

LEGISLATIVE COUNCIL**Thursday, 30 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.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the President—

Register of New Member's Interest, March 2017—Registrar's Statement
[Ordered to be published]
Southern Mallee District Council—Report, 2015-2016

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

Regulations under the following Acts—
Animal Welfare Act 1985—Dehorning of Cattle

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

Regulations under the following Acts—
Electronic Transactions Act 2000—Exemption
Passenger Transport Act 1994—Non-cash Payment Surcharges
Passenger Transport Act 1994—Taxi Fares No. 2
Planning, Development and Infrastructure Act 2016—General
Planning, Development and Infrastructure Act 2016—Transitional

*Ministerial Statement***LUCAS, HON. R.I.**

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) (14:20): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.J. MAHER: I rise today to address a matter that concerns all of us in this chamber: how we conduct ourselves, how we are perceived and the privilege that is afforded to all of us in this place to do our duty. The Hon. Rob Lucas regularly demeans his position, this parliament and all of us who serve here. The Hon. Rob Lucas regularly uses parliamentary privilege to harass, insinuate wrongdoing or lay fanciful accusations against members of the public and members of the Public Service, who have little opportunity to respond. These are the actions of a bully and a coward. The Hon. Rob Lucas regularly tries to hide behind weasel phraseology, such as 'sources close to the matter have informed me' or 'an anonymous fax to Liberal Party headquarters', in an attempt to try to distance himself from the vitriol that he is making up.

Yesterday, during Matters of Interest, the Hon. Rob Lucas, true to form, did not speak of policy issues or the community he is supposed to serve, but went on a rant full of hearsay upon hearsay about what others supposedly said or did. During his contribution yesterday, the Hon. Rob Lucas informed the chamber, as fact, that Premier Weatherill called a senior Crows office holder to

talk about minister Bignell. He said, 'the following morning Premier Weatherill rang an even more senior Crows office holder'. The Hon. Rob Lucas then claimed, as fact, what supposedly had occurred in that conversation. The Premier has informed me that that statement is completely and utterly untrue. It quite simply did not occur.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: The problem for the Hon. Rob Lucas is that this particular assertion was very simply tested. Rob Lucas either knows this to be false and has deliberately made a statement he knows not to be true to this chamber or he has been so recklessly indifferent to the easily tested truth that it constitutes a deliberate lie. It should also be noted that the member for Mawson refutes the claims that were made by the Hon. Rob Lucas. Accordingly, Mr President, I request that the Hon. Rob Lucas immediately and unconditionally refutes his claims that he made on the public record yesterday.

Members interjecting:

The PRESIDENT: Order! Does the Hon. Mr Lucas want to make a personal explanation?

Members interjecting:

The PRESIDENT: Order! Does the Hon. Mr Lucas want to make a personal explanation or anything like that?

The Hon. R.I. LUCAS: No.

Members interjecting:

The PRESIDENT: Order! The Leader of the Government has given a ministerial statement. The Hon. Mr Lucas has nothing to say.

The Hon. R.I. LUCAS: I will have plenty to say.

The PRESIDENT: That is good. That is the end of it. The Hon. Mr Hunter.

The Hon. R.I. LUCAS: Point of order: the request to me was whether I want to make a personal explanation. A personal explanation seeks to correct the record where they believe that something they might have said was wrong. I stand by everything I have said, and I will have more to say about this at the appropriate time, but it is not by the way of an invitation to make a personal explanation.

The Hon. S.G. WADE: Point of order: I raise a point of order under 193. How can you allow an injurious reflection to be made on a member without a substantive motion?

The PRESIDENT: The honourable minister has made a ministerial statement.

Members interjecting:

The PRESIDENT: Order! I had no idea what was in that ministerial—

Members interjecting:

The PRESIDENT: Order! The minister has made a statement. Obviously, the contribution by the Hon. Mr Lucas yesterday has upset the Premier, who has totally refuted that allegation. The honourable member stands by his contribution and that is the end of it. He will have more to say in the future, and I am sure the Premier will have more to say. I now want to call upon the Hon. Mr Hunter—

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! Will the Leader of the Government please cool down.

GRAIN HARVEST

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:25): I table a ministerial statement made in the other place by the Minister for Agriculture, Food and Fisheries, entitled 'Record grain crop'.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

POLICE STAFFING, RIVERLAND

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:27): I seek leave to make a brief explanation before asking the Minister for Police questions about police resourcing in the Riverland.

Leave granted.

The Hon. D.W. RIDGWAY: Concerns have been raised by my colleague in another place, the member for Chaffey, about the future of the Renmark Police Station and the number of SAPOL officers in the region. Riverland residents have expressed concerns about the current staffing level of the Renmark Police Station, which services the largest Riverland town. I also understand that renovations have been undertaken at the Berri Police Station. In a letter to the member for Chaffey in July last year, the minister stated that the Murray Mallee LSA full-time equivalent police positions have remained at a constant 159 persons. My questions to the minister are:

1. Is there no longer a set opening time for the Renmark Police Station, and what is the future of that station?
2. How many FTE police positions are based in the Riverland?
3. What work is being undertaken at the Berri Police Station, at what cost, where will the staff be relocated, and how long will the renovations take?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:28): I thank the honourable member for his important questions because it yet again provides another opportunity for the government to explain its comprehensive and thorough policy when it comes to police numbers in South Australia.

I am very proud to be the Minister for Police as part of a government that is absolutely committed to ensuring that the South Australian police force is well resourced. This is a state government that has in excess of doubled the size of the police budget during the course of its time in office. It continues to provide increases to South Australian police in terms of the size of the police budget that equates to real growth and real increases to the size of the police budget.

When it comes to police numbers we, of course, have seen an extraordinary rate of growth when it comes to the number of active, sworn police officers who are available to the police commissioner and at his disposal to ensure that he has everything he needs to tackle crime in the state of South Australia. Of course, the most recent contribution to this substantial policy is the Recruit 313 exercise that the government has undertaken over a substantial period of time. That provides for an extra 313—

Members interjecting:

The PRESIDENT: Order!

The Hon. P. MALINAUSKAS: That provides for an extra 313 extra police officers, over and above attrition, to be at the disposal of the police commissioner. Only earlier this week—as I explained yesterday, I have been going regularly to police graduations and, of course, I have also

been to the police recruitment and training facility down at Taperoo to see exactly what is being undertaken down there and, of course, they are almost full to the brim now, full to the brim with new recruits—

The Hon. D.W. Ridgway: What about the Riverland? What about Renmark, what about Berri?

The Hon. P. MALINAUSKAS: I'm coming to the Riverland—with new recruits coming to the police force to give the police commissioner the opportunity to go out and allocate those resources as is necessary to tackle crime. It might come as a shock to those opposite but crime occurs throughout the community. Unfortunately, crime does not discriminate in one area over another so we have to give the police commissioner the capacity and the flexibility to exercise his judgement to determine where to allocate those resources in order to tackle crime.

I take the view that it should not be the government of the day, it should not be a politician, it should not be the Leader of the Opposition in this place, it shouldn't be the member for Chaffey to determine how those resources are allocated. Instead, of course, it should be the police commissioner to make a determination about where best to allocate his extraordinary level of resources to tackle the issue of crime.

Regarding the Riverland specifically, we know that the best way to tackle crime in the Riverland or the Yorke Peninsula or the Mallee or the Eyre Peninsula or the South-East is to ensure that SAPOL have the resources they need to be able to tackle crime wherever it is occurring, and the Riverland, of course, forms a component of that, and I back the police commissioner to be able to make decisions about how to allocate his resources, the substantial resources that he has at his disposal.

POLICE STATIONS

The Hon. R.L. BROKENSHERE (14:31): Supplementary: based on the minister's answer, can the minister confirm to the house whether he has been briefed by the police commissioner or the police commissioner's executive on a current review occurring in the Riverland on police locations for police officers?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:32): I thank the honourable member for his important question. Of course, I have been briefed regarding reform efforts that are now being undertaken within SAPOL. There is a substantial reform effort that has been undertaken that has been widely publicised, which each and every MP within this chamber and also the lower house have been invited to receive briefings on; and I note that the former minister for police, the Hon. Mr Brokenshere, did not elect to take up that opportunity.

We did provide for a briefing on what is occurring regarding SAPOL's reform effort and, as was explained at that briefing, that reform effort currently is solely focused on the Adelaide greater metropolitan area. It is not a reform effort that is looking at the regions, as it currently stands. That is something that I endorse. The metropolitan area has a unique set of circumstances to that of the regions so the reform effort that is being undertaken at the moment is specifically within metropolitan Adelaide.

POLICE STATIONS

The Hon. R.L. BROKENSHERE (14:33): Further supplementary to the answer: can the minister rule out the closure of Barmera Police Station and Loxton shopfront police station?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33): I am happy to rule out that I as police minister will not be seeking to intervene in a way that goes beyond my reasonable responsibilities and powers.

POLICE STATIONS

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:33): Supplementary question: in relation to the Berri Police Station, on which I asked questions, can the minister tell us, irrespective of the numbers that the police commissioner might like to deploy, where those staff will be relocated

from the Berri Police Station while it is being renovated, and how long will those renovations be expected to take? It's a pretty simple question.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33): That question is utterly reasonable and I am happy to take both of those questions on notice.

BROWN HILL KESWICK CREEK STORMWATER PROJECT

The Hon. J.M.A. LENSINK (14:34): I seek leave to make—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —a brief explanation before directing a question to the Minister for Water and the River Murray on the subject of the Brown Hill Keswick Creek Stormwater Project.

Leave granted.

The Hon. J.M.A. LENSINK: The member for Bragg has obtained some correspondence, under FOI, between this government and the federal government and, indeed, I note that the minister himself wrote to his good friend minister Barnaby Joyce on 28 July last year and the Premier wrote to the Prime Minister on 16 October last year. There was further correspondence, and a response was returned from the Minister for Justice to minister Hunter, dated 11 November 2016. In part, minister Hunter's letter to minister Joyce says:

The development of a stormwater management plan (SMP) for the catchment has been underway for the last decade

The response from minister Keenan refers to natural disaster resilience funding being provided to the state government and refers to an implementation plan that the South Australian government needs to finalise. My questions for the minister are:

1. Why did he wait until after the federal election to seek federal funding?
2. Did he provide any documentation to the then candidate for Hindmarsh, Mr Steve Georganas?
3. Has he completed an implementation plan for the federal funding as referred to by minister Keenan?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:36): I thank the honourable member for her most important questions. She gives me an opportunity to once again explain to this council and to the state why the Liberal Party has a huge problem with South Australia. She asked me why—

The Hon. J.M.A. Lensink: You have a problem telling the truth.

The Hon. I.K. HUNTER: Excuse me. It was pot the calling the kettle black, the Liberals saying we have a problem with telling the truth. These guys haven't told the truth to South Australia for over a decade. They can't even tell the truth to South Australia about their privatisation plans, let alone what they are going to do to support this state.

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: We all know that the DNA on privatisation is all in the Liberal Party. It's what they stand for, it's what they believe in, it's the food they eat, it's what they drink. They dream of privatisation of everything that the state owns in trust for the public, to give it to their mates, who go off and run those programs into the ground and then try to give them back to the state to accept like a tar baby. Unfortunately, we are a little smarter than that and we don't fall for the three-card trick the Liberals try to con the state with: privatise state assets, let private enterprise run it into the ground

and then try to hand it back so all the liabilities accrue back to the state and the taxpayers. That's the Liberal Party plan.

'No worries at all.' That's the economic expertise. That's why we are in such difficulties at the federal level right now. The federal Liberal government doesn't understand how to run the economy. They don't understand how to run the economy. Have a look at the deficit. The deficit at the moment is about three times what it was when they came into government. The deficit that the Liberal government at a federal level lead now is three times what it was when they came into government. They have not got a shred of credibility.

Members interjecting:

The Hon. I.K. HUNTER: It happened on your watch, your Liberal Party watch. There is no way of getting away from it. You are bad economic managers however you look at it. The only people who can actually rescue an economy are the Labor Party in this country. Thank goodness we have them in government in most states now.

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: The question asked by Michelle Lensink just exemplifies the fact that they don't listen. Where were they when we were out calling for federal government investment in the Brown Hill Keswick Creek development proposal from state government councils? Where were they when they heard from councils, pleading with the federal government? I spoke to Simon Birmingham when he was a minister about this, about seeing the benefit of investing now in preventative measures.

The Hon. J.S.L. DAWKINS: Point of order: the minister knows that it's actually Senator the Hon. Simon Birmingham. The minister likes to be called honourable, and I would like him to—

Members interjecting:

The Hon. J.S.L. DAWKINS: Yes, he does.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! Will the honourable Leader of the Government please desist. You should actually set the example in this chamber. The honourable minister, can you please use the correct titles.

The Hon. I.K. HUNTER: Absolutely, Mr President: 'incompetent federal Liberal government'—that's the correct title for them. Where were they when the councils involved in the Brown Hill Keswick Creek plan were asking and begging for a contribution from the federal Liberal government? I can recall asking Senator Simon Birmingham to contribute on a rational basis as a preventative mechanism rather than wait for a flood and then have to contribute as part of a national disaster relief flood program, maybe five, 10 or 100 times more than they would have spent on preventative measures. Of course, the federal Liberal government were nowhere to be seen.

Thank goodness the Labor opposition at a federal level stood up and said, 'We will contribute.' I think it was the member for Adelaide and the member for Hindmarsh who both stood with me at a media conference and said if they were elected to government they would contribute equal thirds with council and state government to invest in this program. Where were the Liberals? Nowhere. What did the state Liberals say? Nothing. Absolutely nothing. Were they in our corner—the state's corner—advocating for this program to be funded by the federal government? Of course they weren't, they weren't anywhere near this because they have absolutely no commitment to this state.

All they can do is run off and kowtow to the feds. They can't actually get up in the morning and make a statement to the media until they get their lines out of Chris Pyne's office in Sturt. That is exactly what they wait for: the phone call to come through saying, 'This is your line for today. Don't deviate from it. By all means, go out and talk to the media, but certainly don't take the side of South Australia—take our side, the federal government's side at every opportunity.' That is what the Liberal Party in South Australia does. They have no spine and they can't stand up for our state.

At least we have a state government that has been chipping away at this for some time with the councils. Any person who has been following this situation would understand that, for the first several years, trying to get the councils in a room to agree to the plan in the first place was the big problem. They have not yet, still, set up a subsidiary organisation of local government to deal with this, unlike the Gawler River Floodplain Management Authority. Those councils out there are well advanced. They have their subsidiary formed. They work cooperatively. It has taken us a long, long time to get the councils to agree, and we are very grateful for that.

To date, the federal Liberal government have been nowhere. They didn't want to be near us, didn't want to contribute, didn't want to share in terms of preventative work. They just said, 'No, look, if there is a disaster we will come and pay you with disaster relief funding, as we normally would.' Where is the common sense in that?

The Hon. J.M.A. Lensink: Have you even done the equalisation plan?

The Hon. I.K. HUNTER: Well, the Hon. Michelle Lensink, have you even asked? Didn't she just hear me say that I spoke to minister Birmingham. I'm not sure whether he was minister for this portfolio then, but he was a South Australian and I asked him to use his best endeavours to persuade the federal government to contribute up to a third for this plan: a third for the state government, a third for council and a third for the federal government, and he just shrugged and said, 'I can't do it.'

I think that is a great shame. I think it is not rational. There will be floods in this catchment. There will be, at some stage, damage done to infrastructure and then we go to the federal government and say, 'Now can we access the emergency funding stream,' which will be much more expensive—much more expensive—than investing in some preventative work right now, but of course the federal government aren't rational in any respect, they are actually panicking at every turn.

You have a Prime Minister in this country who is actually run by the hard right wing of his party and the National Party. That is what has happened. He can't actually get up and institute anything that he actually believes in—nothing at all. All he can do is swing on the rope that is given to him by the National Party and the hard right wing. And what sort of loyalty do they show in response to him obeying them? They quit the party and go out and set up a new one. That is what Senator Cory Bernardi has done, of course. That's what happens when you give in to bullies.

The Hon. J.S.L. Dawkins: What has this got to do with it?

The Hon. I.K. HUNTER: It's about the federal government not being able, in any way, shape or form, to contribute to a very important infrastructure plan to protect, not just households in Adelaide, but important infrastructure like the airport (federal commonwealth land), like the rail, the ARTC track (federal infrastructure). They don't want to contribute any preventative mechanisms whatsoever and I think it is a very short-sighted approach—for a little bit of money, shared with the state and the councils who will chip in as well. We are not asking for the government to chip in 90 per cent. We are saying, 'Go a third,' and yet they can't even bring themselves to do that.

I can't say that this is a rational policy decision taken by a government, but we have a federal Liberal government in this country that seems to want, at every turn, to look after the North Shore of Sydney and other blue ribbon seats on the east coast. They don't spend any time at all thinking about South Australian issues. They think it is a waste of their time and they try to kowtow to the hard right wing of the Liberal Party and deal with issues like 18C. That's their big thing at the moment.

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

The Hon. I.K. HUNTER: Exactly right, the Hon. Michelle Lensink: why don't they turn their mind to the stormwater issues in Keswick? Instead, they are caught up in a cultural war about 18C, and the federal government has said, 'No, we'd rather do this than actually invest in real infrastructure programs that will benefit households in Adelaide and important economic infrastructure.'

All I can say to the Hon. Michelle Lensink is: good luck, I hope you can go and convince your federal colleagues to come in with council, to come in with the state government, in investment in this very important program, but I don't like your luck, because when I have tried (and I have tried mightily) I have been told 'No' at every junction.

The Hon. J.S.L. Dawkins: You swear at people.

The Hon. I.K. HUNTER: I traditionally don't, the Hon. Mr Dawkins. In fact, I would spend a lot of time, an awful lot of time, sweet talking the federal government to get the best outcome for our state. It is only when we have the Deputy Prime Minister come into this state and thumb his nose at promises made to South Australians, that I occasionally have lost control, which I should never do. But, that is an indication of the mindset of the federal Liberal government about South Australia.

Members interjecting:

The PRESIDENT: Minister, can you please take your seat for a minute. You are all making a total mockery out of this chamber. The next side that interjects will have their next question given to the crossbench, as simple as that.

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: No; well, they don't. The crossbench sit there and listen to all this nonsense while they are waiting to give their question. Minister, can you please come to a conclusion.

The Hon. I.K. HUNTER: On Monday 27 February of this year, I jointly announced, at last, the approval of the Brown Hill Keswick Creek Stormwater Management Plan with the mayors of the five catchment councils and the presiding member of the Stormwater Management Authority. At that announcement I think at least one, and perhaps more, of those mayors made heartfelt pleas to the federal government to consider investment once more. It is a vital infrastructure program for these five councils.

I also announced on that day that the government has committed the funding, up to 50 per cent of the total capital cost of the works identified. We will honour that. Should the federal government come in, we will be very pleased that we can share one-third of the cost each, but to give certainty to this program, without any certainty of investment from the federal government, the state government has said that we will share the cost fifty-fifty with local government. That is a massive undertaking, but we think it is so necessary and so important that we are prepared to do it.

I am pleased that the final plan is now in place, agreed to by the councils. We now need to move to set up a subsidiary organisation of the councils and the Stormwater Management Authority, as we have done in the Gawler River flood plain management area, and to proceed with the infrastructure investment. I have already said to two of the mayors, to kick this along very quickly let's see some of the programs come forward, I think it's the mayor of Unley and the Lord Mayor himself—

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: —to try to put some of these programs in place at the earliest opportunity. In closing, I thank my adviser, Dr Tara Bates, for her work in this area over many, many years. I look forward to getting postcards from her as she moves to a new life in Melbourne, and every time I see *Gone with the Wind* or *Psycho* come on TV I will remember her fondly.

BROWN HILL KESWICK CREEK STORMWATER PROJECT

The Hon. J.M.A. LENSINK (14:49): A supplementary question arising out of the minister's arrogant refusal to actually address my specific questions: is the minister refusing to provide an implementation plan to the federal government as it is requested under the NPA?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:49): I will give the federal government whatever they need if they are going to contribute one-third to this program. All I have had so far from the federal government is a flat refusal, many times.

BROWN HILL KESWICK CREEK STORMWATER PROJECT

The Hon. J.M.A. LENSINK (14:49): Supplementary: has the government or has the government not provided an implementation plan that might actually yield some money?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:49): The federal government has been approached by the state government and asked to contribute to a major infrastructure program that will protect homes in Adelaide and important economic infrastructure.

The Hon. J.M.A. Lensink: You just want money for nothing.

The Hon. I.K. HUNTER: Well, it's not for nothing. This is a major plan. The Hon. Michelle Lensink doesn't seem to understand the first thing—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: —about these five councils working together to deliver the Keswick Brown Hill Creek development, which will safeguard houses from flooding and safeguard economic infrastructure into the future.

The Hon. D.W. Ridgway: How do you know? You haven't got a plan yet.

The Hon. I.K. HUNTER: I just said that the plan has been agreed to by the five councils and state government.

The Hon. J.M.A. Lensink: An implementation plan.

The Hon. I.K. HUNTER: If we rewind a little bit further, Hon. Michelle Lensink, I said we are waiting for the subsidiary to be set up by the councils. I don't know how much more I can give you. Is the Liberal Party in this state actually saying that until you dot every 'i' and cross every 't' you can't go and ask the federal government to be a participant in a major infrastructure spend to safeguard homes and economic infrastructure in this state?

Is that what they are saying, Mr President, because that's infantile. That is not how we work with the federal government. We share our plans. We ask for them to be partners with us, and many times they are, but in this particular instance they have given us absolutely no guarantees of any investment with local government and state government in this important plan to safeguard homes and businesses around these creeks.

BROWN HILL KESWICK CREEK STORMWATER PROJECT

The Hon. J.M.A. LENSINK (14:51): Further supplementary: is the minister saying that it is completely unreasonable for the federal government to have any conditions attached? Does he expect that money comes just because he says so?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:51): The Hon. Michelle Lensink, I think, shows how long she has been in opposition, and not understanding how governments work with each other. We work with each other at an officer level, at a departmental level, at a ministerial office level and at the ministerial level.

Often, the first point of contact—as it has been in many other areas when I have talked to minister Barnaby Joyce and minister Ruston, when they were first appointed, about the Northern Adelaide Irrigation Scheme—was me sitting down in their office in the commonwealth building in King William Street saying, 'How about this program? Minister Bignell wrote to you about it, and we think it's a great idea. What's your view? Are you likely to want to contribute to it? Give us some signals.'

That is exactly what we do with the federal government with other programs. That's what we have done with Keswick Brown Hill Creek. We said, 'This is an important plan. It's been in place for about 15 years. This is the approximate envelope of contributions we are expecting. How about being part of this? You've got significant commonwealth infrastructure in this flood plain. We think it's important that you invest in preventative measures; why don't you do that?' And they have said no. They said it's not a priority for them.

The Hon. J.M.A. Lensink: No, they haven't. They haven't said no. They did not say no.

The Hon. I.K. HUNTER: They have said no many times. It's not a priority for them. I invite the Hon. Michelle Lensink to go off and ask them. Come over and work with us.

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

The Hon. I.K. HUNTER: Why don't you do that, Michelle? Why don't you go off and ask your federal colleagues—

The PRESIDENT: Order! No debate across the chamber. Just continue with your answer.

The Hon. I.K. HUNTER: Why don't you go off and talk to your federal colleagues and say, 'You don't want to talk to minister Hunter; I'll broker this with you.' I'll share the limelight with you, Michelle. Go and help us get the federal government to contribute. Go and help us. Unfortunately, she won't. The state Liberals never stand up for South Australia. They are wholly beholden to the member for Sturt and the orders he sends down the phone every morning to all of them.

POLICE HOLDING FACILITIES

The Hon. S.G. WADE (14:53): My questions are to the Minister for Correctional Services:

1. Can the minister assure the council that no prisoner who has been sentenced to a term of imprisonment exceeding 15 days is housed in a police holding cell?
2. Can the minister assure the council that prisoners are not being transported from a prison by bus or otherwise, only to be returned to the same prison primarily due to overcrowding?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:53): I thank the honourable member for his questions. It is well known and on the public record that the Department for Correctional Services do, from time to time, use police custody facilities to keep prisoners in custody, where it is appropriate to do so.

There is an understanding and a good collaborative working relationship, as I think all members would reasonably expect, between SAPOL and the Department for Correctional Services to ensure that there is the capacity to be able to use police cells for DCS purposes, if and when it's appropriate to do so, but at the same time doing it in a way that allows for the necessary functions and also police operations, as is required.

Regarding the second part of the honourable member's question regarding the transport of prisoners, that is something that occurs regularly. There is a whole range of reasons why prisoners are transported between facilities. It could be access to rehabilitation programs, it could be for health reasons or it could be moving prisoners for reasons to accommodate visitation. There is a whole range of different reasons why prisoners are moved between facilities; that is, movement between facilities is a part of the day-to-day operation of the Department for Correctional Services and is not remotely unusual in any way.

POLICE HOLDING FACILITIES

The Hon. S.G. WADE (14:55): My supplementary question to the minister is: when the minister says that prisoners are held in police custody if and when it is appropriate, does the minister consider it appropriate that a prisoner who is sentenced to a term of imprisonment exceeding 15 days is housed in a police holding cell?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:55): Where appropriate agreement has been reached between both SAPOL and the Department for Correctional Services, yes.

PRISONER TRANSFERS

The Hon. S.G. WADE (14:55): Supplementary question: in relation to the transport of prisoners, my question was exclusively in relation to prisoners being transported from a prison and returned to the same prison, so I am not talking about, shall we say, routine interprison movements. Can the minister assure the house that people are not being transported from a prison and returned to the same prison primarily to deal with overcrowding?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:56): I can confirm that I have sought advice from the Department for Correctional Services regarding that exact question as a result of an inquiry that had been made previously and I have been advised by the Department for Correctional Services that that practice does not occur.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to welcome members of the Nepalese community. It's good to see you here.

Question Time

MICRO-X

The Hon. J.E. HANSON (14:56): My question is to the Minister for Manufacturing and Innovation. Can the minister update the chamber on the success of Micro-X?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:56): I thank the honourable member for his question and his ongoing interest in the area of manufacturing, noting that he spent most of his adult life representing people who work in the area of manufacturing.

Micro-X relocated its advanced manufacturing operations from Victoria to take up a facility at the Tonsley Innovation Precinct and their decision was supported by the government's vision for Tonsley that helped the business decide to locate to the precinct. Micro-X's success is a great example of the positive outcomes of this government's strategy of transforming Tonsley into a premier innovation district, creating the necessary environment for vibrant, diverse and internationally competitive, advanced and high-tech manufacturing for this state.

We know that it is important for government to create the right conditions for jobs and to help transition our economy. The offering at Tonsley is a vitally important part of that. In addition to the world-class innovation precinct that is fast developing at Tonsley, the state government provided a \$3 million loan to support the growth of this world-class innovative company.

Micro-X has secured access to world-class intellectual property from the University of North Carolina in the United States, which enables it to minimise X-ray emitters using carbon nanotubes and to incorporate them onto portable devices. This IP is enabling the design and manufacture of ultralight X-ray machines for medical and defence applications in SA, which are being sold all around the world. I understand that the innovative X-ray technology is actively being sought by a range of users looking to apply it in hospitals and in the military for things like bomb detection and defence applications.

This high-tech manufacturer is designing and producing medical devices in much the same way that a company would use advanced manufacturing processes for cars and it should come as no surprise that, of the 17 employees, eight are former Holden workers. These ex-Holden workers are successfully making the transition from automotive manufacturing to the advanced manufacturing world of medical devices and are thriving in the jobs that are being created in South Australia.

The state government continues to work with Micro-X to tailor a training and skills program which connects Micro-X with skilled and job-ready people, including additional ex-automotive workers, to fill roles expected to be created as the company continues to grow. It is pleasing that Micro-X is poised for significant export growth in the near future, with the company marketing their products to some 130 countries around the world. I understand there is significant demand from hospitals all around the globe, eager to look at and purchase their revolutionary product.

I particularly want to congratulate Peter Rowland and his team at Micro-X on the significant growth they are experiencing through the manufacture of this world-class, innovative product, right here in South Australia. This government is committed to continuing to support innovative companies

to thrive in our state and lead the way as they develop economic growth and job opportunities in manufacturing in high-tech industries.

MICRO-X

The Hon. R.I. LUCAS (15:00): Supplementary question: given that it has been reported that Micro-X was given a one-year \$3 million loan by the South Australian government, can the minister outline what undertakings, if any, Micro-X had to give the government in relation to employment? What are the conditions of repayment for that \$3 million loan?

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) (15:00): I don't have the exact loan details with me, but I am more than happy to take that question on notice and provide the honourable member with those details.

MICRO-X

The Hon. A.L. McLACHLAN (15:00): Supplementary question: my question was along the same lines. I would be interested to know if any security was being taken from the company or guarantees being taken from the directors.

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) (15:00): I thank the honourable member for his terrific question. I am more than happy to take that on notice and provide a response to his fantastic question.

METHAMPHETAMINE HARM REDUCTION

The Hon. D.G.E. HOOD (15:00): I seek leave to make a brief explanation before asking the minister representing the Minister for Mental Health and Substance Abuse a question regarding methamphetamine use and harm reduction strategies.

Leave granted.

The Hon. D.G.E. HOOD: According to the latest wastewater testing conducted by the University of South Australia, which I have outlined in this chamber previously, methamphetamine use in Adelaide has risen some 25 per cent in the last 12 months alone and tripled over the last five years. Data shows that there were more than 450 doses of meth each week per 1,000 people in December 2016. This is compared to just 150 doses per 1,000 people in 2012.

Experts have suggested that there has been a significant increase in the purity of methamphetamines as well. There are also calls for a broader range of rehabilitation support services. In fact, there is currently only one South Australian run and funded drug rehab facility in South Australia at this current time. My questions to the minister are:

1. Given the sharp increase in methamphetamine usage, what harm reduction strategies and measures does the government have in place? What other measures will the government implement to address the ice epidemic?
2. Does the government agree that one state government run and funded rehab facility is not enough in South Australia? If so, will the government commit to establishing further rehabilitation facilities or, even better, provide adequate funding to private facilities to run rehabilitation clinics?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:02): I thank the honourable member for his questions. Of course, I am more than happy to take those questions on notice for the member in the other place, but I will take this opportunity to reflect on the questions in my capacity as the minister chairing the state government's ice task force that has recently been set up by the Premier. The task force is currently in the process of hearing a number of concerns raised by the community broadly and is, more specifically, developing a policy response to try to make a positive

contribution to this very substantial challenge in a way that is reasonably within the control of the state government.

As I have been getting around with the Minister for Mental Health and Substance Abuse and a range of other officials, I have to say it is hard not to have been confronted and moved by the experiences of so many people that have made a contribution to these forums thus far. The thing about ice or crystal methamphetamine is that it clearly doesn't discriminate. We have met with families from working-class and middle-class backgrounds and we have met with addicts who are educated, uneducated, employed, unemployed and of various ethnicities and ages. This insidious drug seems to have the capacity to affect our community across the spectrum.

When you meet with the loving parents of children who have been afflicted with this addiction who are crying out for guidance and assistance about what they can do to try to prevent other families from feeling the same pain or, just as importantly, about what they can do try to rehabilitate their own son or daughter, it's confronting. It has been really productive so far to be confronted in that way, but also to discuss what the state might be able to do to respond to this very substantial challenge. The Hon. Mr Hood has outlined a couple of areas that have clearly been discussed as we have gone around and completed those forums.

It is the government's intention to make an announcement regarding the task force findings in May. It is something that we are still on track to achieve. There is a lot of work still to be done, but thus far the forums that have been held, both in regional South Australia and also metropolitan Adelaide, have been productive and there have been some valuable contributions made by MPs present from both the opposition and the government. This is an initiative, I think, as a community we all need to take up and as a parliament we need to take up in a bipartisan way.

Again, I will acknowledge the contributions made by federal and state members from both parties. We are continuing to work on this. I will take those questions on notice but the government is working towards a substantial policy response which, realistically, will not fix the problem, but will hopefully make a positive difference on the ground sooner rather than later.

EMERGENCY SERVICES LEVY

The Hon. J.S. LEE (15:05): My question is directed to the Minister for Emergency Services, without explanation. Can the minister inform the council whether there were any significant one-off events in the past year that the government will seek to recover through a one-off increased emergency services levy?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:06): I have already articulated in this place a number of times the government's attitude towards the emergency services levy. I do not intend to go through it all again, but, in essence, the government's priority is making sure that our emergency services have all the equipment and training and kit that they reasonably need to be able to keep the South Australian community safe when they are responding to emergencies, but in the process also being able to keep themselves safe. I think that is particularly important for the thousands of volunteers who put themselves in harm's way.

Through the budget process, of course, the government will be considering a whole range of questions when it comes to taxation generally, and the emergency services levy is part of the decision we made in that context. Of course, as always, being a government that provides a lot of consideration and thought to the men and women and families who have to pay these levies, particularly something like the emergency services levy, which is paid by so many householders across our state, the government considers the impact it will have on them too.

We think that we have the balance right, up to this point, regarding the emergency services levy. You need only speak to any of the volunteers who will be the beneficiary of the government's substantial investments in the emergency services sector and ask them what they think of the ESL and the way it has been applied, and I think most of them would attest to the fact that it has been done in a way that represents good value for the South Australian taxpayer, and that is something that we intend to continue into the future.

WASTE AND RESOURCE RECOVERY SECTOR

The Hon. G.E. GAGO (15:07): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister inform the chamber about how the government is helping to create local jobs in the waste and resource recovery sector?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:08): I thank the honourable member for her most important question. South Australia has a very proud history of innovation in the waste management and sustainability sectors. This year, of course, and I think I have mentioned in this place previously, we are celebrating the 40th anniversary of the nation's first container deposit scheme. We have also led the nation when we phased out lightweight checkout style plastic bags. This is a huge advance. Of course, that was led by my leader at the time, the Hon. Gail Gago. Championing this across the state, Mr President, I can remember her haranguing me about taking bags with me whilst I go shopping—

An honourable member interjecting:

The Hon. I.K. HUNTER: Well, she was encouraging me to take these reusable shopping bags out with me when I went shopping and to no longer use these lightweight checkout style plastic bags. It was down to her, and I congratulate her for that amazing initiative, which now is being rolled out right across the country, as people often do, copying our leadership.

Now, of course when you go to the shops it is a common sight to see people packing their own groceries into their reusable bags, cutting down on a pollution source that has been generally agreed to be quite devastating to marine and aquatic life. You often see photographs of turtles, for instance, trying to eat these plastic bags that float in the ocean. It is quite distressing. Because of these reforms, and others like it, and our strong leadership as a government, South Australians currently divert almost 80 per cent of all the waste that we generate.

These Labor reforms and the active engagement in this area from local government, industry and the community has helped to build and strengthen an industry that now is worth, I think, about a billion dollars in turnover, and the waste and resource industry employs more than 5,000 South Australians. Last year, this government responded to calls from the industry and announced more reforms to help grow the sector. At the time, the government was advised that the reforms would help to create around 350 jobs whilst also providing incentive for investment and helping to divert more waste away from landfill and into more productive uses.

The government is supporting these sectors through incentives from the newly created Green Industries SA, an agency that is building on the legacy of Zero Waste SA. For example, earlier this month I announced grant funding of more than \$2.8 million to boost investment and jobs across our waste and resource recovery industries. Funding is from a four-year, \$12 million reform program announced in last year's budget. It will see the government, through Green Industries SA, partner with councils, local businesses and not-for-profits and businesses from interstate on 18 significant projects.

The projects focus on areas such as advanced sorting equipment or technology that will reduce processing residuals and increase the range of materials to be recovered, radio frequency identification bins and reporting systems to improve data collection and measurements to support policy development and community education, equipment to remove contamination through automated systems for higher-value compost and fertiliser products from organic waste processing, balers to enable compacted materials to be more efficiently transported, and increased local processing facilities in regional areas.

Through these grants we have been able to leverage, I am told, about \$10.9 million worth of investment from the private sector and these projects will result in the creation of more than 67 new local jobs. I am also advised that the City of Charles Sturt was successful in its application for a \$150,000 grant under the program. This grant will be spent on site works in the resource recovery and waste transfer facility in a project with a total value of more than \$2.8 million. I am also told that the new facility will be fully enclosed and be a flat floor facility receiving a number of waste streams with the capacity to handle over 20,000 tonnes of material per annum. The facility and new equipment are expected to result in a reduction of current waste to landfill rates by about 20 per cent at that site.

The Northern Adelaide Waste Management Authority was another successful applicant. It is being provided with \$300,000 towards a \$4.1 million materials recovery facility and education centre. This project alone is expected to create 20 full-time equivalent jobs. I am advised that the project will see a 10 per cent reduction in the amount of material sent to landfill as a result of the improvement in material handling and processing equipment.

An amount of \$300,000 was also awarded to U-Pull-It to enable them to purchase a second Kobelco car dismantler and additional car decontamination equipment. U-Pull-It aim to use this new equipment to increase the number of end-of-life vehicles recycled from 10,000 per annum to 15,000 per annum. They also expect to see the percentage of materials recycled per car rise from 84 per cent to 90 per cent. These are just a few examples of the grants awarded. These grants encompass projects right across the state. They provide examples of the state government's commitment to creating local jobs for South Australians whilst also supporting our waste management sector and the broader community to reduce the amount of waste that ends up in landfill.

CYCLING SAFETY

The Hon. M.C. PARNELL (15:13): I seek leave to make a brief explanation before asking the Minister for Road Safety a question about bollards.

Leave granted.

The Hon. M.C. PARNELL: In June last year, a cyclist died after colliding with a bollard at Goolwa Beach. The bollard was an unlit wooden post and it was noncompliant with just about every physical characteristic set out in the Australian Guide to Road Design Part 6A, pedestrian and cycle path design. This tragic death has triggered the renewal of a longstanding road safety campaign by the Bicycle Institute of South Australia to replace, modify or remove the many thousands of unsafe bollards on cycling routes in South Australia.

In fact, so confident is the institute that bollards in the City of Adelaide are noncompliant that they have launched a competition with a prize for anyone who can identify a single bollard that meets the road design standards which, they note, have remained constant for over 20 years.

The Adelaide City Council, in correspondence with the Bicycle Institute, has expressed disappointment that the institute is now recommending that cyclists bring legal action against council if they are unfortunate enough to be injured or suffer damage as a result of a collision with one of their noncompliant bollards. In response, the Bicycle Institute points out that most bollards were noncompliant on the day they were installed, and that new bollards currently being installed continue to be noncompliant, with many also extremely dangerous.

Whilst many of the offending noncompliant bollards are the responsibility of local councils, it is also true that many have been installed as part of state government funded road safety and cycling programs, so this potentially deadly problem is not one that the state government can wash its hands of. My question of the minister is: what action will the government take to ensure that road and path facilities used by cyclists are safe, fit for purpose, and comply with relevant engineering and safety standards?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:15): I must say I have had the opportunity to meet with various cycling community representatives, including, I think, the one to which the Hon. Mr Parnell refers, and this issue has not been one that has been raised with me up until this point. I am more than happy to undertake to explore the issue and seek some advice around exactly what the standards are that are currently attached to bollards, and seek to ascertain what the situation is and what the current practice is regarding DPTI and their installation, or whether they have funded or supported the installation or indeed have installed bollards themselves and what their practice is in respect to applying the guidelines to which the Hon. Mr Parnell refers.

CYCLING SAFETY

The Hon. K.L. VINCENT (15:16): Would the minister also be willing to look at issues that may arise surrounding bollards for people with vision impairment, such as the fact that they often blend into the surrounding area and are difficult to view?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:16): Yes, sure, no problem. I am happy to add that to the list when the appropriate inquiries are made. What I would say is that I think this government is pretty proud of its record when it comes to trying to facilitate the use of cycling within our community more generally. We have been a proactive government when it comes to facilitating bicycling in and around our regions and also our city as well. Cycling is a good, healthy alternative form of transport. It is one that, of course, results in zero carbon emissions, it contributes to an individual's health and is something that we see a lot of value in.

Certainly, one program I have spent a bit of time familiarising myself with recently, and also advocating its further use, is the Way2Go program, which is all about encouraging young kids to ride to and from school and ensure that parents, schools and councils are working collaboratively to ensure that kids can ride to and from school in a way that is safe from a whole range of different risks. Again, we want to be encouraging people to use bikes and cycle, and I think we have a pretty good record when it comes to that exercise, but I am more than happy to seek further information regarding the Hon. Mr Parnell's and Kelly Vincent's inquiries.

POLICE STATIONS

The Hon. T.J. STEPHENS (15:18): I seek leave to make a brief explanation before asking the Minister for Police and Correctional Services a question about policing in Moonta.

Leave granted.

The Hon. T.J. STEPHENS: Residents of Moonta have petitioned the state government to reopen the local police station to increase the visibility of police officers. This petition came after a crime wave of break-ins and vandalism and has collected over 2,000 individual signatures, with the signatures of close to 99 per cent of businesses surveyed. My questions to the minister are:

1. Are there any plans to reopen the police station, which has been closed for 10 years?
2. Has the minister had any discussions with the commissioner, voicing the concerns of the residents of Moonta, and if not, why not?

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 his questions. The Moonta Police Station issue is one that I have been familiar with for some time. There is an active community within Moonta that has been advocating, for some years now, for the reopening of the Moonta Police Station. Again, this question falls into the category of how we go about the exercise of allocating police resources.

I hate to harp on the point, but it is a statement of absolute fact that in South Australia we have more active sworn police officers than any other state in the country on a per capita basis. That is an outstanding record. It is one that we are incredibly proud of. We have been in the business of making sure that the government is pulling its weight when it goes about reducing crime in our community.

One of the benefits of this policy has been a substantial reduction in crime within our community. Over the last decade, we have seen a reduction in crime in the order of 20 to 30 per cent. That is a real impact. Members opposite sit around and joke about the idea of crime, and they are trying to make cheap political points, but crime being on the decline over a sustained period means that there are people in our community who can get on with their daily lives not feeling as though their safety is being jeopardised, not having their confidence in the community and justice generally being undermined by an act of vandalism or some sort of invasion upon their daily lives. That is a really important public policy outcome and one that we remain so committed to that we continue to increase our investment in South Australian police.

One of the things that is so important when it comes to the way that we allocate our resources is that we don't go about the business of picking and choosing one community over another. We want to be able to give the police commissioner the capacity to make decisions about where his police officers are on the basis of where crime is occurring. We don't want to be putting police officers in a particular position because it's politically expedient. We want to be able to have police officers out and about where the crime is occurring.

With respect to Moonta—and I have been making inquiries about the situation that exists in and around the area—I understand that since 2014, South Australia Police has dedicated patrols to Moonta on a shift by shift basis from Kadina and the neighbouring stations of Maitland and Port Victoria. This is in addition to backup from local service area highway patrols. Kadina Police Station is currently staffed with resources that are considered to be sufficient in terms of providing an ongoing policing response to Moonta, as well as the additional police support from neighbouring stations.

It is acknowledged that Moonta is one of those parts of our state that does find itself subjected to significant fluctuations in the size of its population, particularly in the summer months, and of course SAPOL responds to that accordingly by monitoring crime and population trends to ensure appropriate resources and service delivery during peak season fluctuations. Where appropriate, additional resources are deployed.

SAPOL is aware of the fact that there are fluctuations in crime levels and population levels at different times of the year, and they respond accordingly. The only way they can respond accordingly is if they have the flexibility to do so, not if we start allowing our politicians—as seems to be the Liberal Party's policy—to pick and choose where police resources are.

We also have the now shadow minister for police making it very clear what the Liberal Party's policy will be regarding police station opening hours. It is clearly the Liberal Party's policy to take police officers off the frontline and put them behind a desk, waiting for the crime to come in and occur at the front counter of a police station. In the real world, criminals decide not to conduct their criminal activities in the front reception area of police stations; they tend to do it out in the community. So, we are backing the police commissioner to take those police officers out from behind desks and put them into the community to catch the criminals.

If the Liberal Party has a different policy, let them take that to the election. We will be taking to the election the policy of increasing police resources by giving the police commissioner the flexibility to tackle crime without having his hands tied behind his back by silly political policies.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Stephens.

POLICE STATIONS

The Hon. T.J. STEPHENS (15:24): Supplementary from the minister's answer: do I tell the people of Moonta that you are satisfied that the police response is adequate and that they really have no reason to complain because of the wonderful resources you are providing?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:24): I do think it would be entirely appropriate for the Hon. Mr Stephens, when he's out and about in the community of Moonta, to explain to those residents that the government is doing everything it can to ensure that SAPOL has all the resources it needs to be able to tackle crime in their area. If the honourable member feels fit to do so, he could express his confidence in the police commissioner in doing everything he reasonably can to be able to get the job done. If he doesn't have that confidence, he doesn't have to say it, but I look forward to seeing those remarks on the public record.

CYCLONE RELIEF ASSISTANCE

The Hon. J.M. GAZZOLA (15:25): My question is for the Minister for Emergency Services. Can the minister update the council about the assistance the South Australian government is providing Queensland in response to tropical cyclone Debbie?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:25): I would like to thank the honourable member for his important question because, of course, at the moment our brothers and sisters in northern Queensland are suffering a difficult time with tropical cyclone Debbie. Around midday on Tuesday 28 March, the severe tropical cyclone had a high-end category 4 rating, with winds of up to 260 km/h, and it hit north of Queensland on the coast adjacent to Airlie Beach.

Tropical cyclone Debbie has left a trail of destruction, with downed trees, stripped buildings and flooding. Thousands of Queenslanders were evacuated and tens of thousands, of course, remain without power, because that happens when significant storms occur. As the cyclone approached on Tuesday, I spoke with the Queensland Minister for Police, Fire and Emergency Services, the Hon. Mr Mark Ryan, to offer South Australia's support should Queensland need it.

I can also confirm that the Chief Officer of the State Emergency Services, Mr Chris Beattie, was also in contact with the Commissioner of Queensland Fire and Emergency Services and has been coordinating resources from across the CFS, MFS, the Department of Environment, Water and Natural Resources and also SAPOL, on behalf of the South Australian government.

As I speak, a deployment of 10 incident management specialists from the CFS, DEWNR and others are flying out of Adelaide bound for Brisbane, to assist their counterparts in Queensland. This group is made up of three paid staff, but also seven volunteers. They will join an SES liaison officer already positioned in Brisbane to work with the cyclone's emergency response team at the Queensland Fire and Emergency Services State Disaster Coordination Centre at Kedron.

South Australia has a long history of providing assistance to other states in times of need. In this instance, we have told Queensland that we have the capability and capacity to deploy up to 155 personnel, with capabilities ranging from incident management to swiftwater rescue, flood boat operation, large animal rescue and hydrology, as well as general storm and flood response. The South Australian SES will continue liaising with Queensland emergency service authorities to determine whether future deployments are required next week.

I am extremely proud that South Australia is able to step up to the plate and make a contribution and able to step up to the plate and be ready to make a more substantial contribution if required to do so. I think, in instances like this, we are Australians first and South Australians or Queenslanders second. This is an opportunity to show everybody that we are part of a commonwealth that is committed to looking after one another. We are so lucky to have well resourced emergency services in our state, amongst others, who are ably assisted by literally thousands of volunteers.

We were the beneficiary, as a state, of resources coming from interstate last year when we had our own significant weather events. We have been the beneficiary of services when there have been other bushfire incidents occurring in South Australia and this is an opportunity for us to repay that debt. Last year, with our significant weather events and storm events—with last year, of course, being the second wettest year on record in metropolitan Adelaide—many of our SES and CFS volunteers were tested.

Some of their substantial skills and everything they have trained for was put to the test in some pretty difficult circumstances. Swiftwater rescue response, for instance, is a very dangerous and technical exercise. It is an undertaking that you would not want anyone without the appropriate skills or training to be doing.

Those sort of experiences that occurred throughout last year put our State Emergency Services volunteers in a good place to be able to assist Queenslanders in their time of need. We stand at the ready, and for those people who as we speak are already travelling to Queensland we wish them well, we hope they stay safe and we hope that all those people suffering from the cyclone, in some small way even, can be the beneficiary of South Australians' commitment to their service.

Ministerial Statement

SMALL BUSINESS ROUNDTABLE

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 (15:30): I table a ministerial statement just made in another place by the Minister for Small Business on the topic of the Small Business Roundtable.

Bills

STATUTES AMENDMENT (JUDICIAL REGISTRARS) BILL

Committee Stage

In committee.

(Continued from 28 March 2017.)

Clause 22.

The ACTING CHAIR (Hon. T.T. Ngo): We are at clause 22, and the Hon. Andrew McLachlan has moved his amendments. Do other members wish to speak to this clause?

The Hon. K.L. VINCENT: I want to clarify for the record (and I have spoken to the mover of the amendments to clarify this position) that Dignity will be supporting the government on this particular issue. We certainly see the merit of both positions, but have decided to maintain our original position of not supporting the Hon. Mr McLachlan's amendments in this particular instance.

The Hon. A.L. McLACHLAN: I thank the Hon. Ms Vincent. As I understand it, I will not have the numbers for passing these amendments.

The committee divided on the amendments:

Ayes 10
Noes 11
Majority 1

AYES

Dawkins, J.S.L.
Lensink, J.M.A.
Parnell, M.C.
Wade, S.G.

Franks, T.A.
Lucas, R.I.
Ridgway, D.W.

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

NOES

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

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

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

Amendments thus negatived; clause passed.

Clauses 23 to 33 passed.

Clause 34.

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

Amendment No 9 [McLachlan-2]—

Page 12, line 22 [clause 34, inserted section 13I(2)]—Delete 'term of appointment (which must be for at least 7 years), the'

Amendment No 10 [McLachlan-2]—

Page 13, lines 18 to 21 (inclusive) [clause 34, inserted section 13I(10)]—Delete subsection (10)

Amendment No 11 [McLachlan-2]—

Page 13, after line 32 [clause 34, inserted section 13J]—After subsection (1) insert:

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

Amendment No 12 [McLachlan-2]—

Page 13, line 35 [clause 34, inserted section 13J(2)(b)]—Delete paragraph (b) and substitute:

- (b) retires from office; or

I know where the numbers lie. I thank the Hon. Mr Malinauskas for calling the division to clarify where my numbers lie; consequently, I will not be calling a division.

Amendments negated; clause passed.

Clauses 35 to 44 passed.

Clause 45.

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

Amendment No 13 [McLachlan-2]—

Page 16, line 11 [clause 45, inserted section 10A(2)]—Delete 'term of appointment (which must be for at least 7 years), the'

Amendment No 14 [McLachlan-2]—

Page 17, lines 5 to 7 (inclusive) [clause 45, inserted section 10A(10)]—Delete subsection 10

Amendment No 15 [McLachlan-2]—

Page 17, after line 18 [clause 45, inserted section 10B]—After subsection (1) insert:

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

Amendment No 16 [McLachlan-2]—

Page 17, line 21 [clause 45, inserted section 10B(2)(b)]—Delete paragraph (b) and substitute:

- (b) retires from office; or

Amendments negated; clause passed.

Remaining clauses (46 to 49) and title passed.

Bill recommitted.

Clause 11.

The Hon. P. MALINAUSKAS: The government has indicated its opposition to amendments filed and moved by the Hon. Mr McLachlan, including the four amendments which passed in this house on 28 March this year which amended clause 11 of the bill. The government proposes to recommit clause 11 of the bill in order to reverse the honourable member's amendments Nos 1 to 4.

With respect to amendment No. 1, reinsert a new section 16A(2) of the District Court Act 1991, with the phrase 'term of appointment (which must be for at least 7 years), the'. With respect to amendment No. 2, reinsert new section 16A(10) of the District Court Act 1991, which states:

A person appointed as a Judicial Registrar is, on the recommendation of the Attorney-General and with concurrence of the Chief Judge, eligible for reappointment at the expiration of a term of office.

With respect to amendment No. 3, delete from new section 16B of the District Court Act 1991 the inserted subsection (1a). With respect to amendment No. 4, reinsert new section 16B(2)(b) of the District Court Act 1991, which states 'completes a term of office and is not reappointed' and delete the substituted paragraph (b).

The Hon. A.L. McLACHLAN: I know where the numbers lie on the recommittal, so I thought I would take this opportunity in the proceedings to give a couple of last reflections I have in relation to this bill. I appreciate where the vote is going. I have to say that I am disappointed that the council has obviously chosen to change its mind. In my view, the rule of law in a democracy is a fragile thing

and it is easily chipped away in small pieces. The passage of this bill will diminish the perceptions our citizens have of their judicial officers, that they are independent. You do not have fixed terms unless you want the opportunity, at a later date, to remove a judicial officer at the end of their term.

I know that honourable members have relied on the letter from the Chief Justice. Certainly, it forms a key part of the government's arguments, which have proven persuasive. In my view, the Chief Justice's letter adds nothing to this debate. It should not be treated like an epitheia from the Oracle at Delphi. It is certainly, in my view, confusing as an heroic hexameter, which the oracle would provide the heroes who asked for guidance.

We do not know whether his brother and sister judges agree with the Chief Justice's assessment. We do not know whether he considers the Liberal amendments, voted down, provide greater protections for the judiciary and the public's perception of the same. At its highest, and this is not my interpretation, it has been interpreted as being in support of the bill that the government has put before this chamber. Like the Hon. Mark Parnell, I respectfully disagree with the Chief Justice's view and his approach, if, in fact, that is the interpretation that can be placed on it.

In my view, we in this chamber should be the guardians of the rule of law and willing to set the standards for the people who elect us, not just rely on the missives of others. To produce a letter from the Chief Justice, based on discussions that were not recorded and which are unclear, taints this bill. I can only hope that a future government will seek to repair this damage. I oppose the motion of recommittal.

The Hon. M.C. PARNELL: Whilst we had sided with the view of open-ended tenure, we also see where the numbers are. The question that I have for the minister goes to the independence of the judiciary. It seems to me that if someone is appointed for seven years and if at the end of seven years they are not reappointed, I am wondering if there will be anything on the public record that will tell us who these people were, what decisions they made, whether their reappointment was supported or opposed by the head of their jurisdiction or, in fact, any other information about them. That is one of the dilemmas of having judicial and quasi-judicial positions subject to, effectively, the Attorney-General's discretion.

My question is: is there any set of documents anywhere, be it the annual reports of courts or any other document, that will tell us the fate of these people who have been appointed to fixed-term positions: whether they wanted to be reappointed and were reappointed, whether they wanted to be reappointed and were not, or whether they decided that seven years was enough? How might we find out any of this information? My understanding is that freedom of information probably does not cut it because I am pretty sure there is a range of exemptions in there in relation to the courts.

The Hon. P. MALINAUSKAS: My understanding and the advice I have received is that these are decisions that are likely to be made by the cabinet and, of course, they are subject to the usual cabinet process.

The Hon. D.G.E. HOOD: I would like to place on the record that, to the best of my knowledge anyway, my office was not informed about the recommittal of this clause. I certainly have not been personally informed. I am quite surprised that we are doing it in this fashion. It seems that a member has changed their position and that is fine, I have no problem with that. An individual is entitled to do that and that sways the numbers in this case.

However, I would like to place on the record that I certainly was not informed that we would be recommitting this clause. Our position has not changed; that is, Family First's position is that we support the fixed seven-year term and we will continue to do that. Nonetheless, if, in particular, the Liberal party and the Greens are so minded to deal with this at another time if they do not feel that they have had an adequate opportunity to consider a recommittal, then we would be inclined to support them if they should make that venture. If not, that is fine and we are happy to proceed.

The Hon. P. MALINAUSKAS: I thank the Hon. Mr Hood for his contribution and I understand exactly where he is coming from. However, I would hasten to add that I have been advised that a communication did occur with his office regarding the recommittal, or so I have been advised. Notwithstanding that, the government completely appreciates and understands the sentiments of the Hon. Mr Hood.

The Hon. M.C. PARNELL: I also thank the Hon. Dennis Hood for his offer because that is exactly how this chamber should work. If any member, for whatever reason, feels that they have been taken by surprise then, generally, what we have tended to do is to say, 'Let's put it off to another day,' and I think that is appropriate. I think in this particular instance, though, the issues for and against were agitated so it was not that difficult and we do not desire to hold up the bill. I want to come back to the question that I asked. The minister's answer was, 'Well, we will do it the way we always do it; you know, cabinet processes, they are secret.'

People might remember when we were debating the SACAT bill and we had quite a few former tribunal members who would contact us about their experience and, honestly, with these term-based judicial and quasi-judicial appointments, what happens is that they turn up to work on Thursday, they know their contract finishes on Friday, no decision has been made, they are not told what is going on, and then eventually on Thursday they find their name is not in the *Government Gazette* and they are out of a job, do not come to work on Monday, and there is no severance or anything like that. Some of the most appalling industrial practices relate to these judicial and quasi-judicial positions; it really is appalling.

The answer that was behind what the minister said was that we will have no way of knowing. Unless someone gets duded, and they were doing a good job, and their judicial colleagues thought they were doing a good job, but for some reason the government took set against them and effectively sacked them at the end of their term, we will have no way of ever knowing that unless the person comes out with it, which they tend not to. Most people do not want to make a fuss, they just harbour the resentment to themselves. That is a very different world to that where we know that our judges are independent, and they know they cannot get sacked except in certain circumstances like dishonesty or bankruptcy or things like that.

I think this is a bit of a slippery slope and I am not happy that we are going in this direction but, as has been said by others, we will see where the numbers are and we will be watching this new system carefully. The point I am making is that, even if we do watch it carefully, there is no way of really finding out how these positions are going to be handled and what the fate of people will be and the reasons why they are or are not appointed at the end of their fixed term.

The Hon. A.L. McLACHLAN: Just a couple of questions along the lines of the Hon. Mark Parnell. It would be my understanding, given there is a term, that there would be no legal obligation on the government to give six months' notice that they were intending to terminate, and that technically under the law they could wait, as the Hon. Mark Parnell has said, until the last day and then say, 'Don't come Monday.' Is that correct?

The Hon. P. MALINAUSKAS: My advice, through you Mr Acting Chair, is that, look, there are no provisions within the bill that specifically require a six-month notice period or anything to that effect.

The Hon. A.L. McLACHLAN: Sorry, I did not quite hear. There is no provision about notice. Should, a Chief Judge indicate—and you would assume that a judge would understand the rules of administrative fairness—let's say a year out, give performance reports, what right of redress would these registrars have; for example, if they had a performance report six months out which they fundamentally disagreed with and which was indicating possible termination? Where would they make their application, given that their employer is the Crown and the person who is doing the review would be the Chief Judge of the relevant jurisdiction?

The Hon. P. MALINAUSKAS: My response, through you Mr Acting Chair, of course, is that you outlined circumstances regarding termination. This is not contemplating termination but rather a lack of contract renewal. They are distinct things. Your question was in the context of someone having their contract terminated. That is not what is being provided for here. The question is about a contract not being renewed and they are, of course, distinct things.

The Hon. A.L. McLACHLAN: I appreciate the distinction but the realities of life are that you would expect—and in some of the briefings on these bills it was indicated that there was no expectation that they would not be renewed. Obviously, that is not the technical position, the legal position, but the realities of any contractual position—and the members from that side of the chamber should be more well aware—are that those in contracts, more often than not, expect to be renewed

and that there are performance reports particularly to give those persons an indication of whether they are doing a good job. I simply want to know: if there is a dispute between a registrar and their respective judge, where does that complaint go?

The Hon. P. MALINAUSKAS: I understand that there is scope within the act. While the act does not specifically mandate disciplinary procedures or grievance procedures or notice of non-renewal provisions, while there is nothing along those lines mandated within the act, there is the scope for that still to occur under the section of the act that provides for the conditions around the appointment taking place. My advice is that those may be the sorts of terms and conditions that would be discussed upon appointment between the respective parties.

The Hon. J.A. DARLEY: Just for the record, my position has not changed. I still support seven-year fixed terms, and my office was not told that the matter was to be recommitted.

The Hon. A.L. McLACHLAN: I think I am probably close to my last, if not at my last, to the relief of the minister. When the Chief Justice gives a concurrence—I think that is the term used in the act—what form do they take? Is it a letter format, or is it as a result of a discussion, or is there an exchange of letters between cabinet and the Chief Justice? Is the correspondence subject to FOI?

The Hon. P. MALINAUSKAS: I am advised that it will be a letter, but it will be part of the cabinet process.

Amendments carried; clause as further amended passed.

Bill reported with amendments.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:05): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ROAD TRAFFIC (ROADWORKS) AMENDMENT BILL

Committee Stage

In committee.

(Continued from 28 March 2017.)

Clause 1.

The Hon. D.W. RIDGWAY: I did ask some questions when we last dealt with this bill, so I think the minister might like to give me those answers and then we can move on with the amendment.

The Hon. P. MALINAUSKAS: I thank the Hon. David Wickham Ridgway for the opportunity to come back to him and provide him with a few answers. Regarding the first question of will the cost of the permit be \$10 to \$20, the bill provides that an application for a roadworks permit can attract an administrative fee to be set in the regulations. Whilst the regulations to support the operation of this bill have not yet been drafted, it is anticipated that a nominal set fee of the order of \$20 will be applicable to a roadworks permit in order to offset the administrative costs associated with processing a permit application. This amount includes staffing and ongoing IT system costs.

The bill also provides for the permit to be accompanied by a fee calculated in accordance with the regulations. Whilst this fee is yet to be determined, its purpose is to provide for the cost of the congestion that impacts on the community as a whole as a result of a speed limit being reduced or lane closed in relation to a roadworks site and where options may exist. DPTI has access to a formula to calculate the costs of congestion to the community based on time of day, location and type of road, whether major arterial roads or prescribed roads, etc., are being used and the number of vehicles travelling on that road.

The fee in the regulations will be calculated in accordance with the formula as a base. It is not the government's intention to start applying a congestion fee to each permit application. The bill is not about revenue raising. As indicated, the intention is to educate for cultural change across the

industry and the community that will see roadworks being undertaken at off-peak times where any speed reduction or lane closure will have a lesser impact to all road users.

Regarding the question of whether a person will be subject to four times the penalties of \$20,000 or \$50,000 where four signs have been placed incorrectly at a worksite, the short answer is no. The bill applies a maximum court-imposed penalty level at \$20,000 for the first offence and \$50,000 for a subsequent offence for the offence of not having complied with conditions of an approval or permit relating to signs placed on a road in respect of a work area or worksite. That is pretty clear.

For example, should a permit holder, for example a traffic management company or contractor, etc., on the inspection of a worksite by an authorised officer be found to have placed signage in deliberate contravention of conditions on a permit, then the authorised officer may either issue a warning or enforce the offence. It is important to note that the government's intention with this bill is not to be heavy-handed and revenue raising, but rather educate and produce a cultural change amongst traffic management companies and contractors for better management of roadworks sites, including adequate risk assessments and quality traffic management plans so as to ensure better driver compliance with signage and therefore improved safety for all road workers.

In this regard it is intended that the first offence will be expiable by a fee to be set by regulations. The maximum court-imposed penalties set in the bill may only be applied following successful prosecution of the offence. It is intended that the permit holder will only be prosecuted in extenuating circumstances where the nature of their offending in relation to placement of signage potentially has put someone's life at risk, or there has been blatant disregard of requirements. This will be dependent on the facts of the case.

It is not intended that someone be prosecuted for four separate offences involving incorrect placement of signage at the same worksite subject to the same permit conditions. This bill seeks to improve the quality of roadworks signage and to provide good information to drivers. The offence of breach of conditions of permit relating to signage will be treated as one offence, and the offender, if found guilty by the court, will be subject to the one penalty for that offence.

The Hon. D.W. RIDGWAY: I had another quick question before we move to the amendment. I am interested to know what process the government followed for consultation with industry in relation to this bill. I am advised that the Civil Contractors Federation (CCF), was not consulted on the bill and was only made aware of it because of my colleague in other place, the shadow minister for transport, Mr David Pisoni. I am interested to know what consultation was undertaken by the government prior to introducing this bill, or before concluding the debate today.

The Hon. P. MALINAUSKAS: I have been advised that the RAA, the Traffic Management Association of South Australia and the Civil Contractors Federation were consulted.

The Hon. D.W. RIDGWAY: I move:

Amendment No 1 [Ridgway-1]—

Page 2, line 4—Delete '(Roadworks)' and substitute '(Traffic Control Devices)'

This amendment relates to the turn left on a red light where signposted. As members would know, this is currently rule No. 56(1A) of the Australian Road Rules that allows a left turn on a red traffic light but not on a red arrow if there is a 'left turn on red permitted after stopping' sign. Section 62(1)(b) is a give-way rule which also caters for the situation in which they were framed. In effect, the law already allows for left turns if the appropriate signs are put at an intersection where this option is seen as desirable.

In South Australia, Queensland, New South Wales, Victoria, the Northern Territory, Western Australia, the ACT and Tasmania, the rules allow left turns on red after stopping where a sign is displayed. After trials at five intersections in 2013-14, with strong support from the local community and commuters, the Brisbane City Council introduced left turn on red facilities across Brisbane. There are now 49 signed locations to this effect.

I have recently been to North America where, of course, they turn right, not left, obviously, because they drive on the other side of the road. I was fortunate that I could take time to observe the

traffic flow when I spent a few hours in a vehicle with somebody travelling around a couple of the bigger cities. It was interesting to watch how the traffic flowed and did not stop things. People could turn right, as I said, rather than left on the red. It made sense to me. I thought what a wonderful opportunity we have in South Australia to perhaps introduce this. Of course, it would reduce traffic congestion and fuel costs.

The government of the day is desperate to have Adelaide become a carbon neutral city, and not having motor vehicles stopped, burning up fuel and puffing out carbon dioxide, but actually turning left when it can be done safely with appropriate signage will help the government achieve its goal. There are two amendments, but the second one is consequential. I have moved the first one and I will take the other one as being consequential on whatever the wisdom of the Legislative Council is.

The Hon. P. MALINAUSKAS: The government opposes the Hon. Mr Ridgway's amendment. The turn left on red permitted after stopping rule allowed with a sign first came into effect in SA with the adoption of the Australian Road Rules (no. 1) on 1 December 1999. No such rule previously existed in South Australia. The rule was primarily introduced for New South Wales where the use of the sign was, and continues to be, widespread. Signs are not used in Victoria, Western Australia or Tasmania.

In South Australia, only 11 sites were trialed in the metro area that were deemed suitable. Due to poor observance of the rule, primarily related to drivers not stopping before executing the left turn, the signs were removed at five of these sites. The six current locations are: T.S. 188 South Road, Barwell Avenue and Everard Avenue, over on the west approach in Kurralta Park; on Grand Junction Road in Wingfield; Montacute Road and Forest Avenue in Newton/Rostrevor; Park Terrace, Brown Avenue and Mary Street in Salisbury; Newton Road and Playford Road in Newton; and Brighton Road, Sturt Road and Old Beach Road in Brighton—west approach cyclists only.

The location of the five sites that were removed were on Marion Road and Sixth Avenue, Ascot Park; O.G. Road and Fourth Avenue, Klemzig; Beach Road and Morton Road at Christies Downs/Noarlunga; Brighton Road, Maxwell Terrace and Jetty Road at Glenelg; and Port Road, Bonython Park and Phillips Street, Thebarton. No consideration has been given to the installation of these signs at other locations due to safety issues.

Traffic signals provide clear direction and control to all drivers on all approaches and reduce conflict by separating, in time, the use of the intersection by different traffic streams. The left turn on red sign compromises the benefits of this time separation and reduces the opportunity for pedestrians to cross without conflict with vehicles. There is an expectation from drivers facing the green light that traffic on the side road will be controlled by a red light and not enter the intersection, and that the through traffic has priority and can travel safely through the intersection without the need to modify their speed and watch for entering traffic.

For drivers to obtain sufficient sight distance to perform the left turn, they need to enter and block pedestrian crossings or bicycle storage areas, creating potential hazards for vulnerable road users such as pedestrians and cyclists. Left-turning drivers' attention is diverted away from vulnerable road users to seek gaps in the approaching traffic from the right. This particularly endangers pedestrians crossing to the left of the driver. The signs promote red light running and reduce the risk of the broader impact of reducing red light compliance.

There are safer options for managing left turn delays at intersections, such as slip lanes or improvements to traffic systems, and phasing, such as left turn arrows, and they should not be used on any site with a safety camera, a cycle lane, on a main road, near a school or where there are significant pedestrian volumes.

Five-yearly reviews between 60 to 100 locations on roads under the care and control of the Commissioner of Highways, which are potential sites for the installation of left turn on red permitted after stopping signs, do not represent a cost-effective allocation of resources given the limitations on the use of this type of traffic control device, the limited road safety benefits and contra influences. Modern signalling technology is able to more effectively regulate and respond to changes in traffic flows and unscheduled disruptions and incidents.

The Department of Planning, Transport and Infrastructure advises that the review will take eight to 12 months to be completed by one experienced FTE position and traffic surveys and other forms of data collection would also be required.

The Hon. J.A. DARLEY: I will be opposing these amendments. I have had discussions with DPTI, who have advised that there are currently six of these signs in operation around the state, down from the 11 sites originally established. They advised me that five of the sites were removed because of safety concerns; however, they continue to monitor traffic flows and crash statistics to see if there is a better way to manage congestion whilst maintaining safety.

I understand that anyone, including members of the opposition, is able to contact the Traffic Management Centre and report matters such as bad traffic flow and/or make suggestions to address the problem. The centre then investigates as to whether there is a problem and, if so, whether the suggested remedy is appropriate or if there is another remedy that would be more appropriate. I believe these alternatives are a far better use of resources and would encourage the opposition to work with the government to identify any sites which may be suitable for turn left on red signage.

The Hon. M.C. PARNELL: I have a few additional observations, first of all, in relation to the minister's response that, if I understood him correctly, it would take one person probably eight to 12 months full-time equivalent to do the necessary research work. I would have thought that was a gross underestimate of the time required. How many traffic lights are there in Adelaide and in country towns where at least one of the streets is 60 km/h?

The obligation of the reviewer, if you like, under this proposed amendment, is to suggest two things: they have to suggest whether it would be safe and whether it would improve traffic flow. That, to me, says that you have someone in a director's chair, sitting at the intersection for some period of hours, probably at different times of the day—maybe the morning peak, maybe the afternoon peak, maybe during the day—and they are doing that for hundreds, if not thousands, of intersections in South Australia. I do not know how many traffic lights there are in South Australia. I would have thought it was in the many hundreds, it is possibly in the thousands, and that says to me that one person is not going to do that job in a year. There are only 365 days in a year and there are weekends, so I think it is an underestimate.

The Greens' position on this—and I will not prolong people with it—is that left turn on red is one of those things that those of us who have experienced them in a car have thought, 'That was a good idea. There was no-one else around. There was a red traffic light. I got to go around the corner and it worked well for me.'

But I think in this place we need to put ourselves in the shoes of others and I think the minister hit the nail on the head. If you are a pedestrian, maybe a vision-impaired pedestrian, and you are to the motorist's left and the motorist's main concern is looking to the right, having stopped at the red light and looked to the right to see if there is a gap in the traffic so they can turn left, and you are a vulnerable pedestrian or cyclist to the left of the motorist, there is every chance that you might not be seen or at least it increases the danger, rather than decreases it.

Whilst we do not rule out that there should never be any left turns on red lights ever in South Australia, I do not think that the mechanism is to spend massive amounts of public money reviewing every intersection in this state. I would have thought that if the opposition has particular intersections in mind that they think are candidates, then there is no reason not to put those before the government to see whether they might not be appropriate intersections. There may be intersections where there is no pedestrian activity whatsoever. There may be cases where it is appropriate.

However, this bill does not actually allow left turn on red in situations where it is currently not allowed, because it is already allowed. It is already in the road rules. If the government chooses to do it, the government can do it. The only thing this amendment does is it requires the minister to do an audit every five years and to do a report. It may well be that there might be one or two examples that come out of that audit and report where it seems that left turn on red might be a good idea, but it will be a tiny fraction, I would expect, of the things that they audit.

So, I would prefer the government to perhaps establish that there is some appetite in the community for left turn on red and maybe to have a look at any particular intersections that are put

forward. However, at this stage we are not going to be supporting the opposition's amendment, which requires this to be done at pretty well every intersection every five years. It strikes us as not being a good use of public money.

The Hon. D.G.E. HOOD: It appears that this amendment will be defeated, although the Hon. Kelly Vincent has not declared her hand yet. I indicate that Family First will be supporting the amendment. I simply cannot get past the fact that if it works well enough in other jurisdictions, why it cannot work here. I, too, have had the experience of being in a vehicle in another state and turning left on a red light and, as the Hon. Mr Parnell just outlined, it gives you a warm glow; that is, it seems to be a useful way to stop wasting everyone's time.

Obviously, all of us want things done safely and appropriately, so those caveats need to be adhered to, but again, I go back to my central point that they seem to be able to manage it in other jurisdictions. With that simple view, I think we should be able to as well.

The Hon. P. MALINAUSKAS: I will respond to a couple of points that the Hon. Mr Parnell made. I can inform the chamber that I have been advised that there are approximately 894 sets of traffic lights throughout South Australia. That breaks down to approximately 837 in metro Adelaide and 50 in rural South Australia. The allocation of resources would undoubtedly be substantial, but the figure that I gave is the one that we have received on best advice.

The committee divided on the amendment:

Ayes 10
 Noes 11
 Majority 1

AYES

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

NOES

Darley, J.A.	Franks, T.A.	Gago, G.E.
Gazzola, J.M.	Hanson, J.E.	Hunter, I.K.
Maher, K.J.	Malinauskas, P. (teller)	Ngo, T.T.
Parnell, M.C.	Vincent, K.L.	

Amendment thus negated; clause passed.

Clauses 2 to 6 passed.

Clause 7.

The Hon. P. MALINAUSKAS: I move:

Amendment No 1 [Police-1]—

Page 10, after line 24—After inserted section 22 insert:

23—Regulations fixing expiation fees

Despite section 176(1a)(j), the regulations may fix expiation fees not exceeding \$5,000 for alleged offences against this Division.

This amendment simply limits the penalty to \$5,000.

The Hon. M.C. PARNELL: To assist the minister I will perhaps explain the amendment in a little more detail. In doing so I want to put on the record and give some credit to my most recent junior trainee, a young woman by the name of Alice Mussared, who, at the end of her year in my office, was determined to be given the important job of analysing a bill and having a look at what was in it.

In that process she discovered something that I do not think anyone in the lower house had discovered, or any of the other parties had discovered, and that was that the penalties in this bill, the penalty clauses, also included a change to the maximum expiation fee.

That might not seem such a big deal until we realise that the maximum expiation fee, which currently sits at \$1,250, was being changed to \$5,000, not just for the purpose of this bill but for the entire road traffic regime. In other words, the maximum on-the-spot fine under this bill for going through red lights, for not wearing seat belts and for all those other offences, the maximum that the government could set by way of expiation in the regulations was going from \$1,250 up to \$5,000. As consequence, I moved an amendment to basically delete that provision from the bill.

The government has quite quickly come back and said, 'Yes, you are right. We didn't intend to bring the maximum expiation to \$5,000 for every road traffic offence, we just wanted to do it for the offences under this bill'—in other words, the traffic companies that are leaving their speed restrictions signs out for too long. I think what the government is proposing is sensible. It is entirely consistent with what the Greens proposed. So, this amendment basically limits those maximum expiations of \$5,000 to offences effectively under this bill rather than under the act, if that assists the minister.

What I am still not sure about, and I will ask this question, not with a particular view of embarrassing the minister, but I am keen to know: was it a mistake or was it the intention of the government to increase the expiation across the board?

The CHAIR: Any further comments?

Members interjecting:

The Hon. M.C. PARNELL: It is a question: minister, when the bill was originally drafted, was it intended to sneak in an increase in the maximum expiation fee for all traffic offences to \$5,000 or was it a mistake in the bill and was it only ever intended for those maximum expiations to apply to offences under the bill?

The Hon. P. MALINAUSKAS: I have been advised that it was a drafting error.

The Hon. D.W. RIDGWAY: I indicate that we will be supporting the government's amendment. Certainly, we would not want to see maximum fines increased to \$5,000 across the whole Road Traffic Act, that is for sure, so we certainly support it.

Amendment carried; clause as amended passed.

Clause 8 passed.

Clause 9.

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

Amendment No 1 [Parnell-1]—

Page 10, lines 31 and 32 [clause 9(2)]—Delete subclause (2)

I note that this amendment is identical to the amendment that the government has moved but mine was filed first. It is consequential to what we have just been talking about and so I would urge all members to support it.

The Hon. D.W. RIDGWAY: The opposition supports the Greens' amendment.

The Hon. D.G.E. HOOD: As does Family First.

The Hon. P. MALINAUSKAS: The government opposes this amendment. Clause 9(2) sets out the maximum expiation fee that can be set by the regulations under the Road Traffic Act for any offence under the Road Traffic Act, not limited to just the roadworks bill.

The CHAIR: The only thing is, minister, you have an amendment in yourself which is exactly the same.

The Hon. P. MALINAUSKAS: Yes, but it is ours.

Amendment carried; clause as amended passed.

Schedule and title passed.

Bill reported with amendments.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:42): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Ministerial Statement

HOUSING AND HOMELESSNESS FUNDING

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:42): I table a copy of a ministerial statement on housing and homelessness funding made in the other place by the Minister for Social Housing.

Bills

STATUTES AMENDMENT (REGISTERED RELATIONSHIPS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 March 2017.)

The Hon. R.I. LUCAS (16:43): I rise to speak briefly on this bill to indicate that I accept that this is, in essence, a consequential piece of legislation to an earlier substantive debate that we have had when all members, including myself, put our strongly held positions at that particular occasion. I did flag at that particular time that I suspected there would be unintended consequences and oversights as a result of the legislation that was being considered. This is the first, in my view, of what will be a series of changes which will probably be required over the coming years but, nevertheless, as I said, I accept that this is consequential on the substantive decisions this chamber and another chamber have taken on a previous occasion. I therefore do not intend to repeat my arguments that I outlined at that particular time.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:44): I think all those people who wished to speak on this debate have done so, so I rise to conclude the debate at the second reading stage. I would like to thank honourable members for their contributions to date.

The Statutes Amendment (Registered Relationships) Bill 2017 is consequential, as the Hon. Mr Lucas noted, to the Relationships Register Bill No. 1 2016 passed by this parliament last year, which, when brought into operation, will establish a relationships register allowing unmarried couples, both heterosexual and non-heterosexual, to register their relationships. The passage of this bill will ensure that the benefits that are currently afforded to married persons will also be afforded to persons in registered relationships.

In response to a question raised by members during debate on the bill, the Relationships Register Act 2016—I think it was asked by the Hon. Tammy Franks, from memory—when commenced, will also provide for the automatic recognition of relationships registered in other jurisdictions, including overseas same-sex marriages. I am advised that work is currently being undertaken to amend the Births, Deaths and Marriages Registration Regulations 2011 to allow for the automatic recognition of registered relationships on death certificates. It is probably worthwhile for all of us with an interest in this to watch that process and see that the intent of parliament is put into practice. This will ensure that the awful situation that arose for Mr Marco Bulmer-Rizzi, with the passing of his husband in Adelaide, will not happen again in the future, we hope.

Although equality will not be obtained finally without the commonwealth legislating for same-sex marriage, this bill, together with the Relationships Register Act 2016, goes some way at

least to recognising, protecting and honouring the love that people have for each other, regardless of the sex or gender make-up of the couple, by automatically recognising overseas same-sex marriages as registered relationships and affording the same legislative benefits to persons in registered relationships as are currently afforded to married persons. I would like to again thank honourable members for their contributions, and I commend the bill to a speedy passage through the council.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:48): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 16:49 the council adjourned until Tuesday 11 April 2017 at 14:15.

*Answers to Questions***SMALL BUSINESS DEVELOPMENT FUND**

In reply to **the Hon. R.I. LUCAS** (17 May 2016).

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

Funding for this program was committed for three years from 1 July 2016.

No grant funds from the Small Business Development Fund were paid to small businesses prior to 30 June 2016. Applications opened in May 2016, and the closing date for the first round of applications was 18 July 2016.

HIGHGATE PARK

In reply to **the Hon. K.L. VINCENT** (7 July 2016).

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

A person becomes a participant in the National Disability Insurance Scheme (NDIS) when they meet the access criteria. These include the age, residence and either the disability or early intervention requirements. These criteria are outlined in the Commonwealth National Disability Insurance Scheme Act 2013.

Generally, a person meets the age requirements if they are aged under 65 when an access request is made. An NDIS participant can continue to receive supports from the NDIS when they turn 65 years and as they age.

NATIONAL DISABILITY INSURANCE SCHEME

In reply to **the Hon. K.L. VINCENT** (4 August 2016).

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

1. The media release issued clearly indicates that clients and service providers have been affected by the NDIS MyPlace portal issues.

2. Minister Vlahos has urged the Commonwealth to address the issue on a number of occasions. This has included writing to Minister Porter on 1 August 2016 and more recently tabling a report at the Disability Reform Council in Sydney on 2 September 2016, raising a number of important issues with the transition to the NDIS for South Australia, including the difficulties that service providers were having with the MyPlace portal and requesting that the matter be given the highest priority. The Minister raised these issues at the Disability Reform Council on 2 September, 2016.

3. Yes, and Minister Vlahos has raised these issues with Minister Porter.

4. Refer to answer in question. Furthermore, the minister continues to monitor this issue and recently asked service providers and clients to contact her office to provide details of their experiences in accessing the MyPlace portal.

5. At the time that the bilateral agreement for the NDIS trial was signed in December 2012, the commonwealth and South Australian governments agreed that the data used to estimate the potential trial population was the best estimate available and it was also recognised that the trial population estimates did not capture children with non-global development delay and that numbers could be significantly higher. When the bilateral agreement for full scheme was signed in December 2015 the commonwealth and South Australia agreed to contribute an additional \$50 million each to address the delay in rolling out the scheme.

RETURN TO WORK ACT

In reply to **the Hon. T.A. FRANKS** (27 September 2016).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): The Minister for Industrial Relations has been provided the following advice:

A decision made by a compensating authority in reliance on transitional provisions is a reviewable decision like any other decision made pursuant to the Return to Work Act 2014 (the act).

A worker in receipt of a decision based upon an interpretation of the transitional provisions they disagree with may lodge an application for review in the South Australian Employment Tribunal.

They must be mindful of the time limits within which they are required to lodge their application for review. They may, in the course of the dispute resolution proceedings, advance an argument based on an interpretation of the

transitional provisions that they say is consistent with parliament's intention and supports the outcome they are seeking to achieve.

While a review of the efficacy and fairness of the transitional provisions is a valuable and worthy exercise, it will not address decision-making based upon inaccurate and improper interpretation of the act. This falls squarely within the remit of the South Australian Employment Tribunal.

NORTHERN ECONOMIC PLAN

In reply to **the Hon. J.S.L. DAWKINS** (3 November 2016).

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

Economic development initiatives in northern Adelaide with a focus on job creation, investment attraction and industry diversification extend well beyond the three council areas currently partnering around the Northern Economic Plan. Northern Economic Plan projects including the Gawler East Collector Link Road, Gawler Rail Line Electrification, the Northern Adelaide Plains Agribusiness Initiative and state tax reform will provide both jobs and substantial economic benefit for the Gawler region.

On the 15 December 2016, a \$114,000 pilot program to accelerate the growth of entrepreneurs, businesses and jobs for the Gawler region was announced.

The Northern Entrepreneur Growth Program (NEGP) is an initiative of the state government under the Northern Economic Plan and is scheduled to commence in February 2017. The NEGP is to be delivered in partnership with the Gawler Business Development Group and Business SA, and will provide businesses across the greater Gawler region with access to skills development, coaching and mentoring.

O-BAHN

In reply to **the Hon. D.G.E. HOOD** (29 November 2016).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): The Minister for Transport and Infrastructure has been advised:

1. The O-Bahn City Access Project team has worked closely with the Royal Hotel during the project. Some of the actions undertaken to assist the Royal Hotel throughout the works and help to reduce the effects of construction, have included:

- Changed construction methodology to reduce nightshift sheet piling.
- Changed equipment to further reduce the duration of works.
- Changed construction sequence to reduce overall duration of construction works on Hackney Road/Dequetteville Terrace intersection.
- Ongoing door knock visits to check on how their business is going and to see if there is anything that the construction team can do to assist.
 - Through these discussions it was identified that a 30th birthday party was booked in the upstairs function room on the night of Saturday 18 June 2016, when sheet piling night works were underway. McConnell Dowell, the major works contractor, gifted the birthday person a \$750 bar tab. McConnell Dowell received a thank you and acknowledgement of the contribution from the Royal Hotel.
- In June 2016, McConnell Dowell hosted a team event at the Royal Hotel to celebrate a key project milestone. The venue was chosen specifically to support the Royal Hotel.
- During meetings and information provided to the community the project team has encouraged both staff and local residents to support the Royal Hotel.

2. See answer to question one. Some of the actions undertaken to assist the Hackney Hotel include:

- Holding project team functions/meetings at the Hackney Hotel.
- Encouraging our large local workforce to eat and gather at the Hackney Hotel for lunch and social functions.
- The provision of corflute signage on Hackney Road, reminding customers it is 'Business As Usual'. This was developed in collaboration with the Hackney Hotel.
- The early removal of bunting/fencing in front of the hotel for the path/kerb upgrade works and acceleration of these works to reduce the visual impact of construction (on council land).
- Offered to distribute promotional material at the same time project updates are distributed.
- Provided notification of all upcoming works.

3. See above answers.

HIV

In reply to the **Hon. S.G. WADE** (1 December 2016).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): The Attorney-General has been provided with the following advice:

Regulations were proclaimed in December 2016.

MUNICIPAL AND ESSENTIAL SERVICES PROGRAM

In reply to the **Hon. T.A. FRANKS** (7 December 2016).

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): The Minister for Transport and Infrastructure has been advised that:

1. In April 2015, the South Australian government accepted responsibility for municipal services (MUNS) to Aboriginal communities outside of the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands from the commonwealth government, and secured \$15 million to support the MUNS program.

The Department of Planning, Transport and Infrastructure (DPTI), which has been tasked to administer the funding, then took immediate steps to put in place agreements with all communities receiving funding, ensuring that no communities experienced a loss in funding or services due to this transfer of responsibility.

Over 2015-16, a total of \$2.7 million of funding was therefore provided to deliver municipal services, across 17 grant agreements with nine Aboriginal communities, three local councils, the Outback Communities Authority, two Aboriginal homeland organisations and two private contractors. Services supported through the MUNS program include waste management, dog control, environmental health, road maintenance and water provision.

Grant agreements for the 2016-17 year have been finalised, which continue these arrangements. However, for the 2016-17 year and beyond, the state government has also committed to increasing the MUNS grants at a level commensurate with the consumer price index (CPI). This is the first time the CPI increase has been included in the MUNS grants for some years, and should provide communities with greater capacity to meet their ongoing needs.

2. While around half (nine) of the communities receiving MUNS funding are located on Aboriginal Lands Trust (ALT) land, the administration of the funds is undertaken by the local community council or organisation contracted to provide the services. DPTI's municipal services team is in regular contact with every funded community, and liaises with the ALT directly when required. The ALT is able to contact the municipal funding team regarding the administration of specific MUNS contracts.

The smooth transition of the MUNS program, and this government's commitment to the CPI increase, demonstrates our awareness of the importance of this program; funding services that are essential to the health and sustainability of Aboriginal communities. DPTI will continue to work directly with all communities and service providers to gain detailed information on the operation of the services funded through the MUNS program.