LEGISLATIVE COUNCIL

Wednesday, 11 September 2019

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 Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. T.J. STEPHENS (14:16): I lay on the table the 24th report of the committee.

Report received.

Question Time

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:17): My questions are to the Minister for Health and Wellbeing about hospitals:

1. Can the minister confirm whether there was a blackout at the Royal Adelaide Hospital today?

2. If so, what was the cause of the blackout?

3. When was the minister first informed of the blackout?

4. Were any patients adversely affected or undergoing procedures during the blackout?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:17): I thank the honourable member for his question. I can provide the house with a statement from the Central Adelaide Local Health Network, Director of Operational Services, which reads:

> During routine monthly generator testing, one of the generators did not start as expected, leading to a four-minute interruption to power affecting some areas on the east side of the hospital. Staff were aware of the generator testing in advance, and there were no adverse patient outcomes. Monthly generator testing ensures we can identify any issues with our generators in advance, should there be a power outage.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:18): Supplementary: can the minister confirm whether a Code Yellow was called this morning at the Royal Adelaide Hospital as a result of the blackout?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:18): I have already provided the house with the statement with which I have been provided.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:18): Further supplementary: can the minister confirm whether patients in the middle of operating procedures were plunged into darkness?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:19): I reiterate the statement I provided.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:19): A further supplementary arising from the answer where the minister read out a statement: when was the minister first informed of the blackout?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:19): I can certainly take that on notice, but my recollection was that I was—

The Hon. K.J. Maher: Today, Stephen—it was hours ago.

The Hon. S.G. WADE: Considering that it only happened today—

The PRESIDENT: Leader of the Opposition, he hasn't answered your question.

The Hon. S.G. WADE: —I presumed that the member wanted more detail than 'today', but if that's what the honourable member wants, I will say 'today'. But for those members with more intelligence, I would say I believe I was advised between noon and 1pm, but I will take that on notice.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:19): Supplementary arising from the answer: does the minister have any idea whatsoever of the time of the blackout and how long it lasted this morning?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:19): It lasted four minutes. I have already read the statement from the hospital.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): Further supplementary arising from the statement the minister read out, given by someone else: did the minister ask any further questions and receive answers beyond what he read out in the statement when he was informed of this today?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:20): Let's be clear what's happening here: the hospital management have done routine testing to make sure that the hospital systems are safe. They made staff aware in advance and I am advised that, in spite of the four-minute interruption, there were no adverse patient outcomes.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): Further supplementary arising from the original answer: does the minister agree with then opposition leader Steven Marshall's comments in relation to a blackout in 2018, and I quote:

> Providing a decent meal and keeping the lights on, surely are the easiest things that a Government needs to provide in a complex hospital and Labor can't even get this right. They've put our patients in danger; they are no longer worthy to remain in Government.

Does the minister agree with his leader's statement back then? And it is exactly what has happened to him; does he agree?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): This government will continue to support hospital management in undertaking routine generator testing.

The PRESIDENT: One more supplementary on this one.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Further supplementary arising from the answer: does the minister recall his comments on ABC radio on 8 February 2018 where he criticised the government for a blackout that happened under very similar circumstances, or does he disagree with what he said now?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): I reiterate my statements: this government will back hospital management to do routine testing of generators.

Members interjecting:

The PRESIDENT: Are we all finished? I do remind the opposition that it is your question time. I am happy to sit up here and watch you argue from your seat. That goes for you, the Hon. Mr Ridgway, as well. Don't you put your head above the parapet. The Hon. Ms Scriven, you have the call.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. C.M. SCRIVEN (14:22): My question is to the Minister for Human Services. Will the minister explain why interest in IRESS appeared in her 2018 register of interests but did not appear in her 2019 register of interests? Will the minister explain why interest in Healthscope has appeared in her 2009 register, despite the minister claiming she disposed of them? Is the minister aware that the Ministerial Code of Conduct prevents ministers from trading in shares during the term of their appointment?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:23): I thank the honourable member for her question. The honourable member needs to be aware, if she is not already, because she needs to comply with the rules of the parliamentary disclosures as well, that any interests held over a 12-month period for a particular matter need to be reported. Therefore, those things have been disclosed in accordance with the register.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. C.M. SCRIVEN (14:23): A supplementary: can the minister advise on what date she disposed of her shares in Healthscope and in IRESS?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:23): I am not required to disclose the dates of those. These matters were extensively and rather pointlessly pursued through the estimates process. My understanding is that I have complied with all of the rules.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. C.M. SCRIVEN (14:24): Supplementary: how much did the minister make from the disposal of her shares in Healthscope and IRESS?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:24): I think this is an interesting line of tactic. The Labor Party are clearly antiaspirational. They clearly dislike the share portfolios: Australians investing in Australian companies, which employ Australians and provide services to Australians. It is their view that they would actively discourage people to invest in the share market, regardless of your position. The fact is that I have disclosed things under requirements.

Members interjecting:

The Hon. J.S.L. DAWKINS: Point of order, Mr President.

The PRESIDENT: The Hon. Mr Dawkins, a point of order.

The Hon. J.S.L. DAWKINS: I happen to be sitting right behind the minister and I can't hear the minister because of the noise in the rest of the chamber.

The PRESIDENT: Minister.

The Hon. J.M.A. LENSINK: I have complied with the requirements under legislation and codes, and what the honourable member is seeking through her particular line of questioning in her supplementary is a private matter.

The PRESIDENT: The Hon. Ms Scriven, a further supplementary.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. C.M. SCRIVEN (14:25): It's not a supplementary. Did the minister seek approval from the Premier to dispose of her shares in Healthscope and IRESS, in accordance with the Ministerial Code of Conduct? On what basis did the Premier approve the disposal of those shares?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:26): Clearly, the honourable member or the person in the—

The Hon. K.J. Maher: Just say if you complied. Just say if you complied; it's easy: yes, I complied.

The Hon. J.M.A. LENSINK: Mr President, I am having difficulty answering the questions because—

The PRESIDENT: Leader of the Opposition, the question has been asked. You have an opportunity for a supplementary.

The Hon. K.J. Maher: She's not answering at all, Mr President.

The PRESIDENT: Leader of the Opposition, if you want to ask a supplementary, you get on your feet after the minister has replied and ask my permission. Minister.

The Hon. J.M.A. LENSINK: Mr President, it is very difficult to answer questions when I am constantly being interrupted by one of the various corellas opposite. However, I have complied with the requirements. The Labor Party clearly is antiaspirational. It continues to demonstrate its loathing for people owning shares and should be judged. Indeed, it shares that unfortunate disposition with the federal Labor Party and, goodness me, look what happened to them at the last election.

If I have any advice for them, I would encourage them to examine that particular attitude that they have. The honourable member also seems to have completely not read the estimates *Hansard*, at which I was asked a range of these questions, and I responded to them. So I don't think I have anything to add.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. C.M. SCRIVEN (14:27): Supplementary, Mr President.

The PRESIDENT: One further supplementary.

The Hon. C.M. SCRIVEN: Will the minister please answer when she disposed of the shares in Healthscope and IRESS? If she will not, why won't she be transparent about a possible conflict of interest?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:27): These issues have been extensively canvassed through estimates. I have complied. I am—

Members interjecting:

The Hon. J.M.A. LENSINK: I have complied with the requirements of disclosure.

The Hon. T.A. FRANKS: Point of order, Mr President.

The PRESIDENT: Point of order, the Hon. Ms Franks.

Members interjecting:

The PRESIDENT: The Hon. Ms Franks, just sit down for a moment. Let's let them get it out of their system.

Members interjecting:

The PRESIDENT: Leader of the Opposition, there is a point of order.

The Hon. T.A. FRANKS: Is it parliamentary in this debate to interject accusations that something should be referred to ICAC? Is that parliamentary?

The PRESIDENT: I didn't hear it, but if it was—

The Hon. T.A. FRANKS: I did, and I am sure I wasn't alone.

The PRESIDENT: —it was inappropriate and the member should withdraw it.

The Hon. R.P. WORTLEY: I didn't say—it's in *Hansard*. I did not say that it would be referred to ICAC, I said that it could be an issue for ICAC. That's totally different. That is totally different.

Members interjecting:

The PRESIDENT: Order! I accept the explanation, the Hon. Mr Wortley. The Hon. Ms Bourke.

NURSE SAFETY

The Hon. E.S. BOURKE (14:28): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding the safety of nurses.

Leave granted.

The Hon. E.S. BOURKE: The government has defended their substantial delay in implementing the 10-point plan to address workplace violence, proposed for adoption by the ANMF, as being somehow unique to Victoria and requiring tailoring to South Australia. The 10 points are as follows:

- Improve security: develop adequate baseline standards for security and fund healthcare organisations to comply.

The Hon. C.M. Scriven: That sounds reasonable, for SA as well.

The Hon. E.S. BOURKE: Crazy. The others are:

- Identify risk to staff and others: identifying the risk of a patient or others being aggressive or violent towards staff must be part of the clinical pre-admission or admission procedures throughout the patient's stay.
- Include family in the development of the patient care plans.
- Report, investigate and act: changing a culture of not reporting violent incidents by building trust.
- Prevent violence throughout the workplace design.
- Provide education and training to staff.
- Integrate legislation, policies and procedures.
- Provide post-incident support.
- Apply an antiviolence approach across all health disciplines.
- Empower staff to expect a safe workplace.

My question to the minister is: which of these 10 points does the minister oppose and which does he think are not applicable to South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30): I thank the honourable member for her question. Let me start with where the ANMF and this government are in complete unison, and that is in total repudiation of violence in our health facilities. Our number one priority is to provide a safe environment for our staff, patients and their families. We agree with the nurses union that violence against nurses is inexcusable, and we will continue to work with them to improve safety.

I also do not want to be seen to be critical of the Victorian plan. Only in recent days I spoke to Victorian hospital management who spoke positively about the work being done in Victoria. We are keen to take the best elements of that plan and apply it in the South Australian context. However, I do disagree with the honourable member's implication that the ANMF plan is a simple 10-point plan. The Victorian ANMF plan is actually pages and pages of very significant recommendations. It has been characterised to me that it probably has more like 40 points, rather than 10. I thank the honourable member for her summary but I think that it understates the complexity of the Victorian document.

We will continue to work through it with both our nurses' leadership and our other management to make sure that we provide a safe workplace for staff, and a safe and therapeutic environment for patients and those who care for them.

NURSE SAFETY

The Hon. E.S. BOURKE (14:32): Supplementary: by what date will the government implement in full a nurses' comprehensive 10-point plan for improving hospital security?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:32): This raises the point that is being asserted implicitly by the honourable member's question and explicitly by the nurses union, that this government has not acted in relation to hospital safety. That is not right. We have

enacted the strongest penalties in the state's history for emergency service worker assaults. We have established a steering group which is rolling out an improved strategy to challenge behaviours. In the Northern Adelaide Local Health Network we have established forums on personal safety and situational awareness.

We have announced the expansion of the car park at the Lyell McEwin. At the Women's and Children's Hospital we recently added extra security and security escorts for staff to parked cars. The Central Adelaide Local Health Network has established a senior nurse consultant position to deal with violent incidents. We have taken strong action to support the safety of staff and patients in South Australia. We will continue to do that. We will continue to draw on the Victorian ANMF document, advice from the ANMF and other employee organisations, but we repudiate the suggestion by the opposition and the nurses union, their political allies, that we have not acted, because we have.

NURSE SAFETY

The Hon. E.S. BOURKE (14:34): Further supplementary: can the minister guarantee that a 10-point plan will be implemented before the end of the year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): Let me make it clear: we have already taken more than 10 points; we will continue to take points.

NURSE SAFETY

The Hon. E.S. BOURKE (14:34): A further supplementary. Let me make it clear: will a plan be implemented by the end of the year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): Let me be clear: this government will continue to protect nurse and patient safety moving forwards.

The PRESIDENT: The Hon. Mr Stephens.

Members interjecting:

The Hon. R.P. Wortley: Mate, you look silly standing up there. Just say something or sit down.

The PRESIDENT: The Hon. Mr Stephens, you may now ask your question.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. T.J. STEPHENS (14:35): Thanks, Mr President, and thanks for your encouragement, Mr Wortley, because there are obviously no mirrors in your house. My question is to the Minister for Trade, Tourism and Investment. Can the minister share with the council news of the planned South Australian government trade office in the USA?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:35): I thank the honourable member for his question and his ongoing interest in the expansion of our network of trade offices. The Marshall Liberal government is positioning South Australia to grow. We are committed to creating jobs by boosting South Australia's inbound investment, international trade and supporting exporters.

As part of our strategy, we have committed $12.8 million to establish the South Australian trade and investment offices in our key five overseas markets, investing in on-the-ground support for South Australian businesses. We have already opened the first two trade offices, covering the key markets of China and North Asia, and plan to open the United States office early next year.

As announced at the American Chamber of Commerce event on 16 August, our US trade office will be located in Houston, Texas. The United States is a critical market for South Australia, with merchandise exports to that country in excess of $1.078 billion in the 12 months to July this year. This figure is an increase of $110 million compared to the same time last year and constitutes nearly 10 per cent of South Australia's total international exports.

The United States is also one of South Australia's key markets for investment and the highest source of foreign direct investment by capital expenditure, with investment since 2003 of some $5.7 billion. Over the same period, South Australian companies have invested $3.3 billion in the US.

The Houston office will act as a first point of contact for business introductions, leads and matches to help South Australian exporters expand into the US market and also facilitate US foreign direct investment into our state. Texas, more broadly, has many alignments with South Australia, seeing strong growth in recent years, with strengths in energy, manufacturing and health care.

Some key facts are that the Dallas Fort Worth Medical Center is the largest research medical facility in the world. Recently, when Tony Abbott was prime minister, he signed a Bio-Bridge agreement between the Texas Medical Center and Australia, so there are some great opportunities there. Of course, in the space of energy, Texas has the highest penetration of wind energy of any US state and some of the cheapest electricity in the US.

So there are some particularly strong links there. Of course, there is space, and our sister city relationship with Austin—one of the fastest growing cities in the US—for some 36 years now. Also, in our food and wine sector we have four of the very largest supermarket and distribution companies for wine and alcohol in the US based in Texas. So there are some really strong links as to why Texas is the logical place.

We also have some of our companies with a presence, such as Lightforce, which manufacture professional lighting equipment, NuCannaCo, which creates products from industrial hemp, RM Williams is already there in that great state of Texas, and Petrosys, a mapping and data management software company—just to name a few. Also, Texas is one of the largest economies in the United States with a GDP of some $US1.6 trillion. It is the country's largest exporter and has more than 50 Fortune 500 companies, with 19 based in Houston.

Houston is also one of America's fastest growing metro areas, and our office there will be fundamental in supporting us to achieve greater growth and partnerships in collaboration with North and South America for our companies, organisations and educational institutions. As I mentioned yesterday, Latin America is an increasing source of international students, and being positioned in Texas gives us an ideal landing pad or point of entry into Latin America.

We will also work hard to influence key business decisions in the region and support our companies accessing the Australia-United States Free Trade Agreement to grow our state's exports, attract investment and create jobs. In this way, the state government can offer real business and investment opportunities to South Australian exporters that we haven't been equipped to provide in the past to create more wealth and jobs for South Australians.

The PRESIDENT: The Hon. Mr Hunter, a supplementary.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. I.K. HUNTER (14:39): Will the minister advise whether the office he is establishing in Houston will be a standalone facility or will be co-located with other jurisdictional offices?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:39): I thank the honourable member for his ongoing interest in the offices overseas. As we have done in Shanghai and Tokyo, this office in Houston will be co-located with the Austrade office in Houston. We think that is the best opportunity to provide the sort of support we think South Australian exporters need.

The PRESIDENT: The Hon. Mr Hunter, a supplementary.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. I.K. HUNTER (14:40): Will the minister also advise whether the staff employed in the South Australian office will be solely working for the South Australian office or whether they will also be working for offices provided by other jurisdictions, commonwealth or state?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:40): The way it works is—I think the honourable member may have asked me this in the past—they will be working for us, but for people to be working in Austrade with all the clearances they are actually, if you like, Austrade employees but they work for South Australia. They will be solely responsible for supporting South Australian exporters, helping support the South Australian companies wanting to go to the US to export their goods and services and also facilitating direct investment in companies from the US that want to export here, obviously our defence sector and the space sector.

We are going to Houston, which of course is mission control for NASA. There is a massive cluster of some of the small satellite activities around there, so we see the support they will give as being second to none, and they will be based in the Austrade office.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. I.K. HUNTER (14:41): I have a further supplementary for the minister: the staff who will be employed in the South Australian office then will also be Austrade employees. Will that staff or those staff members be reporting directly to South Australian officials, or will they be directly reporting to commonwealth officials?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:41): My understanding and my advice is that, as with Xiaoya Wei in Shanghai and Sally Townsend in Japan, whoever the very fortunate, capable people employed in the US are, they will be reporting to our people here in the Department for Trade, Tourism and Investment.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. K.J. MAHER (Leader of the Opposition) (14:41): Further supplementary arising from the answers given: can the minister inform the chamber whether it was an election commitment of the then Liberal opposition to have standalone trade offices in the jurisdictions he has mentioned?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:41): I thank the honourable member for his ongoing interest in that particular aspect of it. As you saw with the Joyce review—and I won't waste the chamber's time going through the Joyce review—Steven Joyce recommended that we co-locate where possible with Austrade. It provides a cost-effective, efficient way of doing business and getting into the market.

We commissioned the Hon. Steven Joyce to do this report and a review into our outward-facing agencies, and the recommendation that was endorsed by cabinet earlier this year to give us the best opportunity, to get the best cut through and to grow our economy was to have offices co-located with Austrade. Why would you spend money on a consultant and not listen to their advice? The Labor Party might do that, but we listened to Steven Joyce and we are implementing his recommendations.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. K.J. MAHER (Leader of the Opposition) (14:42): A further supplementary: what is the process for the selection of officers in the Houston office for South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:42): I think I have seen a copy of the advertisement that has gone out and there is a process in place. My understanding is that there is an expectation that there will be huge interest in coming to work with South Australia—huge interest. I am told there could be as many as 400 applicants. I am not surprised, because it would be a privilege and an honour to work for the Marshall government and represent our state overseas. I expect that some initial shortlisting work will be done by Austrade and then there will be a large pool of good contenders given to our team to go through the normal process of interviews and selection.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. K.J. MAHER (Leader of the Opposition) (14:43): Supplementary arising from the answer: to be clear, can the minister say if it is Austrade or the state government that makes the selection? I think what the minister told the chamber was that Austrade would shortlist but somehow the South Australian government would make the final decision. Can he be very clear about whose process it is and whose decision it is to make these appointments?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:44): As I said, it is my understanding and I am advised that because we are likely to get this large number of applicants I think it will be. I will check some information, but my understanding is and I am advised that it will be somewhat shortlisted and then the South Australian team will go through the process, as we did with Xiaoya Wei in China and Sally Townsend. It will be the South Australian Department for Trade, Tourism and Investment that will do the selection process.

So while there might be an element of shortlisting, because it would be complicated to try to interview 400 people long distance, it has worked extremely well in China and extremely well in Japan, and I cannot see any reason why the same selection process will not work extremely well in the United States.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. C.M. SCRIVEN (14:44): A supplementary: was the earlier plan for the standalone office to be in San Francisco and, if so, why did that change to Houston?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:44): I thank the honourable member for her question. I do not believe there was ever an earlier plan for an office in San Francisco. We canvassed a whole range of options, but we looked at the actual alignment of our sectors and the things that are strong. The other thing you also have to remember is that San Francisco and California are pretty busy marketplaces. Every state is in there, and you battle against Victoria, Queensland, New South Wales.

Texas and South Australia are perfectly aligned, and I went through all the sectors we are aligned on: a place in the US for 'can do' business; it is growing faster than California; and it is likely to be the biggest economy in the US within a decade. It has the largest number of people moving interstate from other states of the US into Texas, from California, because there are actually more job and career opportunities than California.

I direct members opposite to a lecture given by Alastair Walton, who was our Consul-General in Texas and who is now in New York. I think it was entitled, 'Texas, the Super State'. I am sure you have got it—and I can see the Hon. Mr Wortley struggling to stay awake at the moment, but—

The PRESIDENT: Don't reflect on the member's behaviour in the middle of a ministerial answer. The Hon. Mr Ridgway, could you please apologise to the Hon. Mr Wortley.

The Hon. D.W. RIDGWAY: I am sorry, Mr Wortley. I should not have—

Members interjecting:

The PRESIDENT: Get on with the answer.

The Hon. D.W. RIDGWAY: I would like to try to finish. I direct members to the video of Alistair Walton talking about why Texas is the place to be. It just makes sense on all our key sectors, on the fact that we can be there in a state with which we have a lot of synergies. I recently met someone who described South Australia as the Texas of Australia, so I think we will have been successful when they describe Texas as the South Australia of the United States. It will be a few generations before we get there, but I think it is a perfect alignment.

We canvassed a whole range of options: Los Angeles, San Francisco, Washington DC, New York. In the end, Houston and Texas was seen as the best fit for our economy.

SOUTH AUSTRALIAN TRADE AND INVESTMENT OFFICE, USA

The Hon. K.J. MAHER (Leader of the Opposition) (14:46): A further supplementary: can the minister outline which particular recommendation of the Joyce review recommended dumping the election commitment for a standalone office, and are there any other election promises that are going to be broken as a result of the Joyce review?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:47): I thank the honourable member for his question. The Joyce review recommendation of co-locating with Austrade was seen as a sensible, efficient and cost-effective way to open our network of trade offices, which is what we are doing.

HONEY BEE HIVES

The Hon. M.C. PARNELL (14:47): I seek leave to make a brief explanation before asking the Minister for Human Services, representing the Minister for Environment and Water, a question about managed honey bee hives in national parks.

Leave granted.

The Hon. M.C. PARNELL: There is increasing concern amongst scientists and conservationists about the impact on our national parks and other protected areas of the continued placement of commercial honey bee hives inside national parks.

It took me by surprise to hear the statistic that for every kilogram of Australian honey produced from eucalypts it takes eight kilograms of nectar to be taken from the environment. That means that an apiary site of 40 hives would take 6.4 tonnes of nectar in only three weeks. That is nectar that is then not available to native Australian birds such as honeyeaters, lorikeets, cockatoos, and pygmy possums and insects. The European honey bee is an invasive pest species. When they swarm they tend to take up residence in nesting hollows that we know are absolutely essential for Australian wildlife, including species such as the endangered glossy black cockatoo on Kangaroo Island.

It appears that, despite the management plan for Flinders Chase National Park speaking strongly against apiary activity in national parks, hives are still being allowed to be placed within the park. My question is: will the minister ensure that native species are given the best possible chance of survival by ensuring that introduced managed honey bees are excluded from national parks and other protected areas?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:49): I thank the honourable member for his question, which I think in the way it has been drafted may be a little bit leading the responder, but I am sure that the minister in another place will be happy to come back with some relevant information for him. From my own personal understanding of this space, there are a large number of native Australian species. Some of the honey bee stocks globally have been threatened, so for the Australian industry it has become quite critical to be able to export overseas so that they can continue to germinate their crops. I will take that information on board and bring back a response for the honourable member.

FREEDOM OF INFORMATION

The Hon. T.T. NGO (14:50): My question is to the Minister for Human Services. What does the minister understand to be her responsibilities under the FOI Act and any related policy or procedure? Is it appropriate for ministers or their staff to attempt to influence determinations of FOI officers?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:50): I am not sure I follow that question, really. We have an FOI Act. As far as I am aware, I have complied with it. As far as I am aware, my staff have complied with it. It's quite interesting actually to get questions from members of the Labor Party, given that when we were in opposition the responses were spun out and spun out endlessly.

Members interjecting:

The Hon. J.M.A. LENSINK: Indeed, as some of my colleagues disorderly interject, if you ever got one—and I am aware that the now Attorney-General, member for Bragg, has had to take some of these matters to court and has done so successfully—FOIs, under the previous administration, were buried. We, on this side, and probably other applicants, were lucky to ever receive a reply.

DOMESTIC AND FAMILY VIOLENCE SAFETY HUBS

The Hon. J.S. LEE (14:51): My question is to the Minister for Human Services about the government's election commitment to address domestic and family violence. Can the minister please provide an update to the council about the rollout of the state government-led safety hubs across South Australia?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:52): I thank the honourable member for her question and for her interest in this area. As honourable members would be aware, we had a very comprehensive suite of election commitments which we are very proud of to which we had a number of contributors. In this chamber I am pleased to say the Treasurer, and as shadow treasurer, was an active participant as well as our Premier and the Attorney-General among others.

We did have a range of election commitments, including domestic violence stakeholder round tables, and we have had a range of those, including in Adelaide within our first 30 days. We visited a number of regions and spent the day with them. My colleague the Assistant Minister for Domestic and Family Violence Protection, Carolyn Power, and I attended Berri, Mount Gambier, Whyalla, Port Lincoln and Murray Bridge.

As part of those consultations we put to the participants our election commitments and sought feedback from them and some of them have been modified as a result. One of the important ones that we put to them was our safety hubs. We have an effective safety hub here in metropolitan Adelaide, which is operated by Women's Safety Services, which runs a range of programs at its site and has a number of services co-located.

There are a range of particular models that may be adopted in relation to safety hubs. Carolyn Power and I were very pleased to attend the launch of the first one on 5 August in Murray Bridge which is to be called The Haven. It was also attended by the member for Hammond, Mr Adrian Pederick; the local mayor, Mr Brenton Lewis; and a range of volunteers who have put their hands up. It is important to note that volunteers are critical to this particular process.

The Haven is located at the Murray Bridge Community Centre, and the coordinator there is Ms Jade Porter, who I had the privilege of meeting prior to this announcement when I went to visit the safety hub. The particular model that we have established at the Haven is one that means it is available five days a week. The Women's Information Service (WIS) actively recruited volunteers, some of whom I understand are new to volunteering. They have been provided with some training to enable them to assist people. Effectively, it is a connector hub model, based on WIS's shopfront and volunteer program in children's services, with an enhanced focus on domestic, family and sexual violence.

The community in Murray Bridge felt the safety hub model, based on the shopfront, would best suit their needs. The volunteers will provide information and referral services for women and their children at risk in the Murray Mallee region. They are also able to provide advice for family and community members about how to support women who are experiencing violence of any form. The community centre was identified as a supportive space for women at risk because it offers a range of universal and targeted services, it is run by a dedicated board of members, it was able to undertake the WIS safety hub volunteer training, provides a professional environment for volunteers and has diverse facilities.

My department was able to provide some funding to upgrade the centre. It was formerly a netball court space, so some of the services there needed to be upgraded to provide for privacy and additional rooms. We are very excited about the first hub. We will continue to roll out these services going forward, and I look forward to making more announcements on these important services into the future.

LAND TAX

The Hon. J.A. DARLEY (14:56): I seek leave to make a brief explanation before asking the Treasurer questions regarding land tax.

Leave granted.

The Hon. J.A. DARLEY: Treasurer, under the draft bill, division 6, clause 13H(5):

> Corporations are related corporations if 1 of those corporations is a related corporation of a corporation of which the other of those corporations is a related corporation (including a corporation that is a related corporation of the other of those corporations because of 1 or more other applications of this subsection).

My questions are:

1. Can the Treasurer please explain what this means?

2. Does the Treasurer expect laypeople, that is, mum-and-dad investors, to be able to understand this?

3. Given this passage demonstrates the complexity of the bill and the fact that the government has provided no other information to assist the community in providing feedback on the draft bill, how is this considered meaningful engagement?

4. Will the government be providing a plain English explanation of the bill so that feedback can be provided on something that people can actually understand?

The Hon. R.I. LUCAS (Treasurer) (14:58): I thank the honourable member for his question. I have to say, that is one of my favourite clauses in the land tax reform bill. It does indicate the extraordinary complexity of the land tax legislation. Indeed, I could quote existing provisions of the existing Land Tax Act, which has existed for decades, which are equally complex. The honourable member has also ventured, as I have, through the intricacies of the stamp duty legislation over a period of time that he has been in this parliament, and it is even more complex and complicated than the land tax legislation.

The plain meaning explanation of those particular provisions and other provisions is that they are based on existing provisions in New South Wales and Victoria in terms of their interpretation. I am also advised by Treasury and RevenueSA that they are extraordinarily similar to existing provisions in the Payroll Tax Act. The honourable member will have, I am sure in his time in this parliament, provided advice to constituents in relation to related corporations under the payroll tax legislation. There are similar grouping provisions, similarly drafted, I am advised, in relation to payroll tax, which has existed for many years in South Australia as well.

The simple premise is that, I think as I referred to indirectly yesterday, if ultimately an individual or group of individuals control a group of companies, whether it be through a Noodle Nation complexity of related and interrelated companies, if ultimately the control rests with an individual or group of individuals, then they are related corporations, and therefore tax purposes will be aggregated.

It is a relatively simple principle: it is the same principle applied in New South Wales and in Victoria, and it is a similar principle as is applied in payroll tax grouping provisions. If you are a related corporation, you are grouped or aggregated and you pay payroll tax on the particular group. The premise is simple but, as has occurred in other states and jurisdictions, and as occurs with payroll tax, lawyers who argue for constituents may well argue against Treasury and RevenueSA and take court action, as is their entitlement, as to whether or not the grouping provisions have been appropriately applied.

There is nothing simple in tax law, and the Hon. Mr Darley should be (or would be, I am sure) one of the members in this chamber well versed to acknowledge that tax law is never simple. I can quote any number of clauses, both in the existing Land Tax Act and Payroll Tax Act, but in particular the Stamp Duties Act, which are incredibly complex, incredibly difficult to understand, but the reason they have to be is that lawyers and accountants manage to work their way around various provisions, whether it be payroll tax, stamp duty or land tax legislation, and case law establishes that you need to do this and make an amendment to that, as governments have done over the years.

There is no simple way to draft tax law—commonwealth or state—there is no simple way to draft tax law. You rely on the best advice your lawyers can give you, and in this case it is the Crown in terms of trying to draft the law. In simple terms, as I said, it is modelled on existing provisions in New South Wales and Victoria, and it is very similar to the payroll tax grouping provisions that already exist in South Australia and have existed for some time.

LAND TAX

The Hon. J.A. DARLEY (15:02): Supplementary question: so, in effect, the answer to my fourth question is, 'No, the government will not provide a simple English explanation'?

The Hon. R.I. LUCAS (Treasurer) (15:02): I just provided a simple English explanation to the honourable member, so I have answered question 4. The government may well be in a position to provide further detail as part of our consultation process in terms of how payroll tax grouping provisions work, whether or not there are any tweaks in relation to the grouping provisions for land tax aggregation provisions or related corporation provisions and payroll tax. We are very happy to try to assist people in terms of trying to understand tax law, but the premise of the question, that in

some way you can summarise complex tax law so that everyone in the community can understand it, is a very difficult task to achieve.

I have sought to explain to the honourable member that it is not just the case of land tax, it is also the case with stamp duty and payroll tax. The simple explanation is—as I have just given, to anyone who is out there, a mum-and-dad investor—if ultimately you as an individual or you and your business partner control a group of companies, that is, you control the decisions, whether it be through other companies or directly, if you have a controlling interest in a particular company, and that company then has a controlling interest in another company, and that interest has another controlling interest in another company, and it is the fourth layer of company that actually owns the land, then you actually control that particular company. That is the simple explanation.

If you have effective control—and that might not be the precise legal explanation, but if you want to talk about a layperson's explanation of it—and they are related companies, then you are aggregated in all the other jurisdictions and you will be aggregated in South Australia. I do not think you can get any simpler explanation than that. The actual drafting, as the member has quoted, is much more complicated and complex because the lawyers have to draft it to cover for all circumstances.

But as I said yesterday and I say again today, if you look at the ownership structures that currently exist in South Australia, it looks like Noodle Nation in some circumstances, where, ultimately, you trace the company or entity that owns the land back through three or four various layers of other ownership entities before you find out who it is that actually controls all these particular companies. The complicated tax law has to cater for all those sets of circumstances.

LAND TAX

The Hon. E.S. BOURKE (15:05): Supplementary: can the minister also advise mum-and-dad investors why a residential retail property with a $600,000 site value owned by a couple in their personal names would pay $750 in land tax next year, but if it is bought in a trust with them owning no other property, they would pay $3,750.

The PRESIDENT: The Treasurer does not wish to answer it.

HOSPITAL STAFF NUMBERS

The Hon. I. PNEVMATIKOS (15:05): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding job cuts.

Leave granted.

The Hon. I. PNEVMATIKOS: The minister was asked on ABC 891 radio last Friday:

> …if doctors and nurses accept a voluntary separation package, there will be a net reduction of doctors and nurses working in those three hospitals. Yes?

The minister replied:

> That particular position will be abolished…

The minister was further asked:

> Can you guarantee that there will be no fewer doctors and nurses at those three hospitals at the end of this process?

To which the minister replied:

> Well no I can't…

My question to the minister is: does the health minister stand by his comments that front-line doctor and nurse positions will be abolished as part of the process announced last week and that he cannot guarantee that there will not be fewer nurses and doctors?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07): I thank the honourable member for her question. Doctor and nurse numbers go up and down from year to year—to be frank, more up than down, because our population continues to grow, the complexity of people's health issues become more complex.

The South Australian government supports the Women's and Children's Hospital and the Central Adelaide Local Health looking at their workforce, making sure that that they have the right workforce that aligns with their models of care going forward. This is, I would stress, a voluntary separation process. This is a voluntary, non-binding process. Staff have the opportunity to lodge an expression of interest. The government supports the local health networks in their process of making sure that they have contemporary models of care and a workforce to match.

HOSPITAL STAFF NUMBERS

The Hon. I. PNEVMATIKOS (15:08): Can the minister state categorically that there are no estimates of job cuts or savings from job cuts that exist?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): There are no set targets in the voluntary separation process. I have said that publicly and I stand by it.

HOSPITAL STAFF NUMBERS

The Hon. I. PNEVMATIKOS (15:08): Which doctors and nurses are excess to requirements?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): That is a very vague question. I am not capable of generating an answer.

ABORIGINAL HEALTH

The Hon. J.S.L. DAWKINS (15:08): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on recent initiatives to support Aboriginal health outcomes in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): I thank the honourable member for his question. During the winter break the Marshall Liberal government has continued to roll out better health services, particularly for communities with poorer health outcomes. As part of the government's partnership with Aboriginal South Australians to deliver better health services, I was delighted to open the new space for the Aboriginal family birthing program at the Women's and Children's Hospital.

This project is funded from the $50 million that the Marshall Liberal government is investing to maintain the current hospital and represents a significant benefit for Aboriginal families. The new dedicated space for the program will support Aboriginal women during pregnancy and after birth.

The program has been providing support since 2010 to the 250 Aboriginal babies born every year at the Women's and Children's Hospital. This new space will provide a larger, dedicated waiting room for Aboriginal families; private meeting areas; three consulting suites; integration of Aboriginal artwork throughout the facility; and more natural light.

We know that more needs to be done to close the gap between Aboriginal and non-Aboriginal health outcomes. Currently, 7.4 per cent of non-Aboriginal babies are born at a low birth weight; for Aboriginal babies, that number is 15 per cent. For babies born prematurely, the rate for non-Aboriginal babies is 9.3 per cent but, again, that number is 15 per cent for Aboriginal babies.

The culturally appropriate support provided through the Aboriginal birthing unit is one example of the way that the public health system can better engage Aboriginal families to improve access to health services and deliver better health outcomes. Importantly, this is reflected in the staffing of the program, which has 11 Aboriginal women working as part of a multidisciplinary team, incorporating midwives, medical consultants, Aboriginal maternal infant care workers, social workers and family support workers.

This is particularly important because of the growing body of evidence that links childhood health and relative disadvantage to adult health indicators and outcomes. If we want to close the gap between Aboriginal and non-Aboriginal health outcomes, better support for families during pregnancy, and of the children and families after birth, is a good starting point. There is more to be done, but I am pleased to see this very concrete example of support for Aboriginal families as they grow their families.

SANITARY PRODUCTS IN SCHOOLS

The Hon. C. BONAROS (15:11): I seek leave to ask a question of the Leader of the Government representing the Premier regarding free pads and tampons to help girls thrive at school.

Leave granted.

The Hon. C. BONAROS: In an Australian first, the Andrews Labor government is rolling out pads and tampons in every state school, free of charge, to reduce the stigma of periods, making school more inclusive for girls and young women and saving families money. To that end, I commend Share the Dignity for their valuable work in providing these products free of charge, not only to students but, of course, to disadvantaged women more generally. I also thank the Minister for Health and Wellbeing for his cooperation in trying to get vending machines into some of our hospitals in this state. My question to the Leader of the Government is: will the Marshall government follow the lead of the Victorian government on this wonderful initiative?

The Hon. R.I. LUCAS (Treasurer) (15:12): I am happy to refer the member's question to the Premier, but I suspect it may well also involve the Minister for Education, I guess. I am happy to refer it as the member has asked, for it to be directed to the Premier, but I suspect he will probably seek guidance from the Minister for Education.

TRANSPORT SUBSIDY SCHEME

The Hon. R.P. WORTLEY (15:13): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding the SA Transport Subsidy Scheme.

Leave granted.

The Hon. R.P. WORTLEY: The government extension to the SA Transport Subsidy Scheme is about to end. Under this, the annual subsidy awarded to an ambulant user has been $3,200 and for a non-ambulant it has been $4,800. Given that figures for the NDIS state that the maximum subsidy anyone could receive from the NDIS would be $3,456 per annum, and the minimum could be as low as zero, this goes against advice from both state and federal Liberal governments, who have stated that no-one would be worse off. Obviously, this means that every person who currently utilises the state scheme and transitions to the NDIS would be disadvantaged significantly. My question to the minister is: will the minister finally commit to continuing the scheme until much-needed changes are made to the NDIS transport subsidy?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14): I thank the honourable member for his important question. I would like to correct at the outset his assertion that the scheme is about to end, because it continues and people can continue to use their vouchers until the end of this calendar year.

The issue of transport and NDIS has been a source of frustration for myself as minister since coming to office and something which I continue to strongly lobby the federal government about. In the meantime, NDIS participants have access to both schemes so, in effect, they are not disadvantaged at the moment because if they have transport in their plans then there are other components that they are able to use towards transport, and if they are existing SATSS customers then they actually have access to both schemes at the moment.

In terms of the South Australian Transport Subsidy Scheme, it was extended for people who have transitioned to the NDIS with a further book of 80 vouchers when they reordered voucher books before 30 June, and these remain valid. It is a national problem, so South Australian officials, along with other jurisdictions, have continued to raise the NDIA concerns around adequacy of transport under the three-tier package system. I have personally escalated this matter at the national level through the Disability Reform Council and I am pushing for a resolution as soon as possible.

The National Disability Insurance Agency is working with the commonwealth, states and territories on the development of policy for transport supports under the NDIS, which includes consideration of levels of support arrangements. Decisions as to the future of the South Australian Transport Subsidy Scheme beyond December 2019 will need to be made in light of any revised NDIA approach. As soon as we are able to provide new information we will do so.

TRANSPORT SUBSIDY SCHEME

The Hon. R.P. WORTLEY (15:16): Supplementary: given the cessation of the state voucher scheme, which has been cashed out to the NDIS, can the minister guarantee that no SA Transport Subsidy Scheme user will be worse off or receive a lesser service?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:16): I thank the honourable member for his subsidy which—sorry, his supplementary question.

Members interjecting:

The Hon. J.M.A. LENSINK: He was talking about subsidies, supplementaries. In terms of that particular matter, my department advised me that in relation to nobody being worse off under the NDIS, that Labor ministers were advised that they shouldn't actually be using those particular expressions and they continued to use them and, unfortunately, have misled some customers. We are pushing because we are acutely aware that this scheme is important to people.

We are very keen to make sure that, indeed, this is not the only issue on which we continue to have discussions, particularly with our federal colleague the Hon. Stuart Robert, on matters to do with the NDIS transition and areas that are yet to be resolved. However, we are working assiduously towards the best outcome that we can possibly obtain for South Australian customers.

I also find it ironic that the Labor government talks about the cashing out of the scheme because who did that? That was their agreement. While we are at full scheme as of 30 June this year, the National Disability Insurance Scheme and ongoing matters are things that continue to exercise my department and myself on a very regular basis.

Matters of Interest

NORTH-EAST AREA

The Hon. J.E. HANSON (15:18): Many in this place would be aware that I am more than familiar with an area of our state that is generally known as the north-east. Anyone from the north-east usually has a story about how they came to be there and for me it is no different: from visiting the area over many years to see friends I then came to work there, live there and indeed first get elected to office there.

The north-east in so many ways represents a microcosm of the City of Adelaide. Education facilities, health facilities, transport facilities, commercial precincts and job opportunities all form part of what in so many ways is a modern-day village. So I have viewed with increasing concern the growing list of cuts that the north-east seems to be expected to endure.

Late last year, I remember having a beer in the north-east with a non-political family friend who lives near the park-and-ride. She wondered why the Liberal member could not see how cancelling expansions of it would be a disaster for both local streets and public transport users. Earlier this year, I remember a good mate of mine from Modbury—who is in no way political either—wondered how he would get his daughter to school if the bus he used to get there was going to be cut.

After the budget this year, I remember receiving a lot of phone calls from more elderly friends in the north-east about the proposed closure of their local Service SA. Many wondered how it can be an alleged saving if, to put it simply, it makes it harder for people to pay money to the government. I found this feedback very much at odds with the speeches given by some of the government's members for the north-east in the other place, who talk about increasing services and listening to residents.

On voicing these concerns to colleagues, including the Hon. Russell Wortley and the Hon. Tung Ngo from this place, they echoed that they had also heard such concerns from their friends and family in the north-east, too; so we decided to spend a few weeks together meeting directly with residents from the north-east, and the result has left us in no doubt.

For a government that promised better services, lower costs and more jobs, they are zero for three in the north-east—from the bus services that have been cut, to the park-and-rides that have

been cancelled, to the TAFE that has been closed, to the Service SAs that will be closed or privatised, to the hikes in fees and charges, some by as much as 40 per cent, to the doubling—

The Hon. C.M. Scriven: Forty?

The Hon. J.E. HANSON: Forty per cent—and to the doubling of net debt of our state to $21 billion by 2022. The key things that allegedly were at the heart of the Liberal Party's reason for governing have not been delivered.

The way of life of many is being made harder as costs rise and the services that many rely on are being cut and cancelled. Indeed, to use the words of the member for Newland in the other place:

> Nothing was actually ever delivered. The only thing that was delivered was taxpayer-funded advertising: shiny brochures that were stuffed into letterboxes, including mine, the plastic wrap on the Messenger newspaper and various digital displays, whether it was in Tea Tree Plaza or on bus stops.

He could have been describing the current Liberal Marshall government. If he was, I could find myself agreeing with the member for Newland. But the key point here is: like any sales job for a product that no-one wants to buy, you make it about something else. It is about selling something.

The Liberals' core promises were about selling an idea that they had changed, that they no longer believed in cutting services, that they no longer believed in levying taxes on those who could least afford it, that they did not have a privatisation agenda. But people have found out that this sales job was nothing more than that. People have found out that a leopard does not change its spots.

People have found out what the Liberal Party was really saying at the last election, which was this: 'We don't want scrutiny of our real agenda, we don't want to tell people that we don't have any new ideas and we don't want to tell people that we haven't changed from almost two decades ago.' That is what this government is really saying. That is the product they are really selling and the people of South Australia, including those in the north-east, are seeing through it.

However, they are tragically seeing through it too late. The sales job is complete. This sales job is a tragedy, not only for the new member for Newland from the other place, who probably legitimately thought that by getting elected he might not have to explain to everyone who elected him that he would close their TAFE, cut their transport, cancel their infrastructure—like park-and-rides—and close their Service SA.

This is also a tragedy for all people who live in the village that is the north-east of our city and who are subject to all these cuts, for those who believed that their services were safe from cuts, that their jobs would remain secure and that their children would not have to face the highest unemployment in the nation. But the people of the north-east are not fools. They will deal with this government in due course.

Time expired.

WORLD SUICIDE PREVENTION DAY

The Hon. J.S.L. DAWKINS (15:24): I rise today to speak about World Suicide Prevention Day, which was yesterday—and I thank members for wearing the yellow ribbons in recognition of that day—and to also speak about R U OK? Day, which is tomorrow, and to mention some of the many associated events held right around South Australia that have been held or are going to be held in the coming days, which are quite varied in their nature.

Some examples of those include: on Sunday morning, the third Onkaparinga Seaside Walk for Suicide Prevention Day was held in somewhat inclement weather from Port Noarlunga South to Moana Surf Life Saving Club, conducted by the Let's Talk Onkaparinga Suicide Prevention Network and the Rotary Club of Seaford, as part of Rotary's Lift the Lid on Mental Illness program. I give great credit to the organisers of that walk. I know that despite the inclement weather there were still hundreds of people who took part in that, and I understand that more than $5,000 has been raised towards the establishment of a memorial park or garden in the Onkaparinga area in the near future.

Later that day, the fourth Ride Against Suicide, which has been organised by Silent Ripples and its founder, Janet Kuys, arrived at the Royal Adelaide Show. This involved 300 motorbikes, and

their riders of course, who took part in this ride from Mannum to Nuriootpa and Two Wells and into the Royal Show grounds, where I was pleased to greet them in the main arena. It was a great spectacle, one which I think was well received by those there on the final day of the Show. I want to acknowledge the Royal Agricultural and Horticultural Society for its great support of this event, which has grown enormously over the four years that it has taken place.

Yesterday, I was privileged to open the Guinness World Record attempt for the largest mental health awareness lesson at the Priceline Stadium in Adelaide. This again shows the variation in the events and the way in which people in South Australia are engaged in these efforts. It was organised by the organisation I Am Worthmore and its founder, Mr Luke McLean. It was attended by many school students and it was an audience that I think is one of the great hopes for us to break down the stigma of talking about suicide and mental illness. I think that was a very commendable event.

Tomorrow, on R U OK? Day, there are a number of events being held around South Australia. I am pleased that I will be able to attend, with the leader of the house, the Every Life Matters—Salisbury Suicide Prevention Network's morning tea at the John Harvey Gallery. There is a range of other events around the state, from Port Lincoln to the Riverland, to Whyalla, to Mount Gambier and beyond, but one I thought I would mention also is the Student Wellbeing Day to be conducted at Port Adelaide. I think this is not the first of its type, but it is conducted jointly by TAFE SA, Relationships Australia SA and the Port Adelaide Suicide Prevention Network.

Finally, I would like to add that I think all of these efforts go on top of the terrific work by many volunteers from government agencies and suicide prevention networks, the Issues Group on Suicide Prevention and the Premier's Council on Suicide Prevention, towards the suicide prevention network stand at the Royal Show.

ADVANCED PLASTIC RECYCLING

The Hon. J.A. DARLEY (15:28): I rise today to speak about Advanced Plastic Recycling. A few weeks ago, I had the pleasure of visiting Advanced Plastic Recycling's factory in Kilburn. APR is a world leading manufacturer and designer of recycled wood plastic composite products. APR is a family-owned business that has been operating for 16 years. They employ 30 full-time staff, and their Kilburn factory operates six days a week.

APR's factory is unique, and is currently able to manufacture the biggest products of their kind in the world. APR sources 100 per cent post-consumer waste, particularly plastic waste and waste from the timber industry, and turns it into bespoke wood-plastic composite products. APR receives timber industry waste such as sawdust, which would ordinarily go to landfill; similarly, plastic waste that would otherwise be destined for landfill is obtained in granulated form after it has been collected and recovered from kerbside recycling.

These materials are then combined and processed to produce an innumerate number of products such as park benches, bollards, bridges, fencing and boardwalks, to name only a few. The products are made from a sustainable alternative to virgin plastic and are environmentally friendly, low maintenance and long lasting. They are just as, if not more, durable than plastic alternatives and are cost competitive.

As all APR's products are made out of post-consumer waste, APR diverts 1.5 million kilograms of plastic and 1.5 million kilograms of waste wood from entering landfill each year. To put this into perspective, 198 two-litre milk bottles are used to make one standard bollard. This is an equivalent to the average milk consumption of two Australians per annum. Additionally, as all APR's products are bespoke and made to order, there is virtually no wastage.

Not only are the products that APR manufacture environmentally friendly, their manufacturing process is as well. Only a small amount of energy is used to heat the plastic and, once melted, it is cooled down to solidify the shape using a closed-loop, cool water system. This reduces water lost and wasted through evaporation. While the environmental benefits overall may be obvious, there are also financial and broad economic benefits due to lower dumping costs and employment opportunities.

While some local government organisations are already aware of APR's products and are purchasing them in favour of plastic or timber products, many of the issues we face with our waste would be resolved if more recycled material was purchased throughout all levels of government. Whilst I acknowledge that South Australia leads the nation with the best recycling rates, overall we can do better. The average Australian generates a shocking 103 kilograms of plastic waste each year. As reported in the National Waste Report 2018, only 12 per cent of all Australian recyclable waste is actually recycled. This is an appalling figure that must be addressed with serious cooperation by all states and territories in Australia.

The government has recently launched its 'Which Bin?' campaign to encourage better recycling; however, it is not enough to just recycle. It is important to reduce the amount of waste generated initially and also to encourage the consumption of recycled products over new. For example, if APR were to manufacture a 16-kilometre sound wall, 40 per cent of plastic waste generated by South Australians in a year would be diverted from landfill.

All levels of government have an important role to play in closing the loop of the circular economy, as they are often the biggest procurers. With the cooperation of those responsible for large-scale procurement there is potential to resolve issues which have emerged due to China's new waste import policy, also known as China Sword. I encourage the government and councils to investigate these options, and extend APR's invitation to all decision-makers to visit them at Kilburn.

SMALL BUSINESS

The Hon. C.M. SCRIVEN (15:33): I rise today to talk about small business in South Australia. As the shadow minister responsible for small business I am always seeking to engage with members of the small business community. Last Friday, I was delighted to chair a small business round table in Parliament House, where I was joined by the opposition leader, the member for Croydon, and some of the peak bodies that many small businesses are members of.

Groups such as Business SA, the Polaris Centre, the Housing Industry Association, the Freight Council, the South Australian Wine Industry Association and the AHA, to name just a few, attended the round table event and put forward their ideas to better support small business in South Australia. They also voiced their concerns about a number of policies that the Marshall Liberal government has pursued during its first 18 months in office.

The Marshall Liberal government likes to paint itself as a party that supports small business, but it's actions certainly show this is not the case. Listening to some of the feedback, both at this forum and in other interactions, from people who are directly involved in small businesses, we hear just how out of touch the Marshall Liberal government is.

Some of the feedback has included the appalling delay in introducing key pieces of legislation, the lack of a strategic infrastructure plan, the high cost of utility prices despite promised savings, the huge increases to fees and charges that have been introduced by the Marshall Liberal government despite promising lower costs, lack of consultation with the small business sector, the lack of a small business minister portfolio—

The Hon. J.E. Hanson: What?

The Hon. C.M. SCRIVEN: That is right: no small business minister portfolio. That shows the level of interest and real commitment, or lack thereof, from this government. The feedback also included land tax and the incompetent way that the policy was costed by the Treasurer, constant increases in costs related to changes in compliance as a result of state government red tape that must be covered by small businesses, and the continued poor export figures that this state is experiencing under the current trade minister.

This is only a brief overview of some of the concerns that have been raised by the small business sector. There are many more concerns I could list but, of course, I only have five minutes. I will continue to engage with small business all around this state. Small business deserves a voice, given the current minister has gone missing in action when it comes to supporting small business in South Australia.

The previous minister for small business, the Hon. Martin Hamilton-Smith, made the effort to have regular small business roundtable meetings to give small business a direct line to government, something that was very well received by everyone who took part in these events. As far as I am aware, the new minister who is apparently responsible for small business in this state has held nothing similar to the previous minister.

The Hon. J.E. Hanson: Who's he?

The Hon. C.M. SCRIVEN: Who's he, the Hon. Mr Hanson asks. Indeed.

The ACTING PRESIDENT (Hon. D.G.E. Hood): Interjections are out of order, as the Hon. Ms Scriven would be well aware.

The Hon. C.M. SCRIVEN: I apologise, Mr Acting President. Without a dedicated small business minister, it is not surprising that those in the community may ask who is the minister responsible.

Like many others, I was shocked that the recent state budget offered no new support to the state's single biggest employer, namely small business. There was no new spending identified in the Minister for Innovation and Skills' department budget which indicated any additional support for small business. Indeed, his department has undergone huge cuts which must raise the question about what support is now available for small business in his department.

Further, cabinet recently made the decision to take away the responsibility of the Office of the Small Business Commissioner from minister Pisoni and transferred this to the Attorney-General's Department. Perhaps this reveals a great deal about the level of confidence in minister Pisoni's ability. However, despite minister Pisoni apparently still having responsibility for small business in South Australia, he does not have responsibility for the Small Business Commissioner. Intriguing.

If minister Pisoni does not want to listen to the opposition's calls for doing more for small business in this state, he should listen to David Bilusich, who owns the Coffee Institute, a small business in the north-east of Adelaide. He has recently spoken to the media about the lack of support for small business in this state and the need for the government to do more. He made the point that small business employs nearly 75 per cent of South Australians, according to his accounting, yet the most recent budget offered them less than 1 per cent of the total spend. That is not good enough.

I urge minister Pisoni to do more for small business in South Australia, to give it the primacy that it deserves, to sincerely engage with them, to start looking at pursuing policies which support small business because, if small business thrives, then the economy of South Australia thrives.

BEDDALL, MR P.

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:38): I rise to acknowledge the life of Mr Phillip Beddall. Phillip Beddall sadly passed away unexpectedly on 30 August. He was known as a strong and active advocate for disability and social justice and was involved in a number of organisations and campaigns. In the 1980s and 1990s, Mr Beddall worked at Disability Action Inc., the major disability advocacy agency in South Australia.

He was a long-time contributor and presenter at the 5RPH (Radio Print Handicapped radio, which is what the acronym means) disability radio program. He was well known for his direct questioning and use of humour to get the best out of guests on his program. Both federal and state ministers were regular guests on the show. With 30 years' experience in both community and commercial broadcasting, he also provided training and support to others in the effective use of media.

Over the years, Mr Beddall was a member of a number of boards, including: Enhanced Lifestyles, which he was chair of at his passing; the Dignity Party, as vice-president; deputy chair of the South Australian Council of Social Services, for which he was awarded honorary life membership in 2007; an active member of the Young People in Nursing Homes National Alliance, as chair and SA coordinator; chair of Access 2 Arts; chairperson of Community Support Incorporated; and a board member of Shelter SA.

Mr Beddall was also involved with the Disabled Persons International SA branch, the Adelaide city council access committee, the home and community care advisory committee, Access

Cabs advisory committee, the SA Dental Service Consumer Advisory Panel since 2016 and chair of the panel since 2018. In 2018, Mr Beddall stood as the Dignity Party candidate for West Torrens in the South Australian election. As recently as six weeks ago, he was involved in media in relation to the disability accessible city south tram stop. He was also very involved in other campaigns that were of great importance to him, including the barriers to justice campaign, the voluntary euthanasia campaign and legalisation of marijuana campaign.

Phillip was known for his dry sense of humour. He will be forever remembered for his leadership during a time of major disability reform and his unwavering vision for an inclusive society accessible to everyone. His passion was to see a world which recognises that we all have abilities, that people are not subject to discrimination and we all have a right to be treated fairly and justly. His funeral and celebration of life will take place at Influencers Church Paradise this Saturday at 1.30. As SACOSS has said, 'No longer having Phillip's continuing friendship is a great loss.' Vale, Phillip Beddall.

ELECTRIC VEHICLES

The Hon. M.C. PARNELL (15:42): Last month, I attended Australia's first electric vehicle transition conference held in Sydney. Over two days, experts from all aspects of the industry shared insights into not whether but how and when Australia would catch up with the rest of the world and embrace the electric vehicle revolution. There were representatives from vehicle manufacturers, power companies, charging station installers and various levels of government.

The electric vehicle transition conference was organised by the online electric vehicle news platform The Driven, which is an offshoot from the popular and influential online news service RenewEconomy, whose editor, Giles Parkinson, in my view is Australia's most knowledgeable energy journalist and commentator.

It was no surprise that the appalling debate around electric vehicles during the last federal election campaign featured prominently at the conference. The diatribe coming from Liberal and National MPs was gobsmacking in its ignorance and its vehemence against anything that might be seen to be green or good for the environment. For example, Barnaby Joyce suggested that electric vehicles were so small they would be crushed by kangaroos.

There being a disturbance in the strangers' gallery:

The ACTING PRESIDENT (Hon. D.G.E. Hood): Order! Excuse me, the Hon. Mr Parnell. Security, can we attend to the lady in the gallery there, please. Thank you. Forgive me, the Hon. Mr Parnell. Please continue.

The Hon. M.C. PARNELL: Barry O'Sullivan, who was then the chair of the Senate transport committee, had said that he would rather die in a ditch than drive an electric vehicle. Energy minister Angus Taylor, despite announcing deals for ultrafast charging equipment, warned of the hours and days it took to charge an electric vehicle and claimed that they had no range. Prime Minister Scott Morrison said electric vehicles were an attack on the Australian weekend. Michaelia Cash had promised to defend the tradie and the ute. Even usually moderate MP Dave Sharma compared electric vehicle policies to Soviet-style policies, while finance minister Mathias Cormann compared the opposition and Greens' electric vehicle policies to mandating the consumption of brussels sprouts.

Regardless of the rhetoric, electric vehicles are coming. Australia no longer makes cars, so we are a technology taker in this space, but electric vehicles are already beginning to dominate new sales in some other countries. For example, in Norway around 60 per cent of new vehicle registrations were plug-in electric vehicles.

As for utes and tradies, the new Tesla electric ute will be on sale in Australia from November. But it is not just utes, there are now electric trucks and buses. Electric buses are in use around the world. For example, China has around 480,000 electric buses—nearly half a million electric buses. In Australia you can count the number of electric buses without taking off your socks, because there were less than 10 at last count. As a final embarrassing put down for the electric vehicle knockers, a report was published on the Driven website yesterday that the Australian Army is now looking at the advantages of electric vehicles for their substantial fleet of transport and even combat vehicles.

The conference included a number of presentations aimed at myth busting around electric vehicles, particularly in relation to cost and range. The range is now hundreds of kilometres per charge—much greater than the very early models. But when it comes to costs, electric vehicles are already cheaper than petrol vehicles for fleet owners. Climate Works CEO, Anna Skarbek, told the conference that savings from lower fuel (or, rather, energy) and maintenance costs meant that councils and organisations can benefit financially when choosing to go electric. It is all about the whole-of-life cost of the vehicle.

So what about South Australia? Over the last few months I have been asking questions in this place about what the government is doing to promote electric vehicles, in particular when we might see an electric vehicle strategy for South Australia. What I will say was encouraging is that the South Australian government sent at least two representatives to this conference, and I am looking forward to seeing what they come up with.

In terms of take-home messages, when something is new and it is big and it is coming, you need to plan for it. When it comes to electric vehicles, the big difference is charging. Of course, every home or building with access to electricity potentially is an electric vehicle charging station, but to make the most of it we need to embrace the new fast-charging technology. That means that whenever a developer builds a new multistorey, multidwelling building we need to make sure that the electricity connections and the wiring, to the car park in particular, are suitable to cope with electric vehicles because even if the current residents do not have them the next set will and they will become ubiquitous in coming years.

NAIDOC

The Hon. K.J. MAHER (Leader of the Opposition) (15:47): This year's NAIDOC theme is, 'Voice. Truth. Treaty. Let's work together for a shared future.' It represents, simply stated, the wishes and aspirations of many Aboriginal Australians. It represents, distilled, the Uluru Statement from the Heart.

The Uluru statement was a product of 13 regional dialogues held around the country. The dialogues comprise 60 per cent of the positions reserved for first nations and traditional owner groups, 20 per cent for community organisations and 20 per cent for key individuals. As a result, we saw 250 Aboriginal people from every corner of this country come together in September 2017 and say, in a unified voice, 'We want voice, we want treaty and we want truth.'

The Uluru Statement from the Heart is a profound document and presented a unique opportunity for our nation. These reforms, the wishes and aspirations, are one of the most unified positions and voices of Aboriginal Australians, and the federal government just said no. It is not good enough, it is not good enough to ignore the wishes and aspirations of Aboriginal people, but it is even worse to go out and ask and then immediately and bluntly reject the answer.

I think it was a huge step backwards to have Malcolm Turnbull, and then Scott Morrison, display an arrogant lack of respect towards a statement from the heart and those who worked so hard to put it together. In the same way, I think in South Australia Aboriginal people were asked about treaty and were overwhelmingly in favour, only to be crushed when the new Premier, who did not even have the decency to appoint an Aboriginal affairs minister, arrogantly scrapped the treaty process.

It is interesting to note that at the National Press Club of Australia on 10 July the federal minister, Ken Wyatt, referred to states moving on treaties, and I will quote him:

> With respect to treaty, it is important that states and territories take the lead. When you consider the constitution, they are better placed to undertake the work.

The federal Liberal minister for Indigenous Australians thinks states should be acting on treaties. The comparison I made between our Liberal Premier and former Liberal prime ministers does not just stop when looking at the scrapping of things that Aboriginal people say are the next steps forwards; there are further comparisons. In 1997, the then prime minister, John Howard, infamously had many in the audience at the Reconciliation Convention turn their backs. The then PM said he was not into symbolism and wanted what he called 'practical reconciliation'. It is eerily similar to Premier Marshall dismissing treaty as a mere symbolic measure and issuing a glossy brochure action plan that, to be

frank, is not much more than a grab bag of initiatives the departments were already doing anyway, with most started under the former Labor government.

I was proud that the federal Labor Party in the lead-up to the last federal election supported what came out of the Uluru Statement from the Heart. It was not a question of when they were going to do it, but how and when they will implement it. Labor did not, however, win the federal election, but we should not let the hopes and aspirations of Aboriginal Australia languish at the last federal election. As Yawuru man and Labor senator Patrick Dodson said, 'we will work with the Government, but we will not wait for them'. In South Australia, that is the approach we are taking.

I am very proud that SA Labor will implement a state-based version of the Uluru Statement from the Heart if we form government in 2022. This year's NAIDOC theme will come to fruition in a state-based regime—at long last, a voice to parliament, truly allowing Aboriginal South Australians to have a say in the decisions that affect their lives: treaty, reinstating the treaty process with Aboriginal nations across South Australia, finally addressing one of the biggest unfinished pieces of business for this country; and truth, establishing a process so that our full shared history is more truthfully and widely understood.

It will not be a simple task and it will not be a quick task, but in some ways those things that are not simple and cannot be done quickly are the things that are worth doing the most. It is high time politicians stopped doing things to Aboriginal people but, rather, started working with Aboriginal people. It is a remarkable thing that we share this land with their oldest living culture in the world. Unfortunately, Aboriginal people have all too often been forgotten in the decisions that affect their lives. It is time, as those who gathered at Uluru said, not only to count Aboriginal people but to include them and to listen to them. That is what Labor has done in the past, and I am proud that is what we will do in the future.

Motions

CLIMATE CHANGE

The Hon. M.C. PARNELL (15:52): I move:

That this council—

1. Recognises that global average temperature, atmospheric greenhouse gases and ocean acidity are already at dangerous levels;

2. Notes that around the world, climate change impacts are already causing loss of life and destroying vital ecosystems;

3. Declares that we are facing a climate emergency; and

4. Commits to restoring a safe climate by transforming the economy to zero net emissions.

In South Australia on Friday 20 September, thousands of students and their supporters will go on strike. They are not striking for less homework or for more pocket money, they are striking for something far more important. They are striking for their future. They are striking, also, for the future of the other 7½ billion people who share this planet, and they are striking for the future of the untold millions of species, ecosystems and environments that make up this wonderful planet of ours. They are striking for action on climate change.

The School Strike 4 Climate rally in Victoria Square at midday will have a very clear message for our political leaders. They want real action on climate change and they want it now. Many of them, of course, are too young to vote, but many of them will still be here at the turn of the next century in the year 2100, so what we do or do not do now is critical to their survival and their wellbeing.

This motion invites the Legislative Council to declare that we are facing a climate emergency. This is a motion that the Greens will be moving in federal and state parliaments around Australia in coming months. And we are not the only ones. The momentum for a climate emergency declaration is building around the world. It is coming from students, it is coming from local councils, workers, residents' groups and from business leaders and professional associations.

Last week, the Australian Medical Association (AMA) released a statement under the banner: AMA Formally Recognises Climate Change as a Health Emergency. The statement does not pull its punches. It says:

> Climate change will cause higher mortality and morbidity from heat stress.
>
> Climate change will cause injury and mortality from increasingly severe weather events.
>
> Climate change will cause increases in the transmission of vector-borne diseases.
>
> Climate change will cause food insecurity resulting from declines in agricultural outputs.
>
> Climate change will cause a higher incidence of mental ill-health.

The statement continues:

> These effects are already being observed internationally and in Australia. There is no doubt that climate change is a health emergency.

This motion calls on the Legislative Council to get behind the experts and to get behind the community. Listen to the AMA. Listen to the students, and listen to climate scientists who have been warning us for years that the climate emergency is real and that the time for action is now.

So what is a climate emergency declaration anyway, and who is signing up to it? I will start with the second question. Globally, 935 jurisdictions in 18 countries, and counting, have already declared a climate emergency, including the United Kingdom, Canada, Portugal, Ireland, Argentina and also a number of major global cities, such as New York, which is bigger than many other countries. Across the world, more than 160 million people live within areas where a climate emergency has been declared.

In Australia, the cities of Sydney, Melbourne, Darwin, Hobart and Fremantle have declared a climate emergency, as well as many regional councils. In South Australia, we have the City of Adelaide, most recently, and I would acknowledge the leadership of Councillor Robert Simms in pushing the council to sign up to the declaration. We also have—I think they were the first in South Australia—the Adelaide Hills Council. We have the Town of Gawler, the Light Regional Council and the City of Port Lincoln. These jurisdictions have all passed motions declaring a climate emergency.

So what does it mean? Does the declaration of a climate emergency actually carry any weight or is it hollow symbolism, or is it something else? The short answer is that it is far more than symbolic. It is a necessary step towards real and effective action to address climate change. Let us look at the legal situation first. Although the language might sound similar, a state of emergency and a climate emergency do not mean the same thing. In most jurisdictions, declaring a state of emergency gives the government powers, such as the ability to commandeer private property or to suspend the operation of legislation.

In South Australia, we have the Emergency Management Act 2004. An emergency is defined as:

> an event…that causes, or threatens to cause—
>
> …the death of, or injury or other damage to the health of, any person; or…the destruction of, or damage to, any property; or…a disruption to essential services…or harm to the environment, or to flora and fauna.

So a climate emergency certainly ticks all those boxes, but only the state government can declare a state of emergency under the act, not the parliament. Responses under the act for, say, a catastrophic bushfire, would include commandeering private property, mandatory evacuations, cutting off the power and water and arresting people who get in the way of emergency responses. But that is not what this motion is about. It is not about declaring a state of emergency; it is about declaring a climate emergency.

Having said that, I do not think anyone should vote for this motion on the basis that it does not mean anything. It would be disingenuous to say, 'Oh well, it's not legal, so provided I keep my fingers crossed behind my back when I vote, I can keep sweet with some parts of my electorate who don't believe in climate change.' I want people to vote for this motion because they believe in it. I do not want trickery and I do not want political game playing or semantics.

Having said what this climate emergency declaration is not, what does an acknowledgement of a climate emergency really mean? My favourite response is one that was offered by a member of the group Extinction Rebellion. That is a group I have talked about in this place before. Their response was that what we are acknowledging is a first step in what really does need to be a whole of government, whole of society, worldwide response, and it starts with these three simple words: tell the truth. Tell the truth because, having acknowledged the truth, inaction is not an option.

There is a useful analogy: in parliament in recent months we have been debating what to do about people who are harming themselves and others through their behaviour, especially people who are struggling with addiction—it might be drugs, alcohol or gambling. With all of these addictions, what they have in common is that the first stage to recovery is to acknowledge that you have a problem. If you try to force treatment on a person who does not think they have a problem, it is far less likely to be successful.

Whether it is an individual acknowledging that their behaviour is causing themselves and others around them harm or whether it is the parliament of the state of South Australia acknowledging that the way our economy and society is going, we are harming ourselves, our environment and future generations by exacerbating dangerous climate change, the starting point is the same: tell the truth. Very little will change unless we do this.

Despite the reluctance of many politicians to acknowledge that we are facing a climate emergency, there are some people in governments who are taking it seriously. There was a report this morning that many members would have heard on ABC radio. It was a report about a group of senior federal government officials called the Secretaries Group on Climate Risk, which began meeting in March 2017.

This group includes some of the country's most senior military figures as well as heads of the federal government's biggest departments. The group conducted a set of exercises called Project Climate Ready in which the government chiefs war-gamed future scenarios that it is expected could occur because of climate change. According to the agendas and the minutes of the group, their aim was to prepare the country for national-scale systemic climate risks that would impact the full spectrum of human activity and are already overwhelming the country's ability to respond. Now, that sounds like an emergency to me.

The minutes from these meetings noted that extreme weather was already overwhelming the country's ability to respond to climatic events. As examples they noted the Melbourne asthma storm in which 10 people died; the South Australian blackout which resulted in the entire state being plunged into darkness; and the convergence of floods and bushfires in Tasmania. The minutes and agendas for the group's meetings show the seriousness with which the federal bureaucracy treated the threat of climate change.

Project Climate Ready was conducted to better understand how to manage the increasing risk of catastrophic events. It consisted of a series of scenarios, and, while the detail of those scenarios has been kept secret, what was disclosed was that they explored some of the possible impacts of extreme weather events in a number of sectors, including health, infrastructure and energy.

In addition to direct physical risks impacting health and national security, the group also considered legal risks that climate change could pose for the government. To prepare for the meetings, the heads of the departments were given legal advice by Noel Hutley SC, outlining how company directors and trustees of superannuation funds who failed to consider climate risks could be sued. In a brief to the then environment minister Josh Frydenberg in 2017, outlining what the group had found, the secretary of the department of environment said:

> There is a broad-based perception that the public sector is behind private-sector practice.
>
> Many private sector companies, including resource companies …are well advanced in their management of climate risk, the brief said.
>
> Public sector agencies own and manage large assets, employ staff in locations and provide or support services that are at risk of extreme weather events, which are becoming greater because of climate change.

In putting this news report together the ABC reports that it sought comments from a number of federal ministers but none were forthcoming. However, we know from previous statements, public statements, that there are still plenty of climate change deniers in the federal cabinet including the minister for drought and natural disasters, David Littleproud, who said that he does not know if climate change is man made.

Thankfully, there are plenty of other senior officials outside of politics who are prepared to tell the truth. For example, the former deputy commissioner of the New South Wales fire brigade, Ken Thompson, said:

> The problem with Australia is that we are probably more prone to these disasters than many other countries but we are probably one of the least prepared simply because we don't have this overarching government framework that is needed to help us plan.

Outside of government and outside of the public sector, pressure is also mounting in the corporate world to take climate change more seriously. In a news story published just today in the *Guardian* newspaper, workers at Amazon—one of the world's biggest companies—have decided to go on strike. The report says:

> Since late last year, a group of workers within Amazon have been organising to push the company to radically reduce its carbon emissions. Yesterday, they announced a major new action: on 20 September, Amazon workers around the world will walk out of their offices to join the Global Climate Strike. So far, more than 1,000 workers have pledged to participate. The organisers have three demands. They want the company to commit to zero emissions by 2030, to have zero custom cloud computing contracts with fossil fuel companies and to spend zero dollars on funding climate-denying lobbyists and politicians.

Back in Australia, what do Australian citizens think of climate change and the response of our political leaders? The answer is that they are very concerned, and they want real action.

Today, the Australia Institute released its annual Climate of the Nation report, which this year shows increasing levels of concern amongst Australians about the impact of climate change. Here are some of the findings from the 2019 report released today:

- eight in 10 or 81 per cent of Australians are concerned that climate change will result in more droughts and flooding. That is up from the previous survey last year;
- seventy-six per cent of Australians are concerned about climate change resulting in more bushfires;
- the majority of Australians (around two-thirds) agree that the government should plan for an orderly phase out of coal so that workers and communities can be prepared;
- the majority of Australians (54 per cent) reject the idea that Australia should not act on climate change until other major emitters, such as the US and China, do so. In fact, only one in four believe that we should wait for others to take the lead; and
- almost two-thirds of Australians (64 per cent) think the country should have a national target for net-zero emissions by 2050, similar to the UK scheme.

In conclusion, this motion, if it passes, will be the clearest statement yet that members of the South Australian parliament are serious about tackling climate change. Business as usual is just not an option.

By declaring a climate urgency, the parliament is saying to the young people who will be striking for climate action next week that we are listening to them. It is saying that we share their vision for a more sustainable world and that we will do whatever we can to ensure a stable climate for the benefit of all people and the environment on which we all ultimately depend. I commend the motion to the chamber.

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

HINDU ORGANISATIONS, TEMPLES AND ASSOCIATIONS FORUM

The Hon. J.S. LEE (16:07): I move:

That this council—

1. Congratulates the Vishva Hindu Parishad of Australia for hosting the Hindu Organisations, Temples and Associations Forum of South Australia (HOTA SA) and Raksha Bandhan festival in 2019.

2. Acknowledges the outstanding contributions of individuals and pays tribute to award recipients in five different categories:

   (a) HOTA Volunteer Award;

   (b) Youth Award;

   (c) Entrepreneur Award;

   (d) Woman of Substance Award;

   (e) Senior Citizen Award.

3. Commends the Hindu Organisations, Temples and Associations Forum for establishing the Hindu Helpline for Australia.

4. Recognises the achievements and contributions of the Hindu communities in South Australia—socially, culturally and economically.

As the Assistant Minister to the Premier with a strong passion for multicultural development in South Australia, it is a great honour to rise to introduce this motion to acknowledge Vishva Hindu Parishad of Australia for hosting the HOTA South Australia Forum and for organising the auspicious Hindu festival of Raksha Bandhan on 3 August 2019.

HOTA stands for Hindu Organisations, Temples and Associations. This year marks the second time the HOTA Forum was held in conjunction with the celebration of Raksha Bandhan in South Australia. Traditionally, on the occasion of this Hindu festival, sisters generally apply tilak to the forehead of their brothers, tie the sacred thread called Rakhi to the wrist of their brothers and pray for their good health and long life. This thread, which represents love and responsibility, is called the Raksha Bandhan, which means 'a bond of protection'. It is wonderful to learn about the significance of this festival at the HOTA Forum, meaningfully promoted to pledging support to each other, respecting women in our community and promoting universal fellowship.

Since elected to parliament in 2010, I have had the privilege of serving our vibrant and diverse multicultural community right from the beginning. It was a great honour to represent the Premier, the Hon. Steven Marshall, to support the inaugural HOTA Forum and Raksha Bandhan festival last year and to be invited once again this year to present the volunteer recognition awards to outstanding contributors in the Hindu community of South Australia.

Many researchers have referred to Hinduism as one of the oldest religions in the world. Some practitioners and scholars refer to Hinduism as 'the eternal tradition' or 'the eternal way,' beyond human history. The 2016 census revealed that Hinduism is one of the fastest growing religions in Australia, due to our socially inclusive immigration policy.

Witnessing the South Australian Hindu community going from strength to strength is a clear example of how the HOTA platform has contributed to the multicultural landscape in South Australia. The HOTA Forum is a collaborative platform created by Vishva Hindu Parishad of Australia to bring Hindu communities and organisations together. The key vision for the HOTA Forum aims to bring members of the Hindu society together, collectively shape the Hindu identity, and strengthen the Hindu society from within.

The HOTA Forum brings diverse Hindu organisations together as community partners, to support each other, to strengthen collaborations and to collectively contribute to Australia. Forum partners recognise that a strong Hindu community is best supported by a strong and prosperous Australia.

It was a remarkable achievement that this year more than 40 organisations and groups in Adelaide came together in unity to celebrate the Hindu festival of Raksha Bandhan. The key themes of the festival embrace the spirit of universal fellowship, promote the values of respecting women and pledge support to each other for fostering mutual harmony.

At this point, I wish to place on the public record my special thanks to acknowledge the convener of the South Australian HOTA Forum, who is also the president of the South Australian chapter of VHP, Mr Rajendra Pandey, for his hard work and determination to create a unified platform

and generate the culture of collaboration within the Hindu community of South Australia regardless of the country or region they come from or the membership size or the activities that these organisations represent.

Over the last couple of years, it has been a pleasure working very closely with Raj. I have seen firsthand the passion and dedication of his leadership, and as a member of parliament I am truly happy and delighted to work with him. I would like to quote some of the words expressed by Mr Rajendra Pandey, the convener of the HOTA Forum in his message to the HOTA Forum, which I quote:

> In South Australia, this is the second Raksha-bandhan celebration and on behalf of the entire Hindu community in South Australia, I express our gratitude and appreciation for protectors of our community. We all are truly grateful to all women and men from SAPOL, SAAS, MFS, CFS and many more such organisations who work day and night to keep us safe.
>
> I am grateful for the trust and support provided by the Hindu community and their leaders in the Vishva Hindu Parishad and HOTA forum initiative.
>
> We have received an incredible amount of support from the Marshall Liberal government and the Hon. Jing Lee and we look forward to their continued support for delivering more services to the South Australian Hindu community.
>
> This year we are recognising 145 volunteers who are like flowers of the large banyan tree whose roots are thousands of years old and strong. Reading through award nominations make me feel prouder to be a South Australian and gives me the confidence that the Hindu community is in good hands. I am convinced that the future of Hindu community is even brighter as we will continue or rather make even more contributions to a prosperous South Australia and a stronger Australia.

Those are words from Raj Pandey. I have learned that the name Raksha Bandhan means a bond of protection. It is very thoughtful and generous for all involved to use the HOTA Forum as a platform to celebrate the Hindu festival Raksha Bandhan in South Australia and enable community members to build valuable connections and celebrate the importance of volunteering and community work. The HOTA SA volunteer recognition presentation program is an empowering and meaningful initiative.

Our Governor provided a generous message of support in the HOTA booklet, where His Excellency said:

> I am proud of the goodwill and generous spirit that exists here in our state. Supporting others through volunteering helps to create an inclusive society, which provides people with a sense of belonging…I am very pleased that the ceremony hosted by HOTA Forum recognises the hard work and dedication of volunteers from the Hindu community.

That is from His Excellency the Hon. Hieu Van Le. I wholeheartedly agree with His Excellency that volunteers are the pillars of strength behind every community, and it was indeed a true honour to represent the Premier of South Australia, the Hon. Steven Marshall, at the HOTA Forum to acknowledge VHP and all the organisations for their outstanding efforts in building a respectful and rewarding program that acknowledges the wonderful work of volunteers in all aspects of community life.

The network of the HOTA Forum is open to all Hindu organisations, and currently there are more than 40 South Australian organisations that come together to discuss the objectives of community unity and empowerment. I wish to place all those organisations on the public record, because I understand that this is very important for those organisations to continue their great work. I wish to acknowledge the following:

- Adelaide Arya Samaj;
- Adelaide Ayappa Seva Sangam;
- Adelaide Kannada Sangha Inc;
- Adelaide Marathi Mandal;
- Adelaide Nepal;
- Adelaide Nepali Samaj Australia;
- Adelaide Sarvajanik Ganeshotsav Samiti;

- Adelaide Telangana Association;
- Art of Living;
- Australian Hindu Samaj Sewa Samiti;
- Bangladesh Puja and Cultural Society of South Australia;
- BAPS Swaminarayan Mandir;
- Bengali Cultural Association of South Australia;
- Bharatheeya Hindu International Malayalee Association;
- Chinmaya Mission, Adelaide;
- Divya Jyoti Jagrati Sansthan;
- Gayatri Pariwar, Adelaide;
- Hindu Society of Australia;
- ISKCON Adelaide;
- Jai Durga Sankirtan Mandal;
- Jat Mahasabha South Australia;
- JET Australia Foundation, Adelaide;
- Kali Bhavan South Australia;
- Manavta Ramayan Mandali;
- Punya Foundation;
- Saaketham Adelaide;
- Satsan Oceania, Adelaide;
- SEWA Australia;
- Shirdi Saibaba Community and Cultural Organisation of SA;
- Shree Ram Sharnam Parivaar;
- Shree Santram Bhakt Samaj;
- Shree Sita Ram Ramayan Mandali of South Australia;
- Shree Swaminarayan Temple Adelaide;
- Shruthi Adelaide;
- South Australia Telangana Association;
- Telugu Association of South Australia;
- United Indians of South Australia;
- Vaishnav Sangh of Adelaide;
- Vedic and Cultural Centre of Australia; and
- Vishva Hindu Parishad of Australia.

Furthermore, since the HOTA Forum on 3 August, I am delighted to learn that over the last six weeks an additional 12 Hindu organisations have also joined HOTA South Australia. These 12 organisations are:

- Aalap Indian Association;

- Australian School of Meditation and Yoga Adelaide;
- Fiji Senior Citizen Association;
- Hindu Council of Australia;
- Hindu Swayamsewak Sangh;
- Nirankari Mission Adelaide;
- Niswarth Sewa Samiti Adelaide;
- Raj Traditional Yoga and Kriya Yoga School;
- Shiv Garjana;
- Shree Sanatan Dharam Gyan Jyoti Mandali of South Australia;
- Shri Ram Sharnam; and
- Temple of Fine Arts.

I ask honourable members for your forgiveness and patience because these organisations are important to be mentioned within HOTA and I appreciate the generosity of the chamber today. Congratulations to all the organisations that come under the HOTA network with shared values. Their combined wisdom and leadership provide a powerful platform of unity for all Hindu communities in South Australia to collaborate and work together for the betterment of an inclusive and harmonious society.

One very important element of the HOTA Forum is also to recognise the awards given out to all the volunteers. I also acknowledge and congratulate the 145 volunteers who have been awarded in the five categories: HOTA Volunteer Award, Youth Award, Entrepreneur Award, Woman of Substance Award and Senior Citizen Award.

In addition, one very important initiative that came out from the HOTA Forum and all these organisations working together is the Hindu helpline. The launch of Hindu Helpline Australia, managed by volunteers, is a 24-hour seven-day service with counsellors who speak different languages, catering for India and the subcontinent. The helpline is tailored to address any concerns that Hindu women or men may raise, be it domestic violence, family issues, legal issues, guidance with children, mental health, or any questions they have in terms of a healthy work-life balance and relationships, self-esteem and general life inquiries.

I wholeheartedly support this helpline because I think they are providing a wonderful, excellent and outstanding service. It is a confidential caring service and, most importantly, the helpline is offered in eight languages of the Indian subcontinent. For example, it is available in Hindi, Telugu, Bengali, Tamil, Malayalam, Fijan, Nepali, Kannada and English.

On behalf of the Parliament of South Australia and the government of South Australia, I once again extend my wholehearted congratulations to Vishva Hindu Parishad of Australia and all the organisations involved in the HOTA Forum for their wonderful work to recognise their achievements and contributions to the South Australian social and economic landscape. I commend the motion to the chamber.

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

ARCHBISHOP MAKARIOS

The Hon. I. PNEVMATIKOS (16:24): I move:

That this council—

1. Congratulates and welcomes His Eminence Archbishop Makarios of Australia on his inaugural visit to South Australia.

2. Congratulates all the parishioners and volunteers of the Greek communities of South Australia and the Greek Orthodox Archdiocese of South Australia on all their endeavours and preparations to welcome His Eminence to our beautiful state.

3. Thanks His Eminence Archbishop Makarios on his efforts to meet and engage with as many South Australians as he could on his inaugural visit.

4. Thanks the organisers of all the functions and events that hosted His Eminence throughout South Australia, including:

   (a) His Excellency the Governor of South Australia, the Hon. Hieu Van Le AC;

   (b) the Hon. Chris Kourakis SC, Chief Justice of the South Australian Supreme Court;

   (c) Inter-Communities Council of South Australia, Greek Orthodox Archdiocese;

   (d) Saint George College;

   (e) Saint Basil's Homes SA;

   (f) Adelaide Airport Limited;

   (g) the Greek Orthodox Archdiocese of South Australia parishes and communities, led by His Grace Bishop Nikandros;

   (h) the Greek Welfare Centre;

   (i) the Premier the Hon. Steven Marshall MP and the Leader of the Opposition, the Hon. Peter Malinauskas MP;

   (j) the Speaker of the House of Assembly, the Hon. Vincent Tarzia MP and the President of the Legislative Council, the Hon. Andrew McLachlan MLC;

   (k) the parliamentary library and staff;

   (l) the Parliamentary Friends of Greece and Cyprus;

   (m) Mr Harry Patsouris, Mr Andrew Psaromatis, Ms Connie Kosti, Ms Angela Gondzioulis;

   (n) the thousands of faithful who welcomed His Eminence to South Australia across Adelaide.

5. Encourages His Eminence to visit South Australia as often as possible and wishes him success in his mission here in Australia as the leader of the Orthodox Christian faithful of our nation.

Given the length of the motion, I will not be repeating its detail to the chamber and I move it as tabled. I raise this motion to share the news of the visit but also to shine a light on the parishioners and volunteers of the Greek communities of South Australia and the Greek Orthodox Archdiocese of South Australia for all their endeavours and preparations to welcome His Eminence to our state.

His Eminence Archbishop Makarios met and engaged with as many South Australians as he could on his four-day visit, during which the hospitality of the Greek Australian community extended to South Australian politicians of Greek origin. The visit was an opportunity to share South Australia's Greek diaspora culture and achievements and to also raise local community issues and concerns. As a man who has three masters degrees and a doctoral dissertation in bioethics, His Eminence took great effort in being appraised of the issues facing our communities and spoke with young and old alike in the community.

I was proud to discuss the efforts of all the hardworking and passionate Greek Australians in our community who have time and time again contributed to help build our communities and the state. It was also an opportunity to raise the importance of ensuring that all who play a role in promoting Greek culture and language in South Australia are heard within the community and are encouraged and involved to continue their efforts.

In addition to a number of religious events, His Eminence took the time to participate in a number of secular events as well, including a visit to the Governor's house and joining the Friends of Greece and Cyprus for lunch and a tour of Parliament House, hosted by the Hon. Vincent Tarzia MP, Speaker of the lower house, and the Hon. Andrew McLachlan MLC, President of the upper house.

I thank the staff in parliament for their efforts in organising the lunch and the Parliament Research Library for their efforts in preparing for the tour. His Eminence enjoyed seeing some of the library holdings related to the Holy Land, which included photos dating back to the early 1860s, with the Church of the Holy Sepulchre, the Chapel of the Convent of Saint Saba and a multivolume set of lithographs of the Holy Land.

In closing, I wish His Eminence well in his endeavours and look forward to the opportunity to continue dialogue and discussion pertaining to the growth and development of the Greek diaspora community and culture.

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

REMOTE AREA ATTENDANCE

Orders of the Day, Private Business, No. 6: Hon. T.J. Stephens to move:

That the regulations made under the Health Practitioner Regulation National Law (South Australia) Act 2010 concerning remote area attendance made on 16 May 2019 and laid on the table of this council on 4 June 2019, be disallowed.

The Hon. T.J. STEPHENS (16:28): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

STATE CORONER

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Acknowledges the retirement of State Coroner Mark Johns in August 2019, after a long and distinguished legal career in private practice and the public sector;

2. Recognises the exemplary service, commitment and dedication to the role of State Coroner that Mark Johns has demonstrated over a period of some 14 years;

3. Expresses its appreciation for the investigations and reports that Mark Johns has completed into often deeply tragic, highly sensitive and disturbing matters, to establish the cause and circumstances of deaths that fall within the events covered by the Coroner's Act;

4. Applauds the efforts of Mark Johns to provide findings and make recommendations that have contributed to the transparency and accountability necessary to fully harness the preventative function of the Coroner's Court; and

5. Calls on the government to better resource the Courts Administration Authority for the specific purpose of properly funding the work of the Coroner's Court so that the court can be modernised and staffed at levels appropriate to deal with the increasing and heavy workload carried by this court.

(Continued from 5 June 2019.)

The Hon. T.A. FRANKS (16:29): I rise to support this motion and the tabled amendment to the motion. I commend the Hon. Connie Bonaros for taking this moment in this council to reflect upon the work of the State Coroner, Mark Johns, in his retirement. He is, like many members of parliament, somebody who does see the worst of people's lives. It is a difficult job, it is a job that he has done with aplomb, and I think with dignity and respect, particularly for the families and loved ones who lose somebody to bring them to that point where they are before the Coroner's inquest.

I wanted to reflect particularly on Jorge Costello-Riffo today, and sitting in that particular inquest with Pam Gurner-Hall, and pay tribute to Pam and her courage and her dignity for the absolutely senseless loss of Jorge on the worksite of the new Royal Adelaide Hospital, where he should have come home safely that day but did not. I do reflect as well that the Coroner's recommendations, the most simple of recommendations that could have been done in fact right from the time of Jorge's death, that a spotter be employed to ensure the safety of any work done for any worker on an elevated work platform in order to be secure and safe in that job, has still not been implemented and could be implemented quite simply through the government's say-so.

I certainly think that the work the Coroner has done has informed this parliament, and in many ways has been respected by this parliament but should be more formally taken on board as these inquests make their recommendations, and certainly with those few words I commend the motion. I thank the mover for bringing and drawing attention to the fine work of the Coroner. I wish the new Coroner well, and of course the Deputy Coroners, who do such very important work on behalf of our state, day to day, in the most tragic of circumstances.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:31): I rise on behalf of the government to speak to this motion. I acknowledge the many years of dedicated service provided by former State Coroner Mark Johns, who officially left the role at the end of last month. I first worked with Mr Johns professionally when I was an adviser to former minister Armitage. At that time Mr Johns was a lawyer in the Crown Solicitor's Office and was advising on Aboriginal heritage issues. I have certainly enjoyed a long-standing relationship with Mr Johns professionally, and I respect him.

The role of the Coroner is often to advocate on behalf of those whose voices have been silenced before their time, to identify where organisations or systems have let them down and to be an agent for change. Whether it involves the private or the public sector, Coroners seek to get to the heart of the matter without fear or favour, to look at what went wrong and at how things can be fixed to prevent further loss of life.

For nearly a decade and a half, Mark Johns has performed this role with distinction in this state. He has probed instances too numerous to count, some of which have shocked our state. Mr Johns spoke up for people like Zahra Abrahimzadeh, Jorge Castillo-Riffo, Michael Russell, Chloe Valentine, and so many others. In examining their deaths, Mark Johns gave them a voice and, where possible, provided a degree of solace to those they have left behind.

Where systems and processes fail members of our community, Coroner Mr Johns spoke out strongly and thoughtfully and sought to improve processes so that other untimely deaths could be avoided. I have also found Mr Johns to be a person of both integrity and legal skill, qualities that have underpinned his service as State Coroner. Mr Johns' legacy includes the multitude of improvements that have been implemented across government, in agencies such as health, corrections and police, that have arisen from these tragic cases.

In health he was an early critic of EPAS, the previous government's electronic health records system. On that, and in so many other cases, Mr Johns was proved right, and I am delighted that he had the opportunity to contribute his views and insights to the independent review on EPAS. In his time as Coroner, Mark Johns was forensic in his examination of key witnesses, even-handed in his consideration of the facts and competing testimony, and more than willing to challenge those who appeared before him if he felt they were not being forthcoming.

It is unfortunate that leadership within government agencies can be defensive in their interaction with the Coroner's Court. From time to time, an attitude of us and them develops. As minister, I seek to overcome this defensiveness because it should not be a matter of us and them. We, the South Australian community, rely on the work of the Coroner to help us all do whatever we can to ensure we learn what we can from unexplained deaths to avoid deaths in the future. Mr Johns' work has often provided a sense of closure to those who have lost a loved one by answering questions arising out of untimely deaths. While it is the higher profile cases that are often in the public's attention, there is considerably more to the work of the Coroner's office.

Each year, the Coroner considers more than 2,000 deaths that are reported to his office, determining whether a formal inquest is warranted or the type of work that may be required to determine a cause of death. The government acknowledges the important role of the Coroner and Mr Johns' work as Coroner.

Although the government supports the motion in terms of recognising Mr Johns' outstanding service as State Coroner, it does not support the motion in relation to funding. Whilst budget matters for the Coroner's Court are ultimately a matter for the Courts Administration Authority to determine, I note that in the 2017-18 state budget, $2.9 million was provided over two years for additional resources, as requested by the Coroner, which also provided for an additional Deputy Coroner to clear a backlog of cases, including a number of complex matters. Furthermore, in the most recent budget, the Attorney-General announced the purchase of a new CT scanner for Forensic Science SA, which will significantly reduce post-mortem wait times.

In the context of those comments, I move to amend the motion as follows:

Leave out paragraph 5 and insert new paragraph as follows:

5. Acknowledges the appointment of Judge David Whittle as State Coroner by the Attorney General and the ongoing work of Deputy Coroners in their important role.

In South Australia the number of post-mortem reports waiting to be completed has been rising. Apparently it sits, I am advised, at over 1,000 cases. I understand that any request for additional funding for the Coroner's Court through the Courts Administration Authority will continue to be considered as part of future budget processes by the Attorney-General.

The role of the Coroner is not an easy one. It is a role that requires stamina, an ability to grasp incredibly complex and technical systems and have a sufficient understanding of those systems to be able to make recommendations aimed at ensuring that those who use and manage these systems not only learn the lessons arising out of an untimely death but are able to chart a way forward so that our services and systems are safer and stronger. In nearly 15 years, Mark Johns has delivered that level of incisive, intelligent thinking to the Coroner's Court, and for that we thank him.

The Hon. C. BONAROS (16:37): Can I start by thanking the Hon. Tammy Franks and the Minister for Health and Wellbeing for their contributions. As alluded to, Mr Johns has relentlessly pursued his brief, investigating over 2,000 deaths every year—on a shoestring budget, and I appreciate the comments of the minister in that regard and the fact that the government is not willing to support that particular clause in this motion.

I am happy to accept that in relation to this motion, with every intention of pursuing it further through other means. I think this motion in particular was one of acknowledging the Coroner's work, so I accept that that is the government's position. He did so to get the truth of every matter and to bring to account those people or actions responsible when there, of course, has been a sudden or unexplained death.

If I can just say this: I think we were very fortunate to have such a compassionate, dedicated and diligent Coroner in Mark Johns, again as acknowledged by my colleagues the Hon. Tammy Franks and the Minister for Health and Wellbeing. I thank him for his outstanding public service to the people of this state and wish him well in his retirement.

I also acknowledge, of course, the appointment of Magistrate David Whittle as State Coroner and the equally important work of our Deputy Coroners and, to that end, indicate that I will be supporting the suggested amendment by the Minister for Health and Wellbeing and thank him for that inclusion into the motion.

Amendment carried; motion as amended carried.

Bills

CRIMINAL LAW CONSOLIDATION (CHILD-LIKE SEX DOLLS PROHIBITION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 15 May 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:40): I rise today to speak briefly to the Criminal Law Consolidation (Child-Like Sex Dolls Prohibition) Amendment Bill. I indicate that I am the lead speaker and that Labor will be supporting this legislation and the amendment filed. Clearly, products like these are completely inappropriate and should be outlawed in South Australia, as they should be in the rest of this country. The bill amends the Criminal Law Consolidation Act 1935 and makes it an offence to produce or disseminate a childlike sex doll and introduces a maximum penalty of 10 years.

The current maximum penalty for production or dissemination of child exportation material is imprisonment for 10 years for a basic offence, and for an aggravated offence it is imprisonment for 12 years. This bill makes it an offence to possess a childlike sex doll and introduces a consistent maximum penalty of 10 years. The current maximum penalty for possession of child exploitation material is, as I have said, a seven-year offence and a 10-year offence. I say this to indicate that the penalties that are in place in the bill before the chamber at the moment are consistent with what is provided for in other parts of the legislation that this seeks to amend.

With those few words, I again indicate Labor's strong support of this bill and look forward to it progressing through our chamber today.

The Hon. R.I. LUCAS (Treasurer) (16:41): I rise on behalf of government members to speak on the Criminal Law Consolidation (Child-Like Sex Dolls Prohibition) Amendment Bill 2019, which has been moved by the Hon. Connie Bonaros. I firstly indicate the government's support of the bill and thank the honourable member for bringing a bill to this place. I am aware that this is a topic of great interest to the honourable member and something she has raised with the Attorney-General previously.

The bill seeks to ban the production, dissemination and possession of childlike sex dolls. Childlike sex dolls are three-dimensional, resemble children and have imitation orifices that are intended to be used for simulating sexual intercourse. The bill seeks to amend division 11A of the Criminal Law Consolidation Act 1935, which creates offences relating to child exploitation material. The amendments seek to put it beyond doubt that childlike sex dolls fall within the definition of child exploitation material.

There is an increasing interest here in Australia and overseas in prohibiting the importation, possession and production of childlike sex dolls, despite the limited evidence about whether they increase the likelihood of a person causing harm to children. In the absence of conclusive research, it is possible that there may be some criticism of the bill as impacting on the civil liberties of individuals. Despite this, it is crucial that legislation like this is supported and moved swiftly through our parliament. Given the harm caused by child sexual abuse and the retention of child exploitation material, the parliament must take harsh action.

I take this opportunity on behalf of the government to point out that I will be moving minor government amendments to the bill, which are necessary now that the Statutes Amendment (Child Exploitation and Encrypted Material) Act 2019 has passed. The proposed government amendments to the bill will ensure that viewing an image of a childlike sex doll online will not amount to dealing with child exploitation material unless the image is of a pornographic nature. The amendments clarify the distinction between the offences that involve pornographic images of the dolls and offences involving possessing, producing or disseminating actual dolls.

Further, I understand that other amendments have been filed by the honourable member, and I put on record the government's support for those. The amendments ensure that the bill will not commence operation until after the encrypted material act commences operation and also ensure that the new powers in the Summary Offences Act can be used in relation to all the child exploitation offences in division 11A of the Criminal Law Consolidation Act, not just the offences that involve actual children. Again, I put on the record the government's support of this bill and look forward to its swift passage and commencement.

The Hon. C. BONAROS (16:44): I thank the Hon. Kyam Maher and the Leader of the Government for their support of the bill and their thoughtful and meaningful words on the importance of protecting our children.

At the outset there are a couple of matters I would like to raise which relate to the bill since its introduction. Since I introduced this bill in May, as you would recall, Mr President, the Statutes Amendment (Child Exploitation and Encrypted Material) Bill was passed in this place, with amendments put forward by the Hon. Mark Parnell limiting the encryption powers to child exploitation offences. Unfortunately, they were rejected by the other place so they came back to the Legislative Council where this chamber insisted on those amendments and which, as noted, were ultimately accepted by the other place. I am pleased that common sense prevailed in that instance and that such an important bill was passed with sensible amendments and is currently awaiting proclamation.

The delay, though, meant that I was unable to include childlike sex dolls within the definition of child exploitation offence that was ultimately passed to the child exploitation and encrypted material bill to include this emerging and increasing form of child exploitation material within the encryption powers framework. I did not want to be responsible for delaying the introduction of that very important piece of legislation, but I can now proceed with the finalisation of the childlike sex dolls prohibition bill and so consequently I have some amendments that propose to include childlike sex dolls within the encryption powers framework.

To that end, I will be moving amendment No. 2 [Bonaros-1], which amends the Summary Offences Act and revises the definition of child exploitation offence, putting beyond doubt that childlike sex dolls are captured within the definition and therefore will be part of the previously referred to encryption powers framework. Amendment No. 3 [Bonaros-1] then amends the long title of the bill to reflect the changes sought to the Summary Offences Act, and amendment No. 1 [Bonaros-3] deals with the commencement provisions because the encryption material bill has yet to be proclaimed.

After I introduced the bill, I also referred it for stakeholder feedback and, to that end, the bill was referred to SAPOL via minister Wingard's office, the Carly Ryan Foundation and the Law Society of SA for comment. I thank all three organisations for providing timely and thoughtful comment on the bill. I now seek leave to table the submissions received from those stakeholders.

Leave granted.

The Hon. C. BONAROS: I note that those submissions were provided to all members and staff two weeks ago, so most of us will be familiar with their contents. I do, however, wish to highlight for the record some key observations and address a concern raised by the Law Society. I would also like to thank Sonya Ryan, CEO and founder of the Carly Ryan Foundation, for her thoughtful submission regarding the bill.

Sonya noted, as I did in my second reading explanation, that companies in Japan and China are manufacturing and shipping these realistic child sex dolls to consumers around the globe. Buyers can even order child sex dolls with predesigned facial features and expressions. They can request certain facial expressions such as happy, sad or afraid. Even more alarming, they can request dolls to resemble children in provided photographs. The ultimate goal of manufacturers is to make child sex dolls look and feel as realistic as possible, which is horrific, to say the least.

I echo the sentiments of Sonya Ryan in that regard. The realism of these so-called dolls is horrific in the extreme. Recent media around the issue, with accompanying photographs, drove home, I think, just how realistic the dolls are. Sonya also noted again, similarly as I did in my second reading explanation, that the sale of these sex dolls results in the risk of children being objectified as sexual beings and of child sex becoming a commodity. There is also a risk that childlike dolls could be used to groom children for sex in the same way that adult sex dolls have already been used.

There is absolutely no evidence that child sex dolls have a therapeutic benefit in preventing child sexual abuse. Committing sex acts with child sex dolls and robots normalises a sexual assault; it does not inhibit it. The Carly Ryan Foundation submission confirms many of the findings of the Australian Institute of Criminology's report, which highlighted in detail the many serious concerns about these dolls, something to which I have also referred at length. I am thankful for the support of the Carly Ryan Foundation, as leading experts in child safety, on such an important bill.

I also received a submission from the Leader of the Government, acting as Minister for Police, Emergency Services and Correctional Services, that, while not providing a position on the bill, SAPOL provided the following disturbing information, and I quote:

> SAPOL investigations into individuals importing child-sex dolls have led to the execution of three search warrants. Evidence was obtained during one of these [search warrants] that indicated that the individual did have an inappropriate sexual interest in children. Additionally, child-like sex dolls have been located by SAPOL during investigations into unrelated child sex offence investigations. This reinforces the correlation between the dolls and a sexual interest in children.

This information should send a shiver down our collective spines that they are, in fact, being used in South Australia. The fact that there are local paedophiles using these so-called dolls for sexual gratification, I am sure makes all of us physically sick, and this information from SAPOL provides the ultimate evidence that this bill is needed. SAPOL holds the view, and I quote:

> …the use of child-like sex dolls desensitises individuals to the impact of committing child sex offences and otherwise have no beneficial purpose.

This is consistent, of course, with the view of experts and the police. So there is absolutely no evidence that these childlike sex dolls have any therapeutic benefit in preventing child abuse. My office sought further information from SAPOL regarding the information supplied by them, which I also seek leave to table.

Leave granted.

The Hon. C. BONAROS: SAPOL confirmed that where they have discovered childlike sex dolls, they were seized as prohibited items. However, they added, and I quote:

> The current construction of the Criminal Law Consolidation Act 1935 (SA) and South Australian legislation generally, does not make it possible for SAPOL to lay charges for possession of the dolls.

As I have said, we need to stay ahead of changes in technology and cannot afford to sit idly by when this disturbing phenomenon continues to grow.

Finally, I want to turn to the submission from the Law Society of SA, and I thank them for taking the time to provide a very considered submission examining the technical elements of the bill. They state, and I quote:

> Presently, the Bill requires that a reasonable person will consider it likely that the doll or other object is intended to be used by a person to simulate sexual intercourse. This would appear to require an objective test as it does not require that the person knew that the doll or object was a child-like sex doll or other sex object.

In other words, the bill requires that a person intended to possess a childlike sex doll or object, but does not require them to know what the object or doll is. This is true, and I will certainly return to this point shortly.

The society also noted a Law Council of Australia submission to the Senate Committee on Legal and Constitutional Affairs in March of this year in relation to the commonwealth bill, which also contains a suite of offences regarding childlike sex dolls, including importation offences. That bill amends a number of acts and seeks to prohibit the possession of child sex dolls, as well as criminalising the use of a carriage service to advertise or solicit childlike sex dolls and criminalising the use of a postal service to send such dolls.

I wish to remind the chamber that the commonwealth bill lapsed in April this year when the federal parliament was dissolved ahead of the election. It was subsequently reintroduced in July this year and was again referred to the Senate Committee on Legal and Constitutional Affairs for inquiry. The Law Council said in relation to the fault element that subjective awareness of the sexual nature of the childlike sex doll or other sex object that resembles a child is a key component of the proposed criminal culpability; that is, that the person should know that the childlike sex doll or object is, indeed, a sex object. The issue was considered by the Senate committee, but the committee ultimately determined that it is:

> …satisfied with the requirement that a reasonable person would consider it likely that a doll or object is intended to be used by a person to simulate sexual intercourse with a child.

The committee did not consider the relevant provisions to the bill needed revision and, similarly, I do not think, with all due respect to the Law Society, that this bill required such revision for the same reasons.

The issue was revisited in the second Senate inquiry after its reintroduction in July of this year, which reported last week. The Law Council again raised the same concern about the fault element and suggested amendment to require that there be proof of actual subjective knowledge by the offender of the sexual nature of the childlike doll or other sex object. A representative of the Department of Home Affairs responded to that suggestion with the following quote:

> During the consultation with law enforcement agencies and, obviously, the Director of Public Prosecutions, there was a view provided by the Director of Public Prosecutions that it does create difficulties in proving the offence. On the face of the bill, we require that a reasonable person would form the view that it would be used for sexual intercourse. In the Law Council's evidence this morning, as well, I think they made the point that, in practical terms, generally that equates to the similar test that if a reasonable person would view that it would be used for that purpose then that would also be the view of the offender. But it is very difficult proving intent in these cases. There is a range of evidence that people call, for example, and I think the Law Council outlined this as well. There's the kind of material that they've been searching for, what's on the shipping notice—a whole range of things. But, yes, why we have gone with the reasonable person test is on the basis of that advice.

On the advice I have received, and to maintain consistency with those commonwealth laws, I do not intend to amend the reasonable person test. To illustrate the point, I will quote from the submission of the Synod of Victoria and Tasmania of the Uniting Church in Australia to a second Senate inquiry into the commonwealth bill, where they said:

In February 2019, Brian Leach, a 62-year-old from Maidstone, Kent, was sentenced to 28 weeks in prison for having ordered a one metre tall doll from China for £500, which included a package of accessories which clearly indicated it was intended for sexual gratification…

In March 2019 there were media reports that a company, DVKFP, was caught allegedly selling childlike sex dolls on Amazon. It was reported that the company promised the dolls would be sent via a 'hidden delivery'. One of the dolls appeared to resemble a prepubescent little girl wearing a child's headband. Another doll appeared to be a teen wearing torn clothing that exposed her bra, had a gag in her mouth and her hands tied behind her back. It was reported DVKFP wrote that the dolls were 'suitable for games with different clothing'. Amazon removed the dolls from sale after the issue became public.

However, this was not the first time Amazon was found to be hosting the sale of childlike sex dolls. In April 2018, Amazon removed more than a dozen postings selling childlike sex dolls after being publicised by the BBC and public criticism from the Children's Commissioner for England.

In the pictures posted with the advertisements the dolls had been placed in sexual poses with descriptions such as 'Mannequin Sexy' and '100% mimics girl's body'. Several of the dolls were described as coming with 'sexy lingerie'. The BBC reported that it alerted Amazon to the sale of a childlike sex doll and Amazon removed the advertisement, only to allow it to be posted again three days later.

From the sickening examples I have provided from the Synod submission, it is unequivocally clear to all of us exactly what these so-called dolls are intended for. *The Sydney Morning Herald* printed a story in 2016 on a Japanese company called Trottla that sold these dolls online, promoting more than 100 different dolls on its website and boasting of supplying clients around the world.

That article reported that, according to the Trottla website, the prepubescent-looking girls were not for sex, but they are featured in its online galleries in various stages of undress or completely naked, dressed in lingerie or in leather and in various sexual positions Trottla founder, Shin Takagi, described himself and most of his male clients as paedophiles. Make no mistake, if a person is ordering one of these dolls they know exactly what it is for, its sickening, disgusting, nefarious purposes. In Shin Takagi's own words he said he was, 'helping people express their desires legally and ethically.'

Most shockingly, the Trottla website is still operating. I have written to the Minister for Justice in Japan, Yamashita Takashi, seeking a meeting to discuss ways in which we can work collaboratively to shut down such websites and ban the export of childlike sex dolls from Japan completely.

There are a number of updates in relation to global action that has been taken with respect to these dolls. For instance, Tennessee has passed laws outlawing childlike sex dolls this year, Florida has passed a law to make it illegal to possess, sell or gift such a doll with a penalty of up to five years, and the Singapore parliament has introduced a bill that includes similar offences for the possession, production, sale and distribution of these dolls. Unfortunately, the US Senate has failed to pass the Curbing Realistic Exploitative Pedaphilic Robots Act, despite the bill passing the House of Representatives unanimously six months after its introduction.

These examples demonstrate the sickening depravity surrounding childlike sex dolls, and show the increasing and worrying global issue that requires legislators around the world to move swiftly and, of course, decisively—as we have done here. I am sure my colleagues stand with me in their resolute commitment to preventing child exploitation here as far as our laws enable us.

Our bill fits squarely within that commitment, and we are intent on seeing the bill progress as quickly and as expeditiously through the parliament as possible. To that end, and as alluded to by the Leader of the Government, I have been in ongoing discussions with the Attorney-General and she has confirmed she will have carriage of the bill when it reaches the other place to ensure its swift passage through the parliament.

I am grateful for the support from all sides of politics that will see the passage of the bill today, and look forward to the next stages of the bill's passage.

Bill read a second time.

Committee Stage

In committee.

Clause 1 passed.

Clause 2.

The Hon. C. BONAROS: I move:

Amendment No 1 [Bonaros–1]—

Page 2, lines 6 to 8 [clause 2]—Delete clause 2 and substitute:

2—Commencement

(1) Subject to subsection (2), this Act will come into operation 3 months after the day on which it is assented to by the Governor.

(2) Schedule 1 will come into operation—

(a) 3 months after the day on which this Act is assented to by the Governor; or

(b) immediately after section 11 of the Statutes Amendment (Child Exploitation and Encrypted Material) Act 2019 comes into operation,

whichever occurs later.

I have provided detailed reasoning for this amendment.

The Hon. R.I. LUCAS: This amendment will ensure that the bill will not commence operation until after the Statutes Amendment (Child Exploitation and Encrypted Material) Act commences operation. The government supports the amendment.

Amendment carried; clause as amended passed.

Clause 3 passed.

Clause 4.

The Hon. R.I. LUCAS: I move:

Amendment No 1 [Treasurer–1]—

Page 3, line 7 [clause 4(1), inserted definition of *child exploitation material*, paragraph (a)(i)(B)]—Delete 'and' and substitute 'or'

These proposed government amendments are consequential upon the passage of the Statutes Amendment (Child Exploitation and Encrypted Material) Act 2019. The proposed government amendments to the bill will ensure that viewing an image of a childlike sex doll online will not amount to dealing with child exploitation material unless the image is of a pornographic nature. The amendments clarify the distinction between the offences that involve pornographic images or representations of the dolls and the offences involving possessing, producing or disseminating actual dolls.

Amendment carried.

The Hon. R.I. LUCAS: I move:

Amendment No 2 [Treasurer–1]—

Page 3, after line 7 [clause 4(1), inserted definition of *child exploitation material*, paragraph (a)(i)]—After line 7 insert:

(C) (without limiting subsubparagraph (B)) consists of, or contains, the image or representation of (or what appears to be the image or representation of) a child-like sex doll, or part of a child-like sex doll; and

The government moves this amendment for the reasons already given.

Amendment carried.

The Hon. R.I. LUCAS: I move:

Amendment No 3 [Treasurer–1]—

Page 3, line 10 [clause 4(1), inserted definition of *child-like sex doll*]—Delete 'a doll' and substitute 'an actual doll'

The purpose of this amendment is to clarify the distinction between the offences that involve pornographic images or representation of the dolls and the offences involving possessing, producing or disseminating actual dolls.

Amendment carried; clause as amended passed.

Clauses 5 to 8 passed.

New schedule 1.

The Hon. C. BONAROS: I move:

Amendment No 2 [Bonaros–1]—

Insertion of Schedule 1, page 4, after line 11—After clause 8 insert:

Schedule 1—Related Amendments

Part 1—Amendment of Summary Offences Act 1953

1—Amendment of section 74BN

Section 74BN(1), definition of *child exploitation offence*—delete the definition and substitute:

child exploitation offence means—

(a) an offence against Part 3 Division 11A of the *Criminal Law Consolidation Act 1935*; or

(b) any other offence involving sexual exploitation or abuse of a child, or exploitation of a child as an object of prurient interest;

Again, for the record, the amendment amends the Summary Offences Act which revises the definition of 'child exploitation offence' to put beyond doubt that childlike sex dolls are captured within that definition and, therefore, will be part of the previously referred to encryption powers framework.

The Hon. R.I. LUCAS: The government supports the amendment.

New schedule inserted.

Long title.

The Hon. C. BONAROS: I move:

Amendment No 3 [Bonaros–1]—

Long title—After 'Criminal Law Consolidation Act 1935' insert:

and to make related amendments to the *Summary Offences Act 1953*

This amends the long title of the bill to reflect changes sought to the Summary Offences Act in amendment No. 2 [Bonaros-1], which we have just passed.

Amendment carried; long title as amended passed.

Bill reported with amendment.

Third Reading

The Hon. C. BONAROS (17:10): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

WOMEN'S SUFFRAGE ANNIVERSARY

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Notes that—

(a) 19 September 2018 marked the 125th anniversary of women's suffrage in New Zealand;

(b) on 19 September 1893 the Electoral Act 1893 was passed, giving all women over 21 in New Zealand the right to vote;

(c) as a result of this landmark legislation, New Zealand became the first self-governing country in the world in which all women had the right to vote in parliamentary elections; and

(d) on 28 November 1893, New Zealand women voted for the first time.

2. Congratulates New Zealand on marking the 125th anniversary of women's suffrage in New Zealand.

3. Recognises the significant contribution women have made and continue to make in parliaments, and the democratic process across the globe.

(Continued from 6 December 2018.)

The Hon. T.A. FRANKS (17:11): I rise today on behalf of the Greens to speak in support of this motion as we are currently well within the celebration of our own 125th anniversary of women's suffrage in this state. I am particularly glad of the opportunity to reflect and commemorate on the 125th anniversary of women's suffrage in New Zealand, just across the ditch. Indeed, as we celebrate with state dinners so many firsts and so much achievement of rights hard fought for, it is a wonderful time to reflect. It is an opportunity to look not just at how far we have come but, of course, how far we still have to go.

Today, in *The Advertiser* the Australian Christian Lobby has taken out a full-page ad, which says, 'SA radical prostitution bill seriously out of touch'. As the head of the Sex Industry Network noted in a comment on Facebook in response to that particular full-page ad commentary, 'Since when were human rights radical?' I would have to say, unfortunately, human rights are always radical, they are always hard fought for and they are not easily given.

Yet again, we are following in baby steps our New Zealand sisters. I hope that we can one day see a time when South Australia yet again leads. I have to say, while suffrage is absolutely worth celebrating and commemorating, I do find it odd that in some ways we talk about women's equality and enfranchisement yet in many ways we still refuse to fully accept women's agency, autonomy and control over their own lives.

Of course, I refer in particular not just to that current debate of the decriminalisation of sex work but also the decriminalisation of abortion. These are two key areas of legislation where we still continue to deny people, predominantly women, the right and agency to make decisions regarding their own lives and their own bodies. While we are comparing these progressive reforms, it is worth noting that New Zealand decriminalised sex work back in 2003. I hope that we can follow New Zealand in that reform, as we did with women's suffrage, clearly taking a little longer to do so.

As we celebrate the 125th anniversary of women's suffrage in New Zealand, we also take inspiration from the feminists who fought for those reforms and many others. As Professor Pickles has written:

> At the end of the 19th century, feminists in New Zealand had a long list of demands that included equal pay, prevention of violence against women, economic independence for women, old-age pensions and reform of marriage, divorce, health and education and peace and justice for all.

Again, it is sad to see that, while we talk about equality and enfranchisement, so many of those issues that I have just listed are still just that: issues and challenges that we face, and we have a lot of work to do. But as Mary Lee would say, 'Let us be up and doing.' And as Mary Lee would also say, and did say, sadly not in this place but outside this place while fighting for suffrage:

> Are we free people? If we are, then why are women asking for enfranchisement? Is it that they are not a recognised part of the people? If not, what are they? Chattels? If they are admittedly a part of the people, then it follows that while the franchise is withheld from women our claim to be free people is a baseless claim. It seems a strange anomaly that criminals, lunatics, women and children are classified as unfit to have charge of themselves and their interests, unworthy to be free, incapacitated for the due exercise of the vote…Let us hope that as the work proceeds of pulling down, one after another, the remains of the mouldering fabric of monopoly and tyranny, this one will not be the last to disappear…and before the lapse of another generation the accident of sex, no more than the accident of skin, will be deemed a sufficient justification of depriving a possessor of the equal protection and just privileges of a citizen.

No truer words were said. Sadly, however, it is far too often the giving of rights that is resisted. You have to reflect that human rights are not pie—there is enough for everyone. When Edward Charles Stirling put the motion for women to be admitted, for the franchise for both houses of parliament, he stated:

> The reason, which made it desirable that men should be represented, made it equally desirable that women, too, should be represented, and I believe it would one day be thought incredible that there ever was a time when the idea of giving votes to women was regarded as dangerous and revolutionary.

But we know it was regarded as dangerous and revolutionary, and the wonderful dangerous and revolutionary Mary Lee stood firm against the bullies. One particular bully, Ebenezer Ward, the then member for Frome, was a man who made it his business to thwart the advancement of women in this state. He spent some drunken hours in the other place, I do believe, attempting to execute that ambition. I am pleased to say that he did not prevail. Indeed, Mary Lee at one stage of her campaign feared that he would, at least perhaps before she passed, and she stated:

> Sir, it is my fixed conviction that every question that concerns the highest interests of our race concerns the women of our race. Believing I have the highest sanction for this conviction I mean to live for this reform, and if I die before it is achieved women's enfranchisement shall be engraved upon my heart.

She stated this in 1888. Fortunately, she went on to be buried in Walkerville without the need for women's enfranchisement to be engraved on her heart, but it was carried forward by the women of this state in the very giving of our right to vote. As Mary Lee also said:

> Dream on the glorious dream, but act also so as to make the dream a reality. Some people would have us believe that the present world is quite good enough. It may be good enough for them, but it is not good enough for us. We must go forward and upward. There is no finality in human progress.

In many respects there is no finality in celebrating our 125th anniversary of suffrage and in New Zealand the 125th anniversary of suffrage without recommitting to that progress. We have come some way, we have moved from chattels, we have moved from being viewed as property, but we still have a long way to go to be viewed as having autonomy. We have equal pay in law, but not in culture. We have a woman no longer needing to give up her job or her career in the public sector or elsewhere upon being married, but she will likely retire with far less super.

Sex discrimination continues to linger and, while it is unlawful, the Me Too movement shows that it is far too prevalent, but clearly time is up. We are done with waiting patiently to be afforded respect and rights. As we debate in coming months abortion law reform and sex work decriminalisation, I hope that we reflect that, while South Australia has once more led the way in our 125th anniversary, let the responsibilities be ours, and 'let us compel our legislators to recognise the necessity of yielding to the inflexible will of an enlightened womanhood determined to be free'.

Those words of Mary Lee will echo throughout the actions of this chamber and the other place. I pay tribute in particular to the work of the South Australian Abortion Action Coalition and the Sex Industry Network, predominantly women who are fighting for autonomy, equal rights and human rights in this state. My final words to those women today are again those of Mary Lee: 'Let those who desire to help women place in her hands the power to help herself.'

The Hon. I. PNEVMATIKOS (17:20): I rise to speak on the Hon. Connie Bonaros' motion noting the 125th anniversary of women's suffrage in New Zealand and to acknowledge the continuing work for gender equality. I also support and endorse the comments made by the Hon. Tammy Franks. Next week marks 125 years since New Zealand women obtained the right to vote. It was the first country in the world to do so and it continues to lead the way in the way women are perceived in the workplace and in parliament.

We ourselves have had impressive feats in the name of women's suffrage, with South Australian women not only achieving the right to vote but also the right to stand as members of parliament only a few months later, and have produced iconic leaders such as Julia Gillard, our first and only female prime minister. Although I must mention that I am still deeply concerned by the way her accomplishments were tainted. Her looks, marital and family status were relentlessly brought to public attention as an attempt to discredit and demean our first female prime minister.

The one time she spoke out about the sexism and misogyny she endured, in fact referring to past events she had endured whilst in her leadership role, she was vilified for playing gender

politics. The vitriol she was exposed to was unprecedented. I am yet to see a male leader questioned to the same degree for his genetics and/or personal lifestyle choices.

Coming back to the women leaders in Australia, we have had six female premiers of states and four female chief ministers of territories. Currently, we have two female heads of government: Queensland Premier Annastacia Palaszczuk and New South Wales Premier Gladys Berejiklian. However, whilst we have taken steps towards gender equality over the past 125 years, the World Economic Forum predicts that it will be another 167 years before it is achieved. Hard to believe? Possibly, but let us look at the current realities.

This year, the G7 summit had only one female leader in attendance, despite the participating countries representing 40 per cent of the world's GDP. Women in national parliamentary roles has only increased by 11.3 per cent over the past 24 years, with only three countries having achieved 50 per cent or greater representation: Rwanda, Cuba and Bolivia, all countries that by Western standards are not fully fledged democracies.

Less than 40 per cent of countries provide girls and boys with equal access to education. In fact, only 39 per cent of countries have equal proportions of boys and girls enrolled in secondary education. Let's look at the literacy rates. Of those who are illiterate as adults, two-thirds of all illiterate adults in the world are women, and that statistic has not changed for the past 20 years.

Women across the globe are facing substantial inequalities in terms of both indirect and direct discrimination, including increasing levels of violence against women and inadequate and substandard reproductive rights. Not only are women generally more disadvantaged, they are working for less and paying for more goods and services because of gendered products and programs; for example, clothing costs, haircuts, through to shaving cream.

The Hon. Connie Bonaros raised a number of valid points about where we have a problem and where we can do better. I wish to also point out that the current fastest growing subgroup of the homeless is women over the age of 55. Of these women, 61 per cent currently go unassisted. Based on the findings of the Mercy Foundation, these are predominantly women who have led conventional lives and have rented whilst working and raising a family. Only a few have had past involvement with welfare and support systems.

The study found that the major contributor that has placed these women in this position is that they have taken time out of the workforce to provide an invaluable service to society to care for family members, be it children or older parents. They often exit the labour force at varying stages of life and do so involuntarily due to caring responsibilities or the inability to return to the workforce after having children. Additionally, women in Australia on average have 42 per cent less superannuation when they reach retirement, and one in three will have no super by the time they reach retirement age. On average, women also earn $25,717 less each year than men working full time.

If you believe that we are excelling in women's representation in organisations and businesses, think again. Research on board participation rates indicates that we will not see parity levels until the next century, with 35.2 per cent of boards having no female directors and only 17.1 per cent of CEOs being women. The reason for this inequality cannot simply be attributed to skills and experience levels. The strange thing is that, of all the women aged 25 to 29, 44.7 per cent have a bachelor's degree or above, compared to 32.1 per cent of similarly aged men. This is somewhat incongruous.

Even in our own chamber, seven of 22 members are women, and 12 of 47 members are women in the House of Assembly. As parliamentarians, we have the ability to foster and reflect a more equal society by promoting laws and programs designed to encourage and promote gender equality, as is the case in society. It is not enough that women are seen at all levels of the law, organisations and society, but that they have a voice and are heard.

As the Hon. Connie Bonaros mentioned, we are working hard to make women's voices heard, and we need the support of all of us working together to achieve equality. The houses of parliament and all parliamentary committees need to reflect and represent both men and women in a balanced manner that mirrors the make-up of our society. I look forward to the day in the future

when men stand up alongside women and speak on issues of concern to women—not to speak for us but to speak with us on issues that affect us all.

The Hon. J.M.A. LENSINK (Minister for Human Services) (17:27): I rise to make some remarks in support of this motion and also to commend the previous speakers on raising a number of issues that continue to be matters that we address. I also echo their sentiments that, while it is some time since women won this very important milestone—and we look back on that with some incredulity that anybody could have thought that it was a threat to society that women should have the right to vote or that it was a danger in any way—there are many challenges that we continue to fight for.

I endorse the motion of the Hon. Connie Bonaros that New Zealand was successful prior to South Australia in granting the women the right to vote. Along with the Hon. Tammy Franks, I reflect on the comments of Ms Mary Lee, who was a staunch advocate, letter writer and speaker at many events in South Australia. She deserves her place in history as somebody who was tireless in pushing for women's right to vote in South Australia.

Mary Lee felt bittersweet about the fact that New Zealand had achieved this goal prior to South Australia, as I think is articulated in the book that the Hon. Tammy Franks was quoting from. I think it came out in the last 12 months. It was certainly alluded to by Mr Morris Corcoran, who attended the launch and pointed out that Ms Mary Lee was probably the first community visitor—a role that he holds until Friday—and I acknowledge his retirement and will probably have some more comments to make in the future.

I would also like to acknowledge that the member for Florey, Ms Frances Bedford, to my understanding, attended in New Zealand to assist them celebrate last year and for her ongoing interest in this issue, and acknowledge all of the speakers today and the mover of the motion who have been members of our 125th committee.

New Zealand, in terms of its own outcome in this important reform: on 19 September 1893 the Governor of New Zealand Lord Glasgow signed a new electoral act into law and, as a result, New Zealand became the first self-governing country in the world to give women the right to vote in parliamentary elections. In most other democracies, women did not win the right to vote until after the First World War. The achievement followed years of campaigning, similar to South Australia, and a series of significant petitions in 1891, 1892 and 1893, calling on parliament to grant the vote to women.

Led by Kat Sheppard and the Women's Christian Temperance Union campaigners, the third and final petition obtained 32,000 votes, almost a quarter of the adult European population of New Zealand. It was a remarkable achievement and reflective of the determination and courage demonstrated by the women of New Zealand—and probably men too, I should say, which would be similar to South Australia. We would not have the vote if men had not been involved in that campaign.

Under the new law, all women who were British subjects and aged over 21, including Maori, were able to vote. It would take until 1919 however before women could stand for parliament, and another 14 years before the first female member of parliament, Elizabeth McCombs, was elected. New Zealand commemorated its 125th anniversary of women's suffrage in 2018 with a national program of events which focused on diverse backgrounds, highlighting stories of contributions to achieving suffrage for Maori, Pacific and Chinese communities as well as across ages and socio-economic backgrounds. With those few words I commend the motion to the house.

The Hon. C. BONAROS (17:31): I thank the Hon. Tammy Franks, the Hon. Irene Pnevmatikos and the minister for their significant contributions to this important motion congratulating New Zealand on its 125th anniversary of women's suffrage. I, too, echo the sentiments expressed here today. As has been mentioned we, of course, look forward to our own milestone later this year and acknowledge the number of events that have occurred and are occurring around the state to mark the 125 years of women's suffrage in SA.

Of course, I am sure all honourable members encourage all South Australians to take part in the many events to celebrate this significant and proud moment of our democratic history but, as highlighted so articulately by the Hon. Tammy Franks, there is so much more to this debate. In my speech on this very motion I highlighted a number of examples across all sides of politics,

demonstrating how far we have to go in how we treat, how we value and how we respect women in politics.

That was 10 months ago and came after a tumultuous period of politics that saw the unceremonious dumping of a prime minister and allegations of bullying during the tortuous process. Sadly, not much has changed on the public and political landscape. I think, like other members, I despair that it will not get better any time soon. Last month, outspoken conservative broadcaster Alan Jones, the unrivalled champion of the squawk and splutter, took his verbal diatribe transpacific, taking aim at New Zealand Prime Minister Jacinda Ardern, suggesting our own Prime Minister Scott Morrison shove a sock down her throat next time he ran into her.

What was Prime Minister Ardern's crime? That she had the temerity to say that Australia has to answer to the Pacific on its climate policy. She was, of course, stating the obvious. For her crime Jones opined that she should be forcibly gagged, preferably in a way that conjures as much violence as possible. To his credit, Prime Minister Morrison said the comments were way out of line, but I much prefer former PM Malcolm Turnbull's thoughts on Alan Jones, and I quote:

> His pattern of using abusive and violent language against women, particularly women politicians, is disgraceful. He is an appalling misogynist in the way he talks about women. This is the man who said that Julia Gillard should be put in a chaff bag and dropped off the Heads. Then he goes on to urge Morrison to shove a sock down Jacinda Ardern's throat.

For her part, Prime Minister Ardern barely gave the attack air, preferring not to give the comments the light of day. In any event, revenge is a dish best served cold, with Prime Minister Ardern telling local radio that New Zealand had got its revenge on Australia when its all-conquering All Blacks beat our Wallabies in rugby. Jones, of course, used to coach the Wallabies.

For his part, Jones at first doubled down on his comments about the New Zealand Prime Minister until 2GB sponsors started leaving in droves, which forced an apology. Almost four weeks after the controversy, the list of major companies, who are no longer advertising with 2GB, is longer than ever before. It has been reported that the station has already lost a million dollars. But sadly, as we all know too well, our history is littered with such outrageous and misogynist comments.

In 2013, a Liberal-National fundraiser in Queensland made headlines for all the wrong reasons after its menu made a disgusting reference to former Labor prime minister Julia Gillard. The inclusion caused outrage around the country, leading then party leader, Tony Abbott, to condemn the sexist insults towards the then prime minister.

Former federal Liberal deputy leader and foreign affairs minister, Julie Bishop, recently recalled the incident to TV presenter Andrew Denton in an interview, which was just one of many sexist attacks against Gillard during her time in politics, including many heinous attacks by Alan Jones. Julie Bishop sighed as she described the Liberal-National fundraiser incident as 'grotesque in its brutality, it was so childish, undergraduate—no, not even undergraduate—humour.' She went further, to quote:

> We have to remember that, until recent times, parliament was all male. So you had a whole bunch of men in Canberra and they set the rules, they set the customs, the precedents, the environment. It was all men…but that kind of behaviour is just pathetic.

On changing the culture, Julie Bishop said 'numbers do matter' when it comes to changing things; namely, getting more women into parliament, as my colleague the Hon. Irene Pnevmatikos has alluded to. Bishop also told Denton:

> There must be a critical mass of women and 50 per cent sounds like a good idea. I would think that the more women that are in politics, the more they would say that behaviour was unacceptable.

That may be the case, but male politicians must also call out such behaviour regardless, of course, of their political stripes. They should be guided by decency and respect and not party politics. Julie Bishop's interview was further illuminating when she recalled the difficulty more often than not of being the only woman in the room. Referring to former prime minister Tony Abbott's cabinet, Bishop said she found it disturbing that she was the only woman appointed to a cabinet role. She said:

> It was an issue I raised. I wasn't actually appointed, because I had been elected as deputy leader so I was there anyway. So, if you put me aside, not one woman was selected and appointed.

She added that on a regular basis she would experience what she described as 'gender deafness'. Again, I quote:

> If I spoke in a room of 20 men, if I would put forward my idea, there was sort of silence. The next person would speak as if I hadn't spoken and then [suddenly] somebody would say precisely what I said or come up with precisely the same idea. And then they'd say, 'Oh, that's a great idea. Why don't we do that?' And I'd say, 'Excuse [me], didn't I say that?'

At first, Bishop thought it was a personal thing—an individual problem. Then she realised this was a problem women faced worldwide. I am hearing you. I am sure, too, it has happened to many women in this place where you are the only female voice in the room, but the others—for whatever reason—just do not seem to hear you. Bishop described it best: 'It's as if they're not attuned to it.'

Before I conclude, I want to speak to a few examples closer to home. Most of you would know that the 2018 election was my second attempt at getting elected to the Legislative Council, having run as a candidate in 2014. During that campaign, I spoke about my first job interview as a law graduate, something that still haunts me but also continues to inspire me today.

During that interview, I was told by a very prominent male senior lawyer in Adelaide that I had not one but two things going against me in terms of my career prospects in the legal profession: one, I was female, and two, I was Greek. They were his exact words. I was stunned and I was disheartened, but I could not complain, because you do not complain against prominent legal practitioners in this profession.

Like others before me, I did not want it to deter me, and the reality is that despite all the advances we have made in terms of gender balance, I, like most other women, work in an environment that I think is far from balanced and far from family friendly. Sadly, the reality is that if my husband and I did not make the sacrifices we make in terms of our home life, I would not be in politics today.

Like many workplaces, this one, I think, remains a relentless one when it comes to work-life balance, family balance and, of course, gender bias. The reality is that, despite all our hard work and my leading the party that I am associated with, people I meet with each and every day still assume, wrongly, that my male colleague, Frank Pangallo—who, by the way, is doing a great job—must be the one in charge, simply by virtue of the fact that he is the male and I am the female—nothing more.

I have spoken to enough female MPs in this place and elsewhere to know that these issues are widespread, and we have heard similar sentiments expressed here today. They are not going to go away anytime soon. I know it is not explicit and it is not necessarily intentional, but it is absolutely entrenched. It is things like sidestepping me and going straight to my colleague in the hope of a better outcome, even when someone knows that I have carriage of a particular portfolio.

It is comments like, 'Oh, you work with Frank,' or, 'We usually meet over dinner. Are you sure you want to do that, given your family commitments with your son?' or, 'I didn't realise you were having a day off today,' on the odd occasion that I bring my son to work with me, rather than acknowledging that like other working parents I am capable of juggling my roles as an MP and a mum. Male politicians do not get asked these questions—they just don't.

In this month's *Quarterly Essay*, Annabel Crabb asked the Prime Minister and the federal Treasurer how they manage their family responsibilities. Their responses showed how unfamiliar they were in dealing with the question women deal with every day of our working lives. There are lots of other examples of an unconscious bias, like being invited to an event only to be bumped in terms of your importance when a male colleague accepts the same invitation. I am not talking about a more senior male colleague or a minister, because as we know when it comes to electorates, and indeed when it comes to our positions in this place, there is no rank. Or it is observers downplaying my role in our political party.

Most of the comments I get are intended innocently, I am sure, but they are constant, and in the context of this debate, words absolutely matter. They point to an unconscious bias. I know that I am in a rare position compared to some, and probably a privileged position, to be able to stand in this place and say things that others cannot because I am not bound by partyroom politics or pressures, but I have spoken to enough female members in this place and in other places and other

jurisdictions to know that I am not alone in my views, and I think that has been backed up today by the contributions made by other honourable members.

Look at Julie Bishop. She chose to speak out so strongly, passionately and eloquently only after retiring from politics. Even though some inroads continue to be made, we still have a long way to go. I am pleased that the Hon. Irene Pnevmatikos has raised the issue of committees, because in my view we need look no further than the parliamentary committee structure in this jurisdiction to see just how widespread this issue is. Of the 29 committees in this current parliament, eight have absolutely no female representation.

It gets worse. A further 11 committees have only one female member, while a further three committees have only two female members. So in 22 of the 29 committees there are only two female members or less. You might say it is because there are not enough female MPs in positions of influence in parliament, you might say it is because there are not enough female members to be represented in all the various committees, you might say it is because the men are better placed to consider issues of such state and national importance, but I think we all know none of the above is true.

What this highlights is everything that is currently wrong with our parliamentary structure from the bottom to the top, and that is that parliament remains a very male-dominated and driven beast. Gender diversity is all good in theory but it needs to be backed up in practice, and what these committee statistics highlight are that gender balance continues to be ignored even in this place.

On the 125th anniversary of women's suffrage, why does history keep repeating itself? It is a question we ask ourselves over and over, and it is an issue that has been highlighted well today. This very occasion, congratulating New Zealand on its 125th anniversary of women's suffrage, seems an entirely appropriate moment to turn the spotlight on this issue.

Before doing so I also thought very deeply about it and sought counsel from my own advisers on my reasons for doing so, and even some of the ramifications that might flow from it. It came down to this for me: if I did not I would just be part of the problem by remaining silent. If I did not, and I feel so passionately about this issue, I would not only be failing myself but also all the women who live and work in similar environments to me.

I enjoy banter in this place as much as the next person, and absolutely none of what I am saying today should be misconstrued as banter. It is an unconscious bias that is inherent in our political structures and so many other workplaces, and the worst message any member could take home from this is that this is merely a whinge or that this is an attack on any of our male colleagues, because nothing could be further from the truth.

I hope all our speeches today—again, in this 125th anniversary of women's suffrage—help us pause and reflect inwardly on how serious an issue this still remains and on the work we all have to do in accepting and acknowledging that these issues exist, and exist in our own workplace. Maybe by doing so we can help pave the way for the female MPs who will come after us.

Motion carried.

Bills

LANDSCAPE SOUTH AUSTRALIA BILL

Committee Stage

In committee.

(Continued from 10 September 2019.)

Clause 98.

The Hon. K.J. MAHER: Can the minister outline what, if any, changes occur in this part of the bill before us in relation to water resources compared to the scheme that is in operation at the moment?

The Hon. J.M.A. LENSINK: I thank the honourable member for the question. As he would be aware, the consultation on the legislation has deliberately excluded water at this stage, although

there were comments which were received and further reform is planned. Most of the water-related provisions in the current legislation have been carried over unchanged into the new bill.

The government made it clear, through consultation, that landscape reform would include only minor changes to water management to reduce red tape and streamline water-related provisions. Any further water management reform needs to be carefully considered and would require extensive consultation as water is a very complex area. Our intention is to come back to look at water in the medium term.

In part 8 of the bill, only minor changes have been made to reduce red tape and streamline water-related provisions to enable the simplification of regional landscape plans and provide greater consistency and clarity for customers as to where rules on water-affecting activities are. Rules for water-affecting activities such as building a dam or drilling a bore would be set out in either a water-affecting activity control policy or a water allocation plan.

To reduce red tape, rather than requiring a works approval for each type of work such as a well or dam, a change has been made to enable a single approval to authorise multiple works where, for example, a person has more than one well or dam on the same land. A number of minor clarifications have been made to make it clear that existing arrangements for water licences can also apply where water rights and authorisations are held on separate instruments. For example, the bill makes it clear that a water resource works approval may specify a maximum volume that may be taken and may be associated with a management zone. This does not change the ability to regulate, take or use currently through these approvals but will provide certainty to holders and regulators as to how these approvals operate.

A requirement to consult with the Natural Resources Committee of parliament before prescribing additional water-affecting activities by regulation has not been replicated given tabling of regulations is already required under the Subordinate Legislation Act. The NRM Act includes multiple requirements for the minister in making decisions to take into account the terms and requirements of the Murray-Darling Basin Agreement and other relevant resolutions and to consult and comply with directions of the minister for the River Murray in circumstances prescribed by regulation. These duplicative provisions have been consolidated without reducing safeguards or changing their practical effect.

Provisions requiring an application to transfer a water licence or allocation held by SA Water to be made with the concurrence of the minister administering the South Australian Water Corporation Act have not been replicated. This requirement has been removed with the agreement of SA Water to streamline processes for approval of transfers by SA Water. The NRM Act requires copies of water permits to be available for inspectional purpose. This requirement has not been replicated as these are available at no cost on the Water Register.

The NRM Act's powerful boards to make by-laws with respect to water under their care, control or management has not been replicated. Water allocation plans, rather than by-laws, are always used in practice. Court-imposed penalties and fines, except for forestry-related offences, have been increased by up to 40 per cent, equating to a CPI adjustment since the introduction of the NRM Act in 2004. Forestry-related offences were added in 2011 and are high relative to other offences in the act.

The opportunity has also been taken to modernise and futureproof the method of publishing certain information. Rather than being mandated to publish a notice in a local or state newspaper for an authorisation to take water, flexibility is now provided to publish certain notices in a manner considered appropriate by the minister.

Clause 221 of the bill has also been included to require the minister to consider what form of publication would be effective in bringing a notice to the attention of people likely to be affected. This provides flexibility and will enable the most effective approaches for publishing the notice to be chosen such as online, targeted notification of affected persons or a statewide or local newspaper depending on the circumstances.

Clause passed.

Clauses 99 to 201 passed.

Clause 202.

The Hon. K.J. MAHER: My question to the minister is similar to the last question I had on clause 98. Can the minister advise in this clause the powers of authorised officers and what if any changes have been made to these provisions under the bill before us compared to the legislation as it currently operates?

The Hon. J.M.A. LENSINK: The advice I have received is that the powers of authorised officers have not been changed. I can talk more if you like, but I think that probably answers your question, does it not?

The Hon. K.J. MAHER: If it helps, I am just asking about clause 202, not any other clauses, just that one clause with powers. If the powers have not changed then that might be the very simple answer.

The Hon. J.M.A. LENSINK: Maybe if I just clarify: currently, only state authorised officers can exercise powers, such as powers of entry, inspection and seizure, in respect of residential premises. Going forward, all authorised officers will be able to exercise powers in respect of residential premises. As is the case currently, a warrant issued by a magistrate will be required or the authorised officer will need to have a reasonable belief that there is a category 1 or 2 animal present on the premises.

Clause passed.

Clauses 203 to 212 passed.

Clause 213.

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

Amendment No 17 [Parnell–1]—

Page 191, lines 36 and 37 [clause 213(19)]—Delete 'subsection (18), in determining whether to make any order in relation to costs' and substitute:

subsection (13) or (18), in determining whether to make any order in relation to the provision of security, the giving of an undertaking, or in relation to costs under those subsections,

Clause 213 of the bill relates to what we refer to as civil enforcement. This refers to the right that a person or a group has to enforce compliance with the act where a breach is alleged. Cases are often brought by the proper authorities, but in relation to third-party civil enforcement this only rarely arises in situations where the proper authorities either decline or refuse to do their job properly. The provisions are very rarely used and they have been brought across unchanged from the NRM Act.

These rights of civil enforcement also exist in planning and environment protection laws. I do not know if they have ever been used under the NRM Act since 2004 and they are used rarely under other legislation. I have used it once in relation to environment protection matters on behalf of the citizens of Whyalla, who were impacted by red dust from the steelworks, but they are very rare cases.

My amendment No. 17 simply provides that, before a court makes a decision about requiring security for costs or undertakings as to damages for non-government applicants or before it awards any legal costs against an unsuccessful applicant, the court should consider whether the case was reasonable and brought in the public interest.

The ability of a community group to mount a civil enforcement action is what I think of as a silent sentinel. While it is very rarely used, it does keep decision-makers on their toes and it promotes better decision-making because the decision-maker knows that, if they go outside the law, they can be held to account by a watchful third party.

This amendment seeks to ensure that a court does not prematurely kill off a legitimate public interest case by ordering a community group or others to deposit potentially hundreds of thousands of dollars into a court trust account as a precondition for bringing the case. That is the effect of security for costs and undertakings as to damages. The court is already required to consider the public interest in deciding in relation to regular legal cost orders, so I have simply, through this

amendment, extended that consideration to the two other methods that can be used to keep people from having their day in court.

The Hon. J.M.A. LENSINK: If I could address the two amendments Nos 17 and 18 [Parnell-1] together and make some preliminary remarks to both clauses 213 and 214, given that they have parallel objectives. The amendments seek to greatly expand the ability of third parties, such as the conservation sector and others, to seek orders and to lodge appeals against the merits of decisions made under the bill, with further delineation of how that might impact any costs orders made by the court against those third parties. I would encourage members to recognise these interrelated objectives and consider their merits together and whether this is the appropriate time for these significant changes to be progressed.

The first amendment would further prescribe matters that the Environment, Resources and Development Court may already have regard to when deciding whether or not to require a party to litigation to give an undertaking or security in relation to costs. The second amendment would introduce a significant change to enable third parties, such as conservation interest groups, to step in and appeal a broad range of water-related and other decisions.

Decisions which usually impact between a person making an application and the regulator would now be open for third parties to be involved through a full merits review. This would enable the initial decision to be entirely reviewed, involving considerable delay and complexity to these appeals. These appeals would involve a range of matters, including significant commercial decisions, such as for an irrigator to trade their water or allow a farmer or mining company to construct a well or dam to take water. These appeals may also relate to decisions made in accordance with publicly-consulted water allocation plans, to grant water licences and other approvals. The capacity to seek review on procedural failure is already provided to third parties.

The government's view is that this proposed amendment is fundamental to how water resources are managed in this state and is best explored through a comprehensive consultation process as part of any future water reform. This reform should consider the water provisions of all relevant water-related legislation.

The far-reaching impact of these amendments should not be underestimated, as should not the risk and impact of introducing significant changes without them having been properly tested through consultation with those affected and the community and industries generally. In short, the role of third parties in challenging decisions about access to water by individuals, its trade and security on a full merits review is an issue that should be subject to broad-ranging consultation before being implemented to understand its true impact.

I would invite the honourable member to advise the chamber what consultation he has undertaken in order to reach a position of moving these amendments, whether he can outline which stakeholder organisations support it and whether he is aware of particularly some of the primary producers groups and those organisations that would more than likely be opposed to them.

The Hon. M.C. PARNELL: I only addressed the first of my amendments, but the minister has addressed the second, so I will as well. The first relates to civil enforcement. The second relates to joinder and appeal rights—third-party appeals. As the minister has pointed out, the situation to date has been that, when there is a dispute, the decision-maker, the court, should only ever hear from the disgruntled applicant for a water licence, for example, and no-one else.

So it does not matter, with a permit that might be given to extract groundwater, which the scientific experts know will dry up a wetland and send a species extinct, that those people have no right to engage either in a joinder capacity or, by initiating an application, to challenge the merits of that decision. That is just wrong. It is wrong for the environment.

In terms of consultation, I think I probably first raised this in relation to the Natural Resources Management Act in 2004. It has been part of the agenda of the conservation groups. It has been part of the agenda of the Environmental Defenders Office forever that third-party rights should be incorporated as a matter of course into public interest environmental litigation.

The minister invites me to say whether farmers like it. Some will and some will not. The farmer who wants to have just themselves and the regulator in court and no-one else having a say,

they are not going to like this, but the farmer next door whose rights are impacted by someone else getting permission to do something in relation to water, they absolutely want to have their day in court.

I think that these measures, whilst they are separate—civil enforcement is different from joinder and the ability to institute an appeal—the minister has addressed them together. In fact, if you want to go right back to the 1990s, the founding principles of good practice in environmental law are the Aarhus principles. They require that best practice environmental law requires access to information and access to justice as two of the main things.

Access to justice includes the rights of people on whose behalf these laws have been written to be able to access decision-makers in the courts. That is what access to justice is all about. These provisions relate to access to justice. Sure, it might be a conservation group. It might also be another landholder whose interests are directly affected. It is giving those people the opportunity, not an automatic right. They have to go to the court and convince the court that their stake in this game is significant enough to allow them to participate.

On the other hand, the applicant for some permit or licence who is knocked back has an unfettered right to go to the umpire to get a second opinion. Third parties have more hurdles to overcome, sure, but why should they not be able to add their information into the process that the court goes through to determine what the right outcome is?

The Hon. J.M.A. LENSINK: I will grant that the honourable member is consistent. I have heard him in this place talk about third-party appeal rights before. My understanding is that he has unto this point been unsuccessful in sneaking that into legislation in his previous attempts. As I stated when we first started, given that water matters largely are unchanged from the existing legislation in recognition of the sheer complexity of water matters, these amendments really are potentially a can of worms. There are potentially a range of completely unintended consequences that may arise.

In his response he did note that adjoining landowners may have appeal rights. That may well include bordering Victorian and New South Wales irrigators. These clauses that the honourable member is attempting to include are highly untested and highly dangerous in our current situation, and I would urge honourable members to reject them. If you can at least take the view that they have not consulted and it has not been considered by the community or any other stakeholders, apart from perhaps the conservation sector, in terms of their impact.

Some of the other potential examples include decisions relating to the transfer of environmental water. If the courts decided to suspend a decision to grant a transfer, this could have significant impacts on environmental outcomes that are dependent on the delivery of water by a specific time in line with environmental water planning. With approvals regarding constructions of dams or wells, an appeal could be made on the grounds that the decision would impact on the flow regime of a surface water resource. There is also temporary water trading at the start of seasons—a whole range of areas. If the honourable member wants to include those in the mix then, fair enough, he should in good faith put those forward when these matters are further consulted on when we consider this legislation in the future, but it is highly problematic, as I hope I have articulated.

The Hon. K.J. MAHER: For the benefit of the chamber, we will be supporting this amendment and the Hon. Mr Parnell's amendments 17 to 22.

The Hon. C. BONAROS: We have considered these amendments at length and whilst I acknowledge the issues that the Hon. Mark Parnell has pointed to—and I do not disagree with the intent of the amendments, especially when it comes to issues of access to justice—I have to say that I was somewhat convinced by the minister's arguments when he put them to me. In fact, the first question I asked the minister when this bill was raised was, 'What are we doing in terms of water reform?'

It was made very clear to me that there were only going to be limited changes to water management in terms of reducing red tape and streamlining provisions in this bill, and that the issue of water reform, more generally, would be up for debate in a subsequent piece of legislation that the government would introduce to this place. As such, we have come to the decision not to support these amendments, not on the basis that we do not necessarily agree with their intent, but because

we were concerned about opening a Pandora's box, if you like, in terms of bringing the issue of water into this debate, particularly given that the level of consultation that has occurred has been one that has not included water.

I think it is for that reason that we have been able to come up with the legislation that we have and have left out the issue of water, which is much more contentious than some of the issues that we are dealing with now. Our position remains that there ought to be full consultation in relation to the issues that have been raised, particularly in the context of these amendments, with the community and all stakeholders.

Putting all that aside, I am also a little concerned by some of the arguments that the minister has just raised in terms of the potential breadth of the amendments, just who could be seeking these appeal rights and the fact that we are actually dealing with a full merits review entirely revisiting a decision that has been made, which could potentially result in considerable delay and complexity in the appeal process.

If I can again make the point to the Hon. Mark Parnell, this is not an issue of whether or not we agree or disagree with the intent of the amendments at hand; it is more one of whether we ought to have and whether there is scope for, even between the houses, further consideration of the issues that we are actually now contemplating in these amendments.

The Hon. J.A. DARLEY: For the record, I indicate that I cannot support these amendments at this time.

The Hon. M.C. PARNELL: I have heard the will of the chamber, and I will take the Hon. Connie Bonaros up on her suggestion that we will do it when water comes back. The minister I think did protest a little too much, because there is no way that an upstream irrigator has interests that are affected by a downstream decision in relation to water. The only possible exception to that might be the areas covered by the groundwater agreements between the Victorian and South Australian border, but there is no way that an irrigator in Queensland is going to say, 'I am unfairly treated,' because someone in South Australia got a water licence. Water licences in Queensland have nothing to do with who does or does not get a water licence in South Australia.

Having said that, I have heard the will of the chamber. I will not be dividing on it. For the benefit of the Hon. Connie Bonaros, we cannot deal with it between the chambers unless you support it. So we are not going to be dealing with it between the chambers, but I will come back and have another look at this when water is put back onto the agenda more substantially. The question is: who are the stakeholders who should have a right to agitate a dispute over how water is allocated? Currently, it is sweetheart deals between applicants and the government, and no-one else gets a look in. I will revisit this, but I will not be dividing today.

Amendment negatived; clause passed.

Clause 214.

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

Amendment No 18 [Parnell–1]—

Page 193, after line 24 [clause 214]—Insert:

(1a) A person (other than a person referred to in subsection (1)) who can demonstrate an interest in the matter may, with the permission of the ERD Court, exercise a right of appeal against—

(a) a decision referred to in subsection (1)(a)(i) or (ii); or

(b) a decision to vary or revoke a notice under section 107(10) that imposes a restriction under section 107(5); or

(c) a decision to grant or issue a water management authorisation, a forest water licence, a well driller's licence or a permit under Part 8, or the imposition of conditions in relation to the authorisation, licence or permit (other than in the case involving the allocation of reserved water within the meaning of Part 8 Division 4); or

(d) a decision to grant an application for the transfer of a water management authorisation, or a decision to vary the conditions of the transferred water management authorisation; or

(e) a decision to grant an application for the transfer of a water allocation attached to a forest water licence; or

(f) the variation of a water management authorisation, licence or permit in the case where the holder of the water management authorisation, licence or permit under Part 8 is authorised by a specific provision of that Part to appeal to the ERD Court against the variation; or

(g) a decision to vary a water management authorisation referred to in subsection (1)(b)(vii); or

(h) a decision referred to in subsection(1)(c)(ii); or

(i) a decision of a relevant authority to grant an application for a permit under Part 9 Division 2 Subdivision 2, or to impose particular conditions, or a decision of the relevant authority to vary such a permit, or a condition of the permit, or to impose a new condition; or

(j) a decision to vary an order issued under Part 10 Division 2 Subdivision 1.

(1b) Before the ERD Court may grant permission for the purposes of subsection (1a), the Court must be satisfied that the proceedings on the appeal—

(a) would not be an abuse of the process of the Court; and

(b) raise an issue or issues of significant importance; and

(c) are in the public interest.

(1c) A person other than a person referred to in subsection (1), may, with the permission of the ERD Court, appear and be heard on an appeal of a matter under subsection (1).

(1d) Before the ERD Court may grant permission for the purposes of subsection (1c), the Court must be satisfied that—

(a) to do so would not be an abuse of the process of the Court; and

(b) the matter raises an issue or issues of significant importance; and

(c) it is in the public interest that the person be heard.

(1e) A decision of the Court to grant permission under subsection (1a) or (1c) may be made subject to such conditions as the Court thinks fit (including that the person provide security for the payment of costs).

We have agitated that issue already, so I will not speak any further on that.

Amendment negatived; clause passed.

Clauses 215 to 246 passed.

New clause 247.

The Hon. C. BONAROS: I move:

Amendment No 1 [Bonaros–1]—

Page 209, after line 38—After clause 246 insert:

247—Review of Act

(1) The Minister must, as soon as practicable after the expiry of 3 years from the commencement of this section, appoint an independent person who has, in the opinion of the Minister, extensive knowledge, skills and experience in relation to the management of natural resources, to conduct a review of the operation and effectiveness of this Act since that commencement.

(2) A report on the review must be submitted to the Minister within 6 months of the commencement of the review.

(3) The Minister must, within 12 sitting days after receiving the report, cause a copy of the report to be laid before both Houses of Parliament.

This is one of those standard review provisions that we are familiar with now in terms of requiring a review after three years from the commencement of the sections that we are debating at the moment. But it does require that that review be undertaken by an independent person who has the requisite skills, knowledge and experience in relation to the management of natural resources and is consistent with review provisions that we have moved in other pieces of legislation, particularly where we are looking at a new set of rules.

I think it is fair to say that, when I had this particular amendment drafted, I had in mind some of the issues that we have just discussed but I also had in mind the issue of the strategic plans and the five pillars, if you like, and whether or not there ought to be more than five, whether we had landed on the appropriate number or whether there was scope for more than five priorities to be considered by the boards. So, again, it is a review provision similar to what we have inserted into many acts so that we can have some form of independent review of the provisions that we are considering today and I suppose test their reasonableness or otherwise.

The Hon. J.M.A. LENSINK: The government supports the amendment for the reasons outlined by the honourable mover.

New clause inserted.

Schedules 1 to 4 passed.

Schedule 5.

The Hon. J.M.A. LENSINK: I move:

Amendment No 4 [HumanServ–1]—

Page 227, after line 8 [Schedule 5 Part 16]—Insert:

48A—Amendment of section 65—Use of poison

Section 65(3)(a)—delete 'in pursuance of the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986' and substitute:

under the Landscape South Australia Act 2019

This amendment is a consequential change to the National Parks and Wildlife Act to update a reference to pest plant and animal control legislation that predates the Natural Resources Management Act to instead refer to the Landscape South Australia Act.

Amendment carried.

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

Amendment No 19 [Parnell–1]—

Page 233, lines 1 to 4 [Schedule 5, clause 88(2)]—Delete subclause (2)

This amendment relates to the issue of the election of people to boards. Before the winter break and again yesterday, the minister referred to the extensive consultation that the government had undertaken in relation to this bill. The words I wrote down before the winter break were, 'We have undertaken comprehensive consultation in good faith'. When I read the results of that consultation, I read the recommendations from the Becky Hirst Consulting report, one of the recommendations relates to these community elections. I will read a couple of sentences. The report says:

> The cost, effectiveness and risks of a community election process for three of the board positions was met with great concern by many people. The process of forming the Landscape Boards needs to result in a strong, equitable, skills-based board with good representation and diversity.
>
> It is recommended that the Minister explore options alternative to community elections to form the membership of the Landscape SA boards, including the suggestions within this report.

We could just have knocked the elections off on the back of what the community told the government through the consultation process. I understand the government said that elections were part of their pre-election commitment and so they were wedded to elections. So the solution I have come up with is to leave the elections in there but postpone the election until 2022 so that it can be held—if it is held at all—in conjunction with the local government elections. That will substantially decrease the cost.

So there is not a standalone election; if you are going to have an election, do it in 2022 when the local council elections are on. In the meantime, appoint people to the board. That is what the community asked you to do. Just appoint them. You will get better diversity. You will get a better range of people without going through the election process. This amendment—and I am speaking to amendments Nos 19 and 20, which are both amendments to schedule 5—does not do away with the elections but it postpones them until 2022 which, of course, will be after the next state election. Whether it is the same government returned or a new government, there will be an opportunity to revisit whether elections are in fact necessary at all for these boards but, in the meantime, let's postpone them.

The Hon. J.M.A. LENSINK: I will address the honourable member's amendments Nos 19 to 22 as some of them are consequential. The government opposes these amendments. We believe it is unacceptable for communities to have to wait until November 2022 to be able to elect community representatives. To be effective in shaping and influencing the future directions of boards in terms of their planning and business priorities, the community's voice should be represented in board decision-making from the outset.

As has been previously stated, the government's election commitment was to give regional communities a voice about who sits on the regional board through community elections, which is consistent with a 2017 statewide survey where 95 per cent of survey participants believed that local communities should be able to nominate board members in their own region.

By aligning the eligibility to vote and stand with local government election arrangements, the bill provides scope for elections to be conducted in conjunction with local government elections if it is cost-effective to do so. Providing for a combination of elected and appointed members provides a mechanism to ensure that there is a good mix of skills on boards. The bill also enables all members to be appointed if special circumstances apply, for example, if for some reason it is not practical to hold community elections in a given region.

Statutory boards comprising all or some elected members are not uncommon in South Australia and elsewhere. For example, the New South Wales local land services boards, which play a similar role to the landscape boards, have a mixture of minister-appointed and elected members. I understand that the most recent local land services board elections held in 2017 were conducted by an external provider using online voting technology.

In South Australia, the South Eastern Water Conservation and Drainage Board is just one example of a board comprising a mix of ministerially-appointed and elected members. In line with developments around elections nationally and in other jurisdictions, the state government is looking at how technology and other innovations can be utilised to encourage participation while minimising costs.

Efficiency and cost-effectiveness will be a key consideration in engaging the services of a provider equipped to run the elections. Deferring the elections until 2022 is a missed opportunity to test these arrangements, and holding the first elections separately to local government elections will enable lessons learnt to inform ongoing election arrangements.

The Hon. M.C. PARNELL: Just to clarify and assist the chamber, I moved amendment No. 19. I will also move amendments Nos 20, 21 and 22 for completeness. I move:

Amendment No 20 [Parnell–1]—

Page 234, lines 23 to 32 [Schedule 5, clause 88(8)]—Delete subclause (8) and substitute:

(8) In relation to any other board established under this Act—

(a) elections for the purposes of section 15(1)(b) will not be held until 2022; and

(b) the Minister must ensure that the elections held in 2022 are conducted so that voting closes at 5 p.m. on the last business day before the second Saturday of November 2022; and

(c) a person elected in an election in 2022 will take office on a day determined by the Minister; and

(d) until the day determined under paragraph (c), the board will be constituted by 7 members appointed by the Minister.

Amendment No 21 [Parnell–1]—

Page 234, lines 37 and 38 [Schedule 5, clause 88(10)]—Delete 'before the day determined by the Minister in relation to that board under subclause (8)' and substitute:

until the Minister determines to constitute the board with 7 members

Amendment No 22 [Parnell–1]—

Page 234, lines 39 and 40 [Schedule 5, clause 88(11)]—Delete 'until the day determined by the Minister in relation to that board under subclause (8)' and substitute:

until the Minister determines to constitute the board with 7 members

The Hon. K.J. MAHER: The opposition will be supporting the Parnell amendments.

The Hon. J.A. DARLEY: For the record, I will be opposing the Hon. Mark Parnell's amendments.

The Hon. C. BONAROS: I will be supporting the amendments.

Amendments carried.

Sitting extended beyond 18:30 on motion of Hon. R.I. Lucas.

The CHAIR: We remain on schedule 5. The remaining amendments are amendments Nos 1 and 2 [Pangallo-7]. I ask the Hon. Ms Bonaros to move those amendments on behalf of the member.

The Hon. C. BONAROS: I move:

Amendment No 1 [Pangallo–7]—

Page 237, line 13 [Schedule 5, clause 94(4)]—Delete 'amounts or contributions' and substitute 'levies or amounts'

Amendment No 2 [Pangallo–7]—

Page 237, lines 19 to 22 [Schedule 5, clause 94(5)]—Delete subclause (5)

The CHAIR: You move that it be a suggestion to the House of Assembly to amend schedule 5.

The Hon. C. BONAROS: That is correct, Chair.

The Hon. J.M.A. LENSINK: I will just say that, as previously articulated, the government is opposed to these amendments for reasons already outlined.

The CHAIR: If I correctly understand the will of the chamber, this will find favour when I put the question. Honourable members have indicated that it is likely to find favour.

Suggested amendments carried; schedule as amended and as suggested to be amended passed.

Title passed.

Bill reported with amendment and suggested amendments.

Third Reading

The Hon. J.M.A. LENSINK (Minister for Human Services) (18:33): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Personal Explanation

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. J.M.A. LENSINK (Minister for Human Services) (18:34): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.M.A. LENSINK: I have examined my 2018-19 register of interests. There is an administrative error in relation to one of my shares, which is IRESS. It should have been included on the register of interests, and I will correct the record.

At 18:35 the council adjourned until Thursday 12 September 2019 at 14:15.