-passing and ensure a consistent, holistic approach, from the booking agency to the venue to the event organiser.

To have concertgoers unable to use supposedly accessible Portaloos because there were no lights installed is another shocking example. There was power and there were plenty of lights—yea, even decorative fairy lights—festooning the toilets for ambulant people but not even a flickering candle to light the way to the accessible toilet. It is shameful, and it is still part of the daily reality of living with a disability in this state: that you cannot expect your right to have equal access to a venue that you have paid to attend upheld.

People with disabilities cannot even hop onto a website and book their tickets necessarily, if we require a wheelchair seat, for example. Instead, we are instructed to telephone during office hours and even then there are no guarantees that such places will be available, especially since by the time we get through tickets could have sold out for popular events through the online sales. This also

raises significant concerns for what happens to people who cannot communicate on the telephone or who have no internet access.

The Dignity Party calls on the government to tackle this issue through public education campaigns, by working with event organisers, venue operators and booking agencies alike to ensure an inclusive approach to selling the amazing arts festivals and events that make our state so proud. Everyone—people with disabilities, elderly people, families and friends alike—could benefit from having a variety of booking and viewing options available to them. It is time to lift our game to ensure that, both here in our state and on the world stage, our wonderful festivals and events are fully accessible to all.

FESTIVALS ADELAIDE REPORT

The Hon. J.M. GAZZOLA (15:54): I was thrilled to read a new report commissioned by Festivals Adelaide which showed the outstanding economic impact of South Australia's 10 major arts festivals. Arts SA revealed that the festivals injected \$79.8 million into South Australia last year and that South Australia was responsible for almost half of Australia's overall festival ticket sales. To quote minister Jack Snelling:

It is not just something for the hoi polloi, it actually puts dinner on the table for thousands of South Australian families, they get jobs directly employed in the arts but also the general hospitality sector as well, and in our hotel rooms and so on.

Festivals Adelaide CEO Christie Anthony added:

The festivals in South Australia employ the equivalent of 850 full time people and provide deep engagement and entertainment to South Australian inquisitive audiences, so they are indeed a sector to be reckoned with.

This year, ticket sales at the Fringe were up 9 per cent, and the Adelaide Festival took a record-breaking \$4 million at the box office. A total of 655,541 Fringe tickets were sold, worth \$16.2 million. According to the media release on the Fringe's official website, 43 per cent of total ticket sales were from the Fringe's smaller venues and the remaining 57 per cent of sales were from the Garden of Unearthly Delights, Gluttony and the Royal Croquet Club.

SA is leading Australia with our festivals, and Adelaide deservedly stands as a Unesco City of Music. Music delegates from eight countries met in Adelaide as we hosted the Unesco Creative Cities Network from 7 to 10 March. The objectives of the meeting were to develop and build collaboration across the network, share information and best practice, and showcase Adelaide as a creative city with music as its heartbeat.

The Live Music Office comparative table shows SA is leading all other states with our live music regulation. South Australia has demonstrated multi-agency coordination, led by the MDO and Music SA, along with industry, local and state government collaboration. South Australia has delivered a list of policies that are not found anywhere else across the country, but our work is not done, as we watch Sydney dissolve into an entertainment wasteland, suffocating under draconian lock-out laws. A new study by the New South Wales Bureau of Crime Statistics and Research has found that, predictably, the lock-out laws have not cured the state of alcohol-fuelled violence, but rather have pushed it out into surrounding suburbs bordering the lock-out zone.

On a brighter note, I attended the Grace Emily Hotel's induction into the South Australian Music Hall of Fame recently. Proprietors George Swallow and Symon Jarowyj should be very proud of their hard work and community building. Where else would you find the likes of Billy Bob's BBQ Jam on a Monday evening or the Christmas Day yabby race? The Grace Emily Hotel is truly an iconic venue and deserved the Hall of Fame induction.

The Gov has just been announced as the inaugural APRA Music Awards Licensee of the Year for commitment to supporting local artists and the broader music community. These awards acknowledge their many years of commitment to nurturing live music and artists, particularly in the early days of artists' careers.

Adelaide rapper Tkay Maidza has just been listed as one of Nike's Aussie ambassadors during their Month of Max, the only Adelaide ambassador across the range. Tkay is managed by Adelaide based Five Four Entertainment and has engaged with or moved through funded programs

of Northern Sound System, Music SA, the Robert Stigwood Fellowship Program and international touring grants.

Congratulations to the Grace Emily, the Governor Hindmarsh and Tkay. Congratulations also to all of those involved in the recent festivals. Their success stories are a reminder of what can be achieved when we invest in local grassroots arts programs. Gail Kovatseff, chair of the Arts Industry Council of South Australia, called for greater investment in grassroots arts and expressed concern about any depletion in investment.

I too believe that it is important to recognise what grassroots venues and artists are achieving with some good ground-level investment and support. Grassroots venues are not to be taken for granted, and support needs to be consistent. Greater support for these venues and artists will assist them in being sustainable and encourage them to flourish and support the next generation of artists.

Parliamentary Committees

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: BIODIVERSITY

The Hon. T.T. NGO (16:00): I move:

That the report of the committee on biodiversity be noted.

I would like to make some brief comments on the report. Before doing so, I would like to thank other members of the committee: committee secretary, Phil Frensham, as well as the consortium led by Dr Mark Siebentritt, who provided expert advice to us throughout the report's development. The committee found that biodiversity in South Australia is in decline. This is despite valiant efforts from all tiers of government, industry and, increasingly, private landholders and citizens of the state. There are three key messages contained in the report:

1. the current legislative framework is flawed;
2. habitat loss and fragmentation must be addressed; and
3. the community is key to the new strategy and approach.

Obviously, with climate change becoming more and more of a problem, the issue of protecting our natural habitats will become an issue that needs to be addressed in a timely and coordinated way. I hope that the work contained in this report will provide an avenue for parliament and government departments, as well as the community more broadly, to act on these issues of significant environmental importance.

I would like to thank all committee members, including the presiding member, Mr Tom Kenyon, the member for Newland; Mr Steven Griffiths, the member for Goyder; Mr Eddie Hughes, the member for Giles; the Hon. Michelle Lensink; and the Hon. Mark Parnell for their contribution and knowledge on this very important matter. I commend this report to the council.

Debate adjourned on motion of Hon. J.M.A. Lensink.

Motions

FARM DEBT MEDIATION

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

That this council—

1. Condemns the state government for voting against the Farm Debt Mediation Bill 2015; and
2. Recognises that, in doing so, the state government has denied South Australian farmers the same protections enjoyed by primary producers in Queensland, New South Wales and Victoria.

This motion I am moving condemns the state government for refusing to support the Farm Debt Mediation Bill that was here last year and denying South Australian farmers the same protections as afforded to all farmers in the Eastern States.

It is interesting that this is a bill that I spoke to the Hon. Dean Brown about when he was the drought coordinator—I think that was his title—many years ago while working for the government. He said to me—I think it was prior to the 2010 election, so we are talking seven or eight years ago—

that this was a piece of legislation that we need, that it was operating in Victoria and New South Wales, and that it was an important bit of legislation and an important tool in managing the conflict between farmers and their financiers when it comes to drought and financial stress.

Last week, we saw the Queensland parliament pass mandatory farm debt mediation legislation in Queensland. So, this is something that is not just a thought bubble from the opposition. It is something that has been well thought out across the Eastern States and, in fact, it was the government's own drought coordinator, who was being paid by the government, who made a suggestion to me that it was a good thing to do.

It certainly works very well on the east coast and very well in Victoria and New South Wales, and I am sure it will work just as well in Queensland. I could never really understand the rationale from our government and the Labor Party and the member for Waite, Martin Hamilton-Smith, who is the minister responsible. Of course, we have had it in New South Wales since 1994 and since 2011 in Victoria. It has been around since 1994 in New South Wales, so it has been around for a long time.

The minister referred it off to the Small Business Commissioner to have a look at the legislation. I had meetings with John Chapman, the Small Business Commissioner, and Martin Hamilton-Smith and his team of advisers, and public servants and spin doctors who were in the room that day. The government and the minister say we have a farming dispute industry code, but that has never been used, which is clear evidence, since its inception in 2000, that this voluntary code has not helped a single farmer. The minister does not understand his code, and that the voluntary code is at the end of the process.

It was very difficult to explain to him. It is actually at the beginning of the process where the mandatory mediation should take place because it is before farmers and business people get into particularly tight financial circumstances and while there is still some room to mediate and negotiate. He just did not seem to understand that it was more appropriate. He thought his voluntary code, which has never been used, was a better way to do it.

In terms of the Small Business Commissioner, I am not sure of his personal or private views, but you only have to look at how toothless the Small Business Commissioner was when it came to Elite Systems, the debacle at the Clipsal (not from the one just gone, but the one before), where Elite Systems, the lead contractor, went broke, leaving South Australian small businesses \$1 million out of pocket. All the Small Business Commissioner could do was to recommend that they mediate. The Tourism Commission—and I really cannot understand why they would not want to mediate—said, 'Get lost, we are not prepared to mediate,' and so a very sour taste has been left in the mouths of small businesses in South Australia who lost \$1 million through no fault of their own.

In respect of the due diligence that everybody said they should have done, they had a brand-new contract signed by the government with Elite Systems. It was only two or three months old when they were engaged by Elite Systems, and you would have thought the government had done its due diligence in that process. It is a little removed from farm debt, but in that process Elite Systems went into financial difficulty and the Tourism Commission then agreed to pay them weekly but took no steps at all—no steps at all—to make sure that the subcontractors of Elite Systems were being paid.

Of course, to rub salt into the wound, one of those subcontractors paid so many wages they tripped over to having to then pay payroll tax. They had to pay payroll tax on the wages that they had paid but they were never paid by Elite, and then in delaying paying the payroll tax they received a fine from the government for not paying the payroll tax that they should have paid if they had been paid by Elite, which in effect was the fault of the government because they had not done their due diligence. It just shows, I think, that the Small Business Commissioner is somewhat of a toothless tiger, and there may be other examples that will come out over the next few months.

However, when you look back at the farm debt mediation benefits, a report from the Macarthur University New South Wales around the model for mandatory farm debt mediation came back with a number of overwhelming positive statistics. Generally, the report found that:

1. the act is achieving its objectives;
2. all participants in farm debt mediation support the opportunity of farm debt mediation;
3. farm debt mediation is cost effective;

4. the majority of farmers and the overwhelming majority of lenders would use and recommend the mediation again;
5. the results of mediation under this act highlight the benefits of mandatory farm debt mediation; and
6. seventy-two per cent of farmers reached settlement.

I would remind you, Mr Acting President, that not one person or one farmer has used the voluntary code that Martin Hamilton-Smith says we should use, but 72 per cent of farmers who engaged in the process in New South Wales reached settlement.

Positive statements reported by farmers included that 30 per cent of the time farmers refinanced their debt, 20 per cent of the time the lender gave the farmer more time to pay and 23 per cent of the time the lender paid off part of the debt. After the farm debt mediation, 60.7 per cent of farmers felt positive and only 17 per cent felt negative. So, mandatory farm debt mediation is about getting the parties around the table early, before the relationship deteriorates. As I mentioned earlier, the current model that the minister thinks we should use here is at the other end of the process.

The bill I introduced would provide a critical support to South Australia's primary producers experiencing financial hardship by enforcing mandatory mediation between farmers and creditors before foreclosure. Of course, we have had a very good season, so hopefully that has relieved some of the pressure, but as you would know, having been formerly involved in agriculture, those tough times inevitably return.

In essence, the bill would establish a process by which banks are prevented from selling out the farm from underneath its owners without undergoing a process of debt mediation to see if suitable terms can be met. Primary production, as you well know, Mr Acting President, is the backbone of our economy, and farmers must be given every opportunity to succeed. It is important to note that my bill was supported by all stakeholders: the banks and farmers, the Australian Bankers' Association, ANZ, Westpac, Rabobank and farmers' and industry associations, just to name a few. It is only the government that is dragging its heels on this and playing politics.

As it is, life is getting tougher for South Australia's farmers. We all know the electricity crisis that the state is going through, and it affects primary producers just as much, if not more than a number of others. You have dairy industries that rely on electricity to milk their cows night and morning. Maybe a cropping farmer is not quite so reliant, but certainly some of the intensive animal activities are very reliant on reliable electricity supply. There is the rising cost of living, the emergency services levy increases that are crippling South Australian farmers and, of course, some of the natural disasters we have.

We need to ensure we have mechanisms in place to protect our farmers. I really wonder, at times, whether the cabinet colleagues and some of the cabinet ministers in the government really understand. Minister Brock represents a regional electorate that is semi-industrial with Port Pirie. I am not really sure that minister Brock understands. In my recollection, he may have voted for the legislation but clearly had no influence in cabinet.

Then, of course, we have Martin Hamilton-Smith, the minister responsible for the Small Business Commissioner, the minister who took the lead in voting against this bit of legislation. I am reminded of the many trips I did when that honourable member was the leader of the Liberal Party. I particularly remember one trip going down to the South-East, and we were going up the freeway. I know that in his professional capacity as a member of the Australian Defence Force he received very good training and that he has a different view of life due to his professional training. I was looking at the countryside, looking at the nice mob of cows and some sheep and thinking it was a good season—it was nice and green.

Martin Hamilton-Smith was sitting in the back of the car with me and he said, 'Oh Ridgely, look, there's a great spot over there for a machine gun post,' or, 'It would be perfect up on the hill over there for some heavy artillery.' Clearly, that was his professional training and I absolutely respect that, but it just showed that he did not really have any understanding of rural life and farming and it was more about another phase of his life. I just wonder whether he has been really able to grasp

what it means to be a primary producer in South Australia—how important it is to have good support in a legislative sense.

We have the three eastern states—they are certainly three very big rural farming sectors—which have all seen fit to have this mandatory farm debt mediation, but for some reason he has decided we do not need it in South Australia. I think that is just a clear example of how out of touch he and the government are with the fact that the primary producers sector and food production are an important part of the government's strategic priorities. It is a very important part of the future for South Australia. We have legislation in other states that works well and is soundly respected by all parties, yet we do not have it here in South Australia. Mr Acting President, I seek leave to conclude my remarks.

Leave granted; debate adjourned.

Bills

CONSTITUTION (COUNCIL MEMBER CONTESTING ELECTION) AMENDMENT BILL

Introduction and First Reading

The Hon. T.T. NGO (16:15): Obtained leave and introduced a bill for an act to amend the Constitution Act 1934. Read a first time.

Second Reading

The Hon. T.T. NGO (16:16): I move:

That this bill be now read a second time.

I rise to speak to the Constitution (Council Member Contesting Election) Amendment Bill 2017. I move this bill with the intention of resolving a long and heated issue in local government that currently surrounds the candidacy of local councillors and mayors at state elections. Currently, there is nothing in state legislation that requires councillors and mayors who run for state parliament to take a leave of absence or resign from their council positions during a state election campaign. Owing to the lack of clarity on this matter, some of these candidates have chosen to take a leave of absence, whilst others have not. Even amongst those who take leave, there is still a varying degree of difference in when that leave is taken.

As honourable members would know, before I was elected to this parliament I was serving as a councillor on the Port Adelaide Enfield Council. During the 2010 and 2014 state elections, I was a candidate for the Australian Labor Party and I made the conscious decision twice, before the 2010 and the 2014 elections, to take a leave of absence. It was my decision alone and neither the ALP nor the council asked that I take a leave of absence.

In the 2014 state election, when I took a leave of absence, the local *Messenger* newspaper ran a story, dated 12 February 2014, with the headline:

Port Adelaide Enfield councillors call for Mayor Gary Johanson to stand down from his role during State Election campaign.

The article states:

Port Adelaide Enfield Mayor Gary Johanson says he has no reason to step down as mayor while he campaigns for the seat of Lee, despite fellow elected members encouraging him to do so.

Parks Ward Cr Tung Ngo, who will be placed number three on the Labor Party's ticket for the Legislative Council, last night told the chamber he planned to take a leave of absence from February 15.

He later told the *Portside Messenger* he believed Mr Johanson should follow suit.

Cr Ngo said continuing as a councillor during the caretaker period would confuse his constituents because they would be unsure if he was representing the council or the ALP.

'Some people applauded me for doing it and if he's there during the campaign period you'll get people asking who is running the council—to eliminate that, you step down.'

Cr Bruce Johansen said running for election would take time away from being the mayor or a councillor.

'My reason is you can't be seen to use the council resources (such as the mayoral car and office) to run for election—other people wouldn't have the same opportunity,' Cr Johansen said.

Parks Ward Cr Tung Ngo is running for the Legislative Council.

Cr Carol Martin supported Cr Ngo's decision to stand down, saying Mr Johanson should do the same to show he was impartial during the campaign.

However, Cr Mark Basham said the suggestion Mr Johanson should step aside was 'a load of rubbish'.

'As far as I'm concerned any elected member of council if they wish can stand for parliamentary office,' Cr Basham said.

Mr Johanson said he would not use his mayoral car, phone or office to campaign during the lead up to the election, and there was 'no legal or ethical reason for a candidate to stand down'.

Mr Johanson said the LGA should create guidelines for elected members running for state or federal elections, including whether they should step down from their roles and when that should be.

As you can see, there are diverse views on this very matter. It can cause a split and disunity within council when one of the council's elected members decides to contest a state or federal election. In my case, there was no right or wrong decision as the law is unclear on this matter. Mayor Gary Johanson was just as well within his rights not to take a leave of absence.

I can understand Mayor Johanson was not very happy with me when he read the article. However, I did explain to the journalist at that time that Mayor Johanson was within his rights not to take leave, even though I believe all candidates should take a leave of absence from council. Since the journalist did not print the second part of my comments, Mayor Johanson felt I was only criticising him, which was far from the truth. Mayor Johanson and I have been friends for many years and we are still very close.

Members may also remember the *Messenger* reporting in the same way at that time in response to Mayor David O'Loughlin's (Mayor of Prospect) decision not to step down from his role on the Prospect council while running as an ALP candidate for the state seat of Adelaide. So, that week I had two local mayors, one Independent and one Labor, who were not very happy with my comments in the *Messenger* newspaper.

My bill seeks to provide a consistent approach across all councils and to resolve this unnecessary confusion by inserting a new section 45A into the Constitution Act, which provides for an automatic leave of absence under the act when an elected member of local government decides to run for state parliament.

For candidates from registered political parties, the leave of absence kicks in from the issuing of state election writs and ends at the closing of the poll. Having consulted with the Local Government Association (LGA), they have advised me that this is the most appropriate time for leave of absence to apply. For Independents or non-registered political party candidates, the leave of absence will kick in from the close of nominations and end at the closing of the poll.

The slight difference in when the leave of absence kicks in for registered political party candidates as opposed to non-registered political party candidates is something I consider necessary, as the experience has been that many Independent candidates nominate or withdraw their nomination in between that period from the issuing of writs and the closing of nominations.

This automatic type of leave of absence, rather than leaving it as any other form of leave of absence which is often left to council policy to administer, is my preferred option, as well as the LGA's. Therefore, there would be no need for a candidate to apply and seek approval from council, either through a council meeting or through the CEO. An automatic grant of leave of absence will eliminate some unnecessary delays. Since the close of nominations and the close of polls are a couple of weeks apart, there could be further delays if council were left to grant leave of absence.

We live in one of the greatest democracies in the world. Everyone is encouraged to seek public office. It does not matter what race, religion or what job you do; every Australian who is old enough is entitled to put up their hand to get involved in the political process. Councillors and mayors should be free, just like the majority of other citizens, to seek higher public office.

My amendments in this bill will give elected members of a council a clear guideline when running for state parliament. Furthermore, during the last few weeks of campaigning, it will stop elected members from being accused of using their council position to promote their candidacy and

politicise their council. It is important that South Australia maintains the image, unlike other states, that our councils are non-political.

Some members may ask why I have only provided for this enforced leave of absence during what is effectively the official part of the election period. I believe that this is when the media and voters really begin paying attention to the campaign. One of the concerns of the LGA is the issue of councillors and mayors having to take a lengthened form of leave if it was enforced from the announcement of candidacy.

I agree with that view, that a lengthy leave of absence could negatively affect the operations of a council. I do not believe that forcing resignations is a solution either, as it can cause costly by-elections or leave vacancies that can extend for a long period. Also, forcing an elected member to resign means councils can also find themselves losing an experienced mayor or councillor, particularly those who run in unwinnable state or federal seats.

At the time of the last federal election, the ALP candidate for Boothby, Mr Mark Ward, was a councillor for the City of Mitcham. He was told to resign from council. Unfortunately for Mr Ward, he did not get elected to federal parliament. As a result, Mitcham council had to conduct a costly by-election. You could say that, unfortunately for the residents of the City of Mitcham, they also lost an experienced local councillor who was very effective and well liked by many of the local residents. Ideally, a policy asking Mr Ward to take a leave of absence when the writs were issued would have produced a better outcome for all concerned.

The LGA, the Marion council, the Tea Tree Gully council and the Port Adelaide Enfield council have all indicated that they are supportive of my proposal. I am told that no council has indicated that it is against this proposal. It is important to note that this bill can only address the issue of state candidates from local government. Federal parliament would have to amend its constitution act to ensure that federal South Australian candidates serving as mayors or councillors come under a similar system, if my amendments are accepted.

The LGA has indicated to me that they would like to have seen this bill addressing other matters that have surfaced during their consultation with elected council members. The first matter is whether members' allowances should still be paid during leave of absences, as well as whether continued access to council reports and its bureaucrats should be allowed.

These areas that may constitute such a candidate carrying out their councillor functions or duties can be resolved through council policy, such as remuneration, email use and other services. While there may be benefit in addressing these areas, this is not the primary intent of my bill. In any case, clause 3 of new section 45A in my amendment bill adds a broad definition of a member of a council's duty while on leave, to set a uniform standard across local government.

In terms of council members' allowances, my personal view is that everyone has their own personal circumstances. The elected member, while running for parliament, still has to deal with issues relating to their area. In my view, he or she would still be taking phone calls, reading emails, etc. Similarly, when an elected member takes leave of absence due to illnesses or takes personal leave, such as holidays, would their allowance still be paid? That is the question I would ask. This matter was discussed informally during my time on the Port Adelaide Enfield Council. Therefore, I will leave these matters to each individual elected member and their council to work through under the guidance of the LGA.

The LGA also raised the issue of quorum, in saying that my amendments could create a problem where a quorum may not be achieved. The LGA would like to have seen an amendment made to section 85 of the Local Government Act to reinstate a provision for the minister to approve a council operating without a quorum. The LGA thought of a possible scenario, although most unlikely, where a number of elected members were required to take leave of absence and then a few elected members also called in sick. This scenario would then leave a council unable to reach a quorum for the council meeting.

While I understand that this is possible, although highly unlikely, in my opinion if there is such a scenario then it is probably best that the meeting is deferred to a different date when such a quorum is found. I have experienced situations during my time at Port Adelaide Enfield Council where there

was not a quorum at a meeting. The council administration just set a new date and did a ring around to make sure that a quorum was met.

The LGA has also raised questions about the interpretation of 'the office' from which elected members are to take leave of absence. The LGA was seeking confirmation that councillors and mayors would also be required to take leave from committees or other subsidiaries of council. Certainly from my experience at Port Adelaide Enfield Council, my understanding is that the current practice is to apply that leave of absence to the elected member's entire role.

The matter of whether an elected council member should take leave when running for state parliament has been an issue for a long period, and I hope my amendments will go a long way to putting this matter to rest for our hardworking elected members of local government. In the same *Messenger* article that I mentioned earlier it stated:

...Playford Mayor Glenn Docherty stepped down two weeks ago to avoid any perception of a conflict of interest in his campaign in Newland for the Liberal Party.

LGA acting president Lorraine Rosenberg said the idea of developing guidelines on elected members running for parliament had not been raised at the association.

Ms Rosenberg said her personal view was elected members should step down from their local post if they ran for parliament.

'In my view, that's absolutely the correct thing to do,' she said.

So, even the now president of the LGA, Ms Rosenberg, in her personal view, agrees that elected members should step aside if they run for parliament.

I have another article from the *Messenger*, dated 24 February 2014, entitled 'Prospect Mayor David O'Loughlin takes leave from council to concentrate on campaigning for the seat of Adelaide'. I have a couple of small paragraphs to quote, and the first states:

Last week, Norwood, Payneham & St Peters Mayor Robert Bria called on the LGA to introduce clear guidelines for any mayors or councillors who campaigned to enter state or federal politics.

Mr Bria said mayors and councillors running in next month's state election should go on leave during the campaign so party politics did not influence council decisions.

With that, even Mayor Robert Bria echoed the same concerns as the current LGA president. I hope honourable members, once they read through my bill, will support me in getting this through so that it provides guidance and clear guidelines for our councils' elected members.

Debate adjourned on motion of Hon. J.S. Lee.

Motions

LEGAL AID

The Hon. M.C. PARNELL (16:37): I move:

That this council—

1. Notes that the Law Council of Australia's biennial National Access to Justice and Pro Bono Conference was held in Adelaide on 23 and 24 March in conjunction with the Law Society of South Australia and the Australian Pro Bono Centre;
2. Notes the Productivity Commission's 2014 Access to Justice Arrangements Inquiry Report which called for a substantial increase in legal aid funding which it noted would help prevent legal problems from escalating and reduce cost to the justice system and to the community;
3. Notes that legal and consumer bodies from around Australia are supporting a national 'Legal Aid Matters' campaign to stem the legal aid funding crisis; and
4. Calls on the state and federal governments to urgently increase funding to the Legal Service Commission, community legal centres and other services that help South Australians in their dealings with both the criminal and civil justice systems.

There is a crisis in legal aid in this country. Over many years, funding for legal services for some of the most disadvantaged in our community has been cut to the point where many people living well below the poverty line are now regarded as too wealthy to be eligible for legal aid.

In her keynote address to the opening of the Law Council of Australia's biennial National Access to Justice and Pro Bono Conference in Adelaide last week, President Fiona McLeod SC said, 'Legal assistance goes to the very heart of what kind of nation we are.' She then posed the question as to whether we want to live in a society where everyone can get a fair go from our legal system or whether we are happy with the system where justice is only for the rich. That is the question that is answered in large part by our approach to legal aid.

As a young lawyer, 30 years ago, I quickly learnt that most people, given a choice, would prefer not to have to deal with the legal system. The reality of life, however, is that at some stage all of us will find ourselves needing help with the law. For those who are relatively well off, they can pay for lawyers to help them with their property transactions, business dealings, deceased estates, divorces or even the occasional interaction with the criminal justice system. The private legal profession serves those needs but for those who cannot afford private legal help the situation can be dire.

That is where the legal aid system, in all its manifestations, steps in. There are three main components of legal aid that I want to address. The first is what is often referred to as government legal aid. In our case it is the Legal Services Commission of South Australia. According to the President of the Law Society of South Australia, Mr Tony Rossi, in his address to the Access to Justice and Pro Bono Conference last week:

South Australia's Legal Services Commission budget is being cut by \$10 million over four years (being a \$6 million reduction in State funding and a \$4 million cut in Commonwealth Funding). The Commission's 2016-17 SA budget allocation is reduced by \$1.3 million from the forward estimates. Its base funding continues to be reduced each year because of an 'efficiency dividend' imposed by the State Government.

The second arm of legal aid is often referred to as community legal aid, which is represented in South Australia by a number of community legal centres that have either a generalist or a specialist focus. Generalist services are often geographically based, such as the five metropolitan and the five regional services. These include the Central Community Legal Service, the Northern Community Legal Service, the Roma Mitchell Community Legal Service, the Southern Community Justice Centre and Westside Community Lawyers. We also have the regional centres, which are based in a number of locations. These include the Riverland, Mount Gambier, Port Pirie and Port Augusta.

We also have a number of specialist community legal centres. These include the Child Support Service, the Children's and Youth Legal Service of South Australia, the Consumer Credit Law Centre, the Disability Discrimination Legal Service, Mediation SA and the Environmental Defenders Office. We also, of course, have the important Aboriginal Legal Rights Movement, an organisation that is very much at the cutting edge of many of our problems in South Australia. Again, Law Society President Mr Tony Rossi said last week in his address to the conference:

The State's Community Legal Centres are facing a \$1.2 million reduction in funding and the Aboriginal Legal Rights Movement, a critical service already operating on a shoestring budget, will inexplicably be stripped of \$300,000 in funding come July. The South Australian Government currently contributes 19.5% of total funding to SA Community Legal Centres. All other States except Tasmania contribute between 42% and 60% of the total funding for Community Legal Centres operating in their State.

The Law Council of Australia's president, Fiona McLeod, pointed out that the community legal centres nationwide were forced to turn away some 160,000 clients. These are 160,000 people who thought that their situation was serious enough to seek legal assistance, and most of these 160,000 people would not have been able to afford to get legal assistance in any other way.

She pointed out in her address that a number of the problems that these people sought legal advice on would have been exacerbated by them not getting timely legal assistance. She also pointed out—and I refer to this in the motion—that the Productivity Commission, those hard-nosed bean counters, has calculated that there are massive costs associated with not funding legal aid properly. They pointed out that there would be a massive saving overall, not just for the individuals involved but also for the community at large, if we properly funded legal aid.

Whilst talking about community legal centres, I probably need to declare, as I have done on many occasions, that I am a life member and former employee of the Environmental Defenders Office, one of the CLCs I mentioned. That is a service that continues to operate despite having 90 per cent of its federal funding cut. It is still going, albeit on a reduced basis, mainly thanks to the

generous support of individuals, the private legal profession, Flinders University, the Law Foundation and a small grant from the state government.

The third arm of legal assistance is referred to as pro bono. In short, it is the private legal profession providing free services to the community and to those in need. To put this into context, I will again refer to the remarks of Fiona McLeod SC, the President of the Law Council of Australia. What she said last week was:

As the legal profession's peak body, we have been determined to point out that while a serious access to justice problem has been created by the funding crisis—it is a crisis that would be worse were it not for the culture of pro bono ingrained deep in the Australian profession.

The pro bono work undertaken by Australian lawyers is a matter of enormous pride for us.

Australian lawyers give away literally hundreds of thousands of pro bono work hours every year to those who have no one else to turn to and cannot afford to pay for legal services.

The Australian Pro Bono Centre's latest report finds that 402 thousand hours of pro bono services were provided in 2015/16.

That's 35 hours of pro bono legal services, per lawyer, per year.

Roughly one week of unpaid work a year for every Australian lawyer.

And of course we know the official numbers will tend to vastly under-represent the actual level of pro bono achieved by private practitioners.

Yet remarkable though this contribution is, we know pro bono cannot ever be a substitute for properly funded legal aid services.

Indeed, in order for pro bono to be truly effective a strong legal assistance sector is vital, especially the Aboriginal and Torres Strait Islander Legal Services and Community Legal Centres, both of which are in fact predicated on a model which enables legal professionals to work for free.

That is why cuts to these services are so damaging.

The President of the Law Society of South Australia echoed those comments, saying:

Pro bono is important and to be encouraged, but it should be a complement to Government funded legal services; it should not be treated as a substitute for Legal Aid.

I would, at this point, like to acknowledge the efforts of JusticeNet in South Australia. That is our very own pro bono legal facilitation service. JusticeNet aims to provide a safety net for individuals who cannot afford a lawyer or get the help they need from elsewhere. They also operate a self-representation service, which provides direct legal assistance and advice to people representing themselves in court.

One of JusticeNet's most important fundraisers for the year is the annual Walk for Justice, which this year is on Tuesday 16 May. I would urge all MPs to get involved. I know that a number of members of this chamber have participated in the past. Certainly, I have seen the Hon. Stephen Wade there. I think the Hon. Andrew McLachlan may have put in an appearance. In fact, it is a who's who of lawyers in South Australia. There were over 600 people walking for justice last year. My promise to any member of parliament who turns up this year is that I will personally serve you breakfast as part of the JusticeNet's breakfast preparing and serving team on that day.

In terms of where to go in terms of public funding, the Law Society of South Australia has put in a budget submission and in that budget submission they have asked for a number of improvements to the funding for legal aid. Again, referring to Tony Rossi, the President of the Law Society, he says:

In South Australia, the State Government has placed a very low priority on funding the justice system. Not only does it contribute much less to funding legal aid than most other State Governments, the budget for the Courts Administration Authority is very constrained and the courts operate in sub-standard buildings with sub-standard facilities.

The Society, in its submission to the State Government budget process will be calling for the Government to, at the very least, immediately restore \$6 million in funding cuts to the Legal Services Commission; and for the allocation of funding to enable the Legal Services Commission to provide legal representation in civil matters. The Society will also be calling for the SA government to increase its share of funding to Community Legal Centres. As 40 per cent of the work performed in CLCs is in matters pertaining to State-based laws, a 40 percent contribution, amounting to

\$1.85 million in 2017-18 would be appropriate. And then there is the \$300,000 in funding to be restored to the Aboriginal Legal Rights Movement.

In conclusion, I wanted to put those brief remarks on the record today; however, there is much more that needs to be said about the legal aid crisis in South Australia. In particular, there are some case studies and stories that illustrate why this debate is important to all of us, not just those directly affected by legal aid cuts or the unmet need identified by community legal centres. I do want to put some of these stories on the record, but I will do so at a later date. I would now seek leave to conclude my remarks at a later date.

Leave granted; debate adjourned.

Bills

INDUSTRIAL HEMP BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 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) (16:51): I rise today to confirm the government's support for the Hon. Tammy Franks' Industrial Hemp Bill 2016, introduced to the Legislative Council in December last year.

The government is proposing a number of amendments to this bill. I had intended to go through those 20 amendments and what they do and why they are being introduced, but I do not think I will do that. If anybody has questions during the committee stage, which we will get to, I am happy to talk to those. In summary, the amendments create the regulatory and licensing framework that is, in part, borrowed from the work done by the Hon. David Ridgway in his bill to allow the growing of poppies in South Australia and what was inserted into the Controlled Substances Act in relation to that.

A number of the government amendments reflect some of that licensing regime that the Hon. David Ridgway put forward. There are a couple of amendments that are drafting amendments, on the suggestion of parliamentary counsel—things as simple as amending the title to be a 2017 bill, not a 2016 bill. Those are drafting matters. Rather than read out all 20 of the amendments and what they do, I might answer any questions if anybody has questions. I know the amendments have been circulated, and I have had a couple of discussions with people about the amendments already.

I thank the Hon. Tammy Franks for bringing this to the council and for putting this bill up. We support the possibility of this industry in South Australia. We do not know for sure how successful it might be, but this framework provides the opportunity for people involved in primary production to become involved in the hemp sector and to further develop industries through cultivation, processing and manufacturing in a wide range of areas from goods in manufacturing and materials through to areas in cosmetics and a whole range of areas around the world where industrial hemp has been used for that value-adding process. So, I thank the Hon. Tammy Franks and look forward to the speedy committee stage of this bill this afternoon.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:53): I indicate on behalf of the opposition that we will also be supporting the bill and the government's amendments. It is pleasing to see that the amendments have been taken from the work that we did here.

An honourable member: Some of them.

The Hon. D.W. RIDGWAY: He says, 'Some of them.' It is nice to know that some of the work I do here is respected and taken on board by the government. This bill seeks to amend the Controlled Substances Act 1984 to authorise and regulate the cultivation of industrial hemp. Currently, South Australia is the only state in which it is illegal to cultivate industrial hemp. Legalising the cultivation of hemp will enable South Australian farmers to access another crop which is currently being farmed in other parts of the country. The state Liberals will always support initiatives that benefit

our regions and primary producers, and if farmers decide that it is commercially viable to farm a particular crop, then cultivating industrial hemp could represent a great opportunity for some of the primary producers to do so.

I note the legislative framework in this bill is quite similar to the opium poppy legislation we introduced back in 2015, which passed parliament last year. It took nearly 12 months. Of course, I am not sure what consultation the Hon. Tammy Franks has had with this bill, but we had the police involved, and a whole range of government agencies, to come up with the right regulatory framework. So, it is very good that we know that we have actually got that right and now it has been borrowed here, in part, for this bill.

There are trials for poppy growing and I think we will see them in the ground this year, which is great to see. I think TPI has issued a number of licences in the South-East, so I am really looking forward to watching that industry evolve over the next few years, because it is a well-established and quite large industry in Tasmania and, to a lesser degree, in Victoria. I would hope that there can be some significant economic benefits for South Australia with poppies in the South-East.

It is my understanding that in Victoria and Western Australia the THC maximum limit for industrial hemp is 0.35 per cent in the leaves and the flowering heads of a hemp plant. In the ACT, New South Wales, Queensland and Tasmania, there are two THC limits. The leaves and flowering heads of a hemp plant must have less than 1 per cent, while hemp seed may only be used if supplied on the basis that it will not produce hemp plants with THC in its leaves and flowering heads of more than 0.5 per cent.

The bill before the chamber adopts the latter of the limits prescribed in the respective ACT, New South Wales, Queensland and Tasmanian legislative frameworks and is based upon the Tasmanian model. As mentioned, it is my understanding that the legislative framework in the bill is similar to our opium poppy legislation passed last year. In order to cultivate hemp, a farmer must obtain a licence and approval from the chief executive of PIRSA.

There are a whole range of things with poppies, around being a fit and proper person and having the right security and fences and signage. Of course, industrial hemp is not at the same level of hazardousness or concern as poppies, so I expect we will not see that. There are still a number of checks and balances in place to screen the potential applicants, including powers for the chief executive to require documentation so a report can be produced and provided to the Commissioner of Police for review.

Licences are limited to a maximum five-year period and may be suspended or cancelled by the chief executive if a farmer breaches these conditions. The chief executive also has powers which mirror those in the opium poppy legislation to order inspections in which the inspector may seize material and take samples. I assume that is so the THC levels in the industrial hemp can be monitored and are not greater than what the legislation allows.

The state government has and will be moving a number of amendments which aim to ensure there are appropriate regulatory and security requirements. Some of these amendments bring the legislative framework in line with the existing opium poppy legislative framework. Albeit, the THC levels in hemp are well below those in marijuana, a strict regulatory framework must be in place and we believe the bill before the parliament has adequate safeguards to regulate and prevent possible improper use of industrial hemp.

I see in the gallery some of the supporters of the industry and I put on the record that I was given a little tub of special hemp oil ointment by Theresa.

The Hon. K.J. Maher: It will make your hair grow.

The Hon. D.W. RIDGWAY: It has not made my hair grow but I do use it occasionally when I want to protect the skin on my head. So, thank you very much for that little gift. I have declared it and put on the public record that I have received a little pot of hemp oil ointment. With those few words, we support the bill and its passage through the rest of its stages.

The Hon. M.C. PARNELL (16:58): I rise to congratulate my colleague, the Hon. Tammy Franks, for putting this on the parliamentary agenda. Also, to thank the representatives of the Liberal

Party and the Labor Party for their support. This is a sensible measure. I agree with the comments that have been made that, whilst we do not know exactly where this industry might go, it does have great potential. We did see some of the products, that supporters of industrial hemp brought into parliament, on display in the Muriel Matters Room in the library. It was very informative and people could see the range of products that, potentially, could be produced in South Australia.

The point I want to make is that, with climate change, we know that our primary producers are going to need more options to diversify and not less. We heard some time ago from the CSIRO and the Goyder Institute that, with climate change, Goyder's line of reliable rainfall could in fact move up to 100 kilometres further south, so the more crops that our farmers are able to take advantage of the more resilient they will be in an age of climate change.

I think it is important that this parliament has taken a sensible approach to this bill. Rather than taking a kneejerk reaction because of some supposed association with drugs, I think the parliament is going to recognise that this is an agricultural crop that has great potential. When we are deciding in parliament about the things to allow and disallow, we need to have very good reasons to disallow the growing of certain crops, and there is no good reason to disallow industrial hemp. I thank my colleague for putting this on the agenda and I am delighted that a Greens' private members' bill looks as if it is going to pass this parliament.

The Hon. T.A. FRANKS (17:01): I would like to thank those members who have made a contribution, in particular the Minister for Manufacturing and Innovation, Kyam Maher, and the Hon. David Ridgway, for their supportive words. I would expect no less of my colleague the Hon. Mark Parnell. Indeed, it is exciting to see a Greens' bill pass through this place. I do understand that the Hon. Kelly Vincent wishes to indicate support and certainly at clause 1 I am sure we may be open to that.

To address some of the points raised by the Hon. David Ridgway, he is quite right when he observes that this bill is modelled on the Tasmanian and New South Wales regulation in terms of the percentage for both plant and seed. Indeed, those pieces of legislation are more modern than the WA legislation. That is why, when consulting with the industry, we looked to New South Wales and Tasmania, which have taken the lead on this, as the guide. We also did not want to see South Australian farmers put at any disadvantage at all compared to their colleagues across our borders, because South Australian farmers have already, for a long time, been at a disadvantage when it comes to industrial hemp.

This piece of legislation, as state legislation, will see South Australia as the very last state to legalise industrial hemp since prohibition. Of course, the Northern Territory stands with us at this stage in terms of being on the wrong side of history and, indeed, on the wrong side of the future. Industrial hemp, of course, before prohibition, has a long history as a crop, but we have lost the corporate memory required and we are going to be playing catch up with the other states.

So, I commend the government and I commend the opposition for their support tonight, but note that if we were to start behind the eight ball by going with the least advanced version of legislation that we have on industrial hemp, that of WA, we would be further disadvantaging our farmers and our potential industry here. That is why the New South Wales and Tasmanian models have been adopted.

The Hon. David Ridgway is also quite right when he observes the regulatory frameworks applied here, and I think they are the rightful role of the government. I welcome those amendments that the government will put up tonight. I imagine that they are very similar to those of the poppy legislation. The reason they would be is, in fact, that they are the requirements under the United Nations single convention, so any state or territory legislating in this way would have to have similar regulatory frameworks.

I note the use of the term 'marijuana'. That is not at all what we are discussing in this bill; it is industrial hemp. Indeed, if you were to attempt to smoke it, you may get a headache but you would not have any other effect. What you may get, I hope, is an alternative crop for South Australian farmers. Indeed, for the manufacturers working in this industry, the wonderful people of the Industrial Hemp Association, you also get the ability for it to be not just produced and promoted as South Australian but South Australian grown as a clean, green crop.

I would like to thank some people in the gallery tonight who have been part of the push for industrial hemp to be legalised in South Australia, particularly, as I have mentioned, those from the Industrial Hemp Association of South Australia. Teresa McDowell is not only the president of the Industrial Hemp Association of South Australia but also the founder of Hemp Hemp Hooray, the producer of that product that the Hon. David Ridgway may be applying to his scone. I hope it is designed for such use. I am not sure that it will regrow any hair, but it may indeed provide great benefits for one's skin. I certainly have a lot of Hemp Hemp Hooray products at home. I have moisturising cream and other products, as is well established by other outlets such as the Body Shop. They are top quality products, particularly for skincare, but, as we know, there are so many other uses.

I would also like to thank Graeme Parsons, the treasurer of the Industrial Hemp Association and Ruth Trigg, the secretary of the Industrial Hemp Association. I also want to thank both Di Mieglich and Matthew Roland of the Cannabis Council of South Australia. Di Mieglich would be very well known to many of the members who have shown an interest in this issue for her stalwart efforts in promoting these law reforms that we will hopefully pass tonight.

I also want to mention Ben Fitzsimons, the founder of the Australian Cannabis Corporation, who has given his strong support and is here in the chamber, and indeed local entrepreneurs and business people such as Chris Martin from Style Kinection. He is also a member of the Industrial Hemp Association, but you would have seen his wares at the display in December that many members attended.

Indeed, many members attended the showcase that was held in the library on the day I introduced this bill late last year, such as the member for Fisher, Nat Cook; the member for Chaffey, Tim Whetstone; the member for Colton, Paul Caica; the member for Davenport, Sam Duluk; the member for Giles, Eddie Hughes; the member for Ashford, Steph Key; the Hon. Steven Marshall, the Leader of the Opposition and also the member for Dunstan; the member for Morphett, Dr Duncan McFetridge; the member for Stuart, Dan van Holst Pellekaan; as well as my colleague, Mark Parnell; the Hon. John Darley; and the Hon. Kyam Maher.

I think that showcase proves to members of this place, and members of the public should they see it, the scope and potential of this industry. South Australia should not be turning up its nose at this opportunity: it should be embracing it. Since announcing my bill, I have been contacted by farmers from the Riverland, who are excited to see the potential here, and by people who produce machinery, who would potentially be game changers in harvesting these crops. It is a clean, green environmental crop, but it is also a no-brainer when you have an industry here that wants to not just manufacture these products but indeed source them locally. With those words, I commend the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.L. VINCENT: I just want to briefly but strongly put on the record the Dignity Party's support for the Hon. Ms Franks' bill to allow South Australia to develop an industrial hemp industry in the state. This has been introduced as an act to authorise and regulate the cultivation of industrial hemp and make a related amendment to the Controlled Substances Act 1984.

As has already been explained by the Hon. Ms Franks and other speakers on this bill, it deals with industrial hemp. Industrial hemp has no effect as a drug. One cannot get stoned by using industrial hemp, and the matter of medicinal cannabis and the ineffectiveness of the state Labor government to work through this issue thus far will be a matter for another day, but I can say for now that it continues to frustrate me and my constituents, to say the least (and frustrate is a very, very light word for these circumstances), that every day legal and safe access to cannabis for medicinal purposes is still not easily and simply provided in this state, particularly for children with life-threatening, uncontrolled epilepsy, who continue to have multiple seizures, and people in chronic debilitating pain.

Industrial hemp, returning to the matter at hand, is an alternative crop for South Australian farmers, which could see us producing food, fibre, fuel and components. It would also offer opportunities, it would offer jobs, it would exemplify innovation. I think we are all acutely aware that we need industries that can offer job opportunities, particularly for young Australians at this point in time in this state.

It can get no cleaner and greener than industrial hemp. It is a hardy crop and resists pests and disease as well, limiting the need for pesticides and other agricultural interventions, yet we have not pursued an industrial hemp cultivation program before in this state, and that is because it is currently illegal in South Australia to grow industrial hemp, despite the fact that, as I have said, it has no properties as a drug. South Australia is the only state, I understand, where this is still the situation.

Industrial hemp, of course, has a long history. It goes back to some of the earliest times, where members would be aware of its production in things such as paper and rope in ancient times. Industrial hemp can be used for many things. However, it is quite extraordinary to think that it can be used for biofuels, printing, newsprint, cardboard, biochemicals, moulding, carpets, towels, blankets, curtains, apparel, bags, shoes, socks, insulation, animal bedding, mulch, breads, granola, milk, cereals, protein powders, soaps, shampoos, hand creams—I have a few of those in my cupboard, thanks to Hemp Hemp Hooray (I am a recent convert to Hemp Hemp Hooray, and I do not think I will be going back)—lip balms, oils, paints, solvents, varnishes, lubricants and inks.

Of course, this would appear to be a long list that I have just read out, but actually it is a small section of the products that could be produced using industrial hemp in South Australia, and which could be grown right now in terms of the raw products for manufacturing in South Australia.

As the Hon. Ms Franks has already done in this place, I would like to thank many people who continue to lobby on this issue of industrial hemp, including Dianah Mieglich—and I have had the privilege of trying some of her hemp seed cupcakes in this place before and look forward to being able to do so legally in the future—Teresa McDowell, Ruth Trigg and others who were part of the exhibition held in this place in the Muriel Matters Room in this building when this bill was introduced on 30 November last year.

Of course, appreciation must also go to those who have a great level of involvement in bringing to the forefront their knowledge and the information and education around the push for industrial hemp. Industrial hemp products are being made and sold in this state already, but we are forcing local industry to source their raw materials from interstate or overseas. We could be growing industrial hemp in South Australia already, and we should be. After this bill passes we will be doing this. We are already growing it, it is already benefiting this state, but I look forward to having a simplified and clarified legal pathway for this important industry to continue. With those few words, on behalf of the Dignity Party, I commend this bill to the chamber and indicate that we will also support the government's amendment to the bill.

The Hon. D.W. RIDGWAY: I would like to ask a couple of questions of the mover of the bill. Members will recall that the reason I moved for opium poppies is that we had farmers on the South Australian side of the border whose mates, their friends, just across the other side of the little fence called the border were growing opium poppies. Like all of us, many people come to visit me and say, 'I want to grow something. I'd like to have a new industry.'

My questions are: where else is it grown in Australia—not in Victoria because Victoria goes from desert in the sunset country to alpine, but other areas. Where would you expect it is most likely to grow in South Australia? Does it require any irrigation? What is the sort of season? Opium poppies grow a bit like canola. You plant it in May and it is best if you have irrigation. That is why the South-East or the Limestone Coast is the area that I think will see them grown the most. I am interested in knowing what the Hon. Ms Franks sees as the likely areas where this will grow and the type of conditions that it will grow in as well.

The Hon. T.A. FRANKS: I thank the honourable member for his question. I know that previously Di Mieglich has provided quite detailed information, on request, to members who had those sort of questions. This bill deals with growing industrial hemp in South Australia. It is currently able to be grown in every other state and the ACT.

It will grow where farmers who are interested in growing it will grow it. There is a range of different species. There is a range of different conditions. It has a really short season as well, so it is quite different to poppies in the way that you have described. As I said, I have had expressions of interest particularly from the Riverland on this and so I should imagine that we will be seeing those Riverland farmers step up—not on industrial hemp. I also know of some farmers in the South-East who have been in contact with our previous president, Bob Sneath, are also interested in this sort of diversification.

The Hon. K.J. MAHER: Perhaps to assist the honourable member in his question, some of the things that have been expressed to the government have talked about it being, as you said, a crop in between other crops, with a starting date in June or July as a likely starting date for a very short period. I think it is the head of the Grain Growers Association of South Australia (I think a southern Mallee farmer) who has expressed interest in looking at it for that property. However, there are other similar crops that are successfully grown in parts of South Australia.

The Limestone Coast is an area where many crops will grow without need for irrigation. I think the honourable member has asked questions about trials that have previously taken place in South Australia. I think I was going to bring back a reply in question time but if I may use this opportunity as I have a little bit of information about trials that have previously occurred in 1995 at Kybybolite in the South-East, Maitland on the Yorke Peninsula and Turretfield between the Barossa and Gawler.

For various reasons they were not particularly successful. The reasons that were given to me were that the varieties that were grown were not, perhaps, the best suited for the areas they were being trialled in and that some areas tried dryland farming and others tried irrigation. However, it has been 22 years since those trials took place and there has been a lot of development in different strains for different purposes.

Clause passed.

Clause 2.

The Hon. K.J. MAHER: I might move the amendments standing in my name without explanation and if people want an explanation for any particular amendment I might do it. Having said that, I move:

Amendment No 1 [Employment–1]—

Page 3, line 5—Delete '3 months after it is assented to by the Governor' and substitute:

on a day to be fixed by proclamation

The Hon. T.A. FRANKS: I rise to indicate that I support this amendment. Currently, as my bill stands, it provides that the act will come into operation three months after it is assented to by the Governor. The reason a private members' bill often has such a clause is because we do not trust the government to enact our legislation should it pass the parliament. In this case we are clearly in a different position, where the government has taken leadership and shown support, so I have every confidence that this will see this legislation enacted more quickly than mine would.

The Hon. D.W. RIDGWAY: I indicate that the opposition will be supporting this amendment and all of the subsequent amendments proposed by the government.

Amendment carried; clause as amended passed.

Clause 3.

The Hon. K.J. MAHER: I move:

Amendment No 2 [Employment–1]—

Page 3, line 13 [clause 3, definition of *Chief Executive*]—Delete 'under the' and substitute 'under a'

Amendment No 3 [Employment–1]—

Page 3, after line 15—After the definition of *Chief Executive* insert:

criminal intelligence means information relating to actual or suspected criminal activity (whether in this State or elsewhere) the disclosure of which could reasonably be expected to prejudice criminal

investigations, to enable the discovery of the existence or identity of a confidential source of information relevant to law enforcement or to endanger a person's life or physical safety;

Amendment No 4 [Employment–1]—

Page 4, after line 4—After the definition of *industrial hemp licence* insert:

industrial hemp register means the register established under section 20A;

Amendment No 5 [Employment–1]—

Page 4, line 5 [clause 3, definition of *inspector*]—Delete 'a person appointed as an inspector under section 13' and substitute:

—

- (a) a person appointed as an inspector under section 13; or
- (b) a police officer;

Amendment No 6 [Employment–1]—

Page 4, after line 6—After the definition of *licence* insert:

licence holder means—

- (a) the holder of an industrial hemp licence; or
- (b) the holder of a special licence;

The Hon. T.A. FRANKS: I rise to say that the Greens are supportive of the government amendments in their entirety.

Amendments carried; clause as amended passed.

New clause 3A.

The Hon. K.J. MAHER: I move:

Amendment No 7 [Employment–1]—

Page 4, after line 26—Insert:

3A—Meaning of *associate*

- (1) For the purposes of this Act, a person who is of or above the age of 18 years is an *associate* of an applicant for a licence or a licence holder if the person—
 - (a) holds any relevant financial interest, or is entitled to exercise any relevant power (whether in right of the person or on behalf of any other person) in the business of the applicant or the licence holder (being the business to which the application or licence relates), and by virtue of that interest or power, is able to exercise a significant influence over or with respect to the management or operation of the business; or
 - (b) holds any relevant position (whether in right of the person or on behalf of any other person) in the business of the applicant or the licence holder (being the business to which the application or licence relates).
- (2) In subsection (1)—
 - relevant financial interest* in relation to a business means—
 - (a) any share in the capital of the business; or
 - (b) any entitlement to receive any income derived from the business;
 - relevant position*, in relation to the business of an applicant or a licence holder, means—
 - (a) the position of director, partner, trustee, manager, secretary or other executive position, however designated; and
 - (b) any other position determined by the Chief Executive to be associated or connected with the ownership, administration or management of the operations or business of the applicant;

relevant power means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others—

- (a) to participate in any directorial, managerial or executive decision; or
- (b) to elect or appoint any person to any relevant position.

New clause inserted.

Clauses 4 and 5 passed.

New clause 5A.

The Hon. K.J. MAHER: I move:

Amendment No 8 [Employment–1]—

Page 5, after line 20—Insert:

5A—Interaction with Commonwealth law

- (1) A provision of this Act has no effect to the extent of any inconsistency with the Commonwealth Act (and this Act is not to be taken to authorise the performance of a function or the exercise of a power under this Act that would result in operational inconsistency of this Act with the Commonwealth Act).

- (2) In this section—

Commonwealth Act means the Narcotic Drugs Act 1967 of the Commonwealth.

Note—

See section 7A of the Commonwealth Act in relation to its interaction with State and Territory laws.

New clause inserted.

Clause 6.

The Hon. K.J. MAHER: I move:

Amendment No 9 [Employment–1]—

Page 5, line 24 [clause 6(1)]—After 'cultivate' insert ', process'

Amendment No 10 [Employment–1]—

Page 5, line 32 [clause 6(2)]—After 'cultivate' insert ', process'

Amendments carried; clause as amended passed.

Clause 7.

The Hon. K.J. MAHER: I move:

Amendment No 11 [Employment–1]—

Page 6, line 24 [clause 7(4)(c)]—Delete '28' and substitute '60'

Amendment carried; clause as amended passed.

Clause 8.

The Hon. K.J. MAHER: I move:

Amendment No 12 [Employment–1]—

Page 6, line 33 to page 7, line 3—Delete the clause and substitute:

8—Suitability of applicant—fit and proper person

- (1) The Chief Executive must not grant a licence to an applicant, or renew a licence on application by a licence holder, unless the Chief Executive is satisfied that—
 - (a) neither the applicant nor any associate of the applicant has been found guilty of a drug related offence; and
 - (b) the applicant and each associate of the applicant are fit and proper persons to be concerned in or associated with the cultivation of hemp or industrial hemp (as the case requires); and

- (c) the applicant meets the prescribed requirements (if any).
- (2) For the purpose of determining whether an applicant or a licence holder is a fit and proper person under this Act, the Chief Executive may consider any of the following:
- (a) the character, honesty and integrity of—
- (i) the applicant or licence holder; and
 - (ii) the associates of the applicant or licence holder; and
 - (iii) the relatives of the applicant or licence holder; and
 - (iv) any person in a position to exercise control or significant influence over the conduct of the applicant or licence holder;
- (b) whether the applicant or licence holder or any associate or relative of the applicant or licence holder has been found guilty by a court (whether in or outside South Australia) of any offence;
- (c) whether the applicant or licence holder or any associate of the applicant or licence holder has a history of non-compliance with the Act;
- (d) in the case of an applicant or licence holder that is not a natural person—whether the applicant or licence holder has a satisfactory ownership, trust or corporate structure;
- (e) the financial circumstances of the applicant or licence holder, including any matter that may significantly limit the applicant or licence holder's capacity to meet obligations in conducting activities under the licence in compliance with the terms and conditions applying to the licence.
- (3) In this section—
- domestic partner* means a person who is a domestic partner within the meaning of the *Family Relationships Act 1975*, whether declared as such under that Act or not;
- relative* means a person who is—
- (a) a spouse or domestic partner; or
 - (b) a parent; or
 - (c) a step-parent; or
 - (d) a sibling or step-sibling; or
 - (e) a child, step-child or adopted child;
- spouse*—a person is the spouse of another if they are legally married.

Amendment carried; new clause inserted.

Clause 9 passed.

Clause 10.

The Hon. K.J. MAHER: I move:

Amendment No 13 [Employment–1]—

Page 7, lines 14 to 31—Delete the clause and substitute:

10—Terms and conditions of licence

- (1) A licence has effect for a period of 5 years from the day on which it is granted, or such shorter period as specified in the licence, unless it is sooner suspended or cancelled.
- (2) A licence is subject to the prescribed terms and conditions (if any).
- (3) The Chief Executive may, at any time by notice in writing to the holder of a licence—
 - (a) impose a term or condition on a licence; and
 - (b) vary, suspend or revoke a term or condition of a licence,
 and such a term, condition, variation, suspension or revocation takes effect when notice is given to the holder of a licence or on such later date as specified in the notice.
- (4) The Chief Executive may exercise a power under subsection (3)—

- (a) on the application of the holder of a licence; or
 - (b) in the Chief Executive's discretion.
- (5) An application by the holder of a licence under subsection (4)(a) must—
- (a) be in writing; and
 - (b) be accompanied by the relevant prescribed fee (if any); and
 - (c) be accompanied by any prescribed particulars.
- (6) Without limiting subsection (3), the conditions of a licence may require—
- (a) the keeping of records and other documents; and
 - (b) the provision of information, records or other documents to the Chief Executive relating to—
 - (i) the activities carried out under the licence; or
 - (ii) the source of seeds from which hemp or industrial hemp is cultivated; or
 - (iii) a change in the position of director, trustee, partner, manager, secretary or other executive position, however designated, or the structure of the business to which the licence relates; or
 - (iv) any other matter that the Chief Executive reasonably requires in relation to the licence or the licensed activity.
- (7) A licence is not transferrable.

10A—Renewal of licence

- (1) The holder of a licence may apply to the Chief Executive for the renewal of the licence.
- (2) A renewal application must be made to the Chief Executive at least 3 months before the licence is due to expire.
- (3) A renewal application must—
 - (a) be in writing; and
 - (b) be accompanied by any information relevant to whether or not the applicant and each associate of the applicant is a fit and proper person; and
 - (c) be accompanied by the relevant prescribed renewal fee (if any); and
 - (d) be accompanied by any other information the Chief Executive reasonably requires to assess the application; and
 - (e) contain any prescribed particulars.

10B—Chief Executive must investigate renewal application

- (1) On receipt of a renewal application under section 10A, the Chief Executive must carry out any investigation or inquiry necessary to determine the renewal application.
- (2) The Chief Executive must provide a copy of a renewal application made under section 10A and any accompanying documents to the Commissioner of Police.
- (3) The Commissioner of Police must—
 - (a) inquire into and report to the Chief Executive on any matters concerning the application that the Commissioner of Police believes are appropriate or reasonably necessary; and
 - (b) inquire into and report to the Chief Executive on any matters concerning the renewal application that the Chief Executive requests; and
 - (c) within 60 days of receiving the application from the Chief Executive notify the Chief Executive in writing of the Commissioner of Police's decision to support or oppose the renewal of a licence and provide the reasons for the decision.
- (4) If the Chief Executive is notified under subsection (3)(c) that the Commissioner of Police opposes the renewal of a licence, the Chief Executive must not renew the licence.

10C—Determining a renewal application

- (1) After considering a renewal application and any investigation under section 10B, the Chief Executive must determine the renewal application by—
 - (a) renewing the licence for a period not exceeding 5 years; or
 - (b) refusing the application.
- (2) A renewed licence expires on the date specified by the Chief Executive, unless the licence is sooner cancelled or suspended.
- (3) The Chief Executive must—
 - (a) notify the applicant in writing of the decision under subsection (1)(a); and
 - (b) if the Chief Executive refuses to renew a licence under subsection (1)(b), provide reasons for the decision.

Amendment carried; new clauses inserted.

Clause 11.

The Hon. K.J. MAHER: I move:

Amendment No 14 [Employment–1]—

Page 7 line 32 to page 8 line 12—Delete the clause and substitute:

11—Suspension or cancellation of licence

- (1) The Chief Executive may, by notice in writing to a licence holder, suspend or cancel the licence—
 - (a) if the licence holder requests suspension or cancellation; or
 - (b) if the Chief Executive is satisfied that the licence holder has contravened or failed to comply with the provisions of this Act or a term or condition of the licence; or
 - (c) if the Chief Executive is satisfied that the licence holder or any associate of the licence holder is no longer a fit and proper person to be concerned with or associated with the cultivation or supply of hemp or industrial hemp (as the case requires); or
 - (d) if the Commissioner of Police requests suspension or cancellation on the basis of criminal intelligence concerning the licence holder or an associate of the licence holder; or
 - (e) if the licence holder ceases to carry on the activity to which the licence relates; or
 - (f) if prescribed circumstances exist.
- (2) Before suspending or cancelling a licence under subsection (1), the Chief Executive must—
 - (a) notify the licence holder that the licence holder may, within 30 days before the licence is to be suspended or cancelled, show cause why the licence should not be suspended or cancelled; and
 - (b) consider any submission under paragraph (a).
- (3) If a licence is suspended or cancelled under subsection (1), the Chief Executive must notify the Commissioner of Police regarding the suspension or cancellation.
- (4) The suspension or cancellation of a licence takes effect from the day specified in the notice, or in the case of a suspension, for the period specified in the notice.
- (5) A licence holder may surrender hemp, industrial hemp or other material cultivated under this Act to the Chief Executive on suspension or cancellation of a licence, and the surrendered material must be dealt with in accordance with the regulations.

Amendment carried; new clause inserted.

Clause 12 passed.

Clause 13.

The Hon. K.J. MAHER: I move:

Amendment No 15 [Employment–1]—

Page 8, after line 33—After subclause (4) insert:

- (5) The Chief Executive must provide each inspector (other than an inspector who is a police officer) with an identification certificate setting out the provisions of this Act for which the inspector is authorised to be an inspector.
- (6) An inspector must, at the request of a person in relation to whom the inspector has exercised, or intends to exercise, powers under this Act, produce the inspector's identification certificate.
- (7) In this Part, a reference to an identification certificate in relation to an inspector who is a police officer is a reference to written evidence of the fact that the inspector is a police officer.

Amendment carried; clause as amended passed.

Clause 14.

The Hon. K.J. MAHER: I move:

Amendment No 16 [Employment–1]—

Page 9, line 1 [clause 14(1)(b)]—After 'any' insert 'vehicle or'

Amendment No 17 [Employment–1]—

Page 9, line 2 [clause 14(1)(b)]—After 'cultivation' insert ', processing'

Amendment No 18 [Employment–1]—

Page 9, after line 18—After subclause (1) insert:

- (1a) An inspector must not exercise any powers under this Act if the inspector fails to produce the inspector's identification certificate for inspection on request by the occupier of the place or the person in charge or apparent control of the place.

Amendments carried; clause as amended passed.

Clauses 15 to 20 passed.

New clause 20A.

The Hon. K.J. MAHER: I move:

Amendment No 19 [Employment–1]—

Page 10, after line 25—Insert:

20A—Industrial Hemp Register

- (1) The Chief Executive must establish and maintain an industrial hemp register.
- (2) The industrial hemp register must contain the following information:
 - (a) the name of each licence holder;
 - (b) the location of the premises at which hemp or industrial hemp is authorised to be cultivated or processed under the licence;
 - (c) other information as required by the regulations.
- (3) The Chief Executive must ensure that the industrial hemp register, or any part of the register, is only accessed by a prescribed person, or a person of a prescribed class who is authorised to do so by the Chief Executive.
- (4) The Chief Executive must ensure that personal information in the industrial hemp register is only disclosed in accordance with this Act.
- (5) Unless a disclosure is authorised under this section, a person authorised to have access to the industrial hemp register or any part of the register must not disclose to any person the following information in the register:
 - (a) personal information;
 - (b) the location of specified premises;

(c) commercial in confidence information.

Maximum penalty: \$15 000 or imprisonment for 12 months, or both.

- (6) The Chief Executive or a person authorised to have access to the industrial hemp register or any part of the register may disclose personal information in the industrial hemp register to a public authority—
- (a) for the purpose of law enforcement; or
- (b) as required by or under any Act or law; or
- (c) if the Chief Executive or a person authorised to have access to the register believes on reasonable grounds that to do so is necessary to enable the proper administration of the Act.

New clause inserted.

Clauses 21 to 24 passed.

Schedule 1.

The Hon. K.J. MAHER: I move:

Amendment No 20 [Employment-1]—

Page 11, lines 31 to 35—Delete the clause and substitute:

2—Amendment of section 31—Application of Part

- (1) Section 31(1)—after paragraph (ag) insert:
- (ah) the cultivation, processing, possession, sale or supply of a plant, or the sale, supply or possession of a substance by a person who is acting in accordance with the *Industrial Hemp Act 2017*; or
- (ai) the possession of industrial hemp that is cultivated or supplied pursuant to a licence under the *Industrial Hemp Act 2017*; or
- (2) Section 31(3)—before the definition of *relevant controlled drug* insert:
- industrial hemp has the same meaning as in the *Industrial Hemp Act 2017*;

This amends schedule 1.

Amendment carried; schedule as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. T.A. FRANKS (17:30): I move:

That this bill be now read a third time.

In doing so, I would like to add to my thank yous, in particular to Jamnes Danenberg, my former staffer, who first brought the idea and raised my awareness of industrial hemp, not only as my staffer but also in 1995, when I was state president of the National Union of Students South Australia and we ran a campaign on hemp.

Bill read a third time and passed.

Motions

HONG KONG-AUSTRALIA BUSINESS ASSOCIATION

That this council—

1. Congratulates the Hong Kong-Australia Business Association-SA Chapter (HKABA-SA) on achieving 15 successful years of its business awards program;
2. Acknowledges the wonderful work of current and past committee members in the development of strong economic and cultural ties with Hong Kong/China;

3. Recognises the economic and social contributions made by HKABA-SA to South Australian business and the multicultural community; and
4. Highlights the entrepreneurship and success stories of past award recipients and shines the spotlight on South Australian companies and organisations that are successfully trading in Hong Kong and China.

(Continued from 1 March 2017.)

The Hon. T.T. NGO (17:32): Today I rise to speak very briefly to support this motion which acknowledges the great work of the Hong Kong-Australia Business Association-SA Chapter (HKABA-SA). I also take this opportunity to place on the record my condolences to the family and friends of Mr Michael Higgs, whom I worked closely with over the years to promote HKABA. Mike, more than anyone else I have known, was a passionate advocate for forming closer ties between South Australia, Hong Kong and China.

Mike wanted me to organise government ministers to attend some of HKABA's events, and I believe the Hon. Jing Lee was doing the same in organising the shadow ministers to be at these events. I have always made an effort to attend as many of the networking events that he and the association arranged. I did so because of the passion that Mike showed for the importance of fostering lasting and collaborative ties between South Australia and Hong Kong and Chinese business people.

The association has come a long way since it was first established back in 1987 in order to promote trade, innovation and cultural understanding. While everyone recognises the important relationships Australia must sustain with its Asian partners today, there was not this type of focus on this area 30 years ago. I am told Hong Kong is the world's freest economy, most service-oriented economy, third most competitive economy, fourth largest source of foreign investment and the busiest airport in terms of international cargo. Essentially, Hong Kong is the banking and financial centre for the region and provides a gateway to mainland China.

I was first introduced to the association by the then president, Patrick Ho, in 2012, when I was an adviser to the then treasurer, Jack Snelling MP. Patrick organised a program for me and the treasurer when we were in Hong Kong promoting South Australia's bonds to potential investors. It was eye-opening for me to see how vibrant Hong Kong is and how entrepreneurial the Hong Kong people are. It was great to meet several business investors, who were members of the Hong Kong ABA network, who were investing in South Australia. Hong Kong is exactly as I described earlier.

The HKABA SA chapter is a non-profit South Australian business association that was established to:

- promote contact and communication between business people of Hong Kong, China and South Australia;
- provide a forum for increasing knowledge and understanding of Hong Kong, China and South Australia;
- assist in the development and promotion of business and investment between Hong Kong, China and South Australia;
- disseminate information on trade and investment opportunities;
- provide a forum for the provision of recognition and incentive to members who strive for excellence in all aspects of international trade; and
- provide support to the Federation of Hong Kong Business Associations Worldwide.

The association has received many accolades over the years, including being three-time winners of the prestigious International Chamber of the Year award presented by the Council for International Trade and Commerce of South Australia (CITCSA). They have also been elevated to CITCSA's International Chamber Hall of Fame. I wish the new president of HKABA, Mr Wayne Chao, and its committee members, all the best in leading the association in its new chapter. I commend this motion to the council.

The Hon. K.L. VINCENT (17:37): The Dignity Party supports this motion of course, as we support every multicultural group in South Australia, as they help make up the great diversity that makes our community what it is. In fact, our lead Legislative Council candidate last election was a woman of South Sudanese background and also refugee background. We are very pleased to continue that work of promoting and supporting diversity in our society.

However, we are surprised that the mover of this motion, the Hon. Jing Lee, finds herself a member of the very same political party that is moving to change the words 'offend, insult, humiliate' in 18C of the federal Racial Discrimination Act to 'harass, intimidate'—which could lead to a rise in race hate and indeed a devaluing of the diversity that I think makes this great community what it is—without understanding the very real impact that this could have, and indeed already appears to be having on many people in our community. We think that is a sad indictment. We very much appreciate the intent with which this motion has been moved, but I think it is important to remember the broader context as well. With those words, we support the motion.

The Hon. A.L. McLACHLAN (17:40): I would like to lend my support for the motion of the Hon. Jing Lee and thank her for bringing this motion to the council. In particular, I thank the Hon. Jing Lee for acknowledging the work of my father in the formative years of the association in South Australia and congratulate her on her own contribution to the development of the association and its work in South Australia.

I actually recall the first dinner for the business awards. I also remember with great clarity the excellent speech given by Mr Woo, as I was there at the invitation of my father. I also remember Mr Woo was very good on the dance floor with his wife, so it was a very happy occasion. I would like to wish the association every success going forward and thank all those who have lent their time and energy to making it such a great success.

The Hon. J.S. LEE (17:41): I would like to thank the Hon. Tung Ngo, the Hon. Kelly Vincent and the Hon. Andrew McLachlan for their contributions and support of this motion for the Hong Kong Australia Business Association, SA Chapter. Once again, I believe that South Australia is a very multicultural state and I think the contribution of the Hong Kong ABA has been tremendous in promoting not just the cultural exchange but also international trade in the export arena. With those remarks, I commend the motion to the chamber.

Motion carried.

OVERSEAS CHINESE ASSOCIATION OF SOUTH AUSTRALIA

The Hon. J.S. LEE (17:42): I move:

That this council—

1. Congratulates the Overseas Chinese Association of South Australia Inc. for celebrating its 35th anniversary in 2016;
2. Acknowledges the work and commitment of the past and present committee, staff and volunteers of Overseas Chinese Association for delivering educational programs and important services to its members and the broader multicultural community of South Australia; and
3. Recognises the wonderful contribution of the Chinese community in South Australia and OCA's achievements in promoting Chinese language and cultures to enrich South Australia as a multicultural state.

It is a great honour today to move this motion congratulating the Overseas Chinese Association of South Australia for reaching a special milestone in celebrating its 35th anniversary. The Overseas Chinese Association (OCA) is one of the largest incorporated leading Chinese community organisations in South Australia. In its earlier days, OCA was initially established as the Indo-China Chinese Association in the late 1970s and was one of the primary organisations that was set up to assist Chinese migrants in South Australia at the time.

Over 35 years, with the support of a dedicated committee, staff and volunteers, OCA has worked diligently with the responsibility to help improve the lives and welfare of their members from a culturally diverse and non-English-speaking background. It is a privilege to have this opportunity in parliament today to highlight some of their wonderful efforts and dedicated community service to South Australia.

In 1980, the association recognised the changing needs of its members. The decision was made to change its name and it became an incorporated organisation, which is now known as the Overseas Chinese Association of South Australia. Many of its key services were introduced in 1981, when they started to operate at 110 Crittenden Road, Findon, which was formerly the old Findon Primary School Site.

OCA has over 700 members from diverse Australian and multicultural backgrounds. Members come from countries such as Vietnam, Cambodia, Laos, China, Hong Kong, Malaysia, Taiwan, Singapore, Indonesia, Thailand and other Asian countries. Since its beginning, OCA has been devoted to supporting and uniting the ethnic Chinese community in South Australia by providing a range of welfare and educational services to its members.

The association promotes intercultural understanding and friendship between ethnic Chinese and Australian multicultural communities. Their mission is to help Chinese migrants settle comfortably into the Australian way of life while also maintaining their Chinese traditions and connections with their countries of origin.

Over the years, the outstanding community services delivered by the OCA has been achieved through the hard work and perseverance of community leaders, community members and dedicated volunteers. I would like to take this opportunity to express my sincere appreciation to past presidents, past committee members, staff, volunteers and supporters over the last 35 years.

Strong leadership is a foundation of every organisation and, in the case of the OCA, many community-minded individuals have served the association with great passion and distinction. It is with privilege that I am able to place the names of past presidents on the public record in the parliament today. Maria Xu was the first president of OCA in 1980, followed by Peter Ong in 1981 until 1982. Then Maria Xu returned as president in 1983 until 1984. Claudia Cream was president in 1984 until 1985 and Susan Le was president in 1985 until 1986. Cu Vong was president in 1987 and 1988, Peng Hak Lim in 1989, Qingbo Li in 1990 and Ich Mau Chiem in 1991.

Susan Le returned in 1991 until 1993. Yong Koh served consecutively from 1993 until 1997. Peter Do served from 1998 until 2001. Yong Koh then returned and served as president from 2001 until 2005. Peter Do also returned as president in 2005 until 2009. Tung Shen Chin served from 2009 until 2013 and Charles Tran has been president from 2013 until now.

I have developed great relationships, particularly with Yong Koh, Claudia Cream, Peter Do, Tung Shen Chin and Charles Tran. I want to say a special thanks to them for their friendship and support over the years. I want to particularly mention Yong Koh because Mr Yong Koh and his wife, Hwee Kheng, are close family friends. I babysat their children when I was a teenager.

During the time that he was president, under the leadership of Yong Koh I emceed many OCA events, all the major spring festivals, the Chinese New Year and the Moon Lantern Festival. He has been a great mentor to me and many young people from the Chinese community. He is a dynamic business leader as well, an entrepreneur, and a great exporter.

For those who have heard me sing karaoke songs at OCA events, Yong Koh was the one who introduced me to karaoke. Many a time you would see me doing karaoke at OCA functions; the love for karaoke throughout OCA functions is evident in the way they love to sing. Every president brought leadership skills and resources to expand the services of the OCA and ensure that members and the broader Australian community enjoyed a high level of engagement and settlement services.

The vast range of services that OCA offers to culturally and linguistically diverse communities in South Australia is truly astonishing. From education to aged care, income support to women's health, the association provides a comprehensive range of services tailored to assist Chinese South Australians, international students, as well as new migrants.

The OCA has worked closely with state and federal government agencies and the local community for many years. Some of the programs they have delivered include the Gamblers Rehabilitation Services, the Low Income Support Program, Community Aged Care Services, the Reconnect program for youth and families, Adult Community Education, women's health, OCA Joblink Services, free coaching for taxi drivers, English training, and Tai Chi lessons.

The OCA has been fortunate to employ dedicated staff members across their welfare and aged-care programs. The association employs three full-time social workers, one part-time youth worker, two part-time workers and is supported by approximately 100 volunteers. I wish to personally thank each and every one of them for their immense contributions to delivering important and valuable community services.

I would like to place some names on the record: Rebecca Li Kam Yu Cheung is a project coordinator for the Commonwealth Home Support Program, Chinese aged-care services. She works there full-time. She is considered a big sister of OCA and has worked there for 22 years. Martin Ting Tung Cheung is a project coordinator for the Commonwealth Home Support Program as well. Martin works there full-time and is another familiar face at OCA. He is called the big brother and has served OCA for 14 years now. Rebecca and Martin are hardworking professionals who are dedicated to serving members of OCA wholeheartedly. They are a wonderful husband and wife team.

Fong Kuan Ung is project coordinator for gambling health services, Adult Community Education and the women's health program. Fong has worked there for 12 years. She has a very caring nature and warm personality, is always very friendly and helpful, works tirelessly and is a popular staff member of OCA.

Judi Jing is a project worker for Adult Community Education. She works there part-time and has been there for nine years. Jian James Lan is a youth worker for the Reconnect project. He works there part-time and has been there for eight years. He is another very friendly and capable young man who is always doing his best to motivate vulnerable young people to engage with their family, school and community, to stabilise their situation and create long-term goals for their wellbeing and future development. Dan Chen is project officer for Gambling Help Services. He works there part-time and has been there for 18 months.

The services offered by OCA staff have had an enormous impact on the lives and wellbeing of so many South Australians over the last 35 years. In terms of educational services, the OCA Chinese ethnic school operates from the premises in Findon, offering courses in Mandarin for over 800 students of various ages every Saturday. From a very humble beginning of only 10 students, the school has expanded to become the renowned and highly respected institution it is today.

In 2009, I am incredibly proud to learn, the Chinese Overseas Education Board labelled the OCA ethnic school as an 'overseas model school', and the Overseas Chinese Affairs Office of the People's Republic of China described the school as a 'most outstanding school'. Full credit goes to the dedicated team of principal and teachers at the school, who have contributed to its success.

Three of the OCA's past committee members have been recognised in the Governor's Multicultural Awards: Mrs Hue Linh Ly was a joint winner of the Volunteer Award at the 2012 Governor's Multicultural Awards; Mr Peter Do, past president of OCA, received the Outstanding Individual Achievement Award at the 2010 Governor's Multicultural Awards; and Ms Claudia Cream OAM, also past president of OCA, was honoured with an Outstanding Individual Achievement Award at the 2009 Governor's Multicultural Awards.

Furthermore, last year in September 2016, OCA was named the 2016 learning community of the year at the Adult Learners' Week Awards, an annual celebration of community and individual learning. Many Chinese migrants within OCA are involved in business and trade, establishing thriving businesses and contributing enormously to the export sector and to the economy of our state.

ChAFTA, the China-Australia Free Trade Agreement, will no doubt increase opportunities for South Australian companies to export and do business with China and open new doors of possibilities for promoting more of South Australia's tourism, agriculture and education to the Chinese market.

The establishment of a Consulate-General's office of the People's Republic of China in South Australia will also enhance the relationship of South Australia with China. OCA has played a significant role to support the establishment of the Chinese Consulate office in Adelaide. The temporary office of the Chinese Consulate is currently located on land owned by OCA, where a part of its property is leased out to the Chinese Consulate.

I am honoured to have this longstanding relationship with the Overseas Chinese Association and have had the opportunity to witness firsthand the valuable contribution it has made to serve the vibrant and growing Chinese community in South Australia. I want to take this opportunity to also thank John Gardner, the member for Morialta, who joined me for the OCA 35th anniversary celebration. I also want to place on the record my thanks to the state Liberal leader, Steven Marshall, for his support of OCA over the years. I am pleased to report that the Liberal leader's Chinese pronunciation was excellent and everybody enjoyed his warm Chinese New Year greetings immensely during the lunar New Year Festival celebration.

Last but not least, I would like to place my sincere congratulations and thanks to the current president of the OCA, Mr Charles Tran, for his efforts in organising many celebrations marking the 35th anniversary of OCA. With those remarks, I commend this motion to the chamber. I would also like to say that I have shown my personal appreciation to OCA by hosting a Parliament House reception and tour for members of OCA for the celebration of their 35th anniversary.

I conducted a bilingual, personalised tour. Many of the Chinese members of the community told me that, although they have lived in South Australia for over 35 years, they have never stepped foot inside Parliament House. It was the first time they had done a Parliament House tour and they appreciated the fact that I conducted the tour in Chinese for them to enhance this memorable experience for them. With those remarks, I commend the motion wholeheartedly to the Legislative Council.

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

DOZYNKI HARVEST FESTIVAL

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

That this council—

1. Recognises that 2016 marks the 30th anniversary of the Polish Dozynki Harvest Festival and 160 years of Polish settlement in Australia;
2. Acknowledges the wonderful work that the organising committee has done over the years in the promotion of Polish culture, food, language and activities of Australian-Polish community in South Australia; and
3. Pays tribute to the social, cultural and economic achievements of the Australian-Polish community to South Australia, including the contributions of many Polish clubs and associations.

(Continued from 30 November 2016.)

The Hon. T.T. NGO (17:56): I rise to support this motion. 2016 was certainly a year of milestones for the South Australian Polish community. The 30th Dozynki Harvest Festival and the 160th anniversary of Poles settling in South Australia are just a couple of milestones that the community celebrated last year.

Dozynki is a centuries-old Polish harvest festival. Historically, it has been a celebration of farmers' hard work and a time to enjoy a bountiful feast at the end of the harvest. Traditionally, the festival is celebrated with dancing, singing, eating and drinking in true Polish style. Today, the festival is celebrated in a number of locations around the world, including South Australia, where it is a popular event on our multicultural calendar.

On Sunday 23 October 2016, South Australia's Polish community celebrated the 30th Dozynki Harvest Festival held in our state. The South Australian government is proud to be able to support this festival, having committed \$10,000 for the 2016 event and another \$10,000 for the 2018 Dozynki Festival. I would like to congratulate the many hardworking members of the Dozynki Festival committee for staging yet another successful festival.

The year 2016 also marked the 160th anniversary since Poles first settled in South Australia. It is a remarkable milestone, given that European settlement in South Australia occurred only 180 years ago. It is also a very important chapter in our state's history. I want to give particular recognition to Poland's post World War II migrants to South Australia.

Poland's history is littered with conflict and constant invasion by foreign powers from both the East and the West. Poland is one of a select few countries that has endured both Nazi and, subsequently, Soviet communist occupation. The fact that many Poles, who had escaped the tyranny of both Hitler and Stalin, were able to make a new life in Australia, demonstrates the fortitude of its people.

In many ways, my own personal experiences relate to those of many Poles, in that I was also forced to flee a communist regime in search of a better life. We do not have mass murderers, food rationing or inadequate basic services in Australia, which are the historical hallmarks of suffering that communism has imposed on people across the world.

The Soviet communists were particularly brutal to the Polish due to their 1,050 years of Christian history and heritage. As a Vietnamese Catholic, I express my solidarity with the Polish Catholic community in South Australia. They should be proud, as they were the first people to offer the worldwide Catholic community a non-Italian pope, in Pope John Paul II. In fact, it is well known that one of Pope John Paul II's enduring legacies is how he mobilised Polish Catholic trade unions in a non-combative way against the Soviets, demonstrating to the world that the communists were not only enemies of Catholics, but also the enemy of workers, and that Soviet liberation was a cruel hoax.

Upon reflection, I believe that this Christian humanism that the pontiff demonstrated fits ideally within the philosophy of traditional Labor supporters of the Catholic faith, people who support the family, trade unions and workers' rights, but are distrustful of broader social agendas. It is unfortunate then, whilst completely understandable, that many Polish Australians have a natural distrust of the Australian Labor Party, as it was viewed as a communist party. The Labor Party in the 1960s was very different from the party it is today. Given that communism has been a prominent part of the trade union movement and the Labor Party in years gone by, it is understandable why many Polish Australians still hold their views. However, many of the younger generation in the party are working very hard to change their views.

A number of events were held during the year to celebrate the 160th anniversary of Polish settlement in South Australia. Among the celebrations, the Premier hosted Polish community leaders at a parliamentary reception on 7 September and presented a plaque to Mr Ted Dudzinski, president of the Polish Federation, to mark the anniversary. The Polish Hill River Church Museum and committee hosted a gala picnic on 27 August 2016 at the Polish Hill River Road, Sevenhill, to celebrate this anniversary and the 1,050th anniversary of Christianity in Poland.

I would like to give particular recognition to the Polish community in the western suburbs, especially in Ottoway, which resides in the council ward that I used to represent. Ottoway had a large Polish community that I would often meet when I was doorknocking during my council days. We should be very proud of the generations of Poles who have made a significant contribution to the social and economic development of our state through their culture, food and traditions. South Australia has been blessed by the presence of ethnic communities from around the world, and the Polish migrants who have made South Australia their home can stand tall as a community that came with so little but has given so much. I commend this motion to the council.

The Hon. T.A. FRANKS (18:03): I rise to support the motion of the Hon. Jing Lee, and join other members of this chamber in celebrating and acknowledging that 2016 marks 160 years of Polish settlement in Australia and the 50th anniversary of the Dozynki Harvest Festival. The Polish community in South Australia has been very active in sharing its culture with us all.

While we are talking about the Dozynki Polish Harvest Festival, I want to also make mention of some of the incredible Polish organisations in our state. There are over 40 Polish organisations, clubs and committees for Polish South Australians, the largest of which are the Federation of Polish Organisations SA, the Polish Association of South Australia, the Dom Polski Centre, the Polish Cultural Society and the Polish Women's Association. Many Polish organisations are associated with aged care or strive to maintain links between older Polish people and their communities, while many also support young people or are Polish language schools.

In particular, I would like to note the importance and success of the Federation of Polish Organisations in SA, which unites 22 Polish member organisations that represent cultural,

educational, patriotic, historical and social aspects of South Australia's Polish community and provide a vital hub of information and link services such as welfare services, the Polish social support services where volunteers provide transport help and assistance with shopping and support for carers, as well as community aged-care packages and the Polish active seniors program, which focuses on maintaining health and wellbeing as well as providing social activities and connections.

We have some wonderful groups and organisations sharing Polish art, culture and history, such as tatro, the traditional Polish folk dance and song group, part of a network of tatro groups across the world. We have a Polish radio program called *Always on Sunday* on Radio Adelaide, which provides news, culture and information for the Polish community in Adelaide and is presented in Polish and brought to you by the Polish Radio Programs Association.

While we are talking about celebrating 160 years of history of Polish settlement in South Australia, we should also look to the future, and so I would like to acknowledge the hard work and dedication of those who run, organise and participate in Polish language schools in South Australia, particularly the young children who, while they may not have been born in Poland, are still learning the language, history and culture of their heritage.

Federico Fellini, an Italian film producer, once said that, 'A different language is a different vision of life,' and as we live in a multicultural society we are truly blessed to recognise just how valuable those different perspectives are and how much they contribute to our collective wellbeing, understanding and world view.

I want to commend all of the organisers of the Dozynki Polish Harvest Festival for their hard work and success. It is amazing to see how the festival has grown and created such a wonderful occasion for families to celebrate their history and heritage, to attract guests and musicians and speakers from Poland, and to include festivities such as the wonderful folklore performances, sheaf-tossing contests, and exhibition of Polish arts and crafts.

In particular, I would like to recognise the hours and hours of practice and hard work that goes into creating these performances, where children and adults alike have been giving up their spare time to choreograph, teach and learn traditional Polish dances and songs.

In conclusion, I join the Hon. Jing Lee and others in recognising the rich history of Polish settlement in South Australia and commending it. I encourage those who are reading this *Hansard*, or, indeed, members of this chamber, to have a look at the Polish Hill River Church Museum that commemorates and documents this history.

As with all people of any culture or nationality who make their home in South Australia, there are not enough words to describe the value of having people share, celebrate and pass on the knowledge, history, language and culture of their other countries, the countries of their heritage, as this is what has built the rich multicultural society that we enjoy here in our state. I want to thank all those who have contributed and continue to contribute and the hard work of the Polish communities that make South Australia the wonderful place it is today.

The Hon. J.S. LEE (18:08): In summing up, I would just like to express my appreciation and thank the Hon. Tung Ngo and the Hon. Tammy Franks, particularly when the Hon. Tammy Franks was talking about the Dozynki Festival itself. It brings back lots of memories of when I attended those festivals and the sort of activities and the socialising and entertainment that they have, which is just wonderful. So, I express my thanks for your contributions and commend the motion to the chamber.

Motion carried.

AFL NATIONAL WOMEN'S LEAGUE

Adjourned debate on motion of Hon. T.T. Ngo:

That this council—

1. Congratulates the AFL for establishing the National Women's League;
2. Wishes the players all the best for the inaugural 2017 season; and
3. Recognises the important role that providing elite sporting pathways for women plays to encourage girls to participate in sport.

(Continued from 19 October 2016.)

The Hon. T.J. STEPHENS (18:09): I rise to speak to the motion of the Hon. Mr Ngo. I do congratulate the AFL on this achievement. The league has been a great success and the AFL were extremely clever to schedule it just prior to the men's season, ensuring maximum attention from the media and spectators alike. This has been at the forefront of the women's format. It will survive as a viable competition, and to ensure that it does, it will not compete directly with the men's game, at least in its formative years.

A great initiative has been to ensure that all Adelaide Crows games had free admission during the season. This guaranteed that fan curiosity could be satisfied, and it gave fans a chance to witness what women's football is all about. I am sure it gained a number of new supporters as a result.

Whilst parts of this motion are now outdated, we all wished the ladies the best of luck for the season and now we congratulate them on a very successful season. Players, coaches and administrators are always quick to point out that no comparisons can and should be made between the women's and men's games, and this is true. The women's game needs to be celebrated in its uniqueness and as a stand-alone. Any comparisons to the men's game are unhelpful.

The AFLW is different. We have seen certain innovations, such as the removal of the wings as positions on the field, meaning that only 16 players are on the field from each side. This quickens up the game and reduces congestion. There are many other nuances which I will not go into here, but I am sure there will be many more in the future. Just as there are many differences between women and men, so there should be in their respective codes of Australian Rules football.

The one area of criticism, if I can call it that, that I will touch on is the lack of grassroots options for girls. Unfortunately, by establishing the elite version of the sport without first establishing a pathway of competition for girls, it will be difficult for the AFL to capitalise on the immediate popularity of the sport among young girls. I would like to see resources funnelled into the establishment of grassroots community programs and competitions by the AFL, the SANFL, the Adelaide Footy League and other relevant stakeholders. In fact, this is something that the Minister for Recreation and Sport may want to pay some attention to, rather than rhetorical flourishes on symbolism, such as the renaming of the stands at Adelaide Oval.

Finally, I want to make a comment on my team, the Adelaide Crows. The Crows ladies began the season as favourites for the wooden spoon but ended up premiers and champions. It was an amazing effort by a team that was written off by pundits before a game had even been played. A lot of credit needs to go to coach Bec Goddard and co-captain Erin Phillips, who can now add AFLW premiership captain to her long list of sporting accolades.

Ms Phillips has had a truly amazing year, dominating the individual awards. In addition to being premiership captain, she was also best on ground in the grand final, AFLWPA most valuable player and competition best and fairest (currently known as the W award). She kicked goal of the year, which was a 60-metre bomb against Carlton at the Thebarton Oval, and is All-Australian vice-captain and half-forward. Ms Phillips is expected to be voted as the club's best and fairest as well.

The Crows, domination does not end there, with fellow co-captain Chelsea Randall voted most courageous player by her peers, as well as All-Australian halfback. Ebony Marinoff was the AFLW rising star for best player under the age of 22. Other honours included Courtney Cramey as All-Australian fullback and Sarah Perkins as All-Australian full-forward.

The remaining premiership players were Heather Anderson, Georgia Bevan, Talia Radan, Anne Hatchard, Denni Varnhagen, Angela Foley who was vice-captain, Dayna Cox, Stevie-Lee Thompson, Kellie Gibson, Sarah Allan, Justine Mules, Sally Riley, Rachael Killian, Abbey Holmes, Rhiannon Metcalfe, Jenna McCormick and Jessica Sedunary. I congratulate every single one of them on their groundbreaking achievement, as well as all the support staff and management on a successful maiden season. I commend the motion to the council.

The Hon. T.A. FRANKS (18:13): I rise to support the motion of the Hon. Tung Ngo and commend him for bringing it to this place. Indeed, over the weekend, we reached a milestone in

Australian sporting history. For the first time, we had two women's teams competing in an AFL grand final. It was a close game and the Crows stepped up to the challenge and won by six points against the Brisbane Lions—Adelaide 4.11 (35) to Brisbane 4.5 (29)—at the Gold Coast stadium.

Footy allegiances aside, you cannot deny that these mighty young women from the Brisbane Lions, Carlton, Collingwood, Fremantle, Giants, Melbourne and the Western Bulldogs have paved the way for girls in Australia who have a real desire to pursue a professional football career. The first AFL women's game was moved from Olympic Park because the game was tipped to be bigger in terms of a crowd than 7,000 people, and that tip was right.

The match between Carlton and Collingwood saw hundreds of fans lining up outside as more than 24,000 sat or stood anywhere they could inside to witness that historic match. The TV ratings have also reflected that this is a game whose time has come, with almost one million viewers tuning in, proving that not only is professional football something that women want to play, it is something that Australians want to watch.

Crows board member Kate Gould has pointed out that girls used to stop playing football by the age of 12 because that was when the AFL Auskick ended. Adelaide star Erin Phillips has said, 'I was 13 years old and I was told I wasn't allowed to play footy anymore with the boys.' Last night, she was the first woman to win the AFL's best and fairest award—what an inspiration! Here now in 2017, she and her teammates have proven that girls can play not just past 12 but go on to become legends of football and solid role models, not just for girls but for boys, men and women alike.

Icons of the until now male-dominated game, including commentator and formerly further involved Graham Cornes, were somewhat sceptical about how women's football would go. I, like many others in this place and no doubt in the community, remember his opinion piece, when he seemed to be worried that women's breasts might get in the way. How ridiculous! To paraphrase the fantastic Erin Brockovich, they are called boobs, Graham, and they did not get in the way of the great Erin Phillips as she led her team to victory on the weekend.

Mr Cornes continued in his op-ed that women players 'can't fill their heads with a false expectation that they can become professional footballers'. Yes, they can, Cornes, and yes, they did on the weekend. Mr Cornes, unlike the girls now, has been left behind. They are now on an even playing field, and we can look forward to seeing women in the AFL Hall of Fame as we can look forward to seeing positive change in the culture of Australia's most loved and indeed my most loved game. I hope we see that into the future, whether or not their boobs are supposedly getting in the way.

Before the first game, the AFL's first female premiership coach, Adelaide's own Bec Goddard, said, 'After 32 years as a player, umpire and coach, I never thought this day would come.' The day came and Bec's team won, and what a beautiful moment it was to pull out *The Advertiser's* souvenir grand final poster today with the all-star female line-up.

All these milestones, I think, change the way we see society and change the way girls see society. I remember girls of my daughter's age crying when Julia Gillard was no longer prime minister, because they had not realised that a man could be prime minister. I think the day has come when we will see those historic constraints placed upon women and girls forgotten and consigned to the dustbin of history where they belong. With that, I commend this motion, and I look forward to many more seasons of women's football, no matter who your team is.

The Hon. T.T. NGO (18:18): I would like to thank the Hon. Terry Stephens and the Hon. Tammy Franks for their contributions. I would also like to congratulate the Adelaide Crows women's team for winning the first AFL women's premiership. No-one gave them a chance before the season started. As the Hon. Terry Stephens said, many pundits predicted that the Crows would finish last; however, the Port Adelaide Football Club lent Erin Phillips to the Crows to help them move from predicted bottom to top and eventually win the cup.

Once again, I would like to congratulate Erin for winning the best-on-ground medal and all the other awards she has won since then. I also predict that she will end up winning the Crows' best and fairest award tonight as well. With that, thanks everyone, and I commend the motion to the chamber.

Motion carried.

Parliamentary Committees

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The House of Assembly appointed Mr Speirs to the committee in place of Mr Griffiths.

Bills

PUBLIC INTEREST DISCLOSURE BILL

Final Stages

The House of Assembly disagreed to the amendments made by the Legislative Council.

At 18:20 the council adjourned until Thursday 30 March 2017 at 14:15.