

LEGISLATIVE COUNCIL

Tuesday, 20 July 2021

The **PRESIDENT (Hon. J.S.L. Dawkins)** took the chair at 2:16 and read prayers.

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

Bills

UNEXPLAINED WEALTH (COMMONWEALTH POWERS) BILL

Assent

His Excellency the Governor assented to the bill.

CRIMINAL LAW CONSOLIDATION (DRIVING AT EXTREME SPEED) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

VOLUNTARY ASSISTED DYING BILL

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Corporation By-laws—

City of Charles Sturt—

No. 1—Permits and Penalties

No. 2—Moveable Signs

No. 3—Local Government Land

No. 4—Roads

No. 5—Dogs and Cats

No. 6—Domestic Livestock Management

Fee Notices—

Fisheries Management Act 2007

Regulations under Act—

Adelaide Park Lands Act 2005—General

Emergency Services Funding Act 1998—Remissions—Land—Miscellaneous

Fisheries Management Act 2007

Blue Crab Fishery—Marine Scalefish Fishery Reform

Demerit Points—Marine Scalefish Fishery Reform

Demerit Points—Miscellaneous

Fish Processors—Marine Scalefish Fishery Reform

General—Miscellaneous

General—Miscellaneous No 2

Lakes and Coorong Fishery—Marine Scalefish Fishery Reform

Marine Scalefish Fisheries—Fishery Reform

Marine Scalefish Fishery—Miscellaneous

Miscellaneous Developmental Fishery—Marine Scalefish Fishery Reform

Miscellaneous Fishery—Licence Transfer

Prawn Fisheries—Registered Boats
 Rock Lobster Fisheries—Marine Scalefish Fishery Reform
 Sardine Fishery
 Vessel Monitoring Scheme—Sardine Fishery
 Vongole Fishery
 Land and Business (Sale and Conveyancing) Act 1994—Miscellaneous
 Mining Act 1971—Rules of Warden's Court
 Motor Vehicles Act 1959—Third Party Insurance—Miscellaneous
 Partnership Act 1891—General
 Pastoral Land Management and Conservation Act 1989—General
 Rail Safety National Law (South Australia) Act 2012—Fees
 Summary Offences Act 1953—Custody Notification Service—No 4
 Summary Offences Act 1953—Custody Notification Service—No 5
 Rules of Court—
 Supreme Court Act 1935, District Court Act 1991, Magistrates Court Act 1991—
 Uniform Civil (No 5)
 Emergency Services Funding Act 1998—Declaration of Levy and Area and Land Use
 Factors Notice 2021
 Emergency Services Funding Act 1998—Declaration for Vehicles and Vessels Notice 2021
 SA Police Superannuation Scheme Actuarial Reports as at 30 June 2020
 South Australia Petroleum and Geothermal Energy Act 2000 compliance report 2020

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

Fees Notice under Acts—
 Radiation Protection and Control Act 1982
 Regulations under Acts—
 Environment Protection Act 1993—Miscellaneous
 Radiation Protection and Control Act 1982—Ionising Radiation—Third Party
 Accreditation

By the Minister for Health and Wellbeing (Hon. S.G. Wade)—

Fees Notice under Acts—
 Education and Children's Services Act 2019—No. 6
 Education and Children's Services Act 2019—No. 7
 South Australian Skills Act 2008
 Regulations under Acts—
 Education and Children's Services Act 2019—Miscellaneous
 Firearms Act 2015—Miscellaneous
 South Australian Skills Act 2008—General
 Report on actions taken by the Department for Correctional Services in relation to the
 coronial inquest into the death in custody of Kenneth Ngalatji Ken

ANSWERS TABLED

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

SITTINGS AND BUSINESS

The Hon. R.I. LUCAS (Treasurer) (14:27): I move:

That questions without notice be not proceeded with this day.

Motion carried.

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

That all Orders of the Day: Government Business be orders of the day for the next day of sitting.

Motion carried.

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

That Notices of Motion and Orders of the Day: Private Business set down for Wednesday 28 July 2021 be made Notices of Motion and Orders of the Day for Wednesday 25 August 2021.

Motion carried.

APPROPRIATION BILL 2021

The House of Assembly requested that the Legislative Council give permission to the Treasurer (Hon. R.I. Lucas), the Minister for Human Services (Hon. J.M.A. Lensink) and the Minister for Health and Wellbeing (Hon. S.G. Wade), members of the Legislative Council, to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill.

The Hon. R.I. LUCAS (Treasurer) (14:28): I move:

That the Treasurer (Hon. R.I. Lucas), the Minister for Human Services (Hon. J.M.A. Lensink) and the Minister for Health and Wellbeing (Hon. S.G. Wade) have leave to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

Motion carried.

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

That standing orders be so far suspended as to enable the Clerk to deliver the message advising of this resolution to the Speaker of the House of Assembly whilst the council is not sitting and notwithstanding the fact that the House of Assembly is not sitting.

Motion carried.

SITTINGS AND BUSINESS

The Hon. R.I. LUCAS (Treasurer) (14:29): I move:

That the council at its rising adjourn until Tuesday 24 August 2021.

At 14:30 the council adjourned until Tuesday 24 August 2021 at 14:15.

*Answers to Questions***TRANSPORT DEPARTMENT CAR PARK**

In reply to **the Hon. M.C. PARNELL** (17 March 2021).

The Hon. R.I. LUCAS (Treasurer): The Minister for Infrastructure and Transport has advised:

The land referred to is known as Lot 13 Holton Court, Joslin and is a parcel of land vested in the Commissioner of Highways.

Prior to the site being developed as a car park for the former Highways Department in the late 1960s, it was used as a refuse deposit by the local council.

The Department for Infrastructure and Transport (DIT) commissioned a site contamination audit in 2015 which concluded that site contamination existed at the site in concentrations not suitable for recreational/open space land use.

The purpose of the report was to seek independent advice to assist with understanding the potential cost and works associated to render the site suitable for future potential development from residential through to commercial or industrial use (including recreational consideration).

On 1 February 2019 Cohda Wireless entered into a licence agreement with DIT over the site for the purpose of testing autonomous vehicles. This licence is currently in holdover.

The site is currently within the DIT sales program with an aim to bring the land to market and return its value to the Highways Fund subject to any state agency or council interest in retaining the land.

HOVE LEVEL CROSSING

In reply to **the Hon. J.A. DARLEY** (18 March 2021).

The Hon. R.I. LUCAS (Treasurer): The Minister for Infrastructure and Transport has advised:

On 22 June 2021 the state government announced that following extensive stakeholder consultation, the Brighton Road, Hove level crossing project will not be proceeding.

SOLAR ENERGY

In reply to **the Hon. J.A. DARLEY** (26 May 2021).

The Hon. R.I. LUCAS (Treasurer): The Minister for Energy and Mining has advised:

The South Australian government sees roles for both grid-scale batteries and much smaller batteries attached to peoples' homes or businesses. Both will increase the amount of storage available and will help to address grid management issues. In rolling out the South Australian government's \$118 million Home Battery Scheme (HBS), equity and grid management were front of mind. The HBS provides a higher subsidy level for concession card holders and only allows smart batteries that are capable of operating in virtual power plants to be installed, to maximise their potential value in reducing bills whilst supporting the market and the grid.

The South Australian government's \$50 million Grid Scale Storage Fund was designed to facilitate the development of new storage technologies capable of addressing the intermittency of South Australia's electricity system. This fund has supported both large batteries and home batteries operating as a grid-scale asset. Neoen was granted \$15 million from the fund to expand the Hornsdale Power Reserve by an additional 50 megawatts (MW) / 64.5 megawatt-hours of capacity. The expanded facility enables more capacity to respond to system disturbances and to assist in stabilising the grid, and demonstrate for the first time in Australia the provision of battery powered inertia response, which is expected to be critical in safely running a power system with increasing lower levels of fossil fuel generators. An expansion of the South Australian Virtual Power Plant has also been supported from the fund, by up to \$10 million in exchange for providing new grid security benefits to the state. This expansion will see energy systems installed on an additional 3,000 Housing SA properties taking the total participating households to 4,100. In addition, to expand the reach of battery programs, a trial is currently underway of installing batteries without solar systems, which may open up the market for batteries to more residential settings.

The South Australian government is aware of a small number of trials of 'community batteries' in suburban locations. However, their business case in South Australia is yet to be proven. At this time, the market is investing strongly in grid-scale batteries such as the 250MW Torrens Island Battery proposed by AGL and residential and commercial batteries and virtual power plants, which can provide similar grid support. The South Australian government, along with SA Power Networks and other stakeholders, continue to monitor these trials.

There has been an increase in the installation rate of rooftop solar in South Australia since new technical standards commenced in September 2020. This demonstrates continued consumer confidence in rooftop solar and acceptance of the standards brought in to protect the power system from blackouts. Without these new standards and the delivery of the SA-NSW Interconnector, Project EnergyConnect, the expert advice from the Australian Energy Market Operator outlined that a moratorium on new rooftop solar would have been required.

DISABILITY SERVICES

In reply to **the Hon. I. PNEVMATIKOS** (26 May 2021).

The Hon. J.M.A. LENSINK (Minister for Human Services): I have been advised:

There has been a turnover of 12 per cent, or 168 staff.

SKYCITY ADELAIDE

In reply to **the Hon. F. PANGALLO** (9 June 2021).

The Hon. R.I. LUCAS (Treasurer): The Attorney-General has advised:

There is nothing further to add to the answer that I provided to the honourable member's question on 9 June 2021.

SKYCITY ADELAIDE

In reply to **the Hon. C. BONAROS** (9 June 2021).

The Hon. R.I. LUCAS (Treasurer): The Attorney-General has advised:

The Liquor and Gambling Commissioner was advised by AUSTRAC of its intention to commence a formal enforcement investigation of SkyCity Adelaide, prior to the notice of the investigation being served on SkyCity Adelaide.

On 7 June 2021, SkyCity Entertainment Group Limited, being the parent company of SkyCity Adelaide, made a market disclosure to the ASX and NZX that AUSTRAC had commenced a formal enforcement investigation into SkyCity Adelaide.

The Liquor and Gambling Commissioner will continue to liaise with AUSTRAC as appropriate during its investigation.

ASK WEBSITE

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (9 June 2021).

The Hon. J.M.A. LENSINK (Minister for Human Services): I have been advised:

ASK includes 12 languages.

These languages were selected based on advice, including from people with lived experience. Work has been underway since before ASK's launch to include the following languages:

- Pitjantjatjara/Yankunytjatjara
- Adnyamathanha
- Kaurna
- Ngarrindjeri
- Narungga

PLANNING AND DESIGN CODE

In reply to **the Hon. J.A. DARLEY** (10 June 2021).

The Hon. R.I. LUCAS (Treasurer): The Attorney-General has advised:

The ePlanning platform—an Australian first—unites the PlanSA Portal, the online Planning and Design Code (the code), the South Australian Property and Planning Atlas and the electronic Development Application Processing system.

The new electronic development system allows data about development application processes to be captured more conveniently than ever before. All South Australians can now lodge and track development applications online, search property zoning, find an accredited professional, review development rules, make payments, submit information and track major projects and development activity across the state.

Any issues around the time frames for processing planning applications can be monitored on a regular basis, and in turn may then inform improvements to the code or other aspects of the development assessment process.

With any new system, there will be a period of adjustment. The PlanSA portal and code are significant new systems to learn. Over time, stakeholders will become more familiar with these new systems, and applications will continue to take significantly less time to process. Ongoing enhancements to the system and technical amendments to the code will therefore assist in this area.

I am advised that as at 16 June 2021, there are over 12,000 users of the system, and usage is well within system capacity. The most recent average development approval time for deemed-to-satisfy development applications is 3.35 days and performance assessed development applications is 14.9 days (without public notification) and 41.11 days (with public notification). These time frames are all within the statutory requirements.

The most recent figures show that there has already been significant improvement in processing times for all development application processes when compared to the old planning system.

INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATION

In reply to **the Hon. F. PANGALLO** (23 June 2021).

The Hon. R.I. LUCAS (Treasurer): The Attorney-General has advised:

1. No.
2. No.
3. This is a matter for ICAC.
4. This is a matter for ICAC.

EARLY LEARNING STRATEGY

In reply to **the Hon. T.A. FRANKS** (24 June 2021).

The Hon. R.I. LUCAS (Treasurer): The Minister for Education has advised:

The first phase of the three-year development and piloting process to increase the reach and schedule of developmental checks for children will involve further scoping and design.

This will include consideration of what information is collected, how it is collected and how it may be shared. This is a critical part of the expansion to ensure all providers are consistently capturing the outcomes of the health checks and they are shared with relevant services.

Confidentiality and appropriate use of information is paramount. It is anticipated that data collected and shared through this initiative would occur under the protections and authority of existing legislation.

INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATION

In reply to **the Hon. F. PANGALLO** (24 June 2021).

The Hon. R.I. LUCAS (Treasurer): The Attorney-General has advised:

The Attorney-General sought a briefing from the DPP via the chief executive. This is common practice. It would be remiss of the Attorney-General not to keep abreast of issues such as these. In doing so, she is in no way directing or interfering with the independence of the DPP or the separation of powers between the Attorney-General's office and the DPP.

It is a matter of fact that the DPP is reviewing the matter. The DPP looks closely at a ruling of 'no case to answer' with a view to, if appropriate, filing an ex officio information.