

## LEGISLATIVE COUNCIL

**Wednesday, 6 June 2018**

**The PRESIDENT (Hon. A.L. McLachlan)** took the chair at 14:15 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*

### ANSWERS TABLED

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

*Parliamentary Procedure*

### PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Variation Agreement to the Approved Licensing Agreement (Major Betting Operations Licence) between the Minister for Consumer and Business Services and UBET SA Pty Ltd.

By the Minister for Human Services (Hon. J.M.A. Lensink)—

Reports, 2016-17—

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

*Question Time*

### SHOP TRADING HOURS

**The Hon. K.J. MAHER (Leader of the Opposition) (14:19):** My question is to the Treasurer.

1. Is the Treasurer aware of warnings from South Australian businesses, from South Australian primary producers, from South Australian main street associations, from South Australian independent retailers and from South Australian produce markets that the deregulation of shop trading hours will have an adverse impact on their business and on jobs?

2. Will the Treasurer outline the concerns that have been put by some of these businesses and associations?

3. Has the Treasurer met to discuss those adverse impacts with those businesses or associations?

**The Hon. R.I. LUCAS (Treasurer) (14:20):** I and the government are well aware that there have been some elements of the business community in South Australia, certainly the shoppies

union and the Labor Party, their colours have been nailed to the mast for many years. The Labor position, we know, is dictated to them by the shoppies union, given their considerable power within the Labor Party and the Labor Party caucus.

In relation to business and industry, yes, I am aware and the government is obviously aware that there are some who are concerned, but I think the position the government has adopted is that we are also aware that the overwhelming majority of South Australians, and in particular South Australian families, want to see greater freedom of choice in terms of shop trading hours regulation in South Australia.

So, as we have indicated before, unlike the Labor Party who are captive to the views of unions and the shoppies union in particular, we are not captive to the particular views that particular business or industry leaders put to the Liberal Party. We respectfully listen to those views, we respectfully understand those views, but in the end there will be occasions where we disagree.

For those small number of businesses who have expressed that view to me, and to members of the government, we say the same thing: 'We respectfully listen to your views, we understand your views, but in the end we are here in the greater interest, the public interest for the people of South Australia,' and the overwhelming majority of people have indicated they want to see the same freedom of choice that everyone in regional South Australia has, with the exception of one particular area in the South-East in Millicent.

In every regional area of South Australia, with the exception of Millicent, consumers and businesses have absolute deregulation, even more than the government is proposing for the metropolitan area. In Mount Gambier, which members of the front bench of the Labor Party will be familiar with, as indeed am I, there is complete deregulation. Stores can open on Christmas Day, Good Friday, ANZAC Day if they so choose. Of course, they don't choose to all open on those particular days. It is a choice they make in terms of having the option to do so, and ultimately that is a commercial decision that they make in relation to the operation of their particular business.

In terms of whether or not I have met—certainly, over a long period of time I have met with the fierce opponents of the government's proposals, in particular the representatives of the Foodland group and the IGA group. Some of them are very successful businesspeople—very successful businesspeople—and we congratulate them on their success. Indeed, one of those businesses, in the full knowledge of the shop trading hours deregulation, has just recently announced they are about to not only expand their operations in South Australia but are looking at establishing another three businesses in South Australia in the full knowledge that the parliament is about to debate shop trading hours deregulation.

So the answer to the question is, yes, I have met with them. I have listened to their views, I understand their views, but in the end the government is here to govern in the best interests of all South Australians, not just the views of some businesspeople and some unions who oppose the government's proposition.

### SHOP TRADING HOURS

**The Hon. K.J. MAHER (Leader of the Opposition) (14:24):** Supplementary arising from the answer: has the Treasurer or anyone from his office met with former Liberal candidate Theo Vlassis or Franz Knoll about their strident opposition to the government's hurtful plans to deregulate shop trading hours?

**The Hon. R.I. LUCAS (Treasurer) (14:24):** I am sure that one of my ministerial colleagues has met with Mr Knoll. I think both Stephan and Franz indicated publicly that they have a healthy disagreement in relation to shop trading hours. I think, as I indicated, there are obviously some differing views within that wonderful company that the Knolls represent, Barossa Fine Foods, because I placed on the public record during some media interviews the views of a senior marketing executive within Barossa Fine Foods who said he and they welcomed deregulation.

They were looking to open their stores for longer hours and it would give them the flexibility when workers come to some of their stores and can't get home until after 5.30 or 6. He lamented the fact that they were not opening and those customers were going to the supermarkets, who were able to compete. So, even within that wonderful company, Barossa Fine Foods, a great South Australian

company, there is obviously a healthy disagreement not just amongst the family members but also amongst some of the senior executives who actually are running the business.

In relation to Theo Vlassis, I am probably the only member of the party who has been around long enough to remember Theo as a candidate—

*Members interjecting:*

**The Hon. R.I. LUCAS:** Okay, some of my colleagues are putting their hands up.

**The Hon. K.J. Maher:** Again your backbench disagrees with you, Rob.

**The Hon. R.I. LUCAS:** That is alright; we are a broad church in our party. We are actually allowed to express views. I, together with a number of my colleagues, know Theo and we know his views in relation to shop trading hours, and they haven't changed very much over the years at all.

There are others, I am sure, who may well have a view, either past candidates or family members or perhaps even someone who has cut the hair of a Liberal Party MP or mowed his or her lawn. I am sure there is a never-ending list of people who have been associated in some way with the Liberal Party who might have a slightly different view on this particular issue. The reality is that the Marshall Liberal government was elected on a platform of implementing reform in this particular area.

This is not a policy we hid in the top drawer and have dusted off after the election. We proudly fought for it during the election period. On a number of occasions I had discussions, debates and interviews with Josh Peak from the shoppies union, previously with Peter Malinauskas, who led the shoppies union, and with Colin Shearing and indeed Graham Ingerson. Graham is another former Liberal MP who has been actively engaged representing independent grocers in South Australia. On any number of occasions, I have had a healthy discussion and debate with those representatives of people who might have different views to ours.

We are not in a position where we dismiss the views of others. We respectfully listen to them, but in the end we have made a mature judgement as a party that this is in the best interests of the majority of South Australians, and we will continue to pursue the policy from now until whenever there is achievement of the goal of the party to implement reform of shop trading hours in South Australia.

#### SHOP TRADING HOURS

**The Hon. K.J. MAHER (Leader of the Opposition) (14:28):** Second and final supplementary: given the Treasurer's original answer that businesses in South Australia will be better off, will the Treasurer guarantee that no business will be worse off under the deregulation of shop trading hours? If he can't guarantee that, will he outline the support that he intends to put in place for businesses that will be worse off?

**The Hon. R.I. LUCAS (Treasurer) (14:29):** What a silly, puerile, juvenile, childish—and any other adjective you want to use—question from the Leader of the Opposition.

**The PRESIDENT:** Please don't debate the question, Treasurer.

**The Hon. R.I. LUCAS:** That's enough? Okay, I think those four perhaps adequately describe the Leader of the Opposition. What a silly question to be asking. What politician anywhere can guarantee the future business viability of an individual business in South Australia? For the Hon. Mr Maher to stand up in this chamber and embarrass himself by asking such a juvenile question. As if any politician could guarantee that, in a competitive business environment, an individual business, or indeed every individual business in South Australia, as to what the impact on those individual businesses would be from the implementation of a particular government policy, is a nonsense.

There is any number of pieces of research from the Productivity Commission, from the Competition Policy Review, and a number of other learned pieces of work, both nationally and interstate, which give, in the general course, an indication as to what would occur in economic terms as a result of, broadly, deregulation of the shop trading hours in those particular jurisdictions. But, to

actually even ask the question that a politician could guarantee the individual circumstances of every business in South Australia is, as I said, juvenile and a silly question.

**The PRESIDENT:** I will allow you a further supplementary.

*Members interjecting:*

**The PRESIDENT:** It's the President's decision. Order on the government benches! Leader of the Opposition, ask the question.

### SHOP TRADING HOURS

**The Hon. K.J. MAHER (Leader of the Opposition) (14:31):** I wasn't going to ask a further supplementary, but given the provocation—

*Members interjecting:*

**The PRESIDENT:** No, I am allowing the supplementary.

**The Hon. K.J. MAHER:** Will the government be putting in any support whatsoever for businesses that they hurt through their shop trading hours deregulation?

**The Hon. R.I. LUCAS (Treasurer) (14:31):** The policies the Marshall Liberal government are implementing will be all there to support small, medium and large businesses in South Australia in terms of the growth. So that will be the assistance, that will be the help. There will be no small business in South Australia that will actually pay payroll tax under the reforms of the Marshall Liberal government. There will be no small business—

**The Hon. I.K. Hunter:** Most of these small businesses don't pay payroll tax, Rob—they don't pay it now.

**The Hon. R.I. LUCAS:** Well, the Hon. Mr Hunter says small businesses don't pay payroll tax. Give me a break!

**The Hon. K.J. Maher:** 'So, if we hurt you, you're stuffed, you're on your own. We'll do something, it'll hurt you and you're on your own.'

**The PRESIDENT:** Order!

**The Hon. I.K. Hunter:** Most of them don't pay. Most of them aren't big enough. Most of them don't employ enough staff to pay payroll tax.

**The Hon. R.I. LUCAS:** In what parallel universe does the Hon. Mr Hunter live? He says there isn't a small business in the state that pays payroll tax—give me a break! Get out in the real world, Mr Hunter. Instead of that cardboard caricature cut-out that *The Advertiser* uses to try to get you into the real world, get out into the real world, talk to some businesses in South Australia. That sort of nonsensical, out of the order interjection, Mr President—

**The Hon. I.K. Hunter:** What about a shop that employs ten people?

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —is indicative of why the Labor Party was thrown out of office on 17 March this year.

**The Hon. I.K. Hunter:** You just stand up for the big guys.

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! Let the Treasurer speak.

**The Hon. I.K. Hunter:** You just stand up for Coles and Woolies.

*Members interjecting:*

**The PRESIDENT:** The opposition, stop the commentary.

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

**The PRESIDENT:** Minister for Tourism, please cease riling up the opposition. The Treasurer is on his feet.

**The Hon. R.I. LUCAS:** Leave that to me, Mr President. That's my job.

**The PRESIDENT:** Well, you are on your feet, Treasurer.

**The Hon. R.I. LUCAS:** I am on my feet, so I have the lawful authority to rile up the opposition. That is the reason why the Hon. Mr Hunter, the Hon. Mr Maher and others were thrown out of office. They have no understanding of the real world of business, and the pain and hurt that their policies imposed on small business in South Australia. The Marshall Liberal government is going to abolish payroll tax for all small businesses in South Australia.

**The Hon. I.K. Hunter:** You think a shop with 10 staff pays payroll tax, do you?

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** We have seen the reduction of workers compensation premiums. We will be tackling the issue of utility costs in South Australia. We are looking at deregulation, the removal of red tape, right across the board. They are the sort of policies that will provide assistance to businesses. This notion of giving handouts, which was the policy of the Hon. Mr Maher and the Labor Party, is not going to be our go-to policy. We will be looking at trying to reform business conditions to reduce the costs of doing business in South Australia so that our businesses in South Australia, in particular our small and medium-sized businesses, can be nationally and internationally competitive, as they must be.

#### SHOP TRADING HOURS

**The Hon. C.M. SCRIVEN (14:34):** My question is to the Minister for Tourism, Trade and Investment. Given the minister heralds from the South-East and understands the impact it may have on tourism and trade in the area, does the minister support the push from the member for MacKillop, Nick McBride, to exempt Millicent from the proposed shop trading changes?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:35):** I thank the honourable member for her question. The Treasurer has just outlined our policies in relation to shop trading hours. Of course the local member for MacKillop, Mr Nick McBride, is entitled to his view, but I take the broader view. I don't support the member for MacKillop's view, in a broader sense from a government perspective, but he is entitled to his view and to represent his local community. We believe in the broader interest, as the Treasurer has just outlined for the last 15 minutes—and I don't think we should waste too much more time. We are interested in the views of others, but on balance we think—in fact, we know—that the benefits from deregulating shop trading hours far outweigh any of the issues that have been raised by some of those who are opposed.

#### SHOP TRADING HOURS

**The Hon. C.M. SCRIVEN (14:36):** Supplementary arising from the answer: has the minister met with the member for MacKillop, Nick McBride, regarding the regulation of shop trading hours and the proposed deregulation and its impact on Millicent businesses?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:36):** I thank the member for her supplementary question. I have met the member for MacKillop on more occasions than I can remember, and we have discussed a whole range of topics, including the shop trading hours in Millicent. There's a list as long as your arm when you look at all the issues facing the South-East community after 16 years of a Labor government. They are delighted that we have a Liberal government in MacKillop. The member for MacKillop has raised a whole range of issues, including—

*Members interjecting:*

**The PRESIDENT:** Order! Let the minister speak. The Hon. Ms Scriven, a supplementary, is it?

**The Hon. C.M. SCRIVEN:** Yes, correct.

**The PRESIDENT:** I have seen you, the Hon. Mr Pangallo. You will be next for your supplementary.

### SHOP TRADING HOURS

**The Hon. C.M. SCRIVEN (14:37):** Supplementary: has the Premier met with former Liberal candidate and Wattle Range Mayor Peter Gandolfi—or you, minister, have you met with him in relation to the deregulation of shop trading hours and its impact on Millicent businesses? Has the minister or the Premier met with Mayor Peter Gandolfi?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:37):** I thank the honourable member for her supplementary question. As honourable members would be aware, sadly I was on a pair last Thursday and had to attend the funeral of Mrs Margaret Baker, wife of the former member for MacKillop, the Hon. Dale Baker. It was at the Mount Burr golf club. I was a little ahead of time, so I slipped in to Millicent.

I rang my good friend Peter Gandolfi, the Mayor of Wattle Range, and went into his shop and bought myself a new R.M. Williams shirt because I always like to support local businesses when I am there. I had a discussion on a whole range of topics with Peter Gandolfi. Most of them I couldn't repeat in front of the Labor Party because you would be offended with some of the things we may have discussed about the damage you have done to the economy over the last 16 years. Nonetheless, I have met with Peter Gandolfi. I meet with him on a regular basis. He often talks to me about a whole range of issues—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. D.W. RIDGWAY:** I'm not even going to respond to the interjections, Mr President, because they are juvenile and immature. They are juvenile and immature. But to answer the other member's question: I have met with the Mayor of Wattle Range. I meet him nearly every time I am in the South-East. We are good friends, and I respect the work he has done as the local mayor. He often calls in when he is up here on local government business to update me on what's happening in the Wattle Range Council.

### SHOP TRADING HOURS

**The Hon. F. PANGALLO (14:39):** I have a supplementary question. Has the honourable member been contacted by or met with the member for MacKillop, Mr McBride, in relation to seeking an exemption to the regulation of shopping hours?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:39):** I thank the honourable member for his question. As I said earlier, I meet with the member for MacKillop very regularly—in fact, on Monday he was at the funeral I mentioned. I don't recall him actually asking me for any detail around an exemption. I know it's something that he has promulgated in the media but I don't recall him asking me personally about the details of an exemption.

### SHOP TRADING HOURS

**The Hon. E.S. BOURKE (14:40):** My question is to the Treasurer: will he confirm that the government has requested that the shop trading hours legislation be drafted and, if so, when was the request made, and has the government requested any economic modelling on the impact of shop trading hours?

**The Hon. R.I. LUCAS (Treasurer) (14:40):** Yes, we have obviously requested drafting of the shop trading hours legislation, and it was many weeks ago so I can't give the honourable member the exact date of the request for drafting. In relation to economic modelling, no, we don't have the capacity within—SafeWork SA is the agency that is drafting the legislation. Treasury doesn't have the capacity to do economic modelling in relation to the shop trading hours regulation or, indeed, any other legislative change that the government might introduce. We have the same economic capacity as the former government had in Treasury and in SafeWork SA—there has been no difference there.

In terms of modelling, we have relied on the advice broadly of national and interstate jurisdictions but in particular, in terms of modelling if one is talking about it, it has been mainly the national bodies such as the Productivity Commission and the Competition Policy Review. I think they are the two national bodies that have done modelling in relation to shop trading hours. That would be in general terms in terms of shop trading hours. Because South Australia's shop trading laws are

markedly different to the shop trading laws in the bigger eastern states, their modelling and their estimation is obviously of a general nature rather than state or territory specific.

#### SHOP TRADING HOURS

**The Hon. K.J. MAHER (Leader of the Opposition) (14:42):** I have a supplementary arising from the answer. Just so I understand it correctly, was the Treasurer claiming that the government doesn't have the capacity, anywhere within government, to conduct economic modelling on proposed changes to regulations?

**The Hon. R.I. LUCAS (Treasurer) (14:42):** I'm not sure why the Leader of the Opposition has such a furrowed brow because it's the same Public Service that he left us. Economic modelling is done by—

**The Hon. D.W. Ridgway:** With a much higher morale now.

**The Hon. R.I. LUCAS:** Yes, exactly. Economic modelling is done by specialist consultancies or jurisdictions. There are only a very few in the nation who have the capacity to do true economic modelling. The state Public Service doesn't have the position—the best that the state Public Service has been able to do over the years, on some of the freedom of information requests that I got from the former government, is something called 'input-output modelling', which is a very crude and inaccurate form of modelling. It is not the sort of economic modelling that some of the economic consultancy firms or, indeed, one or two of the specialist interstate universities have developed business models. They market themselves as people with economic models and, as I said, they market themselves to potential clients both in the public and private sector.

#### SHOP TRADING HOURS

**The Hon. E.S. BOURKE (14:43):** How many jobs in South Australian small businesses will be lost as a result of trading hours in South Australia?

**The Hon. R.I. LUCAS (Treasurer) (14:43):** The Liberal government's position is that we believe that shop trading hours reform will actually lead to economic growth and also jobs growth in South Australia rather than the contrary, and that is based on the national modelling that has been done by people like the Productivity Commission. We believe, in terms of growing the economy, that we can not only grow the economy but we can grow jobs in South Australia. As I said, one of the fiercest opponents of shop trading hours reform in South Australia has just announced a massive expansion and indicated in the media that they were looking at three new stores in South Australia.

It may well be that that particular business is looking at taking over some other businesses. I am not sure, but they did talk about three new stores. Good luck to them. They are a very successful business, not only in South Australia but they have expanded over the years in one of the Eastern States. I have great admiration for people who put their dollars on the line, take a punt and end up being extraordinarily successful, as this particular business has been in South Australia.

There will be no criticism from the Marshall Liberal government about businesspeople who take a punt, who invest and who employ people in South Australia. What we are seeking to do for those businesses is to allow them to trade in hours that at the moment they currently want to trade and perhaps some of them are trading unlawfully.

#### HABITAT FOR HUMANITY

**The Hon. J.S. LEE (14:45):** My question is directed to the Minister for Human Services and is about Habitat for Humanity. Can the minister update the chamber about some meaningful projects by Habitat for Humanity?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:45):** I thank the honourable member for her question. Habitat for Humanity many honourable members would be familiar with as an organisation that operates globally and also has some local operations here in South Australia. I was privileged to attend last week a ceremony where they were handing over a house to a family from a disadvantaged background who are taking the keys of ownership, so it was indeed a very happy event for the family and also for the many volunteers who have provided input into that particular property.

Habitat for Humanity has been operating in South Australia since the nineties. My advice is that they housed their first family in Pennington in December 1993, utilising a small team of volunteers. They now have some six staff and they house three families every year, on average. They train a number of at-risk students and disadvantaged youths, provide valuable work experience to unemployed jobseekers and also engage corporate support and community volunteers.

They have, over that time, helped some 200 South Australian families into the security of home ownership or to recover their homes and property after the devastation of fire and flood—they have been active in recent fire events. They have also helped people to repair and maintain properties that have become rundown due to people falling on hard times.

They have three particular programs in South Australia focused in Davoren Park. One is Affordable Homes, which provides safe, affordable homes for low-income South Australian families in need. They have a Habitat Skills Centre, which provides training, as I have mentioned, and another program called Brush with Kindness, which is a helping hand to South Australians experiencing hardship.

These partnerships are particularly focused in the north, where there are high levels of unemployment and disadvantage. I think it is fair to say that, through their work, they are transforming the lives of people who would probably be very unlikely to be able to purchase their own home. They provide them with security and ongoing equity in their homes.

I think it is very impressive that they have a large number of volunteers who contribute to this program. They also have a concept called 'sweat equity', so that the families who obtain the homes also pay it forward, if you like, because they contribute 200 hours of their own effort to assist with the next home. They have to date built or substantially renovated some 32 homes in South Australia, 30 of these in Adelaide's northern suburbs and two in regional areas. So their work is to be commended.

I had the great privilege of meeting the family which has taken ownership of that property, and commend them and their 500-odd volunteers for all of their assistance to people in South Australia.

#### NATIONAL SCHOOL CHAPLAINCY PROGRAM

**The Hon. T.A. FRANKS (14:49):** I seek leave to ask a question of the acting education minister on the subject of the school chaplaincy program.

Leave granted.

**The Hon. T.A. FRANKS:** The school chaplaincy program is funded by the federal government but delivered under the responsibility of the states. Last week in Senate estimates, minister Simon Birmingham responded to questions stating:

'Chaplains are not permitted to proselytise as part of the program,' and if that occurred, 'We would seek to have the relevant jurisdiction investigate that.'

Yesterday, in *The Advertiser*, a spokesperson from the education department stated that:

Under no circumstances were workers allowed to try to convert students.

In South Australia, the Schools Ministry Group has won the \$11.5 million tender to deliver the chaplaincy services in our public schools. Its website states that it is:

...the employer of more than 300 Pastoral Care Workers in SA government schools and is an approved Chaplaincy Service provider of the South Australian Department of Education and Child Development (DECD) through the National School Chaplaincy Program (NSCP).

According to that same website, the DECD website, the minimum qualifications for employment as a pastoral care worker under the program includes Certificate IV in Youth Work or pastoral care or an equivalent qualification which must include competencies in 'mental health' and 'making appropriate referrals'. The onus there on assessing such competencies is placed on the school or service provider. My questions to the minister are:

1. Can the minister outline what safeguards are in place in South Australia to ensure that the chaplaincy program is operating as it should according to these guidelines?



2. If any parent, student or school staff member has a concern about any aspect of the program, what is the process for those complaints to be heard and addressed?

3. What records are maintained about such complaints and investigations into this program in South Australia, and how are they made known to the community?

4. What is the role of the department, rather than the individual schools, in ensuring that pastoral care workers employed under the program are in fact competent in mental health and referrals?

**The Hon. R.I. LUCAS (Treasurer) (14:51):** I am happy to refer the honourable member's questions—well, I'm the acting minister, so to my office—and bring back a reply. It's more likely to be the minister because I think he returns from leave in the very near future, but I'm sure when he responds to the question and he responds on our behalf that the minister will be indicating clearly that we, too, are opposed to proselytising in government schools in South Australia.

#### **J&H WILLIAMS**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:52):** My question is to the Minister for Trade, Tourism and Investment. My questions are: when did sheet metal fabricator J&H Williams advise the government that they were at risk of going into voluntary administration? When was the Minister for Trade and Investment made aware of the dangers facing the company? How many jobs were at risk, and what sort of support has the government, particularly through trade and investment arms, made to provide for the future of J&H Williams?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:52):** I thank the minister for his question and his ongoing interest. I don't have any details with me and I don't believe I have had any briefing on J&H Williams, so I will have to take that question on notice and bring back a reply.

#### **J&H WILLIAMS**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:53):** A very quick supplementary: does the minister, as Minister for Trade and Investment, regularly receive information on companies that are at significant risk and companies that provide a large number of jobs in South Australia?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:53):** I thank the minister for his supplementary. I receive regular briefings and information on a whole range of topics. As I said in my answer, I don't recall. As he would remember when he worked for the Hon. Terry Roberts, he had a folder entitled 'Hot Issues'. I don't have a hot issues folder; I have a folder with issues but it's not hot at the moment. I just checked the index. There's no information or details around J&H Williams. I don't recall having had a briefing but I will check and bring back a reply.

#### **MEDICAL RESEARCH**

**The Hon. J.S.L. DAWKINS (14:54):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing in relation to medical research.

Leave granted.

**The Hon. J.S.L. DAWKINS:** I have spoken in this council before about the contributions made by South Australians in medical research, for instance in commemorating the centenary of the Nobel Prize being awarded jointly to father and son, William and Lawrence Bragg. Will the minister update the council on medical research in South Australia?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:54):** I thank the honourable member for his question. The day-to-day running of our health system is primarily about health professionals and teams of support providing care to unwell South Australians, but we need to be mindful that care is built on generations of research. Models of care need to be continually refreshed by the evidence base and continually refreshed by world-class research.

This week is Medical Research Week. On Monday, I, along with a number of my parliamentary colleagues, attended a dinner hosted by the Australian Society for Medical Research

to mark this occasion. I want to begin by putting on record my appreciation, and I am sure that of all members of the house, for the contribution made to our health system by South Australian medical researchers.

In 2017, South Australian researchers won over \$75 million in competitive grant funding from the National Health and Medical Research Council, with a 19.7 success rate, which exceeds the national average. Noteworthy successes included two Centres of Research Excellence grants awarded to the Flinders University and the University of Adelaide, in conjunction with the South Australian Health and Medical Research Institute, as well as a program grant valued at \$9.46 million for Flinders University to support further work in translating the genetic determinants of glaucoma into improved diagnosis and treatment.

The South Australian government and higher education and research sectors continue to invest significantly in our research capacities in the state. The biomedical precinct in the West End of Adelaide has seen significant investment in the past 12 months. We have seen the opening of two core facilities in the precinct, namely, the University of Adelaide's Health and Medical Sciences building and the University of South Australia's Cancer Research Institute. To avoid offending our federal colleagues, we should acknowledge that the precinct in that area received significant commonwealth investment.

These facilities will extend and strengthen our teaching, training and research capabilities, and I congratulate the universities on the successful completion of these facilities. As a key pillar and driver of improvements in policy, clinical practice and innovation, the South Australian public health system relies upon strong evidence from health and medical research to inform and shape our decision-making. By doing so, we are better positioned to ensure decision-making is aligned with evidence and that there is a good translation of research evidence into practice.

#### **KENNEWELL, MR G.**

**The Hon. F. PANGALLO (14:57):** I seek leave to make a brief explanation before asking the Treasurer, representing the Attorney-General, a question about the prosecution of a senior citizen over alleged driving offences.

Leave granted.

**The Hon. F. PANGALLO:** Like many other members in the community, I suspect, I am both shocked and appalled at the criminal case against 91-year-old Graham Kennewell, who is currently being dragged before the courts after being charged with the tragic accidental death of his wife of almost 50 years, Freda, in the driveway of their own home. It beggars belief to me that such a tragedy, where an elderly and frail man in the twilight of his life is responsible for the accidental death of the love of his life, has led to Mr Kennewell being charged in the first place. He now finds himself before the courts charged with two summary offences.

What does the community stand to gain from such a process? The Director of Public Prosecutions' own guidelines even state:

It has never been the rule in this country that suspected criminal offences must automatically be the subject of prosecution. A significant consideration is whether the prosecution is in the public interest. The resources available for prosecution action are finite and should not be wasted pursuing inappropriate cases, a corollary of which is that the available resources are employed to pursue those cases worthy of prosecution.

I am led to believe that SAPOL has the powers under current laws to make a determination not to proceed with a case if that case is not in the public interest. My question to the Treasurer is:

1. Does the government agree that pursuing this matter via the judicial system is or is not in the public interest?
2. Does the government believe the case is a waste of resources and taxpayers' money?
3. Given its unique and tragic circumstances, has the government sought a briefing from either the DPP or SAPOL on this matter?

4. Is the Attorney-General able to request that the process of consideration of the matter be expedited in some way that would see the determination of the public interest aspect being considered sooner rather than later?

**The Hon. R.I. LUCAS (Treasurer) (15:00):** I will refer the honourable member's question to the Attorney-General and bring back a reply.

#### **BUDGET PERFORMANCE CABINET COMMITTEE**

**The Hon. T.T. NGO (15:00):** My question is to the Treasurer. Has the Treasurer established a cabinet budget subcommittee; has the committee met; how regularly is it meeting; and what are the committee's terms of reference?

**The Hon. R.I. LUCAS (Treasurer) (15:00):** Yes, there is a budget committee of cabinet. Yes, it has met on—I will have to check—probably one or two occasions. It will meet, obviously, much more frequently between now and the first week of September, which is the due date for the budget. Its primary work will be, clearly, as with past budget committees by whatever title or name they went, in terms of the key decisions to be taken in relation to both the budget and, once the budget has been established, monitoring and maintaining the integrity of the budget, and obviously considering any further requests from ministers and/or departments for funding between budget periods.

They are the broad parameters of the budget cabinet committee. On my understanding of past budget cabinet committees, their parameters or terms of reference are broadly similar to the budget cabinet committee that operated under the former Labor government.

#### **BUSINESS CONFIDENCE**

**The Hon. T.J. STEPHENS (15:02):** My question is to the Minister for Trade, Tourism and Investment. Can the minister tell the council about how business confidence has dramatically improved under the new Marshall Liberal government, and how this will assist in creating the best possible environment for business to invest in South Australia?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:02):** I thank the honourable member for his question and his ongoing interest in business confidence in South Australia, something that has been sadly lacking over the last 16 years. But indeed business confidence in South Australia has now hit its highest levels in almost a decade, Business SA and Statewide Super survey of business expectations says.

The SA confidence index has hit a level of 115, reflecting a new-found faith in South Australia, and the Marshall Liberal government's ambitious agenda to grow the economy and still create jobs. Business confidence is now higher than it ever was at any time under the Weatherill Labor government. Significantly, confidence is up more than 40 per cent since the middle of 2017, in the dying days of the previous administration, where the index was sitting at just 81 points.

The business community has now embraced the new, positive, outward-looking approach of the Marshall Liberal government and is seeing a brighter future under a government that is keen to work with them, to champion their cause, to provide them with the right conditions to flourish and to compete on a world stage.

Under the previous administration, which was intent on picking winners and, even worse, picking fights, the Marshall Liberal government is intent on creating and nurturing the right environment for business to expand and invest in their futures. That is a solid foundation upon which we will build a stronger and more productive economy for all South Australians.

Encouragingly, 44.33 per cent of respondents to the survey said they expected sales revenue to increase, and that is in the full knowledge that the Marshall Liberal government plans to deregulate shop trading hours; 35.9 per cent said profitability should trend higher; and, 26.6 per cent said they expected to spend more on plant and equipment over the current June quarter.

Confidence in the economy is not only important for our local businesses and communities but for those looking to invest in South Australia, for those looking to bring their operations here to set up businesses, build new innovative industries and create some of the jobs of tomorrow. As

recently as yesterday, I met with people who are intending to bring some businesses here in the funds management and private equity space. While we have been sitting here in question time, I was contacted by some companies who are currently in the United Kingdom, and South Australia has been spruiked to them by one of the senior blockchain advisers to the OECD. So, Mr President, the good news about South Australia is spreading far and wide.

Without confidence in the future, we cannot expect these companies to take the risks they need in order to establish themselves here in South Australia. They cannot be certain of the opportunities available if the local business community isn't certain about their own future. With a lower cost base for business to operate and confidence in the future, businesses will be able to face the future safe in the knowledge that the South Australian government has their best interests at heart, and wants to see them compete and succeed on the world stage.

But increasing confidence is one thing; we are now committed to ensuring that the confidence translates into real economic and social outcomes for South Australians. The Marshall Liberal government is about to lower taxes and lessen red tape, unlike the previous administration which was the exact opposite. Lower taxes and less red tape is in our DNA.

We do not believe in high taxes and big government. You cannot tax your way to prosperity. That is why growing the South Australian economy is so important to the Marshall Liberal government. We are bullish about our prospects. Our new government is intent on having an outward-looking approach to trade and investment, re-engaging with our international trading partners. Like the business community, we are confident in South Australia's future and confident that South Australia will be one of the best places for businesses to invest and to grow jobs.

#### **BUSINESS CONFIDENCE**

**The Hon. J.E. HANSON (15:06):** Supplementary arising out of that answer: when was the last time the business index was at 115 and, furthermore, was it under a Labor government?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:06):** The last time was just the other day, two days ago. That was the last time it was at 115 because that was the last time. The last time was two days ago.

#### **BUSINESS CONFIDENCE**

**The Hon. K.J. MAHER (Leader of the Opposition) (15:06):** Supplementary—

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

**The PRESIDENT:** Minister! Allow the Leader of the Opposition to ask his supplementary.

**The Hon. K.J. MAHER:** Supplementary, Mr President: on the indicators that the minister used, what are the percentage changes from the last survey. With the surveys that he has indicated, can he indicate what period those surveys relate to, what the lag time between the reporting was; that is, do most of these figures relate to the economic environment that was produced under a Labor government?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:07):** I thank the honourable member for his supplementary question. This is about business confidence. Business confidence has been our—

*Members interjecting:*

**The Hon. D.W. RIDGWAY:** I have got the countdown app here and I will see. I will just remind people of the number of days. This is about confidence and it is 80 days, 21 hours, 37 minutes and 52 seconds since the Marshall Liberal government was elected and that is what we have seen in this survey: people are happy and confident after those 80-odd days.

**The Hon. I.K. HUNTER:** Point of order, Mr President: the question from the Leader of the Opposition was not how long the government has been in place; it is how long has this survey taken, and what period of time was the survey taken over? What was the delay time, and it did it actually relate to previous government policies?

**The PRESIDENT:** Thank you for the clarification. It is not technically a point of order but I am giving the minister some latitude and I am sure he will come to that. Minister, have you completed your answer?

**The Hon. D.W. RIDGWAY:** Yes, I have completed my answer.

#### **BUSINESS CONFIDENCE**

**The Hon. J.E. HANSON (15:08):** A further supplementary arising out of that answer: can the minister please outline how many points behind the national competence index South Australia remains?

*Members interjecting:*

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:08):** I don't quite know what they are on about, Mr President. They interject, they ask strange questions—

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The Hon. D.W. RIDGWAY:** The member opposite is quoting figures. All I know is that in the life of the Weatherill government, this is now the highest we've seen since any time in the Weatherill government. It is an endorsement of the Marshall Liberal government's policies for us in South Australia. We are coming off a pretty low base, a pretty dark period in our history. There is confidence and I am excited about the confidence; I want to see South Australia grow, not like the members opposite.

**The PRESIDENT:** I am giving you one last supplementary, Hon. Mr Hanson.

#### **BUSINESS CONFIDENCE**

**The Hon. J.E. HANSON (15:09):** One last supplementary: can the minister please outline what percentage of businesses were aware of the support provided by the state government during that period? What was the percentage of businesses that were aware of that support?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:09):** I thank the honourable member for his question. I don't have that particular fact at my fingertips.

#### **KANGAROO ISLAND**

**The Hon. M.C. PARNELL (15:10):** I seek leave to make a brief explanation before asking the Minister for Tourism, representing the Minister for Environment and Water, a question about a proposed new golf resort on Kangaroo Island.

Leave granted.

**The Hon. M.C. PARNELL:** According to *The Islander* newspaper this week, the Minister for Environment and Water is revisiting the Kangaroo Island golf resort proposal, formerly known as The Links and now apparently known as The Cliffs. The original golf course was declared a major project and was proposed over largely degraded and cleared farmland. However, after approval was given in February 2016, the proponents were subsequently given a new approval to move the golf course closer to the coast, incorporating publicly owned coastal waterfront site land zoned for conservation purposes. I visited this land on the weekend and it's a truly beautiful place, supporting a wide range of native animals and plants.

Following 780 public submissions with all but five opposing the land sale, the previous minister declined to sell or lease this land for the golf course but apparently it is now back on the agenda with the new minister, according to *The Islander* newspaper, saying he wanted to work through the issues and that in the coming weeks he hoped to land at a decision with his colleagues and cabinet on a proposal to sell the Crown land to the developers. Subsequent postings by the minister on social media this week indicated that he is 'working through everything from a new starting point. The previous government had made a hash of this, so I'm stepping back, looking at everything and working out a way forward'. My questions of the minister are:

1. Can the minister categorically rule out selling or leasing Crown coastal conservation zoned land to the golf course developers?

2. If he is reconsidering the matter, can he confirm that the statutory public consultation process completed by the previous minister will have to be started again before he can make any decision about the future of this land?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:12):** I thank the honourable member for his question. As we know, he has a strong, ongoing interest in all things environmental in this particular chamber.

**An honourable member:** And golf.

**The Hon. D.W. RIDGWAY:** And golf, of course. I am not sure what his handicap is—

*An honourable member interjecting:*

**The Hon. D.W. RIDGWAY:** No, I would never say that. I shouldn't be flippant. It is a very important question and I will take that question on notice and refer it to the minister in the other house.

#### MINISTERIAL STAFF

**The Hon. I. PNEVMATIKOS (15:12):** I seek leave to make a brief explanation before asking a question of the Treasurer regarding ministerial staffing numbers.

Leave granted.

**The Hon. I. PNEVMATIKOS:** In an article in *The Advertiser* dated 7 February of this year, the now Treasurer, the Hon. Rob Lucas, said he would reduce the number of staff in ministers' offices by 50 positions. On Monday, the chief executive of the Department of Treasury and Finance said that there would be two less staff per office. Based on a calculation and given that there are 14 ministers, this equates to a reduction of only 28 staff. Where will the remaining 22 positions come from? Are the positions that will be cut advisers or administrative staff? And will the Treasurer commit to maintaining that reduction over the life of the government?

**The Hon. R.I. LUCAS (Treasurer) (15:13):** The Marshall Liberal government was elected on a platform of cutting back waste and financial mismanagement within the public sector. Part of our policy—

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

**The Hon. R.I. LUCAS:** We are actually answering our questions. I'm still waiting for 15 years for some of the questions that we put to you. The leader leads with his mouth wide open. He can put both feet in it now.

In relation to the question that the member has put, this is one of the promises that we made. It has been kept and will be kept for the duration of the four years. I do not know whether I might get a supplementary question from one of my ministerial colleagues in relation to this, but it was a commitment, it has been implemented and it will be implemented.

It's simply on the basis of the total numbers of staff, both ministerial contract staff, which are the ones that are gazetted once a year, and public servants who are seconded for a period of time into ministerial offices. The Hon. Mr Wortley, when he had the very important tasks of local government relations and industrial relations minus WorkCover, I think had somewhere between 19 and 21 staff to help manage those very, very onerous duties that he had.

We have taken the view that you don't need somewhere between 19 and 21 staff in ministerial offices. On average, they will be reduced or have been reduced by approximately four per ministerial office, which gives you the 50. At the moment, the reality is, because of the time taken in actually employing new staff in ministerial offices, the numbers are actually somewhat less than the entitlement.

I think there are questions on notice and freedom of information requests that are in the process of being returned. The honourable members will find that the total numbers of staff are

actually less than the full-time establishment quota that has been established for each office. I am sure that won't last for long, as ministers staff their offices to their full entitlement both with a combination of ministerial contract staff and departmental staff seconded into their offices. The answer to the question is, yes, it's a commitment that we have kept, and yes, it will be a commitment that we keep for the four years of the parliamentary term.

#### MINISTERIAL STAFF

**The Hon. K.J. MAHER (Leader of the Opposition) (15:16):** Supplementary question arising from the answer: will the Treasurer have a discussion with his Under Treasurer as to why the Under Treasurer claimed recently that there would be two staff less per office not four staff less per office, as the Treasurer has said here today?

**The Hon. R.I. LUCAS (Treasurer) (15:16):** Perhaps the leader might indicate to me where he made that particular statement and I will be able to respond.

**The Hon. K.J. MAHER:** The Budget and Finance Committee.

*Members interjecting:*

**The PRESIDENT:** Treasurer, I think you should answer.

**The Hon. R.I. LUCAS:** As I indicated in one of my early contributions in the establishment of the Standing Orders Committee—and I think I have highlighted in the discussions with the leader and with crossbenchers—I think this is one of the standing orders that I personally would hope there might be some unanimous agreement for some change. Perhaps the reason for that particular standing order made some sense many, many decades ago, but it no longer makes sense given that we have public hearings.

In relation to the reference the leader has made to, evidently, a statement made in some as yet unnamed venue or meeting, I will certainly take that on notice and have a look at it. But, I can indicate that there is a clear policy decision, which has been implemented already. I have signed the documents to ministers—indeed, many weeks ago that went to ministers—and that implements in full the reduction of 50 total staff in ministerial offices in South Australia.

The Under Treasurer chief executive officer is a very fine officer who worked for me in a more junior level many years ago when my hair wasn't quite as grey. He has now risen to the lofty heights of chief executive officer and he is an outstanding public servant. There will be no criticism come from my lips, at least publicly, in relation to his job and his performance.

#### EMERGENCY SERVICES LEVY

**The Hon. D.G.E. HOOD (15:18):** Thank you, Mr Premier—Mr President, I beg your pardon, I promoted you!

*Members interjecting:*

**The Hon. D.G.E. HOOD:** Sorry, President. I beg your pardon.

**The PRESIDENT:** I don't like to be demoted, Hon. Mr Hood.

**The Hon. D.G.E. HOOD:** My question is to the Treasurer. Will the Treasurer outline what impact the recently announced reductions in the emergency services levy will have on business, commerce and households in South Australia?

**The Hon. R.I. LUCAS (Treasurer) (15:19):** I thank the honourable member for his question. There has been some degree of publicity and public comment about the impact of the \$90 million cut on residential households, in particular in the metropolitan area, and understandably so, because the main focus of the Liberal Party's advertising pre the election was prominently on the metropolitan area and it related to residential houses, in particular the average house.

As the honourable member has indicated, the proposed \$90 million cut to ESL bills will also have impacts on other properties in South Australia, not just residential properties. It will also have impacts on commercial, industrial and primary producers, obviously, in the regional areas as well. In relation to the honourable member's question, if you take a \$1 million industrial property in South

Australia and compare the ESL under the proposed changes in 2018-19, the ESL payable will be approximately \$2,077. If there had been no change—that is, if the former Labor government had been re-elected, sadly, by the people of South Australia—the bill would have been \$2,380. So that is a \$303 reduction for industrial premises.

In relation to commercial premises, again for a \$1 million property, the ESL payable in 2018-19 will be \$1,216. If the former Labor government had been re-elected, it would have been \$1,390. That is a reduction of \$174 in ESL payable. Clearly, for those industrial and commercial properties that are of much more significant value than \$1 million—indeed, there would be many of those, as members would be aware—the savings will be significantly larger.

In relative terms, they are modest savings in terms of industry and commercial properties. There are other tax relief policies, such as payroll tax and land tax, that the government is committed to implementing. We make no apology for the fact that our focus, in terms of the \$90 million cut, has been on trying to reduce the cost of living for South Australian families who are struggling to pay the enormously high bills that they had under 16 years of a former Labor government. This is the first instalment of trying to reduce the cost of living for those struggling South Australian families.

#### *Matters of Interest*

#### **LINDOP, MS C.**

**The Hon. J.A. DARLEY (15:22):** I rise today to speak about Clare Lindop and the racing industry. Clare Lindop has been acknowledged as one of the most accomplished female jockeys of all time. In 2003, Clare became the first Australian female jockey to ride in the Melbourne Cup. She also became the first female to win a South Australian metropolitan premiership and the Victoria Derby. In March this year, Clare announced that she would retire at the end of the Adelaide Festival of Racing. With over 1,400 wins over the course of her career, she has left a lasting impression on the Australian racing industry and her achievements will be recognised in her induction into the South Australian Thoroughbred Racing Hall of Fame this September.

Clare's career began when she left school at the age of 15 to become an apprentice jockey in Victoria. Despite not coming from a racing family, her parents were supportive of her choice to pursue her goals in racing. Clare moved to Adelaide in 1999 to complete her apprenticeship, and she later formed a successful partnership with trainer and mentor Leon Macdonald. Throughout her career, Clare had to overcome many challenges. In 2014, she sustained her worst injuries as a jockey, shattering her right collarbone and breaking 15 ribs. After taking five months to recover, Clare came back to win the 2014-15 South Australian premiership. This is an amazing accomplishment and is a testament to her unrelenting desire to succeed.

Not only has Clare been a premier jockey for the last two decades, but she has also been a groundbreaker for women in sport. Although the industry is largely male dominated, she has referred to it as one that rewards ability over gender or background. Her successful career and her contribution to the racing industry will pave the way for increased female engagement in the future. Clare has always been passionate about the racing industry and she will continue to be involved in some way, despite retirement. I congratulate her for her stellar career and for her influence in inspiring others to be involved in this industry.

The racing industry is a vital part of South Australia's economy, generating more than \$400 million in economic benefits. The activities of the racing industry also sustains the employment of more than 3,600 full-time South Australian employees. Racing was once South Australia's second largest industry but has now fallen to sixth. Unfortunately, this industry has also declined from ranking third in Australia to equal fifth with Tasmania and the Northern Territory.

In 1990, the prize money for South Australian races was approximately 60 per cent of Victoria's prize money per race but it has now decreased to less than 35 per cent. Low prize money for wins in South Australia has resulted in trainers moving interstate so that they can remain competitive. As a state, we cannot afford to continue to let the racing industry decline. We must acknowledge that the economic and employment benefits of the racing industry are important for all South Australians.



## BATTLE OF THE CORAL SEA

**The Hon. T.J. STEPHENS (15:26):** I rise today to deliver to this place an address from the Australian American Association Battle of the Coral Sea Commemoration Service held on 6 May 2018 at the Remembrance Columns in the Adelaide Botanic Gardens. It was presented by Commander Andrew Burnett, the Commanding Officer at Navy HQ South Australia. He has graciously allowed me to share it in this place, and I thank him for the opportunity. The address reads as follows:

To truly understand the importance of the Battle of the Coral Sea to Australia, we must revisit the fateful days of late 1941 and early 1942, a devastating period for the Allies and a tense and uncertain time for Australians.

War had erupted in the Pacific. Pearl Harbor had been decimated, with terrible loss of life and the destruction of much of the United States Pacific Fleet. Hong Kong was lost to the Allies very shortly after. Manila, Kuala Lumpur and Rabaul were also captured. Singapore fell, a devastating military defeat. Days later, Darwin was bombed. The Allies were defeated in the Java Sea, Timor was lost, then Indonesia.

By May 1942, the threat of isolation or invasion was very real for Australia. This incredible string of defeats or, from the Japanese point of view, magnificent victories, had taken place only six months after Pearl Harbor. The Japanese empire stretched from Manchuria in the north to New Guinea's Owen Stanley Range in the south. In the west the empire began at the borders of India's Assam and continued east to the Gilbert Islands in the South Pacific.

Japan's next inevitable advance was to seize Port Moresby in New Guinea, from where it could isolate Australia, take the US out of the war, to be invaded as and when it suited them. In doing so, it would deprive the United States of the forward base from which to mount its counterattack. These were dark days indeed.

It was imperative for the Allies to stop the perilous southern advance towards Australia. Then, finally, came news of a great breakthrough. Victory for the Allies in a ferocious naval battle in the Coral Sea. As a result, the enemy had retreated from its planned invasion of Port Moresby. A beacon of hope had emerged through much fear and insecurity.

What of this great battle? Admiral Nimitz sent two carrier task forces led by the carriers USS *Lexington* and the USS *Yorktown* into the Coral Sea to intercept the Imperial Japanese Navy task force bound for Port Moresby. They were joined by another task force, code named Task Force 44, led by the Australian cruisers HMAS *Australia* and HMAS *Hobart* and the USS *Chicago* and three US destroyers. For the first time, Australian ships were under the overall command of the United States Commander Rear Admiral Fletcher, and within Task Force 44 itself, Australian Rear Admiral John Crace commanded American ships.

This battle was, of course, historically significant for a few reasons. It was the first sea battle in history where opposing ships were not in visual range of one another during actual fighting. All damage to the ships was inflicted by aircraft. Second, it represented the first time that the enemy advance in the Pacific was halted. And, finally, because of the battle's impact, it afforded the Allies in the Pacific a very much-needed confidence boost when our nations needed it.

The battle was fought over five days between 4 and 8 May. The first days were mere skirmishes compared to the battle's climax on 8 May when aircraft struck blows against each other's capital ships.

Allied dive-bombers inflicted heavy damage on the enemy carrier *Shokaku*, and the enemy carrier *Zuikaku* lost nearly all its aircraft. Japanese aircraft attacked USS *Yorktown* and USS *Lexington*. *Lexington* was eventually lost, and the Japanese assumed so too was *Yorktown*. But, much to their surprise, *Yorktown* showed up one month later during the Battle of Midway—she fought with distinction until her tragic loss in that battle.

Both sides withdrew after the 8<sup>th</sup> of May in what might have appeared to a casual observer as a draw. Tactically it was, but strategically it was a resounding victory for the Allies. Unity of purpose, unity of command and shared collaborative signals intelligence had all combined for victory. Churchill called this time the 'hinge of fate' and he was so right. But it had a high price. As I have mentioned, the carrier *Lexington* was lost, as was the destroyer USS *Sims* and the tanker USS *Neosho* and 69 aircraft. Over 600 American and Australian sailors and airmen died to secure that victory.

Today we remember the brave Australians and Americans who fought this important battle, an air and sea engagement so decisive that 76 years on we continue to honour those who changed the course of the war in the Pacific, and were the first to defeat the Japanese Imperial Navy. Their sacrifice will always be remembered. It is appropriate that we are gathered at the Australian American remembrance columns in the beautiful Adelaide Botanic Gardens. This military action is recognised as that which gave rise to the relationship our two great countries share today. We express gratitude to our American friends who stood by us, as we stood by them, and who remain our staunchest allies today.

Again, I thank Commander Burnett for his very well chosen words.

### **ANNA STEWART MEMORIAL PROJECT**

**The Hon. I. PNEVMATIKOS (15:31):** Parliament House was host to women unionists on Friday 1 June, with a tour of parliament and a lunch hosted by the shadow minister for the status of women, Katrine Hildyard. The session in Parliament House represented a combination of a week of activities for women unionists, as part of the Anna Stewart Memorial Project. The project has been running since 1985 in South Australia and has been designed to encourage the involvement and participation of women in unions.

The program brings together women from differing workplaces for a two-week internship. They experience various activities within their own union, including attending member meetings and negotiations, and get an opportunity to see how other South Australian unions operate and organise. The primary aim of the project is to increase women's active involvement and participation in unions.

The project was originally devised to provide a real and living memorial to the work of Anna Stewart. Anna Stewart was an Australian feminist, unionist and activist, and was born and raised in Adelaide. She was born in 1947, and on leaving school she worked as a journalist for newspapers in Victoria and the UK.

Anna Stewart became actively involved in unions in the 1970s, at a time when women comprised one-third of the paid workforce. At the time, women were predominantly engaged in limited industries, which were usually poorly paid, lacked job security, flexibility or skills recognition, and in general offered poor entitlements and conditions of employment.

In her role as industrial officer for the Federated Furnishing Trade Society, Anna Stewart successfully organised the first blue-collar campaign for maternity leave award provisions. Her subsequent work in the Vehicle Builders' Employees' Federation led to her fighting for child care in car plants, arguing work value cases and initiating campaigns against sexual harassment in the workplace. Anna assisted in the ACTU maternity leave test case, which led to winning the right for working women to 52 weeks' unpaid maternity leave, with the right to return to the same job.

Anna was a founding member of the ACTU Womens Committee. She promoted the establishment of women's committees in unions, in furtherance of the ACTU Working Women's Charter, the aim of which was to increase the involvement of women within union structures. After her tragic death in 1983, her great achievements in pursuit of the rights of working women were acknowledged by the launch of the Anna Stewart Memorial Project.

The inaugural project was coordinated in 1984 by the Municipal Officers Association in Victoria. From its early days to the present, the project has maintained, in essence, the same format, namely a two-week on-the-job training program for women unionists. To this day, the project continues to provide a living memorial to Anna Stewart and has offered many women an opportunity to participate in the trade union movement, to stand for office or to seek employment within unions.

Since its beginning, there have been many participants of the Anna Stewart Memorial Project, including Fay Donaghy, Sue Marks, Gail Gago, Anne Cunningham, Allison Murchi, Nat Cook, Elizabeth Dabars, Leona Hicks and Greta Bamford, to mention a few. Women from United Voice, the National Union of Workers, the Community and Public Sector Union, the Australian Education Union and the Public Service Association are represented in this year's group of participants. To this year's participants, I take the opportunity to wish you an informative and exciting experience which encourages you all to be more involved within your unions. I look forward to working with you in the future.

Finally, I take the opportunity to acknowledge the hard work and support for the project from SA Unions and the participating unions. Hopefully, next year's program will continue to build and expand upon this year's project and involve more unions and more women.

### **COMMUNITY ENGAGEMENT CHARTER**

**The Hon. M.C. PARNELL (15:36):** I want to speak today about community participation in planning. As members will be aware, we spent a great many hours a few years ago debating new planning legislation—the Planning, Development and Infrastructure Act. Under this new act, there is something called the Community Engagement Charter that is supposed to guide the way that citizens are engaged in the planning system. This charter was endorsed by the minister in April and this week

it was considered by the Environment, Resources and Development Committee of parliament, which is the final stage of the approval process.

I went back to the *Hansard* of our debate on the planning legislation and this one clause, the Community Engagement Charter, when extracted, takes 25 pages of A4 paper. We had a lengthy debate on this topic. When it came to writing the charter, the State Planning Commission organised a range of processes, including workshops. They even engaged the people behind the citizens' jury to get some random citizens together to discuss what it was they wanted in relation to planning. I was invited to a couple of those meetings. I am not sure the organisers were entirely happy to have me there because I had to explain to people that the aspect of participation that they were most interested in was the one aspect they were not going to be consulted about.

Citizens want to be engaged at all levels in the planning process. They do not just want to be engaged at a preliminary, esoteric level when planning policy is being written. Most citizens want to engage on real life issues that affect them, their neighbourhoods, their communities and their environment. I make no criticism of the State Planning Commission for confining their Community Engagement Charter to consultation around planning policy because they play the cards they were dealt by parliament. I think they were dealt a dud hand.

I note that the Planning Commission also has the ability to independently advise the planning minister. I hope they take the opportunity to do that and to feed back to the minister that, overwhelmingly, citizens are not happy that their engagement, their consultation, will be limited only to planning policy and not to the most important aspect, which is development assessment. The actual decision-making process about what gets built where, that is when people want to engage. I am very disappointed that they are not going to have that right.

So why does the government insist on only letting people engage in planning policy rather than development assessment? The answer is very simple. It is a sop to the development industry. The industry wants this thing called certainty. What certainty is a euphemism for is that they do not want any surprises and they certainly do not want local communities turning up and raining on their parade. They do not want neighbourhood groups, citizens' associations, residents' and ratepayers' groups weighing in on their plans for development. The previous government, with the opposition, let this go through, and I think it is a very poor outcome.

The main criticisms of the Community Engagement Charter are, firstly, as I have said, that it does not engage citizens when they most want to be engaged, that is, in relation to development approval, but also it lacks enforceable standards. Even if, under the charter, they should have consulted with people or with a group of people and they do not, there is not anything much that you can do about it. You might be able to go to the Supreme Court, but that is a very long and expensive process.

The reason for me raising this issue now is that I am offering some unsolicited advice to the Liberal and Labor parties. I know they always welcome advice from the Greens but, so you are not taken by surprise, I am going to tell you that this is how it will play out: whenever there is a development in your constituency that is contentious or controversial and residents are up in arms and they rent out the local RSL hall or the town hall to hold a public meeting, any member of the Liberal or Labor party who goes along to those meetings and says, 'Dear residents, we feel your pain. We think it's terrible that you're not consulted about this development in your neighbourhood that will directly affect you,' I am hoping that I, or some other knowledgeable person, will be there to say, 'Don't believe a word they say.'

It was within the power of the Liberal and Labor party to have a genuine system of public engagement and public consultation and you squibbed it. You squibbed it when we passed the legislation and you have also squibbed the opportunity, through the statutory approval process, to get this right. The Greens will not be giving up on the rights of South Australians and we insist on putting people back into planning.

#### SUICIDE PREVENTION

**The Hon. J.S.L. DAWKINS (15:41):** I rise to speak briefly about some recent events that I have participated in as the Premier's Advocate for Suicide Prevention. On 24 May, I was pleased to

attend the South-East Suicide Prevention Network of Networks Conference held at the historic Woolshed in Glencoe, which is a property very proudly owned and maintained by the National Trust.

I was pleased that the member for MacKillop, Mr Nick McBride, was in attendance, as was the Deputy Mayor of Wattle Range Council, Robert Dycer. I was pleased to be asked to make not only the opening remarks but also the closing remarks. It was very tolerant of them to ask a member of parliament to speak at the end of a day when everybody wanted to go home. The networks represented there were from Mount Gambier, Treasuring Life South-East, Naracoorte Lucindale and districts, Wattle Range and Kingston.

On 29 May, I was pleased to be invited to speak at the 10<sup>th</sup> Shared Learning in Clinical Practice Symposium at the University of South Australia's east campus. That symposium was presented by the Mental Health and Suicide Prevention Research Group of the University of South Australia, along with the Office of the Chief Psychiatrist and the SA Health Best Practice Spotlight Organisation project of the Central Adelaide Local Health Network. The focus of the event was the 'connecting with people' philosophy, placing an emphasis on compassion, empathy and collaboration at the heart of every encounter with a person at risk of suicide.

Also, on 30 May, I was delighted to speak at the opening of the 4<sup>th</sup> Sustainable Mental Health, Sustainable Communities rural mental health conference in Port Lincoln. The theme of that conference was the possibilities of the open mind. This conference was hosted by the University of South Australia's Department of Rural Health based at Whyalla, with assistance from Country SA PHN, Country and Outback Health, the University of Adelaide, the Whyalla Suicide Prevention Network and the Lincoln Alive suicide prevention network. There were two particular streams during the conference, one on suicide prevention in the bush and also the National Disability Insurance Scheme. I was very pleased to have the leave of the council to participate in that event.

Also, only last Sunday, 3 June, I was privileged to once again join with the Silent Ripples group for its annual memorial ceremony at The Round House in Murray Bridge, always a moving service for families and friends to remember those lost to suicide. The memorial garden is a very fitting place, looking out over the River Murray, where people can remember their loved ones, and there are pavers there to mark the input of the many people who support that project. I acknowledge The Rural City of Murray Bridge for its support in establishing that memorial garden on what was a rather barren, rocky place.

As well as that service remembering those lost to suicide, it also provided recognition of the very positive achievements of the Silent Ripples group in the Murraylands and beyond. Many activities include their involvement in the annual Ride Against Suicide, which ends at the royal showgrounds during show week, of course Ski for Life, the establishment of a sister Silent Ripples group in the Riverland, and there are a number of other ways they get awareness about the impacts of suicide across the South Australian community.

### **ANZAC EVE YOUTH VIGIL**

**The Hon. J.E. HANSON (15:46):** It is with great honour that I rise today to speak about the state RSL ANZAC Eve Youth Vigil ceremony. I was given the privilege of formally representing the Leader of the Opposition, Peter Malinauskas, member for Croydon, at the event on Tuesday 24 April at the National War Memorial monument on North Terrace, Adelaide. Also in attendance at this event was the Governor His Excellency the Hon. Hieu Van Le, the Hon. Michelle Lensink and the Hon. Emily Bourke, among other dignitaries.

The state RSL ANZAC Eve Youth Vigil ceremony is made up of 10 youth organisations, including the St John Ambulance, the Australian Army Cadets, Girl Guides Australia, Girls' Brigade South Australia, Scouts Australia, Surf Life Saving SA, SA Country Fire Service cadets, SA Emergency Service cadets, Australian Air Force Cadets and the Boys' Brigade South Australia, which conducted the 12-hour vigil that concluded just prior to the dawn service the next morning.

The vigil was held to acknowledge and commemorate the hard work and sacrifice of those who served in the Australian and New Zealand Army Corps who fought at Gallipoli in World War I, and to remember the fallen soldiers who did not make it home to see their families.

ANZAC Day, of course, is a time to remember those who have served to keep Australia safe and those who fought for our freedoms. We live in times where, unfortunately, military tensions and uncertainty are still a factor. Young men and women across the globe, including the Australian armed forces, make such an enormous sacrifice and commitment to our country and safety, and for that I am thankful.

Additionally, I would like to give credit to the young volunteers from the many youth organisations present at the vigil. These young adults braved the cold temperatures—and it was quite cold—in solemn respect for fallen Australian soldiers. These young adults from the St John Ambulance, the Australian Army Cadets, Girl Guides Australia, Scouts Australia, Surf Life Saving SA and the other organisations I previously mentioned gave up their time and effort and forfeited their time to honour the service men and women.

That type of commitment amongst our youth is not always shown these days, and for that I commend their actions. At times it is possible that many forget the sacrifices and cost of war, the toll it takes on people and country. Ceremonies like the 2018 state RSL ANZAC Eve Youth Vigil ceremony, which pay respect to our fallen service men and women, serve as a reminder of this sacrifice and the sacrifice that others have made to protect us and our freedoms.

Again, I would like to thank the Returned and Services League of Australia (SA Branch) and the South Australian National War Memorial for all their hard work, the efforts of the 10 youth organisations who gave up their time to honour the fallen soldiers and, most importantly, the service men and women serving in the Australian armed forces.

### **LOCAL NUISANCE AND LITTER CONTROL ACT**

**The Hon. F. PANGALLO (15:49):** I rise to speak about the unintended consequences of a piece of legislation passed in July last year that threatens to wreak havoc in communities and potentially spark spats among neighbours. Take a walk east along North Terrace on a windy day and if you listen carefully you will hear the autumnal rustle of fallen leaves from plane trees blowing around our beautiful boulevard of art, culture and sophisticated fashion.

But, who would have thought that sound, not much louder than blowing leaves, could land a home owner with a fine of up to \$30,000 and stop them from using their reverse cycle air conditioner on a cold winter's night? Or it could be the playful excitement of children in the swimming pool or wafts of lamb, pork or beef on a smoking spit barbecue, much like the former treasurer, the Hon. Tom Koutsantonis, likes tweeting about.

If a council officer forms the opinion—and let me repeat that: forms the opinion—it is creating a nuisance for the complaining neighbour, then you are in strife. This is the fallout from the innocuous sounding Local Nuisance and Litter Control Act 2016. This began with the good intent of having a clean and healthy environment we can all enjoy by controlling the things that can annoy people and constitute a nuisance like noise, junk and litter, vibration that causes doors and windows to rattle, dust, chimneys spewing smoke and, curiously, odours.

Among things unclear in this act, the exact nature of a big stink is not defined, but I imagine it could be anything from rotting waste, garden compost and manure, to even spicy or smoky cooking that someone could take offence at. It is not inconceivable for a vegan to get cranky at his neighbour's sizzling kranskys.

This act is another example of government cost shifting onto councils. Previously, pollution and noise complaints were the domain of the Environment Protection Agency, which the last government pared to the bone. Now councils and police have the authority to police it. However, it is the way one council, Charles Sturt, is interpreting it that should ring alarm bells for us all. The inconsistencies were brought to my attention by a constituent, Mr Rocie Franze, whose life has been made unbearable by a bumbling council determination which has descended into pure farce.

During the summer there was a complaint first about his children splashing in the backyard pool, then his air conditioner. It must be said that Mr Franze's air conditioner is almost brand-new, was approved by the same council in building plans for his new home, is fully compliant with Australian standards and is no different to countless other split systems in suburbia.

Without his knowledge, the council had the EPA test the noise level from a bedroom in the plaintiff's home because they did not possess the correct measuring equipment. With an exterior sliding door closed, and the bedroom door open, it measured 30 decibels. With the sliding door open—not a usual practice for anyone—and the bedroom door open, it was 35 decibels. By EPA standards, testing was flawed as it requires doors to be closed before measurements are taken.

The readings fell between a whisper and rustling leaves and what you would hear in a quiet rural area. The EPA's acceptable levels for air conditioners is 45 decibels at night and 55 decibels during the day. In this act, no benchmark levels are set—no objectivity, just the subjective opinion of the authorised council officer, who does not have the required equipment to start with, even though under this law there is a provision to take measurements and carry out tests. To paraphrase section 17(1)(e), things can be declared to constitute a local nuisance if an authorised person forms the opinion. The council has harangued and threatened Mr Franze, unless he fixes it, except nobody can tell him what is an acceptable level and neither does the act.

This week, the council returned with an EPA inspector for yet another test using EPA equipment. Done correctly this time, it registered an even lower reading. SA-Best will be looking at a private members' bill to clear up all the confusion and deny the TV program *Utopia* another side-splitting storyline about bureaucracy gone mad. As for Mr Franze, he is still to get council's verdict, and he has racked up \$8,000 in legal fees and costs to consultants that he is not likely to recover.

#### *Motions*

### **ABORIGINAL VETERANS COMMEMORATIVE SERVICE**

**The Hon. K.J. MAHER (Leader of the Opposition) (15:56):** I move:

That this council—

1. Commends Reconciliation SA and Aboriginal Veterans SA on the ANZAC Day service at the Aboriginal War Memorial;
2. Acknowledges the contribution of Aboriginal service men and women; and
3. Recognises that their sacrifice often did not result in equal treatment to their non-Aboriginal brothers and sisters in arms.

I rise today to speak to this motion. I was honoured once again to attend the ANZAC Day service at the South Australian Aboriginal War Memorial. I commend Reconciliation SA and Aboriginal Veterans SA for once again putting on a moving and memorable morning. It was particularly memorable for me this year, as I was able to share it with my family. I laid a wreath with both my father, Jim, and my eldest son, Marley, that morning.

ANZAC Day is an important day when we honour the men and women who have served Australia, many of whom made the ultimate sacrifice. It is especially important on this day to remember the sacrifice made by Aboriginal and Torres Strait Islanders, part of the oldest living culture this planet has seen, and their contribution in defending their country, our country.

Aboriginal and Torres Strait Islander people have served in all of our major conflicts since the Boer War. Ken Jones has been a family friend of mine for 30 years and gave a moving speech at the ANZAC Day service about his grandfather, William Charles Westbury. William Charles Westbury served in the Boer War, the only recorded Aboriginal South Australian to do so, and then enlisted for World War I. He was in the first wave to land at Gallipoli before being injured. Once recovered, he continued to serve on the Western Front—a remarkable story of service and sacrifice.

But until 1949, non-Europeans were officially barred from serving in our armed forces. Despite that policy, it is estimated that in excess of 1,000 Aboriginal people enlisted to fight in World War I alone. Eric Bogle's lyrics to *Lost Soul* speaks to the treatment of many Aboriginal soldiers, who at the time of their service to Australia could not vote or even counted as citizens. As Eric Bogle's lyrics record:

Why did you come here, Ngarrindjeri man, to fight and die here in this cold and alien land?

You owed them nothing, yet your life you freely gave, the mark of a warrior, not a servant or a slave.

Those Aboriginal people in the armed services lucky enough to come home were not treated in a way that a grateful nation ought to treat their heroes. They were not given full citizenship. Many found they were excluded from accessing the soldier settlement scheme, government nominated areas of land for returned soldiers. The scheme often provided assistance with erecting buildings, purchasing stock or seeds, establishing fences, draining and irrigation. Approximately 37,000 soldiers took up land under the scheme.

On the other hand, many Aboriginal people returning from war faced demeaning controls on their behaviour under protection acts, with their wages and movements controlled by protection boards. They were not permitted to drink at the local bar with their comrades and were often refused membership at the local RSL. There is little government support for wounded or mentally scarred Aboriginal veterans. Their service and sacrifice was often ignored by government and society in general. That is why the unveiling of the Aboriginal and Torres Strait Islander War Memorial in 2003 was such a significant occasion. Then commissioner Frank Lampard OAM said on that day:

Many in the Aboriginal and Torres Strait Islander community of Australia have come to view 'ANZAC' as a party to which they have not been invited.

With the unveiling of the memorial in 2013, Frank said:

Well, I am proud to say that lack of recognition ends today.

Slowly, we have been righting some of the wrongs of the past in this respect, giving that recognition which ought to have always been afforded.

Last year, I and many, many others attended another step towards righting some of those wrongs when we attended the full military funeral for Private Miller Mack, with all the honours deserving of a soldier who had put their life at risk for their country. It had taken 98 years to give Private Mack a service befitting his military service and allowed him to be buried on country—his Ngarrindjeri country.

Private Miller enlisted in the Army in 1914 and served in World War I as a member of the 50<sup>th</sup> Infantry Battalion, the first South Australia battalion to see active service. The colour of Private Miller Mack's skin did not matter in the trenches of war, but on his return to Australia he resumed his place as a second-class citizen, sent back to the then Point McLeay Mission under the instruction of the Protector of Aborigines, and he was diagnosed with tuberculosis and died on 3 September 1919.

I know that for many Aboriginal people who have served in the Defence Force it can be difficult for their families to decide whether to be buried alongside your brothers and sisters in arms or on country with thousands of generations of cultural connection. Private Mack, at the time, did not receive the dignity of either. Private Mack's final resting place was an unmarked pauper's grave in the West Terrace Cemetery. It is a great shame that for too long a blind eye has been turned to the service of so many Aboriginal men and women who went to fight for their country and were denied a proper burial. Private Mack's ultimate sacrifice was befittingly honoured when his family inadvertently discovered his burial place and returned him home to be buried on Ngarrindjeri country near Raukkan.

Mr President, I want to pay tribute to the past and present members of Aboriginal Veterans of South Australia, and others who have done so much to support Aboriginal veterans, some of whom are here in the gallery today. In particular, I pay tribute to senior Kurna man, Uncle Lewis O'Brien; Frank Lampard OAM, who I have known for many, many years in many, many roles; Geoffrey Cooper; Bill Denny, who many will know; Simon Kelly; and so many others. We recognise your service and the service you have put in since serving your country and the sacrifices you have made and you continue to make. Thank you for everything that you have done.

**Honourable members:** Hear, hear!

**The Hon. K.J. MAHER:** I also want to pay tribute to the extraordinary service of the Lovett family. One of my closest friends, my uncle Mark Lovett, is here with us today. The story and service of his family is a remarkable one. The Lovett family occupy an impressive position in Australian history. The Imperial War Museum in London say they know of no other record of military service by a single family that matched that of the Lovett family. The Lovetts are Gunditjmarra people from

Victoria's Western districts. Known as the 'fighting Gunditjmarra', they fought settlers in the frontier wars in the 1840s.

The Lovett family stuck to their true colonial nicknames and continued fighting for decades once a settlement occurred. Overall, 20 members of the Lovett family, including two female members, have served Australia in both war and peacekeeping missions, from the Western Front to East Timor. During World War I, five Lovett brothers voluntarily enlisted to fight with the Australian armed forces and, like many other Aboriginal people, their applications were nearly rejected; however, they were accepted because they were 'not pure blooded blacks'.

Against all odds, all five Lovett brothers returned home safely, but to face the same discrimination as other Aboriginal returned soldiers. When they returned home, much of the Lovett's traditional family lands around Lake Condah were sold to the state government for its soldier settlement scheme. The Lovett's application for land under the scheme was denied. Despite this disregard for their World War I service, four of the five original Lovett brothers re-enlisted during World War II. Again, all returned unharmed, as has every member of the Lovett family who served in Australia's armed forces.

More recently, the Lovett family has received more of the recognition that has been deserved. In 2000, the Lovett Tower at the Department of Veterans' Affairs building in Canberra was named in recognition of the Lovett family's contribution to the Australian military.

Thinking of the Lovett family, the fighting Gunditjmarra and of all Aboriginal people from all Aboriginal nations reminds me of a line from Vonda Last's song, *For Love of Country*. In speaking of Aboriginal soldiers, she notes that they kept watch for the first 40,000 years. It is hardly surprising that many people whose heritage in this country dates back to, according to custom, time immemorial, and according to science at least 65,000 years, wanted to protect their country.

In honour of veterans here today, in recognition of those who are not and in recognition of the countless battles still being fought by Aboriginal people to receive the rights and the respect they deserve, I commend this motion to the chamber.

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

### HOUSING LEGAL CLINIC

**The Hon. T.A. FRANKS (16:06):** I move:

That this council—

1. Notes that the funding agreement for the Housing Legal Clinic ends on 30 June 2018; and
2. Calls on the South Australian government to commit to renewing funding for a further three years in order for the service to continue.

I rise to speak in support of the vital work that the Housing Legal Clinic does in South Australia and to strongly urge the South Australian government to maintain the funding for this service. The Housing Legal Clinic is managed by the Welfare Rights Centre and has a proud 11-year history of providing free legal advice to people who are facing homelessness, are at risk of homelessness or are low-income earners unable to afford legal assistance.

The Housing Legal Clinic works to coordinate lawyers from participating Adelaide law firms, providing pro bono legal advice to clients at various emergency relief locations. These include: the Hutt St Centre, the Magdalene Centre, Uniting Communities New ROADS, UnitingSA Port Adelaide, UnitingCare Wesley Bowden Inner Southern Homelessness, AnglicareSA Elizabeth and Service to Youth Council.

This service provides advice, referrals and minor representation to clients who would ordinarily not be able to access any legal assistance. Over 6,000 clients have used the Housing Legal Clinic over these 11 years, using approximately 8,000 hours of pro bono legal services. During those 11 years, the Housing Legal Clinic has helped clients access compensation, superannuation to assist them getting housed, challenged incorrect fines or charges and made referrals for numerous criminal matters, family law, immigration or civil claims.



Together with the Welfare Rights Centre, the Housing Legal Clinic provides an invaluable service, not just to its individual clients but to our entire state. Every day, the Housing Legal Clinic reduces the overall financial cost to our state for people entering into or unable to exit homelessness or being reliant on crisis services. It reduces the number of people entering into homelessness and ensures that people receive their appropriate social security payments. Since October 2017 alone, 136 people have been prevented from entering homelessness.

There is no doubt that the Housing Legal Clinic punches well above its weight, and it is vital that we continue its funding. Many of the clients whom the Housing Legal Clinic sees would have no other opportunity to seek legal advice if it were to close down. As they do not have the financial nor the social resources to access conventional legal services, the Law Council of Australia and the Law Society of South Australia have advocated for more access to legal services for such disadvantaged groups.

With legal aid funding in Australia at its lowest figures in years, we cannot afford to let yet another community legal service shut its doors. Yet, shut its doors it may well have to do as it awaits guidance on its future from a government that is, yes, new in its role, but certainly has not yet given an indication that the Housing Legal Clinic will continue.

The Housing Legal Clinic is currently funded from the Premier's discretionary funds and has received state government funding in the past. It is clearly doable. They do not ask for a lot of money and they are only asking for it to be able to keep their doors open so that many South Australians may have doors at their own homes to enter at the end of the day. Helping to keep these vulnerable members of our society in housing and supported by accessing the basic legal services that they would not be able to otherwise is vital.

It is very much the fence at the top of the cliff and if we do not address this issue now—and despite numerous approaches and a letter that has been sent to all members of parliament, I do believe, but I seek leave to table the letter from the Welfare Rights Centre of South Australia that has been sent to me. It is not dated but was received within this past week.

Leave granted.

**The Hon. T.A. FRANKS:** I table that for the benefit of all members to inform them on this debate. This is not a great deal of money that we are talking about but it is an issue that will see many people without the support they need to stay in their housing. Without being able to stay in their housing, of course, we know that the flow-on effect to our state in terms of support services will be enormous. This service should never have been put in its current situation; they should have had funding guaranteed into the future well beyond the results either way of any state election. There is fault on both sides here—both the opposition and government—but it is the responsibility of all of us in this parliament to fix this.

I will be taking this motion to a vote on 20 June, the Wednesday of private members' business. I think it is that urgent that this parliament needs to pay attention to these sort of issues and that this government needs to step into the breach and ensure that the Housing Legal Clinic can continue beyond June this year. With that, I urge members of the Legislative Council to read the letter that I have tabled today in parliament, for the government to provide funding certainty to the Housing Legal Clinic, and I look forward to a beneficial debate on the next Wednesday of sitting.

Debate adjourned on motion of Hon. C.M. Scriven.

### WORLD ELDER ABUSE AWARENESS DAY

**The Hon. F. PANGALLO (16:13):** I rise to move and speak on the motion in my name which acknowledges World Elder Abuse Awareness Day on 15 June, and the importance of commemorating the day. I move:

That this council—

1. Acknowledges that since 2006, concerned citizens, professionals, older people and service providers gather on 15 June each year to commemorate World Elder Abuse Awareness Day and encourages members of the council to wear purple to raise awareness of elder abuse;

2. Notes that World Elder Abuse Awareness Day recognises the significance of elder abuse as a growing social and financial concern, public health matter, and human rights issue;
3. Acknowledges that elder abuse comes in many forms including physical, psychological, financial, social, sexual and neglect and can be experienced in the community as well as living in an aged-care facility;
4. Recognises that one in 20 older people are the victims of elder abuse and that more research is required to tackle this critical issue;
5. Supports the national plan to address elder abuse and the need for governments at both state and federal level to work together to address violence, abuse and neglect of older people;
6. Encourages governments to work with the non-government sector which provides crucial support to older people who are at risk of abuse, or who are being abused;
7. Supports the implementation of adult safeguarding legislation that balances the state's duty to protect people from abuse and its duty to protect people's freedoms and autonomy; and
8. Recognises that elder abuse is unacceptable in any form and that all older South Australians deserve to live a life free of violence, abuse and neglect.

World Elder Abuse Awareness Day was created by the United Nations International Plan of Action recognising the significance of elder abuse as a growing social and financial concern, public health matter and human rights issue.

The WHO defines elder abuse as a single or repeated act or lack of appropriate action occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person. Elder abuse comes in many forms, including physical, psychological, financial, social, sexual and neglect and can be experienced in the community, in the family home perpetuated by a family member, as well as living in an aged-care facility perpetuated by carers who are entrusted with the care of our loved ones.

Given the abuse scandals uncovered in recent years, particularly in South Australia, it is more important than ever to acknowledge the issue of elder abuse in our community. The Aged Rights Advocacy Service estimates that one in 20 older people are victims of elder abuse. This figure is simply unacceptable. While more research is required to tackle this critical issue, we also need action now.

The protection of vulnerable people is a fundamental responsibility of government. The current laws and systems in South Australia are wholly inadequate to afford vulnerable people over the age of 18 even the most basic of protections. In 2011, the state government received the Closing the Gaps report, published by the South Australian Office of the Public Advocate in collaboration with the University of South Australia.

This key report made strong recommendations for the protection from abuse of all vulnerable adult South Australians, not just the elderly but particularly the elderly. The foundation recommendations of the Closing the Gaps report were emphatically reinforced by the subsequent South Australian parliamentary inquiry: Final Report of the Joint Committee on Matters Relating to Elder Abuse of 31 October 2017, and were ostensibly echoed by the Australian Law Reform Commission report: Elder Abuse—A National Legal Response of May 2017.

The Council on the Ageing, in its recent election manifesto of January 2018, also endorsed the Closing the Gaps report as the authoritative plan. Despite the horrific failings at the Oakden facility, the unacceptable increasing rate of reported abuse of the elderly and the recent reports calling for immediate implementation of key recommendations of the Closing the Gaps report, little has been done.

I look forward to debating the whistleblower protection laws introduced by the government, along with the recent bill to protect children and vulnerable adults. It is a start but, as many in this chamber will agree, there is much more to be done in terms of legislation. I encourage governments to work with the non-government sector, which provides crucial support to older people who are at risk of abuse or who are being abused.

I take this time to recognise the outstanding work of the Alliance for the Prevention of Elder Abuse in South Australia, which includes the Aged Rights Advocacy Service, the Office of the Public

Advocate, the Public Trustee, SAPOL and the Legal Services Commission, on the issue of elder abuse. The Aged Rights Advocacy Service's 12<sup>th</sup> World Elder Abuse Awareness Day Conference will be held in Adelaide next week, on 15 June. It is bringing together health professionals, lawyers, social workers, service providers, government and concerned citizens to discuss prevention and intervention strategies.

I very much look forward to attending this conference to listen to the experts discuss the many complex issues involved in elder abuse and to learn from their expertise. I will be wearing purple that day as a sign of respect, and I encourage my colleagues in the chamber and in the other place to do the same. All older people have a fundamental human right to protection from abuse and to be treated with dignity and respect. I commend this motion to the council.

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

### **ABORIGINAL DRUG AND ALCOHOL COUNCIL**

**The Hon. F. PANGALLO (16:19):** I move:

That this council—

1. Acknowledges a disturbing report released by the National Wastewater Drug Monitoring Program late last year that revealed Adelaide was the methamphetamine (ice) 'capital' of Australia, with the city found to have the highest levels of use—about 80 doses per 1,000 persons per day. This compares to the national average of 30 doses per 1,000 persons per day;
2. Recognises the invaluable work of the Aboriginal Drug and Alcohol Council (ADAC) in providing culturally and linguistically appropriate alcohol and other drug treatment services for both Indigenous and non-Indigenous clients;
3. Notes that ADAC is unique in Australia as it is the only Indigenous peak body of its kind representing 30 Aboriginal community organisations from across South Australia;
4. Notes the services provided by ADAC include a residential rehabilitation centre in Port Augusta and diversionary programs in Adelaide run by former AFL footballer Troy Bond, which have helped many Indigenous South Australians rebuild their lives;
5. Notes the Footsteps Road to Recovery program has received 350 referrals in the past two years, with five former clients gaining employment and many more undertaking voluntary work in their communities;
6. Recognises that up to 40 people per day undertake diversionary programs, which run for 48 weeks of the year with up to 9,000 participants each year.
7. Notes the federal parliamentary Joint Committee on Law Enforcement's final report into crystal methamphetamine published in March 2018 recommended that: '...Australian governments continue to advance collaboration with Indigenous communities and Indigenous health experts to provide culturally and linguistically appropriate alcohol and other drug treatment services';
8. Notes that this front-line drug and alcohol rehabilitation organisation faces closure because of a federal government funding cut; and
9. Urges the federal government to reverse its decision to cease \$700,000 in annual federal funding to ADAC.

A recent report has confirmed that ADAC has had its funding cut by the federal government to the tune of \$700,000, which will immediately impact on services and staffing at the council. The decision was made during National Reconciliation Week no less. This decision will only serve to widen the gap for Indigenous South Australians needing to access drug rehabilitation services. ADAC provides drug rehabilitation services on the front line in the battle against the state's ice epidemic.

As noted in the motion, the disturbing report released by the National Wastewater Drug Monitoring Program late last year revealed that Adelaide was the methamphetamine or ice capital of Australia, with the city found to have the highest levels of use, about 80 doses per 1,000 persons per day. This compares to the national average of 30 doses per 1,000 persons per day—more than double the national average. The rate is among the highest in the world and is more than double the national capital city average, as well as being the highest level recorded for the Adelaide area in the data's eight-year history.

Despite these astounding figures of ice use in South Australia last year, it was revealed that the state will only get \$15.5 million for drug treatment under the federal government's National Ice Action Strategy, which is \$1.5 million less than the state's population share demands. The \$244 million devoted to local treatment services was carved up nationally based on outdated 2011 census figures, using a model that gave extra to those in regional areas. South Australians should not be losing out to other states.

ADAC was formed in 1993, 25 years ago, as a South Australian community response to the royal commission into black deaths in custody recommendations to provide a community-controlled response through a statewide peak substance misuse organisation. ADAC expertise has been recognised by the commonwealth government over numerous years, with ADAC staff being members of nearly every National Drug Strategy Committee since 1998. ADAC employs 59 staff across South Australia and is the largest provider of alcohol and other drugs services for Indigenous people in the state.

ADAC staff include five Aboriginal people with either a Master of Indigenous Health or graduate diploma, registered nurses, enrolled nurses, counsellors and a range of other qualifications, including Aboriginal primary health. The organisation has seen an increase in the use of illicit drugs since its inception, creating programs to tackle the scourge of alcohol and illicit drugs by providing tailored culturally and linguistically appropriate alcohol and other drug treatment services to Indigenous and non-Indigenous clients.

The federal government's decision to cut funding to ADAC means that the organisation will close due to substantial federal funding cuts. Services provided by ADAC include a residential rehabilitation centre in Port Augusta and diversionary programs in Adelaide run by former AFL footballer Troy Bond, which have helped many Indigenous South Australians rebuild their lives. In fact, up to 40 people per day undertake diversionary programs, which run for 48 weeks of the year with up to 9,000 participants each year.

The Footsteps—Road to Recovery program has received 350 referrals in the past two years, with five former clients gaining employment and many more undertaking voluntary work in their communities. Scott Wilson, chief executive of ADAC, was told last week that \$700,000 in annual federal funding would cease at the end of 2018. While separate funding grants for the rehabilitation centre and two-day programs in Port Augusta are due to continue until 2020, we have been told that staff will soon be laid off, following last week's decision.

ADAC has confirmed that the council would not be able to keep operating the centres once its main funding grant ends. ADAC will soon be forced to stop taking clients from the end of September at the Port Augusta centre as the program runs for 12 weeks.

We cannot stand by as a parliament while the organisation is at risk of closure and people desperate for assistance to recover from their drug addictions are left floundering. We are losing an entire generation of South Australians to ice. Other organisations are also affected by the federal government's decision. The decision is cruel, made without evidentiary basis, and will only serve to adversely affect the most vulnerable in our community.

The federal government has not made public its reasons for reducing or defunding services, and I call on the federal government to make public its reasons for reducing or defunding services. The effect of the federal government's decision will only serve to put pressure on state-funded services and will increase demand on the state's mental health and homelessness support sectors. I implore my colleagues in this chamber to support this motion in urging the federal government to reverse its decision as a matter of urgency.

Debate adjourned on motion of Hon. I.K. Hunter.

*Bills***PETROLEUM AND GEOTHERMAL ENERGY (UNDERGROUND COAL GASIFICATION)  
AMENDMENT BILL***Introduction and First Reading*

**The Hon. M.C. PARNELL (16:26):** Obtained leave and introduced a bill for an act to amend the Petroleum and Geothermal Energy Act 2000. Read a first time.

*Second Reading*

**The Hon. M.C. PARNELL (16:26):** I move:

That this bill be now read a second time.

This is a bill to ban the controversial, dirty and dangerous practice of underground coal gasification. For the benefit of newer members in particular, this is a process not to be confused with coal seam gas or fracking for gas; I will have more to say about those topics later. This is underground coal gasification. At its simplest level, it involves igniting or setting fire to coal seams whilst in the ground. Holes are drilled into the coal seam and it is injected with oxygen, with air or with steam to basically ignite the coal seam. Other wells are drilled in order to attempt to capture the gas that is produced by that process, the so-called synthesised gas.

It is a process that has ended in tears in most places in the world where it has been tried. It is an issue that I have raised many times in this parliament and in the previous parliament. In fact, this is the second time I have introduced this identical bill. Back in July 2016, I raised the issue when I asked the minister for Aboriginal affairs about the impacts of the proposal by Leigh Creek Energy on Adnyamathanha heritage sites. I also asked the minister for the environment, back in July 2016, what steps he was taking to avoid this environmental disaster and whether he would follow the lead of Queensland and ban UCG in South Australia.

Again, the same year, I followed up with a motion in this chamber calling on the government to in fact follow the Queensland government's lead. Four months later, in 2016, I asked the minister for climate change what he was going to do to pull his other ministerial colleagues into line and prevent underground coal gasification from trashing South Australia's environmental reputation by unnecessarily exacerbating dangerous and irreversible climate change.

On 30 November 2016, I introduced a bill identical to the one that I reintroduce today. That bill sat on the *Notice Paper* for 11 months before being voted on in October 2017. The result, of course, was predictable and that is, despite an overwhelming and growing body of evidence that underground coal gasification was simply not worth the risk, the Liberal Party dismissed the bill in less than two minutes, in just 259 words, and the more effusive Hon. Tung Ngo took slightly longer—he took 312 words—before declaring on behalf of the Labor Party that the legislation had no merit.

What made the dismissive attitude of both the old parties in government and opposition even more disappointing was the large number of MPs who had in fact attended a briefing that I arranged here in Parliament House with Professor Campbell Gemmill, who members might remember was the chief executive of the Environment Protection Authority in South Australia. He is now a renowned international academic and an adviser to governments all over the world. It was Professor Gemmill's report to the Scottish government that convinced them to ban underground coal gasification.

If the old parties thought that, faced with these rejections by the old parties, the Greens would give up on the campaign to ban underground coal gasification, then they are sadly mistaken. This issue is far too important to give up. We have now had an election, we have got a new government and we have new ministers, so the Greens are determined to keep this important issue on the parliamentary agenda.

In fact, when parliament resumed, this was the first issue on our agenda. I raised underground coal gasification in my first matters of interest speech last month, and again in my Address in Reply to the Governor's speech opening the parliament. The reason I put this on the record is that I could go back over all of the material and recount all of the environmental arguments, look at all of the accidents and disasters that have happened in Australia and around the world, but

I will not do that; I will not revisit all that information because it is on the record and members can look it up for themselves, or I would be more than happy to compile a dossier of material for them.

What I will remind members of is the previous attempt at underground coal gasification in Australia, which was a number of projects in Queensland, including the Linc Energy project at Chinchilla and elsewhere, that resulted in what the Queensland minister described as the biggest pollution incident in that state's history. It resulted in the biggest environmental investigation in that state's history and it resulted in the biggest prosecution and fines that flowed from the conviction in that state's history—\$4.5 million was the fine, and five executives are still awaiting trial.

The clean-up cost to the Queensland government and the Queensland taxpayers is immense. They are desperately trying to get another \$5.5 million out of the directors of Linc Energy to help with the clean-up. It has been an absolute disaster at every level. But, guess what? It was not even a full commercial operation, it was a trial, just as is being proposed by Leigh Creek Energy for South Australia.

I have brought this bill back to the parliament now because the need for it is growing more urgent by the day. The reason I say that is because the new government, just like the old, is oblivious to the looming potential environmental crisis that is underground coal gasification. On 12 April this year, the new mining minister approved Leigh Creek Energy's statement of environmental objectives and its environmental impact report, and that gave the company, Leigh Creek Energy, the right to apply for further approvals to actually commence on-the-ground works.

For example, on 14 May, approval was given for the construction of facilities on the ground. On 29 May, permission was given to drill below the ground, that is, their process and monitoring wells, and there are two more phases that are yet to be approved. The point I am making is that these latest approvals make it almost inevitable that the second and third phases will be approved. The second phase is facility testing and the third phase is gasifier commissioning and operation. The trial will be underway the way things are going, and the dire environmental consequences that we saw in Queensland could become a reality in South Australia.

The simple fact of the matter is that the further advanced this project becomes the harder it is to pull the plug. Do you think Leigh Creek Energy will simply take it lying down if the government says in a year or two's time that they have had a change of heart and they decide that underground coal gasification is actually quite a bad idea? Are they going to take it lying down or are they going to put their hand out for compensation? I bet you it is the latter.

At the risk of giving people another history lesson, people might remember that Leigh Creek Energy was in fact the new incarnation of a company formerly known as Marathon Resources. Marathon Resources was the company that was sent packing from the Arkaroola Wilderness Sanctuary as a result of their appalling environmental practices, and because they were so advanced in their spending, they went to the government with their hand out and ended up getting \$5 million of taxpayers' money, which was an outrageous result, but it just goes to show the further we let these companies go with their unsustainable projects the harder it is to extract ourselves and the more likely that we will end up having to pay them compensation.

The government says in relation to underground coal gasification that it is looking for evidence of why it is a bad idea and why approvals should not be granted. What is remarkable is that the evidence is not that hard to find. As I have said, they only have to look across the border into Queensland. Queensland have legislatively banned underground coal gasification just as I am urging South Australia to. But a number of other experts have come out more recently.

In particular, two academics from RMIT University, Associate Professor Gavin Mudd and Dr Matthew Currell, have weighed in, basically casting serious doubts on the environmental assessment that has been undertaken by the company, and also the approvals that have been granted by the government. In addition to those particular experts, we also have the ongoing issue with the Aboriginal community up there. The Adnyamathanha Traditional Lands Association are dead against this project. Their CEO, Vince Coulthard, was quoted in InDaily a week or two ago saying that he was disgusted with the minister for signing off on this approval. To quote Mr Coulthard, he said:

Our land has been desecrated enough; the destruction and the poison must stop.

I note that the new Premier has stopped fracking in the south-east, so why has he not stopped this toxic project in our area?

I think that is a very good question. The mining minister in another place, Mr Van Holst Pellekaan, was again quoted in the same article in InDaily saying he had confidence in the integrity of the environmental impact process, and the quote from the minister was:

We have set the strictest conditions proposed anywhere in the world before this pilot project could proceed to the next phase.

That is almost word for word what the Queensland minister said. They are the same words that every minister uses when faced with a project like this. 'Nothing to worry about. We have the world's strictest environmental standards,' they say. Those standards may be strict but they are not enforced, they are not complied with, and the net result is what we see in Queensland, what we saw with Linc Energy, with that massive pollution and that massive prosecution. In fact, if I offer a few remarks from the judge who convicted Linc Energy in Queensland and, again, quoting from a Queensland government online report, they say:

His Honour described a range of inadequacies and failures on the part of Linc, Linc's knowledge of the damage being done and its attempts to hide that damage from the regulator. He also said that the offending was persistent and in clear breach of Linc's obligations under the Environment Protection Act 1994. The judge also described the offending as 'ecological vandalism undertaken for commercial reasons'.

Yet, every time a project like this comes up, and credible people urge the government to refuse the project, to look carefully at the consequences of the project, we are told, 'Don't worry, we have the best environmental standards in the world.'

I mentioned the compensation that we might end up having to pay. As I was looking at some of the Stock Exchange documents that Linc Energy has made available, I noticed that there is a peculiar provision in the corporations law which enables companies to simply walk away from assets that they think might be a little bit troublesome.

I have an ASIC 'Notice of disclaimer of onerous property', which is a rather Orwellian sounding title, but basically what it means is, if a company owns property—that is not just land, it is also licences, permits and approvals and things that should be of some value—where they reasonably expect that costs, charges and expenses that would be incurred in realising the property would exceed the proceeds of realising the property, then they can just unload it and walk away.

I think this parliament needs to learn from the Queensland experience. This bill is one way that we can show that we are in fact smart in South Australia, that we are not prepared to go down the same ignorant path that other jurisdictions have gone down and we are prepared to learn from others' mistakes. The devious and cavalier actions of Linc Energy in Queensland are a timely reminder of what is potentially at stake in South Australia.

With those words, for probably the fifth, sixth or tenth time in this parliament, I put the issue of underground coal gasification back on the agenda, and I urge all honourable members to closely look at this bill and give it their full support.

Debate adjourned on motion of Hon. I.K. Hunter.

## **PETROLEUM AND GEOTHERMAL ENERGY (MORATORIUM ON HYDRAULIC FRACTURING) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. M.C. PARNELL (16:41):** Obtained leave and introduced a bill for an act to amend the Petroleum and Geothermal Energy Act 2000.

### *Second Reading*

**The Hon. M.C. PARNELL (16:42):** I move:

That this bill be now read a second time.

In relation to the previous bill, I urged members to note the important distinction between underground coal gasification and other methods of extracting gas such as hydraulic fracturing or, as it is commonly known, fracking. This bill deals with that second issue; it deals with the issue of

fracking. This is an issue that the Greens have worked on at state and federal level for the best part of a decade, including in South Australia in the South-East region of our state. To put it simply, the bill that I am introducing today gives effect to what the Liberal Party promised before the election—that is, that they would implement a moratorium on hydraulic fracturing, or fracking, for gas in the South-East for a period of 10 years.

Members who have been paying attention to the rural media in the South-East would know that this is a hot topic and has been for many years. Members might also be aware that one of our colleagues in another place, Mr Troy Bell, the member for Mount Gambier, has also foreshadowed introducing a bill, which I expect will be either the same or very similar to the bill that I have introduced today. I give credit to the local member, Mr Bell, for listening carefully to his community and fighting for what they have been clearly saying for many, many years.

I make the point that the Greens have also been in this space. If people want to reflect on why it was that the Liberal Party implemented a policy of a moratorium before the election, they will go back to the inquiry that was undertaken by the Natural Resources Committee. One of the findings of that inquiry was that fracking for gas in the South-East did not have a social licence to operate. It did not have the support of the community. If we go back even one step further, how was it that the Natural Resources Committee came to inquire into gas in the South-East? Well, I put my hand up and say that was a Greens motion in parliament.

I will say that whenever people level criticisms at the Greens and say, 'You are not prepared to compromise,' we compromised a great deal in relation to that motion. The Greens originally had a more comprehensive inquiry, but we wanted to make sure that the people of the South-East got their inquiry, so when the Liberal Party made their support conditional on a number of factors, such as that it be the Natural Resources Committee and that I not be on it, then, at the end of the day, I swallowed my pride and said, 'Well, an inquiry is what the people want,' and it is what they got and they got the outcome they deserved.

**The Hon. J.S.L. Dawkins:** It was a very good inquiry.

**The Hon. M.C. PARNELL:** As the Hon. Mr Dawkins interjects, it was a good inquiry. It was well chaired, and it is a committee that I think prides itself on trying to achieve consensus in its work. As a result, the Liberal Party brought a policy to that last election saying if they won government they would introduce a moratorium on gas. But, a moratorium is one of those things that can mean different things to different people. Again, those who followed the local press down there, *The Border Watch*, *The Pennant* from Penola, the *Stock Journal* and those country papers, would realise that there has been a debate raging over whether—

**The Hon. J.S.L. Dawkins:** You better not forget *The South Eastern Times*.

**The Hon. M.C. PARNELL:** And *The South Eastern Times*, I am reminded. The debate that has been raging is whether it is sufficient for the government to simply declare a moratorium and instruct public servants to give effect to that moratorium or whether, in fact, legislation is necessary. This has been a bit of an impasse. Where the Greens and Mr Bell from another place are on the same page is that we have seen enough government decisions fall over when they are not implemented through legislation or not put in writing in some way that is legally binding. We have seen enough of those things fall over to know that a moratorium that is only as good as someone's word is really only as good as the time that they are in office.

It is difficult for any political party to promise 10 years of anything when we have four-yearly electoral cycles. If the government is serious about a 10-year moratorium, there is really no alternative other than to put it into legislation. That, in fact, is what local residents have been calling for. It is certainly what the Limestone Coast Protection Alliance has been calling for. It is what Mr Bell has flagged he is going to do some time next month and it is what I am doing today.

One of the questions might be: if the lower house is going to be debating the moratorium in July, why does the upper house need to be debating it in June? The answer to that is borne out of experience, where we know that this chamber attaches a great deal more value to private members' bills and private members' time than does the other place. At the risk of offending my colleague the Hon. John Dawkins, he has seen bills of his that have languished in the lower house because they have not been prioritised by the government.



The definition of 'government' is: those people who control the lower house. If you can control the house, you control the agenda and you can determine what gets debated and what does not. I am hoping that the government will give Mr Bell the opportunity to have his bill fully debated and fully tested, but I have no confidence that that will happen because history tells us that private members' business often languishes and very often dies in the lower house, without debate and without a vote. We do things much better in this chamber, so I brought this bill forward for our consideration now.

I will make one comment in relation to some recent criticism in the local press that the bill I am introducing today—and the introduction of which was foreshadowed by Mr Troy Bell in the other place—does not go far enough. I absolutely accept that criticism. If a person is worried about all the different impacts that come from all types of gas activity, and if we are interested in the impact that fossil fuel extraction is having on our climate, a simple 10-year moratorium confined to the South-East and confined to one particular technology does not really cut it. I fully accept that.

However, I am interested in getting results for the people of the South-East, and a bill that exactly reflects what the Liberal Party said its policy was before the election has, I think, the greatest chance of success. I am not saying that I will not be coming back with other bills that have a broader purpose—I absolutely will—but I have kept that separate from this bill. I do not want any excuses, especially from the Liberal Party now that they are government. I do not want them to say, 'The Greens bill has gone too far; we can't support it.' The Greens bill does nothing more than the Liberal Party promised.

The mechanics of the bill are very simple. It is similar but not identical to bills I have introduced in the past. In the past, I have suggested that what in this bill is a moratorium, should be a ban that should be permanent. In previous bills, I have called for it in relation to all farming land, all conservation land and all land where people live, that is, residential-type land. This bill does not do that. This bill confines itself to hydraulic fracturing and to seven local government areas, namely, City of Mount Gambier, District Council of Grant, Kingston District Council, Naracoorte Lucindale Council, District Council of Robe, Tatiara District Council and Wattle Range Council.

It is limited to those seven areas that are part of the South-East Local Government Association. There are possibly other ways that you could define the South-East, other geographical indicators, but I think this does it pretty well because all of those councils, over the last decade, have debated the issue of fracking, and every one of them has called for an inquiry, or a ban, or a moratorium. I think it was those calls that were largely responsible for the Liberal Party's position. So I am pleased, on behalf of the Greens, that we are bringing this bill into the upper house, where we are guaranteed that it will be given proper consideration and time to debate it.

If it turns out that there is a change of government in four years—I know the members opposite are just getting used to their new roles, and they do not want to contemplate that they might not be there in four years' time—and we have legislated the moratorium, it means that any new government that comes along will have to undo it through legislation. Certainly, they will control the lower house of parliament—whoever is in next time will be the government—but they will not control this chamber, as no government of the day has controlled it since the 1970s.

So enshrining this moratorium in legislation is absolutely the best way to give the people of the South-East the security they need and deserve, to allow them to invest in their agricultural businesses with confidence that they are not about to be interrupted by gas companies coming in and wanting to frack their back paddock.

I urge all honourable members to support this bill. I particularly urge members of the Liberal Party to support it because, as I have said, it exactly mirrors the promise they made before the last election. Whilst the Greens' position is that we do not hold governments to all of their election promises—they make some silly ones and we do not hold them to those—we do hold them to this one. This was a good promise and we want the Liberal Party to see it through by supporting this legislation.

Debate adjourned on motion of Hon. I.K. Hunter.

*Motions***BATTLE OF CORAL-BALMORAL**

**The Hon. T.T. NGO (16:54):** I move:

That this council—

1. Acknowledges the 50th anniversary of the Battle of Coral-Balmoral, which was fought between 12 May and 6 June 1968;
2. Recognises the bravery of those 3,000 Australian soldiers involved in the battles at Coral-Balmoral, and pays its respects to the 26 men who lost their lives and the more than 100 injured;
3. Commends the commonwealth government for officially recognising the gallantry of 3,000 Australian soldiers who fought at the Battle of Coral-Balmoral by awarding them a Unit Citation for Gallantry; and
4. Pays special tribute to the mothers of these fallen Australian soldiers, particularly those of the 11 men who died on the first night of the battle, which happened to be Mother's Day.

I rise to move this motion which provides an opportunity for this parliament to recognise the sacrifices that Australian soldiers made fighting to defend fire support bases at Coral-Balmoral, 40 kilometres north-east of Saigon, during the Vietnam War between 12 May and 6 June 1968. It is particularly timely as this year marks the 50<sup>th</sup> anniversary of this battle, and the first part of my motion asks this council to acknowledge that fact.

The Battle of Coral-Balmoral saw the North Vietnamese launch attacks on fire support patrol bases Coral-Balmoral in order to improve their position for a future attack on Saigon. However, they were successfully repelled by Australian armed forces through conventional warfare.

Fire support bases are temporary military encampments that provide artillery fire support to infantry operating in areas beyond the normal range of fire support from their own base camps. This activity was undertaken in the midst of what had been a heavy offensive by the North Vietnamese. What is known as the Tet Offensive began on 31 January 1968, with up to 100,000 North Vietnamese and Viet Cong troops simultaneously assaulting population centres and allied stations across South Vietnam in an attempt to incite a general uprising against the South Vietnamese government and its American supporters.

The general uprisings never eventuated and in late February the communist offensive collapsed after suffering more than 45,000 killed against the South Vietnamese and allied losses of about 6,000 men. Although the Tet Offensive had been a tactical disaster on the ground for the North Vietnamese and Viet Cong, the Hanoi administration emerged with a significant political victory as confidence in the American military and political leadership collapsed within South Vietnam.

There was also mounting pressure on the then US president Lyndon B. Johnson to end the war and bring the troops home. Opposition within his own Democratic Party was being led by the charismatic senator Bobby Kennedy, who was expected to challenge president Johnson for the Democratic nomination for the upcoming presidential election. The sentiment was similar in Australia, with anti-war protesters mounting pressure on the government. Then prime minister Gorton unexpectedly declared that Australia would not increase its military commitment in Vietnam beyond the then current level of 8,000 personnel.

Despite the losses of the North Vietnamese and Viet Cong during the Tet Offensive, the defence minister of the Democratic Republic of Vietnam, General Vo Nguyen Giap, moved quickly to replace these losses with reinforcements. By early May, 15,000 North Vietnamese soldiers were serving in the Viet Cong units in South Vietnam. This led to North Vietnam's May Offensive, which was their attempt to gain an advantage in the war before the first session of peace negotiations, which were scheduled to begin in Paris on 13 May.

The North Vietnamese successfully infiltrated Saigon in an event that received widespread international media coverage and resulted in considerable embarrassment for the Americans and the allies, including Australia. As many as five of the 13 attacking Viet Cong battalions penetrated the city's outer defences, plunging the capital into chaos and resulting in heavy civilian casualties.

Eventually, by 12 May, the North Vietnamese were forced to withdraw from Saigon and its outer reaches. They suffered more than 5,500 dead in just over one week of fighting. The US casualties were also heavy, amounting to 652 killed and 2,225 wounded. It was the most costly week of the war for the Americans.

This prelude helps explain the reason Australian forces were then tasked, in the aftermath of the North Vietnamese withdrawal from Saigon, to set up fire support bases. These bases, established outside the regular perimeter of established bases for the Allies, were used to further drive the North Vietnamese towards the north and further away from Saigon. The Australian infantry set up its first fire support base, which they named Coral. It was the first of the two bases to come under attack on 12 May. I will speak more about the significance of that particular night later on in my contribution.

The second base was named Balmoral by the Australians, and it would first come under attack on 24 May. These bases were only 40 kilometres north-east of Saigon. At the beginning of the conflict at Coral–Balmoral, the Australians were unaware of the level of numbers that the North Vietnamese still had in the area. Intelligence had advised them that the North Vietnamese were slowly filtering back up north in a defeatist attitude after being pushed back further out of Saigon. The reality was that the battle of Coral–Balmoral saw 3,000 Australian soldiers fight valiantly, outnumbered by up to 4,000 North Vietnamese and Viet Cong soldiers. A total of 26 Australian men would lose their lives, with more than 100 men being wounded through the fighting.

The second part of my motion asks this council to recognise the bravery of these men who fought in some of the most hazardous conditions an Australian soldier had faced since World War II. For the first time since World War II, this battle saw artillery being fired at point-blank range using splintex rounds and centurion tanks that were engaged in action.

The operation finally concluded on 6 June, with the North Vietnamese defeated and demoralised. During the 26 days of fighting, the Australians had inflicted punishing losses on the North Vietnamese and Viet Cong, which forced the North Vietnamese to postpone a further attack on Saigon. The North Vietnamese and Viet Cong casualties included 267 killed, seven wounded and 11 captured, while Australian losses were 26 killed and more than 100 wounded. Whilst this was an amazing military victory for the Australians, the achievement was still buried below the deep resentment many Australians had about war.

I would like to take this opportunity to share the story of Mr Robin Carbins. Mr Carbins was one of the Australian soldiers whose experience was reported in *The Advertiser* recently. In that report he stated:

Most people know about Long Tan...which was short, sharp and shiny battle over about five hours but this went on for a month and was far bigger than anything else...we lost more people at Coral-Balmoral than any other engagement.

The most amazing aspect of Mr Carbins' involvement is that he never fired a shot. However, he would be involved in a lot of fighting, including from artillery from his own Australian guns.

On 11 May, Mr Carbins was part of B Company of the 3<sup>rd</sup> Battalion, Royal Australian Regiment (3 RAR) and flew in to give perimeter defence support during the establishment of the Coral base. They were told they were surplus to requirements and to clear the area. The company set up their own camp about a mile away. Mr Carbins recalled, 'That night all hell broke loose at Coral.'

An artillery gun was overrun by the Viet Cong who intended to turn it on the Australian troops. This gun was recovered by fierce hand-to-hand fighting. The following night, Coral was attacked again with more loss of life. On his 23<sup>rd</sup> birthday, which was 23 May 1968, Mr Carbins was flown into Balmoral, the next in the string of fire support bases that were still under construction. The next morning it came under heavy attack. Mr Carbins noted jokingly, 'I was in the right place at the right time every time during Coral-Balmoral, which hasn't been true for all my life.' Mr Carbins, a resident of Andrews Farm in South Australia, has a truly special story which until recently had not received the recognition it deserved.

When Australians think of the battles fought during the Vietnam War, most would mention the Battle of Long Tan. The Battle of Coral-Balmoral has never received the same amount of recognition until recently. In 1968, the Vietnam War was on the nose with the Australian public, and returned soldiers believed that the information that made it back to Australia was that there had been light casualties and that Coral-Balmoral was 'no big deal'. In fact, the Australian War Memorial describes the 26 days of intermittent fighting at Coral and Balmoral as Australia's 'largest, most sustained and arguably most hazardous battle of the Vietnam War'. It was Australia's largest battle since World War II.

Many returned soldiers from the Battle of Coral-Balmoral have fought for recognition since their return to Australia. Officially, it has been a 27-year battle for recognition as veterans first made an application for recognition to the federal government in 1991. A group of veterans had been fighting for many years for this recognition. Mr Alan 'Jack' Parr, 70 years old, one of the returned soldiers, led that fight. Mr Parr's first submission for a Unit Citation for Gallantry was knocked back by Defence's Directorate of Honours and Awards. Mr Parr then appealed to the Minister for Defence Personnel, the Hon. Dan Tehan, who then instigated an inquiry that was completed by the Defence Honours and Awards Appeals Tribunal. The Unit Citation for Gallantry is a collective group decoration awarded to members of Australian military units. It recognises extraordinary gallantry in action.

In 2017, the Defence Honours and Awards Appeal Tribunal inquired into unit recognition for the Battles of Fire Support Bases Coral and Balmoral. The tribunal released the report of the inquiry into unit recognition for service at the Battles of Fire Support Bases Coral and Balmoral on 3 April 2018. The report made five recommendations, which were supported by Defence and the Minister for Defence Personnel. Of these five recommendations, it is particularly important to note the first three, which were:

Recommendation 1: To recognise all participants in the battles, the Tribunal recommends that the 1<sup>st</sup> Australian Task Force (Forward) be awarded the Unit Citation for Gallantry for extraordinary gallantry in action at the Battles of Fire Support Bases Coral and Balmoral, between 12 May 1968 and 6 June 1968.

Recommendation 2: The Tribunal recommends that no minimum period of service with the 1<sup>st</sup> Australian Task Force (Forward) in AO SURFERS between the dates 12 May 1968 and 6 June 1968 be imposed as eligibility criteria for individual entitlement to wear this award.

Recommendation 3: To capture the legacy of the gallantry displayed by participants in the battles, the Tribunal recommends that the following Australian units substantively deployed to AO SURFERS between 12 May 1968 and 6 June 1968 be awarded the Unit Citation for Gallantry for extraordinary gallantry in action at the Battles of Fire Support Bases Coral and Balmoral:

- 1<sup>st</sup> Battalion, The Royal Australian Regiment
- 3<sup>rd</sup> Battalion, The Royal Australian Regiment
- A Squadron, 3<sup>rd</sup> Cavalry Regiment
- C Squadron, 1<sup>st</sup> Armoured Regiment
- 12<sup>th</sup> Field Regiment, Royal Regiment of Australian Artillery
- 1<sup>st</sup> Field Squadron, Royal Australian Engineers

The recommendations were subsequently accepted by the Governor-General, Sir Peter Cosgrove. Part 3 of my motion is to congratulate the commonwealth government on this initiative, which is certainly long overdue. Veterans of eligible units for the Unit Citation for Gallantry are encouraged to apply directly to the Department of Defence. Members of the units who flew missions in direct support of the battles or who were forward deployed to the fire support bases are also entitled to wear a citation insignia, including No. 9 Squadron RAA161 Reconnaissance Flight and 161 Reconnaissance Flight. Family members of deceased veterans are also encouraged to apply for the insignia.

The fourth and final part of my motion asks that the Legislative Council pays special tribute to the mothers of the fallen Australian soldiers at Coral-Balmoral, particularly those of the 11 men who died on the first night of the battle, which happened to start on the night of Mother's Day, 12 May 1968. Three South Australians were amongst the fallen, and these were Sergeant Peter Lewis and Private Alan Cooper, both Regular Army, and Private William Thomas, a conscripted National Serviceman.

I can only imagine the horror and grief that those mothers have felt over the years, and I am sure that the arrival of Mother's Day each and every year has only brought on more of those negative feelings and emotions. It is for this reason that I believe the mothers of our fallen soldiers at Coral-Balmoral deserve special recognition from this house of parliament.

In my first speech in this parliament I paid tribute to all Australian service personnel who served during the Vietnam War, in which 521 Australians, including 58 South Australians, paid the ultimate sacrifice. I use this opportunity once again to say thank you to all Vietnam veterans and their families, especially those who lost their sons. Thank you for your courage and sacrifice and thank you for everything that you did.

I complete my contribution by thanking the Governor the Hon. Hieu Van Le for the anniversary event for this battle that he held on 11 May at Government House. I note that the Premier attended and has also spoken to the other place about this very significant event in Australia's and South Australia's history. With that, I commend this motion to the house.

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

### **WOMEN IN AGRIBUSINESS**

**The Hon. J.S. LEE (17:16):** I move:

That this council—

1. Raises awareness of the important role women play in agribusiness and in regional South Australia, especially in leadership roles;
2. Notes that women are occupying an increasing number of diverse roles in agribusiness; and
3. Recognises that South Australia continues to encourage more women to pursue careers in agriculture and horticulture as the world's growing demand for our food continues to rise.

I am delighted to rise today to move the private members' motion standing in my name about the significant roles women play in agribusiness and in regional South Australia.

In speaking to the motion, please allow me to put some perspective on why we should pay more attention to women's incredible contribution to primary industry. Women have always been critical contributors to agriculture and food production in Australia and across the world. However, their contributions have been undervalued. They have always been referred to as the growers' or the farmers' wives and daughters.

Their actual contributions and work on the farms were not always appreciated, recognised or acknowledged. Findings from the Australian Bureau of Statistics 2015-16 Census data showed that there were 85,681 farming businesses operating in Australia, and a gross value of \$56 billion in agriculture production.

The ABS data also informs us that approximately 78 per cent of farmers are male, whilst 22 per cent are female. Interestingly, the findings of a Rural Industry Research and Development Corporation report shows that women contribute nearly half the total real farm income from their work on-farm, wages off-farm and contribution to the households and their volunteer work for the communities.

While women contribute up to 48 per cent of the total real farm income in Australia, the women in southern Asia could contribute as high as 70 per cent. Talking about women in Asia, a personal story comes to mind. When I was a young teenager visiting Malaysia, my late grandma, who was a tiny little woman with a petite frame—she was no more than five foot tall; a very cute and gorgeous woman she was—I recall that every time I visited her she would measure my shoulders and feet. She said that my feet were far too large to find a husband. She was making her assessment based on what her mother and grandmother had told her.

In the old days of China, where she came from, the practice of foot binding was common. Apparently, in ancient times Chinese families would choose women with small feet as their brides so that these women, apparently, with tiny feet could not possibly run away from those arranged marriages set by their parents.

Anyway, according to my grandmother, relatively speaking of course, my height, my broad shoulders and big feet meant that I was not suitable to be an obedient wife. One thing she was very confident of, though, was that I would be excellent at farming work, and perhaps I should have taken her advice back then. Nevertheless, I am very privileged today to instead have this opportunity to pay tribute to the significant roles that women play in agribusiness and regional communities.

For centuries around the world, women have always worked on the land. In Australia, for more than 50,000 years, our Aboriginal Indigenous women cared for the land and fed their families. Migrant women have also worked alongside their partners and families on farmland across South Australia. I would like to pay special tribute to these incredible women from diverse communities in rural regions for their contribution. In South Australia, since it was officially settled in 1836, women have worked alongside men on farms, but their roles and contributions were not always recognised.

The lack of acknowledgement links back to history. The ideology of a farmer being male was promoted in the late 19<sup>th</sup> century when Australian politicians decided that women's farm work would no longer be recorded, and that census data would no longer register farm women. Back then, very sadly, women had no land rights and were unable to inherit their family farms. Prior to the 1970s, women's access to agricultural training and education was also very limited, and enrolment to some agricultural colleges was denied.

During the 1980s and 1990s, positive changes emerged from the Australian Rural Women's Movement, enabling farm women to network, campaign and gain recognition. Their significant work had led to a major reform. For the first time in Australian history, in 1994, women finally were legally recognised as farmers by the Australian Law Reform Commission. Since then, the agricultural industry has changed from the image of an old bloke sitting on a tractor relying more or less on Mother Nature, to an industry now incorporating the latest innovation and breakthroughs in science and technology.

Coupled with the changes in the Australian agricultural education system, and opportunities which have also been broadened, the visibility of women in agricultural training and industry programs have increased. The modern day farmers are now experts in plants and animals, business management and marketing. They are equipped with the decision-making skills to improve profitability, reduce costs and increase overall production. We are seeing more women taking on higher education in the technical and scientific fields of agriculture.

Agribusinesses are starting to realise organisations with a more diverse leadership team will perform better. Closing the gender gap will increase productivity through enabling women to engage in decision-making, contributing to the industry and the development of the wider economy. There are now many female agronomists, scientists and growers. It is heartening to see more women are now taking on leadership roles. I am encouraged to see we now have female CEOs in the agriculture and horticulture sectors, which was unheard of before. We have also started to see female representatives on agricultural boards and committees.

On the topic of women on agricultural boards, I would like to take this opportunity to acknowledge a former member of this Legislative Council, the Hon. Caroline Schaefer. With her agricultural background and extensive industry experience, Caroline has been actively involved on numerous boards, local government and regional health boards, and held many high-profile positions, including the chair for the Agribusiness Association of Australia, the chair for the Mid-North Yorke Peninsula Natural Resources Management Board, the convener for the Premier's Food for the Future Council, and a member of the natural resources management standing committee.

**The Hon. J.M.A. Lensink:** The first female agriculture minister.

**The Hon. J.S. LEE:** I am coming to that, the Hon. Michelle Lensink; thank you for that very valuable interjection. As many honourable members would know, after 16 years of wonderful contributions in parliament as a Liberal member, the Hon. Caroline Schaefer retired in 2010. Upon her retirement, she created a vacancy on the Liberal benches, and I was very privileged to be elected that very year. Those of us who have had the great fortune of knowing and working with Caroline know that she is a proud country woman and she has been a pioneer in our state's parliamentary history.

As the Hon. Michelle Lensink, the Minister for Human Services, rightly pointed out, the Hon. Caroline Schaefer was the first woman in Australia to be appointed to the position of minister for primary industries in 2001. She is an inspiration to me and to many women, a wonderful representation for women in politics, women in agribusiness and women from regional South Australia.

The Liberal Party has been blessed with women from regional South Australia who have the great capacity to give back to our community. One of the dynamic female political leaders among us is no other than the Deputy Premier and Attorney-General, the Hon. Vickie Chapman, in the other place. Vickie was born on Kangaroo Island and was educated at Parndana Area School and Pembroke School before studying law at Adelaide University. She is a longstanding member of Women in Agriculture and Business of SA. Her membership of the WAB predated her membership of the Country Women's Association.

Vickie is an outstanding cabinet member of the Marshall Liberal government. She is a strong advocate for women and a wonderful role model for women from all walks of life, including rural women. As Attorney-General, she consults widely and handles key pieces of legislation that ensure South Australian laws are providing the best outcomes for our citizens and businesses.

There is another parliamentary colleague who is also from regional South Australia that I would like to acknowledge today. I am, of course, referring to the Assistant Minister for Agriculture and Water Resources, Senator the Hon. Anne Ruston. Born and raised in Renmark, Anne is a proud member of the Riverland community, where she still lives and works. Anne was a primary producer and irrigator, producing commercial cut flowers and implementing irrigation efficiencies on her property that reduced water use by more than 60 per cent. She is a passionate advocate for rural and regional communities and for a balanced approach to water reform in the Murray-Darling Basin.

We are incredibly fortunate to have a hardworking senator like Anne Ruston, who continues to serve the South Australian community and is totally committed to delivering great outcomes in the important portfolios of agriculture and water resources.

Many regional and national organisations have been playing a key role in creating supporting networks for isolated rural women. Organisations such as Women in Agriculture and Business, which I mentioned before, have provided forums for women not only to share experiences but to connect them and support each other. I place my congratulations on the record to highlight the great achievements of WAB and acknowledge the Women in Agriculture and Business of South Australia for celebrating its 100<sup>th</sup> year (centenary) anniversary last year.

Through the excellent work of the Minister for Primary Industries and Regional Development, the Hon. Tim Whetstone, and Primary Industries and Regions SA (PIRSA), the Marshall Liberal government is committed to recognising and celebrating the achievements of our women in rural agricultural industries.

I would like to highlight the South Australian Rural Industries Research and Development Corporation Rural Women's Award. The award provides a platform to recognise emerging women leaders who have the desire, commitment and leadership potential to make a greater contribution to primary industries and regional communities. Each year, state and territory winners will compete at a national level. I am very proud to acknowledge the achievements of two outstanding South Australian women who have won the national awards.

The Rural Women's Award state winner in 2012 was Mary Retallack, and Sarah Powell was the state winner in 2015. Both of these women outshone the other state's winners and were recognised as the national winners in those respective years. This year, the South Australian Rural Women's Award recipient is Alex Thomas, who will represent our state at the national final in Canberra in September 2018. We sincerely wish her the best of luck and every success.

Agriculture is essential to food security and economic growth. According to the United Nations, world demand for food will increase by 35 per cent by 2030. In fact, due to economic development and rising incomes, consumers now have a stronger desire for higher quality produce. With a strong food safety record and the quality label we have, the demand for Australian food, both locally and in export markets, is higher than ever before.

South Australia's agriculture, food, wine and forestry industries are a vital part of our state's economy. It is our largest export sector and a major employer. In 2016-17, these industries generated about \$22.5 billion in revenue and accounted for 57 per cent of the state's merchandise exports. With our clean environment and premium produce in South Australia, the Marshall Liberal government will encourage diversity in rural leadership, making agriculture a more attractive choice for women, encouraging our women farmers to actively take part in creating a successful and sustainable future for the agriculture and horticulture industries.

If we are to meet the social and economic challenges in the decades ahead, we must challenge traditional stereotypes around how women and men engage in all businesses, industries and sectors. We must break the historical gender gap. We need to engage women and encourage them to take different roles at all levels of the industry. We need to make the invisible agribusiness women visible.

In the current world, where people demand high quality food produce, there are enormous opportunities for a sustainable agriculture industry. It is wonderful to see that more and more women are participating in diverse roles in agribusiness as their chosen careers. We need to create a more conducive environment to encourage our young South Australian women into entering, remaining and leading the agriculture sector. We also need to recognise many women are the silent partners or unsung heroes behind agribusiness because, in many instances, women are working behind the scenes in agriculture and horticulture industries to support their family farm businesses.

The way families, businesses and communities operate in country and outback areas requires very organised, capable, hardworking, nurturing women who contribute everything you could possibly imagine, from raising families, all the way through to leading large businesses in rural South Australia. We must all acknowledge and recognise these unsung heroes. We must make sure our next generation of women farmers are nurtured, supported and recognised at regional, state and national levels.

Through empowerment and diversity encouragement in rural leadership, we can make agriculture and horticulture an attractive career choice for women. I am, indeed, proud to have the opportunity to raise awareness of the important role that women play in agribusiness and in regional South Australia. I commend this motion to the chamber.

Debate adjourned on motion of Hon. I.K. Hunter.

#### **SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL**

Adjourned debate on motion of Hon. J.A. Darley:

That the regulations made under the South Australian Civil and Administrative Tribunal Act 2013 concerning fees—general, made on 26 September 2017 and laid on the table of this council on 28 September 2017, be disallowed.

(Continued from 9 May 2018.)

**The Hon. J.A. DARLEY (17:34):** As outlined when I first moved this motion, I am seeking to disallow these regulations, as I believe the inordinate increase of 977 per cent will prove to be a barrier to many people seeking a review of valuation through SACAT. At the time of moving the motion, I had sought information from the Valuer-General's office, asking for the total number of reviewed valuations in the past two financial years broken down to the number that were lodged through SACAT or conducted by a review valuer.

In 2015-16, 42 reviews were conducted by valuers and 34 were conducted by SACAT. In 2016-17, 27 reviews were conducted by valuers and 17 were conducted by SACAT. These statistics surprised me, as it shows that, even though the cost was slightly more, people still opted for a review by a valuer rather than by SACAT. Notwithstanding this, I still believe that the increase is disproportionate. In the past few weeks, I have had discussions with the government, who have been unable to provide any reason or basis for the suggested fee. The argument was that the SACAT fee should be more than the fee for a review by a valuer. I absolutely agree with this but completely disagree with how far it has gone.

I would have thought a more appropriate amount would be double the current fee for review by valuers; however, this is a matter for the government to determine should my motion be



successful. Yesterday, I received advice from the Attorney-General's office that, should this motion be successful, instead of the fees reverting to what they were—that is, \$71 per application—there would be no fees collected by SACAT for the reviews. I am advised that this is because the fees I am seeking to disallow were made as new regulations. That is to say that the old fees were made under general regulations that were revoked and replaced with the new fees. Therefore, if this disallowance motion is successful, there is nothing to replace them. Of course, this is not something that I seek to achieve.

The Attorney-General's office also advised that all SACAT fees will be changed to take effect from 1 July and that they will be working to have new, lower fees ready for this change. If this is the case, I imagine that I will not be proceeding with my motion. Of course, time will tell, and I look forward to coming back to the chamber after 1 July to either progress with my disallowance motion or to withdraw it, having worked with the government to find a sensible solution to this issue.

Debate adjourned on motion of Hon. I.K. Hunter.

#### *Resolutions*

### **WOMEN'S SUFFRAGE ANNIVERSARY**

Consideration of message No. 16 from the House of Assembly.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (17:38):** I move:

That this council concur with the resolution of the House of Assembly for the appointment of a joint committee on matters relating to the 125<sup>th</sup> anniversary of women's suffrage; that the council be represented on the joint committee by four members, of whom three shall form a quorum necessary to be present at all sittings of the committee; and that the members of the joint committee to represent the Legislative Council be the Hon. T.A. Franks, the Hon. C. Bonaros, the Hon. I. Pnevmatikos and the mover.

I will make a few remarks in speaking to this motion. I spoke on this matter last year when we were establishing a joint committee in the previous parliament. At that stage, on 6 July last year, I spoke at some length in relation to some work that I had done for the National Council of Women, which was to examine all the laws going back to the time of settlement in South Australia that had advanced the cause of the status of women. It seemed like a good idea at the time and actually turned out to be quite a lot of work, but was very useful.

I would like to commend the mover of this motion in the House of Assembly, the member for Florey, Ms Frances Bedford, for reminding us that we need to re-establish this committee. We look forward to the contribution of the members of the House of Assembly and the members of the Legislative Council who will be on the committee.

The committee was established last year. I think it is fair to say that we did not make a huge amount of progress at that stage, but the 125<sup>th</sup> anniversary of women's suffrage is December next year so time is upon us and we need to get cracking.

I would like to make a few remarks in relation to the 125<sup>th</sup> anniversary and what took place at the time because it is quite a story and is worth recounting. The amendments to our state's Constitution Act made what was then the South Australian colony the first place in the world to grant women the right to vote in parliamentary elections and the first place in the world to grant women the right to stand for parliament. What is not well known is that the right to stand for election was a mischievous clause unsuccessfully inserted into the bill in an attempt to defeat it.

A coalition of women and men of strong character and diverse backgrounds had worked together to win the franchise through organisations including the South Australian Women's Suffrage League, which was formed in 1888. Catherine Helen Spence and Mary Lee led the charge and the Working Women's Union and many church groups played very significant roles. Elizabeth Webb Nicholls led the Women's Christian Temperance Union, which is an organisation that still exists today and which has a large volume of historical information. The Women's Christian Temperance Union collected over 7,000 of the 11,000 signatures on the historic petition, which is no small feat when you consider that the population of South Australia at that stage was dispersed and canvassing was on foot.

Women's virtue had come to be regarded as the saviour of the species, and as the angel of the hearth devoted to caring for the goodwill of others it was believed that women's participation in voting would help buffer civilisation against the social ills befalling other parts of the industrialising Anglo-Saxon world.

Reform had been contemplated in our parliament as early as 1872, with the first resolution being introduced in 1885 by Dr Edward Stirling, who said at the time, 'The right to vote by no means indicated that women should have a right to a seat in the house.' Several bills were debated and lost prior to the historic bill being agreed to in 1894.

By the time of the suffrage debates, which had lasted just under a decade, South Australia's politicians had actually come to the view that women were the intellectual equals of men as well as morally superior. However, as I referred to, the clause granting women the right to stand for parliament was an attempt to defeat the bill.

I pointed out last year, and I would like to point out again to honourable members, that you can find a picture of the Hon. Ebenezer Ward in our rogues' gallery in the Legislative Council lounge. He was a member of the Legislative Council and his role in women gaining the right to stand for parliament was significant even though it was dastardly.

Mrs Elizabeth Webb Nicholls gave her reasons for joining the cause of women's suffrage after hearing about some comments of some particular male politicians. She said:

The Hon. Ebenezer Ward was particularly scathing on the idea that women were fit to have votes. I had never taken much interest before, but I was so incensed by the insolence of his remarks that I wrote my very first letter to the papers. The debate aroused such interest that women began to raise their own voices on the Bill and demand, not votes for women with property, but a democratic suffrage.

When it got closer to the actual vote on the floor of the parliament, a particular account of the tense and uncertain battle, including how the measure was in doubt just 12 hours before the final vote and nearly failed, was provided by the journalist Cornelius Proud in an article called *Review of Reviews*. He was himself labelled a 'faddist' for his support of the cause and his report of the personalities, and tactics by those on both sides of the debate is worth reading. I have a couple of quotes from him where he said:

The prominence of the temperance workers in the fight for suffrage caused the public house party to take fright...

Later on he declares triumphantly that:

I had the honour to draft the now historic petition. afterwards signed by 11,000 persons, and to carry that ponderous document (which opened to about 400 feet in length) down to the House of Assembly for presentation to the Hon. G.K. Hawker.

The bill passed the House of Assembly on the morning of 18 December 1894 by 31 votes to 14, effectively enfranchising over 80,000 South Australian women. Mrs Nicholls reported three years later in her president's address to the Temperance Union:

The dire results prophesised by opponents of women's franchise have not come to pass. We have not heard of any domestic quarrels, or any neglected children as a result of the new departure, and dinner was cooked on election day much the same as usual.

There will be a number of members of this committee who have a recollection of the celebrations that took place in 1994, which I think will be quite useful to inform us and to carry through the heritage of those celebrations. I am grateful to the member for Bragg for having advised me about some of those celebrations. Many women from across the state took the opportunity to participate in the tapestries that are now on display in the House of Assembly, which were commissioned for the 100-year anniversary. Many women also recorded their names while the tapestries were located in a bank foyer on King William Street.

The campaign to gain the public and parliamentary support for the suffrage was a collective effort, and the tapestries which commemorate this historic victory reflect this. The Office for Women has been collecting some information from organisations which are interested in celebrating, but I think we want make this a very broad celebration. I look forward to the committee deliberating and

us progressing some of these plans in preparation for December next year. I commend the motion to the council.

**The Hon. I. PNEVMATIKOS (17:46):** I rise to wholeheartedly support the motion. This motion represents an effort made across parties and across parliaments. It represents people of all political persuasions, representing a key milestone on the long road to achieving equality for women: the achievement of women's suffrage 125 years ago. South Australians are rightly proud of the fact that our state was the first in Australia to give women the vote, through legislation which was carried by the Kingston government in 1894. That milestone was one of many in South Australia's history where we have led the way in achieving real change and equality for people who have been denied the same rights as others.

I am proud to stand here as a woman member of the Australian Labor Party, a political party that continues to work hard to achieve equal representation of women in parliaments across the nation. Our federal caucus is nearing gender parity, and the recent state election saw many incredibly talented Labor women elected. Indeed, three of the four Labor members elected to this chamber in March are women.

But we still have further strides to take on that long road to equality. Representation of women in parliament, on corporate boards and across many sectors of the workforce illustrates the degree of underrepresentation we face. Women are paid less than men in many industry sectors, and workers in the professions dominated by women are too often paid less than in those dominated by men. This is a matter of equality and parity.

I strongly support the establishment of a joint committee to report on matters relating to the 125<sup>th</sup> anniversary of women's suffrage. I applaud the member for Ramsay for her endeavours in the last parliament, and the member for Florey, who has brought this motion forward in another place. Almost 125 years ago, brave women achieved a significant milestone—women's suffrage. That achievement must be celebrated.

The committee will enable us to focus and review our history, to celebrate past achievements of those who have agitated and struggled before us. We must not forget that the freedoms we all cherish and hold dear have been denied to others, and in particular to Aboriginal and Torres Strait Islander people in the past. Understanding history can assist in correcting these inequities and injustices. For that reason, I commend this motion to the council.

**The Hon. T.A. FRANKS (17:49):** I rise to echo the words of the Hon. Michelle Lensink and the Hon. Irene Pnevmatikos and to speak yet again to this motion to establish a cross-party committee to commemorate the 125<sup>th</sup> anniversary of South Australia's women's suffrage. I do so remembering the 1994 celebrations, and they were many and varied. Certainly, I remember taking part in several of the events. Much has been made of the work of Elizabeth Webb Nicholls already in the minister's speech. Members will be aware, of course, of Catherine Helen Spence and her good works.

That 1994 celebration saw the unveiling of the statue of Mary Lee, who at that point had been lost to history. In fact, Mary Lee was known for a few of her sayings. One of those was her life's work to leave this world better than we found it, and that is the motto that she not only stated but lived by. There were hundreds of events that year that saw women seeking to leave this world in a better place than when they found it.

There was a cross-party committee that was set up that looked at removing barriers to women's participation in politics, and it led to some federal work as well through the Office of the Status of Women, as it was then. I was reminded in my brief research today on this that there was a publication called *Every woman's guide to getting into politics*, which I remember having a copy of. Some might bemoan that that came into my possession in that year, but I am grateful for those who came before me and that that handy little guide made its way to me.

The other most notable event was, as the Hon. Michelle Lensink stated, the tapestries that were created. They involved, at the National Bank on King William Street, thousands of people passing through and making a contribution to that community tapestry. That tapestry commemorates the petition for women's suffrage, which was the largest ever petition in this state, with more than

one-third of the people of this state signing in support of women's suffrage—some 11,600 in favour to 2,600 against for a similar petition opposing the move. That one-third of our state in terms of support for a movement has never been equalled in a petition to this parliament.

What I am heartened to see is that the tapestries remain in the other place on those walls commemorating not only women's suffrage but also other momentous achievements of South Australia. In 1940, we won equal parenting rights for women, who were not given equal parenting rights to the fathers of their children prior to 1940—shocking, I think, to think that it was not so long ago in our history that that was the case. But also, we won the right for women to serve on juries, the Equal Opportunity Act 1984 and also other great leaps forward such as the Married Women's Property Act 1884.

These are all fine things to commemorate in our history but I hope that we see the same body of work that we saw back in 1994 come from this, 125 years on. In fact, there is a little time capsule at the front of Parliament House. When you walk past, there is a little plaque out there. That collated a range of those activities and put them in a time capsule. I hope we see that these coming years similarly have such community engagement and such inspiration, particularly for women to get involved in politics and to act as full and equal political citizens and decision-makers of this state.

Harking back to those words of Mary Lee, there is still that same spirit in South Australia now. There is actually group called The Mary Lee Exchange. I was privileged to sit in a small Prospect Hall just recently at the height of summer and listen to people talk about feminism in 2018. I have a little calico bag which has written on it, 'to leave this world in a better place than we found it'. I carry that quite proudly to the shops and carry on the tradition of Mary Lee, as are those wonderful feminist area women of our era. With those few words, I commend a few more words of Mary Lee to the council: 'Let us be up and doing.'

Motion carried.

### *Bills*

## **SENTENCING (RELEASE ON LICENCE) AMENDMENT BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 5 June 2018.)

**The Hon. J.A. DARLEY (17:55):** I rise in support of the bill. The history and trigger for this bill has been put on the record by several other members already, so I will be brief. In late March, the Supreme Court granted an application for release on licence made by Mr Colin Humphrys, a convicted paedophile who offended repeatedly and was detained indefinitely in 2009 as an uncontrollable sexual predator.

It is worthwhile noting that the Parole Board did not support the application for release as they thought Mr Humphrys had a high risk of reoffending. The Supreme Court decision has been appealed by the DPP and a decision is due to be handed down soon. There is utmost urgency in having this legislation pass this parliament.

The government's bill outlines that, if a person who has been indefinitely detained makes application for a discharge of their detention order or to be released on licence, they must first be able to demonstrate that they are willing and able to control their sexual instincts or that they are so aged or infirm that they no longer pose a risk to the public. For those whose applications for discharge are successful, the Supreme Court is able to order that the person not be released until they have undertaken a pre-release program.

The bill will be retrospective, in that it will apply to those who have already made application but have not yet received a decision. The bill will allow the DPP to recall any individuals who have been released on licence if they believe they should be reassessed using the new higher threshold. The bill will also see those who have been released on licence no longer automatically discharged after three years. Instead, the licence conditions will be extended until there is an application for discharge. The government have filed several amendments that will strengthen their original bill.

The opposition have also filed amendments, which will see that applications can only be granted if they have the concurrence of the Parole Board. I understand that the Parole Board already puts forward recommendations to the court on these matters and the courts take the board's position into consideration when coming to a decision. Obviously, in the case of Mr Humphrys, it has caused concern. However, the government have advised that there may be constitutional issues with this amendment, in that it would require the courts to essentially rubber stamp a decision of the Parole Board regardless of whether or not they agreed. I am not minded to support these amendments; however, I reserve my position until committee.

It is very concerning to not only myself but also the broader community that, when there are strong indications that a convicted paedophile is likely to reoffend, they would still be released on licence. I commend both the government and the opposition for moving quickly to address this. I am supportive of the bill and have long held that preventative action is better than a reactive measure. It would be much better for this parliament to do something proactive rather than sitting back and waiting to see if people like Colin Humphrys would reoffend if released.

I am not saying that you should just throw away the key to everyone who is convicted of a serious crime. The bill is very specific in that it relates to those who cannot or will not control their sexual impulses. If a person convicted of serious sexual offences can demonstrate that they have been rehabilitated then they should be able to apply for their detention order to be discharged or to be released on licence. With those words, I again indicate my support for the bill and look forward to the debate over the amendments during committee.

Debate adjourned on motion of Hon. D.G.E. Hood.

**CRIMINAL LAW CONSOLIDATION (CHILDREN AND VULNERABLE ADULTS) AMENDMENT  
BILL**

*Introduction and First Reading*

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

At 18:01 the council adjourned until Thursday 7 June 2018 at 14:15.

*Answers to Questions***BUS SHELTER FUNDING PROGRAM**

**2 The Hon. M.C. PARNELL** (9 May 2018).

1. What is the government's intention in relation to the provision of new bus shelters in South Australia?
2. Will the government re-instate the previous 'Bus Shelter Funding Program' which ended in 2013-14 or introduce a similar new program to ensure that public transport passengers are protected from the elements whilst waiting for a bus?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** The Minister for Transport, Infrastructure and Local Government has received this advice:

1. The Department of Planning, Transport and Infrastructure advises that it sought funding to reinstate the program since it finished in 2013-14. The previous government did not make this funding available.

The Marshall government looks forward to continuing to work with local councils in the delivery of quality assets for our communities to provide more comfortable, functional shelters for all passengers.

2. We will be providing a more customer-centric public transport system by creating the SA Public Transport Authority (SAPTA), a new authority responsible for the delivery of all operational and customer service matters. SAPTA will be charged with programs such as new and upgraded bus shelters.

**AUSTRALIAN TOURISM EXCHANGE**

In reply to **the Hon. R.P. WORTLEY** (8 May 2018).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** I have been advised:

Final invoices are still being reconciled—the estimated cost was \$3 million.

**SOLAR ENERGY**

In reply to **the Hon. M.C. PARNELL** (9 May 2018).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** I have been advised:

There is continued strong investment in renewable energy in South Australia, and the government does not accept the contention raised in the question.

The government is undertaking detailed design of our \$100 million election commitment to deliver 40,000 home batteries. This will provide enormous benefits to South Australian households, the grid, and the renewable energy sector.

I can confirm that the government will honour all contracts in relation to the Tesla virtual power plant. This includes the trial phases of the virtual power plant which will install home energy systems on 1,100 South Australian Housing Trust homes between now and July 2019. The program is proceeding as planned. Phase three of the program would see a further 24,000 home energy systems installed on South Australian Housing Trust homes, as well as an additional 25,000 systems on private residences, and requires Tesla to secure private finance for the proposal.

**SCREENING CHECKS**

In reply to **the Hon. J.A. DARLEY** (9 May 2018).

**The Hon. J.M.A. LENSINK (Minister for Human Services):** The Department of Human Services has advised:

As at 23 May 2018, there were 906 screening applications requiring assessment as part of the backlog project. Since the project commenced on 9 April 2018 the backlog has reduced by 31% from 1,310 to 906.

**HOUSING SA**

In reply to **the Hon. C.M. SCRIVEN** (9 May 2018). The Department for Human Services has advised:

1. RTC Facilities Maintenance (SA) Pty Ltd (RTC) is conducting the Asset Condition Inspection program of public housing properties in South Australia. RTC is an established multi-trade contractor with Housing SA and was selected through a competitive open tender process.
2. The cost of the contract is being met from existing resources and is due for completion in 2021.
3. RTC has advised Housing SA that the program of inspections commenced on 26 March 2018, consistent with the government's 30-day election commitment.

As stated above, the contract runs through three financial years.

**ONLINE PAYMENT SECURITY**

In reply to **the Hon. M.C. PARNELL** (6 June 2018).

**The Hon. R.I. LUCAS (Treasurer):** I have been advised:

Individual government agencies are responsible for ensuring that their ICT infrastructure, systems (including payment related websites) and information are secure.

The Department of the Premier and Cabinet maintains a number of policies for website security that all government agencies are required to comply with. These policies are consistent with international standards for information security management and include those requirements specified in the Payment Card Industry Data Security Standards for any websites that store, process or transmit payment card data.

As part of these policies agencies are required to conduct regular security testing and undergo an audit before a new website is commissioned.

I am advised that, based on a high level review undertaken across agencies where Shared Services SA provides an accounts receivable service, none of the associated government websites actually store, process or transmit payment data. In all cases where a customer seeks to make a payment, these websites open a secure interface to the Commonwealth Bank's BPOINT system (which would typically display to a user as HTTPS).

BPOINT is owned and managed by the Commonwealth Bank and is the preferred solution under the whole of government banking contract. Proper use of BPOINT ensures that sensitive payment data is being managed within the bank's systems without reliance on the security arrangements applying to the government website.

Specifically in relation to the SA Pathology, I am advised that the transaction performed by your constituent was indeed secure. This website opened a secure connection into BPOINT, in the same way as described above.

I understand that based on previous feedback from member of the public, SA Pathology updated their website on 7 May 2018 to use a different technical method for connecting with BPOINT, which now clearly highlights that the user is accessing a secure site.

In terms of other payment methods offered by government agencies such as, over the phone services or provision of card details via a form, the Payment Card Industry Data Security Standards also apply to the associated processes and systems. In particular there is a clear requirement not to store any sensitive cardholder data on computer systems or in paper form. I am advised that this is typically achieved through fully or partly redacting card numbers from documents after the applicable payment has been processed.

Should there be any further queries regarding specific agency payment websites, I would encourage that these be referred to the responsible minister.