

LEGISLATIVE COUNCIL

Tuesday, 28 February 2017

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 14:20 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

HISTORIC SHIPWRECKS (MISCELLANEOUS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

NATIONAL PARKS AND WILDLIFE (CO-MANAGED PARKS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

SUMMARY OFFENCES (DECLARED PUBLIC PRECINCTS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

GENE TECHNOLOGY (MISCELLANEOUS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (PLANNING, DEVELOPMENT AND INFRASTRUCTURE) BILL

Assent

His Excellency the Governor assented to the bill.

Members

LEGISLATIVE COUNCIL VACANCY

The PRESIDENT (14:22): I lay on the table the minutes of the assembly of members of both houses held this day to fill the vacancy in the Legislative Council caused by the resignation of the Hon. G.A. Kandelaars.

Ordered to be published.

MEMBER, SWEARING IN

The President produced a commission from His Excellency the Governor authorising him to administer the oath of allegiance to members of the Legislative Council.

The President produced a letter from the Clerk of the assembly of members notifying that the assembly of members of both houses of parliament had elected Mr Justin Eric Hanson to fill the vacancy in the Legislative Council caused by the resignation of the Hon. G.A. Kandelaars.

The Hon. Justin Hanson, to whom the oath of allegiance was administered by the President, took his seat in the Legislative Council.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the President—

Auditor-General's Report on Adelaide Oval Redevelopment, 1 July to 31 December 2016,
pursuant to section 9 of the Adelaide Oval
Redevelopment and Management Act 2011
Auditor-General's Report on the Examination of the Governance Arrangements in Local
Government, February 2017

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

Regulations under the following Acts—
Adoption Act 1988—Qualifying Relationship

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

Regulations under the following Acts—
Controlled Substances Act 1984—Poisons No. 2
Freedom of Information Act 1991—Exempt Agency No. 2

Ministerial Statement

INNER CITY STREET CREW

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:27): I table a copy of a ministerial statement relating to Inner City Street Crew made earlier today in another place by my colleague the Minister for Communities and Social Inclusion.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

COCA-COLA AMATIL

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:30): I seek leave to make a brief explanation before asking the Minister for Manufacturing a question about Coca-Cola workers.

Leave granted.

The Hon. D.W. RIDGWAY: In the minister's press release dated 23 February this year, outlining the state government's support package for Coca-Cola workers, it states that the government will establish a transition centre to assist the displaced workers. My questions to the minister are:

1. Given that services on offer at the Career and Workforce Development Centre at Warradale have not been delivered as promised, can the minister guarantee that this transition centre will provide the assistance that these workers need?

2. Will the same level of support that has been offered to the Coca-Cola workers be offered to the Caroma workers, following the announcement of the closure of the Magill Road production plant?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:31): I thank the honourable member for his questions. I am most pleased that he keeps going on about this topic of our support for workers in southern Adelaide in the automotive sector. It has been well agitated in this place.

It was the Hon. David Ridgway's mates in the federal government that chased Holden out of this country. We well remember three years ago, up in parliament, daring Holden to leave. The very

next day Holden left after his mates in Canberra chased Holden out of this country. We don't take the same attitude to manufacturing workers in this state; we have a different attitude from those opposite. We will support workers in the manufacturing industries. We have opened an Automotive Workers in Transition office in southern Adelaide, and it will provide for workers as workers come and want our services there.

Members interjecting:

The Hon. K.J. MAHER: The opposition is suggesting that maybe we should close it down, maybe we shouldn't spend money in the south. Well, we will stand by workers, whether they are in northern Adelaide or southern Adelaide. We won't do as they suggest—as the member for Mitchell suggests, which will be very awkward in the upcoming election campaign—that is, close that office down and make them go to Elizabeth. We don't plan to do that.

We will continue to provide levels of services for the automotive workers in the southern suburbs and, more importantly, supply chain workers. We know there are many auto supply chain workers who have worked for companies that have supplied Mitsubishi who continue to work in the southern suburbs and, as Holden winds down towards the end of this year, they will access services more.

We announced last week that we will set up a transition office at Coca-Cola. We will have state government officials at Coca-Cola from this week, providing advice and information on services. The Coca-Cola company and the state government are working together for a package of services for the workers at Coca-Cola that will include similar things to the auto workers: career advice, skills recognition and funding for training.

We will have someone down there. That's what we do as a Labor government: we support workers. We will have people at Coca-Cola from this week, we will set up a transition centre there for people to get easy advice, and there will also be a hotline number for people to call to get that advice easily. That's what we do as a Labor government.

COCA-COLA AMATIL

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:33): Supplementary: will the centre you have spoken of, minister, be in the premises that Coca-Cola owns or occupies, or will you be leasing separate premises, as you have done at Warradale for the \$135,000 a year that that building has cost?

Members interjecting:

The PRESIDENT: Order! Will the honourable members allow the minister to complete his answer. Minister.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:34): There will be government officials at Coca-Cola from this week. There will be government officials, as needed, on site at Coca-Cola into the future.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:34): Supplementary question: how many government officials are at the Warradale centre on a weekly basis?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:34): I think I answered a question and, off the top of my head, it was two or three, as needed, when people are calling for services there. We don't abide by their view that you should abandon manufacturing workers in the south. We will put people there when people need services.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:34): Supplementary: the lease on the Warradale Centre, as you have brought this topic into the question, minister, I think expires in March or April this year. Will that be renewed with another two-year program?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:34): Here is what I can assure the chamber, and assure the Leader of the Opposition—I understand the question that he's getting at, because, as we have found out since they started on this topic of questioning some months ago, the member for Mitchell wants that office back apparently; that was his campaign office, and that's the office that is now the automotive workers and transition office of the south. I understand you are in here doing your mate's bidding, but we're not going to kick people out of an office, just so your mate in Mitchell can have his old office back. What we will do is, we will provide services, as required, for manufacturing workers in southern Adelaide.

CAROMA WORKERS

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:35): Supplementary: one final question that the minister failed to answer in my first question is will the same benefits and support be offered to the Caroma workers?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:35): I am very pleased to say that we have a range of services for people who are facing difficulties. As the honourable member is probably not aware, because he is often not aware of much when he comes to ask questions in this place, I think there are 14 Caroma workers who are at the site now, as they have been winding down for some time.

Members interjecting:

The PRESIDENT: Order!

FEMALE GENITAL MUTILATION

The Hon. J.M.A. LENSINK (14:35): I seek leave to make a brief explanation before directing a question to the Minister for Police on the subject of female genital mutilation or FGM.

Leave granted.

The Hon. J.M.A. LENSINK: An organisation, which I have referred to in this place before, No FGM Australia, lodged a freedom of information application with SAPOL and received a reply dated 22 June 2015. The information that they sought was, firstly, reports of girls at risk of FGM, and secondly, reports of girls who had already been subjected to FGM. The reply from SAPOL to No FGM Australia states, in part:

A search has been undertaken and South Australian police has not received any complaints relating to female genital mutilation since the legislation was introduced.

That, I advise for the minister's benefit, was in the mid 1990s. My questions for the minister are:

1. Does he stand by this particular advice from his agency?
2. Can he update the chamber on any reports of girls at risk or subjected to FGM since that FOI was lodged in 2015?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:37): Thank you to the Hon. Ms Lensink for her important questions on a harrowing topic. What I can advise the chamber and the honourable member is that I am not aware of any recent briefs being received by my office from SAPOL regarding this particular subject. I have no reason to believe that the information that has been disclosed by SAPOL to the Hon. Ms Lensink in the FOI application, to which she refers, is anything but accurate. I have no reason to believe otherwise. Of course, if the honourable member,

or anybody else, has information that needs to be brought to light that suggests otherwise, I am more than happy to hear it, but I am not in a position to advise the chamber that I have seen any information to the contrary.

FEMALE GENITAL MUTILATION

The Hon. J.M.A. LENSINK (14:38): Supplementary: will the minister undertake to double-check with his department that the information that was provided by SAPOL, which I have directly quoted today, is actually correct?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:38): I am more than happy to undertake to do that. I will formally take that on notice and I will undertake that question from SAPOL. Indeed, on a matter that is particularly topical, I will also undertake to brief the honourable member directly as soon as I get a report back outside of the normal formal process of taking a question on notice.

FEMALE GENITAL MUTILATION

The Hon. T.A. FRANKS (14:38): Supplementary: was SAPOL consulted with regard to the removal of FGM protective provisions in the proposed child safety bill?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:38): My advice is that the characterisation that the Hon. Tammy Franks has just made, regarding the removal of protections, is that that is not entirely accurate. Indeed, there are currently already protections in place. That said, SAPOL is regularly consulted on significant legislative changes in all formats, and I have no reason to believe they wouldn't have been consulted in this context.

FEMALE GENITAL MUTILATION

The Hon. T.A. FRANKS (14:39): Supplementary: why has SAPOL not made a submission in the submissions to the bill then, because that is not available in the submissions that have been provided to members of this place?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:39): I thank the member for her supplementary question. SAPOL, being, in many respects, a very independent organisation of government, has the capacity to make submissions to whatever reviews or whatever issues they see fit. That is a matter that totally pertains to SAPOL's interests.

FEMALE GENITAL MUTILATION

The Hon. K.L. VINCENT (14:39): Supplementary: could the minister elaborate on why the Hon. Ms Franks' assertions are incorrect, because certainly I, and I assume other members, have been contacted by lobby groups that seem very much convinced that they are correct.

The Hon. T.A. Franks: And I did say pre-emptive protections.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:40): Again, I am more than happy to take this question on notice. It relates to an area that is outside of my portfolio area. I am more than happy to pass it on to the appropriate minister in the other place.

TASSONE, MR B.

The Hon. S.G. WADE (14:40): I seek leave to make a brief explanation before asking the Minister for Correctional Services questions in relation to Bruno Tassone.

Leave granted.

The Hon. S.G. WADE: Bruno Tassone, a convicted methamphetamine trafficker, has been awarded a \$100,000 taxpayer-funded payout related to failures in his prison health management. The annual report of the Department for Correctional Services 2015-16 says:

Every patient prisoner is comprehensively assessed upon admission, including a risk assessment with care plans and pathways put in place to manage any acute or chronic health care needs.

My questions are:

1. Was a healthcare plan prepared for Bruno Tassone?
2. Did the liability of the state arise from the lack of a plan, the quality of the plan or the implementation of the plan?
3. How many people have successfully sued the department for damages in the last five years, and how much damages were paid as a result?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:41): Again, I would like to thank the honourable member for his questions on an important subject and one that has received, appropriately, a degree of attention in the press over the last couple of days. Of course, what initiated the story that appeared on the front page of the paper was the fact that the Department for Correctional Services advertised, publicly, to the entire South Australian public the fact that Mr Tassone had been awarded an amount through a compensation claim that he initiated against the state, and that money now is in trust in a quarantine fund to be accessed by the victims of Mr Tassone's crimes, wherever they may be throughout the state, or indeed throughout the country.

I have to say, I welcome the attention being provided to this issue in all of the media, whether it be the front page of *The Advertiser* today or, indeed, on radio this morning because it only highlights the issue to the South Australian public and others around the country that they may be able to access these funds and take ownership of these funds in the event that they have been a victim of Mr Tassone's crimes or his actions.

To the questions that the Hon. Mr Wade has asked: firstly, I am advised that case notes reflect that Mr Tassone's medical conditions were known to Corrections throughout his contact with the Department for Correctional Services and his case was managed appropriately in regard to his health issues. That is the first point. I am advised of at least one other case since the introduction of the quarantine legislation, which I understand to be in 2012, where someone has been successful in a compensation claim. In that instance, I understand that every last cent that prisoner was awarded through his compensation claim was quarantined in the fund that I referred to, but, more importantly, did end up in the hands of the victims of the individual concerned. There was a third part to your question, Mr Wade, which you might—

The Hon. S.G. Wade: Did the liability of the state arise from the lack of a plan, the quality of the plan or its implementation?

The Hon. P. MALINAUSKAS: No, it didn't, and, indeed, in response to Mr Wade's question around the liability of the state, it is important to note that this was a settlement reached through a commercial process, a commercial decision on the basis of crown law advice, that it was in the interests of the South Australian taxpayers to settle this claim for an amount that was demonstrably less than the in excess of \$2 million that Mr Tassone was originally claiming for, and that represented a value to the South Australian taxpayers in comparison to the very substantial cost that would have been realised if his action were to continue through the court process. More than that, as a result of that settlement, I have been advised that no admission of liability by the state was made throughout the settlement. There is no admission of liability by the state in this particular case.

If I can just reiterate, I do not think any South Australian taxpayer would like to see state compensation funds ending up in the hands of someone of the likes of Mr Tassone in light of the acts that he has committed, which is exactly why, as a state government, we took the initiative to put in place legislation to prevent that from occurring, to put in place a legislative framework that makes it clear that our priority is the victim of those crimes rather than the offender themselves.

Just to add one more thing to that, I have subsequently initiated that the department undertake an effort to explore the capacity of the option of further legislative change, which would mean that in the absence of a victim coming forward, albeit within a 12-month period, there is an option to introduce new legislation that would allow those funds, if they are not claimed successfully by a victim, to offset the cost of incarceration that is borne by the state and the taxpayer as a result

of Mr Tassone doing the wrong thing in the first place. I am looking forward to receiving that advice from the department in due course, and if that is an option then it is one that we will explore legislatively through due process.

TASSONE, MR B.

The Hon. S.G. WADE (14:46): Why does the minister persist in suggesting that the quarantine funds was an initiative of the Weatherill government, when his legislation was 2012 and the Hon. Iain Evans introduced the Correctional Services (Prisoner Compensation Quarantine Funds) Amendment Bill 2010 on 28 October 2010 and it took his government two years to play catch up?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:46): That is a cute question from the Hon. Mr Wade. I might answer—

Members interjecting:

The PRESIDENT: Order!

The Hon. P. MALINAUSKAS: I might answer the question with a statement of fact. The Hon. Mr Wade, we were in government in 2012, not you. This was the government that passed the legislation, not you.

The PRESIDENT: The Hon. Ms Gago.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: No, too late; I have already called the Hon. Ms Gago.

The Hon. R.I. Lucas: She is obviously doing a supplementary.

The Hon. G.E. GAGO: No, I am doing another question.

The PRESIDENT: It's her question. The Hon. Ms Gago.

ROAD AWARENESS PROGRAM

The Hon. G.E. GAGO (14:47): Too late, too slow. He's lost his form, too slow. My question is to the Minister for Emergency Services and Road Safety. Can the minister inform the council of the great work that the Metropolitan Fire Service is undertaking with its Road Awareness Program?

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Before you get on your feet, the Hon. Ms Gago was on her feet and I called her before I saw you.

The Hon. R.I. Lucas: I thought she was doing a supplementary.

The PRESIDENT: No, she wasn't. It's her question.

Members interjecting:

The PRESIDENT: Well, I know, I've got her question down here. The honourable minister.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47): I would like to thank the honourable member for her constructive and also very important question. I have great pleasure in taking this opportunity to acknowledge the outstanding work conducted by the Metropolitan Fire Service regarding the Road Awareness Program (RAP).

The RAP was established, as I understand it, by MFS firefighters back in 2005. The firefighters involved in the RAP were upset at the number of fatal or serious car crashes involving young people that they were attending in a rescue role, and wanted to make a difference. The RAP travels to schools to deliver this hard-hitting program to year 11 students who are at the age when they are in the process of, or thinking about, getting their driver's licence.

During the 100-minute presentation, participants are given a confronting and realistic insight into road crashes and road crash trauma, involving vision of real crashes and crash survivors. Real-life crash survivors, many now living with a permanent disability or the loss of a loved one, share their stories as part of that presentation. Participants usually find this element of the presentation incredibly emotional. It presents raw information about the impact that driving in a way that is risky or unsafe can have on real people's lives.

The program is delivered by a number of passionate individuals within the fire service to approximately 85 per cent of secondary school students across metro Adelaide and also throughout regional South Australia each year. That is an astonishing statistic. In 11 years RAP has delivered over 1,200 presentations to over 130,000 students and, more recently, business and community groups, including groups from correctional services at places like Mobilong and the Adelaide Women's Prison.

A number of people have been participating in this program for a long time, and educating our youth is a vital component of our road safety strategy. By speaking to young people we have had the opportunity to bring about generational change in attitudes to road use.

I would like to share with the chamber my personal experience in witnessing this program. I had the opportunity last year to witness the RAP program in operation in full flight firsthand at my old school. I was able to go along and witness the program, and on that particular occasion it was being lead by Rocket Campbell, who is here today, and also a young woman, Tyele, who presents RAP. Tyele, along with a number of other people who give RAP presentations, is here in the chamber this afternoon.

When you are lucky enough to be in a position like so many of us are, you get to see guest speakers on a regular basis in various different forums and functions, but this one really stood out to me. The presentation from those people on that day, to which I bore witness, was utterly profound. The true courage and inspiration that it took, particularly for Tyele, to be able to present to a group of young students that day was incredibly moving, and it struck me how much of an impact that presentation on that particular day was having on a group of young men and women, who will be behind the wheels of cars in our community in due course.

It was profound, and I really found it quite moving to see the commitment that these men and women have to delivering a key road safety message throughout the state. I want to acknowledge a number of presenters who are also here with us today: Kym Inglis, Eli Murn, Michael and Glynis Holbrook and also Yudhi Mohan-Ram—all people in the chamber today who have made an outstanding contribution presenting and sharing their personal stories. That takes a degree of courage.

I thank you sincerely from the bottom of my heart for making a real difference. We will never know how many lives you have saved from the work you have undertaken. Make no mistake, I have every confidence that you have saved the lives of many young men and women drivers on South Australian roads. You are an inspiration to us all and I thank you quite sincerely on behalf of the people of South Australia for all your hard work, and I wish you all the very best in your endeavours in the future. Thank you very much.

The Hon. J.S.L. Dawkins: You better remind him about standing orders, Mr President.

The PRESIDENT: Yes: in future, the honourable minister—I gave a bit of leeway then—you are to address the chair and not the audience. The Hon. Mr Brokenshire.

The Hon. J.S.L. Dawkins interjecting:

The PRESIDENT: Order! The Hon. Mr Brokenshire has the floor.

The Hon. J.S.L. Dawkins interjecting:

The PRESIDENT: Order!

SA WATER

The Hon. R.L. BROKENSHIRE (14:53): I seek leave to make a brief explanation before asking the minister responsible for SA Water some questions regarding the recent propaganda that the minister and his department are putting out to the community.

Leave granted.

The Hon. R.L. BROKENSHIRE: Recently, I received a very expensive water bill, as I am sure all other customers of SA Water also received. The brochure actually said, 'A welcome reduction in water and sewerage prices, \$87'. It went on to say that South Australian water bills are set to reduce on average by \$87 in 2016-17, following a decrease of \$44 in 2013-14 and limited to inflation in 2014-15 and 2015-16. It says, 'We continue to work to deliver affordable prices for our customers'.

Today in my office, I had a lovely letter from the minister, as I am sure my colleagues did, with a very glossy brochure that talked about an additional \$55 million being spent on replacing mains pipes over the next four years. Based on this information, my questions to the minister are:

1. Did the brochure that came with the water rates comply with the truth-in-advertising test, or should it have been more balanced and reminded people that prior to these reductions this minister's government increased water and sewerage prices by over 300 per cent in just a few years? Does this comply with the truth test for advertising?

2. Where will the \$55 million to do this accelerated replacement pipework in Adelaide and rural South Australia come from?

3. Does the minister admit that he is now in panic mode and accelerating what has been a reduction in replacing mains over a period of time? Is this a grab to try to fix some of the problems prior to the next election and, if it is, why weren't you replacing more pipe in previous years when you were increasing, astronomically, water and sewerage prices to people who were struggling to afford to pay their bills in South Australia?

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:56): I never thought I would see the day when you come into this place and one of the men responsible for the privatisation of SA Water is complaining about a price reduction on bills to ordinary South Australians. I never thought I would see the day when the gentleman who was responsible for supporting the privatisation of SA Water was complaining about a bill reduction to SA Water customers. That's what you have here: the Hon. Robert Brokenshire, the bloke responsible, with the Hon. Mr Lucas, the chief architect of privatisation, otherwise known as the merchant of misery in the other place—and I will come back to that epithet in a moment.

Here we have the Hon. Mr Robert Brokenshire complaining—complaining—about a water minister and a government, a state Labor government, driving down the cost of water bills. Goodness gracious me! What does he want? Does he want to see their bills go up? He is complaining about an \$87 reduction on the average water and sewerage bill, which followed the first reduction of \$44, on average—about \$130 taken off the average annual bill of SA Water customers and the Hon. Robert Brokenshire is complaining. Goodness gracious me! And, he doesn't want anybody to know. He doesn't want us to tell anybody that, because of this government's regulation of SA Water through ESCOSA, we are driving down the costs and prices of average bills to South Australians. He doesn't want people to know that.

This man has been in so many political parties, I am surprised that he hasn't thought about another one. There are political parties being set up that he might go and apply to, as some senators in Queensland are doing right now, as I understand it. Here we have a man who doesn't understand the first thing about water, even though he privatised it, along with his Liberal state government at the time.

Let's not forget—because I want to remind him before he goes to it—that the Liberal Party also promised to build a desal plant. What do you think that would have done, Mr President, to the price of water in South Australia? Well, pretty much exactly the same as it did—

The Hon. D.W. Ridgway interjecting:

The Hon. I.K. HUNTER: About 30¢ less, Hon. Mr Ridgway, before you get to it—about 30¢ less because this government drove a fantastic deal—

Members interjecting:

The PRESIDENT: Minister, take your seat.

Members interjecting:

The Hon. I.K. HUNTER: Yes, we did.

The PRESIDENT: There is to be no debate. The minister is on his feet. He is trying to answer the question, and he should be allowed to do so without interjections. The honourable minister.

The Hon. I.K. HUNTER: Here we have the Liberals proudly proclaiming that they are so proud that they build half of infrastructure. This is the mob that gave us half a road to the south, and they wanted to give us half a desal plant. They promised a desal plant just as much as we did. That's why there was an increase in water bills: to provide for security for South Australians in the provision of water into the future. And because this state Labor government drove such a hard deal with the federal government, the amount of difference on their bills amounts to about 30¢, because we are the great financial and economic managers in this state, unlike the Liberal Party.

Look at the debt your federal government is running into—the Hon. Mr Ridgway's federal government's debt. They are bad economic managers. The days are long gone when anyone could think or even pretend that the Liberals are natural economic managers. They are bad managers of the state. They build half infrastructure projects, half roads to the south, half desal plants. It is the state Labor government that can build the full—

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: The Hon. Mr Stephens—

The Hon. T.J. Stephens: What about him?

The PRESIDENT: All members bar the minister, who is on his feet, should be seated and quiet while the minister gives an answer to this important question.

The Hon. I.K. HUNTER: Thank you for your protection, Mr President. They get a little bit agitated about this. They have absolutely no record to stand on. We have the Hon. Mr Brokenshire complaining about a water and sewerage reduction because he was the bloke, along with his Liberal government, who privatised SA Water in the first place, and you see—

The Hon. J.M.A. Lensink: No, we didn't.

The Hon. I.K. HUNTER: They wanted to privatise SA Water. They privatised ETSA and they want to privatise SA Water. We know that's their agenda. He asked the question—

Members interjecting:

The Hon. I.K. HUNTER: Well, we know you're the natural party of privatisation, Mr Ridgway, and you've got the chief architect of privatisation sitting right behind you.

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. Ridgway: You don't privatise: you just give it away.

The Hon. I.K. HUNTER: And now we have them complaining about assets being given away. Who were the people who privatised the assets of the TAB for nothing? Next to nothing! They gave it away. It was the Hon. Mr Lucas again.

Members interjecting:

The PRESIDENT: Order! There should only be one person speaking and that is the minister. Give him the respect he deserves while he is on his feet.

The Hon. I.K. HUNTER: The Hon. Mr Brokenshire also quibbles about where the extra investment will come from. Clearly, he has not read the press release or any of that wonderful material—indeed, the 'lovely letter' that he said I sent him. If he had done so or if his staff had done so and properly briefed him, if they could find him, then he would understand that SA Water have reprioritised their asset spend over the next four years.

They discussed it with ESCOSA and got approval to bring forward that extra \$55 million worth of investment, which I remind you is on top of the extra investment from last year where we promised to build another 100 kilometres of water mains pipe above and beyond the 171 kilometres that was originally planned.

Because of great government control of a state-public enterprise, we can, as a state government, encourage SA Water to do the best it can for its customers, drive down costs of water and sewerage bills on average and provide more assets to give a better service. Only a state Labor government can be trusted to keep SA Water in public hands. The Liberals want to privatise it, just like they privatise anything when they get into government, and then we end up paying for it.

The Hon. J.M.A. LENSINK: Supplementary.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Lensink has the floor.

SA WATER

The Hon. J.M.A. LENSINK (15:03): Can the minister advise what the full costs are for printing, distribution and so forth for this particular campaign?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:03): I will tot up the odds of writing to 47 members of the lower house and 22 members of the upper house and I will come back with a response for you all. It is a matter of postage and printing onto letterhead and the printing of a small number of documents. I can't imagine what that might be—maybe around about \$100—but I will get a final answer and bring it back.

Members interjecting:

The Hon. I.K. HUNTER: Well, there are 47 people in the lower house and 22 in the upper house and I wrote to you all, including the Hon. Mr Brokenshire, who appears not to have read past 'Dear Robert'.

TASSONE, MR B.

The Hon. A.L. McLACHLAN (15:04): My question is for the Minister for Correctional Services. Are the terms and reasons for the \$100,000 settlement that was negotiated by the Crown Solicitor's Office and paid to Bruno Tassone subject to any confidentiality requirements?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:04): I haven't been advised as to whether or not it contains any particular confidentiality arrangements.

TASSONE, MR B.

The Hon. A.L. McLACHLAN (15:04): If I understand the minister correctly he is not aware. Could the minister undertake to make inquiries as to whether the arrangements negotiated with the prison contained any confidentiality requirements?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:05): Let me be a bit clearer. I have received advice as to the information that I can share publicly so, presumably, if there are provisions regarding confidentiality arrangements within the contractual arrangement they do not extend to the information that I have already shared publicly and that I can continue to share publicly. I am happy to seek advice as to whether or not there are confidentiality arrangements in place. The only reason why I couldn't disclose that, that I can foresee, is if the confidentiality arrangement applies to a confidentiality arrangement itself. Nevertheless, I am happy to seek advice on that.

TASSONE, MR B.

The Hon. R.I. LUCAS (15:05): I have a supplementary arising from the minister's answer. Was the minister's department consulted by the Crown Solicitor's Office before the final commercial settlement?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:06): Presumably they were. I can only assume that the Department for Correctional Services was in regular contact with the crown's office. I am advised that the crown's office was seeking and was given information from the Department for Correctional Services which would have, no doubt, informed the crown's position throughout the matter.

TASSONE, MR B.

The Hon. R.I. LUCAS (15:06): I have a supplementary question arising out of the answer. Did the minister's department approve the recommendation from the Crown Solicitor's Office to proceed with the commercial settlement?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:06): I am happy to take that particular question on notice. My advice up to this point, though, is that the Department for Correctional Services, obviously being a party to the proceedings of sorts, were providing and were in regular discussions with the crown for them to be able to form a view about the best way to proceed the matter. However, I have been advised that the Department for Correctional Services was certainly not advocating for a settlement of the nature that took place.

TASSONE, MR B.

The Hon. R.I. LUCAS (15:07): I have a supplementary question arising out of the minister's answer. Does the minister accept that before the Crown Solicitor's Office normally concludes a commercial settlement in a case like this it requires the agreement of the consulting agency—in this case, his agency, the Department for Correctional Services?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:07): I never accept anything the Hon. Mr Lucas says as a given.

TASSONE, MR B.

The Hon. R.I. LUCAS (15:08): I have a supplementary question. I understand the minister will take that on notice. Can the minister indicate whether, during the discussions between the Crown Solicitor's Office and his department in relation to this commercial settlement, his office—that is, his ministerial office—or he himself was advised by senior officers in the department about proceedings in relation to the possible settlement of this claim?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:08): I am happy to take that on notice but, to the best of my knowledge, no.

MASSCHALLENGE

The Hon. T.T. NGO (15:08): My question is to the Minister for Manufacturing and Innovation. Can the minister tell the chamber about the success of the South Australian start-ups participating in the MassChallenge program?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:08): I thank the honourable member for his important question and his very strong interest in these areas. The government is committed to supporting innovative entrepreneurs and start-ups to thrive here in South Australia through a wide range of initiatives, including the South Australian Early Commercialisation Fund, Venture Capital Fund and Gig City Adelaide. This is laying the foundation required to create new jobs and industries in this state.

In addition to this we have also attracted the Bridge to MassChallenge program to South Australia. MassChallenge is a US-based not-for-profit start-up accelerator program that provides support for potential start-ups and entrepreneurs. I understand that, to date, some 1,211 MassChallenge alumni have raised over \$1.8 billion in funding, generated \$70 million in revenue and created over 60,000 direct and indirect jobs. The state government committed \$280,000 to become a founding partner in the Australian Bridge to MassChallenge program, providing South Australian entrepreneurs with an opportunity to participate in one of the largest accelerator programs on the planet.

The South Australian contingent of teams have excelled as they have progressed through the program. Out of the five teams from South Australia that went to the national competition, out of 15 in total, four made it into the top 10 to attend the five-day boot camp in Boston in February 2017. That's more participants than any of the other participant cities, namely Sydney and Melbourne. This result really demonstrates the high quality of start-ups coming out of South Australia.

I understand that the teams had the opportunity to attend the Boston five-day boot camp and participated in a wide variety of training sessions and networking events that enabled them to connect with some of the world's most accessible mentors, investors and entrepreneurs. The five days culminated in a pitching competition on the last day. Of the four South Australian teams that went to Boston to pitch it out at the five-day boot camp, two teams made it through to the Boston top five. I particularly want to congratulate South Australia's James Stewart from Kick.it, an evidence-based platform that helps smokers kick the habit, and Selena Woodward from Edufolios, a start-up empowering educators by placing their statutory evidence requirements into a framework on an IT system.

Having these two ambitious Australian start-ups make the top five in the Bridge to MassChallenge boot camp in Boston is a great endorsement of the quality of start-ups coming out of this state and our evolving entrepreneurial ecosystem. South Australia is punching above its weight when it comes to support being provided to foster innovation, entrepreneurial creatives and those who have the potential to not only deliver significant economic opportunities, but who look to revolutionise the way society interacts in our state.

The two successful South Australian teams will now compete for a place in one of MassChallenge's five world-class accelerators in the US, Mexico, Switzerland, Israel or the UK and for a piece of the globally renowned shared prize pool of more than \$3 million. I look forward to keeping the chamber informed of the outcome of the next round of success of the South Australian entrepreneurs doing us proud in the US.

OAKLANDS ESTATE GROUNDWATER CONTAMINATION

The Hon. M.C. PARNELL (15:12): I seek leave to make a brief explanation before asking a question of the Minister for Sustainability, Environment and Conservation in relation to groundwater contamination near the Oaklands Estate.

Leave granted.

The Hon. M.C. PARNELL: Just before Christmas, Renewal SA wrote to residents of Mitchell Park and Clovelly Park advising them that the spread of the plume of contaminated groundwater is much worse than first thought. The agency also reiterated its advice to the community not to use bore water for any purpose. Also worrying is the indication that the contaminated plume could soon impact on the Oaklands Estate. Also at risk is the Oaklands Wetland, which is located adjacent to the Warradale Army Barracks and across the road from the Marion outdoor swimming centre.

The wetland is home to a diversity of wildlife, including birds, aquatic life and protected species; however, the key purpose of the wetland itself is to clean and supply water to parks and gardens in the Marion council area. It is described by council as a 'water farm'. My questions to the minister are:

1. What arrangements are in place to protect the Oaklands Wetland from the contaminated plume, which is now just two or three blocks away?
2. What impact will groundwater contamination at Oaklands Estate have on the aquifer storage and recovery program at the wetlands?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:13): I thank the honourable member for his most important questions and his ongoing interest in this subject. In terms of the greater extent of the plume and its movement, I think it is moving in a couple of directions, south-west and north-west, but generally west, as you would expect groundwater to move in that part of Adelaide. Indeed, across the floodplain that was Adelaide, the normal groundwater movement is in a westerly direction. Sometimes, for local-specific reasons such as former creek beds being covered up by glaciation events and other inundations which have deposited levels of topsoil over the eons, you get localised movement in different directions, occasionally. However, normally it would then resume its westerly direction towards the gulf.

We are talking about groundwater contamination of TCE in this situation, and remember, from our discussions about this substance in previous years, it has essentially been a contamination of the topsoil, which has soaked down into the groundwater in many cases, mainly around institutions that used TCE for industrial purposes: car crash repair shops, car production in many guises, drycleaners as well, and indeed I think I have reflected in this place that in my younger years, as a laboratory assistant, I used to use it to dissolve the wax out of my pathology slides and I would be dipping my hands into this material at the same time.

The other thing to remember about this substance is that it is incredibly volatile. When it comes into contact with the air, it essentially evaporates. Of course, it is also incredibly diluted when it comes into contact with groundwater. So, the concern in terms of this substance of TCE in groundwater is largely limited to two instances. One is when that groundwater is utilised through bores for drinking water purposes, and that's why there are advisories out to residents generally right across Adelaide, where there may have been industrial uses of this chemical in the past, not to use bore waters, particularly not to use them in any situation for drinking water supplies in metropolitan Adelaide.

The other issue of concern, as we saw in previous times, was in terms of vapour intrusion up through the soil and into the crawl spaces under houses. Again, that was very dependent upon the construction of the house, whether in fact it was a concrete slab on ground or whether it had a protective plastic membrane under that concrete slab, or if there were an elevated crawl way or walkway underneath that allowed the appropriate ventilation under floor. The contamination issues were really limited to those houses in the Mitchell Park/Clovelly Park areas which had concrete slab on ground, with no protective membrane. I can vaguely recall that the concern production period for those sorts of houses was in the mid-1980s through to the mid-1990s. Subsequent to that, regulations were brought into place to provide for protective membranes under those concrete slabs, which prevented these problems.

To come to the gist of the honourable member's question: is there going to be any concern with the contact of the groundwater into the wetlands, I have no advice to that question about whether there will be concerns or whether in fact there will be any connection between the groundwater and the wetlands. I am not sure that that's the case. I will have to take that on notice and bring back a response.

In any event, if there were, and again I will get some certain scientific advice from my agency about this, my expectation would be the further dilution of the chemical and the opportunity for evaporation will see that that chemical has absolutely no impact on the water. That would be my expectation but, again, I must hesitate to advise the council. I have no formal scientific training in that area, other than having used this chemical myself in the past in a laboratory.

I will seek a response from my agency for the honourable member and for any community members who might be concerned. My expectation is that any contact of this chemical from groundwater into any surface environment would lead to a very rapid evaporation and therefore be of no concern. But I will follow up and get an answer for the honourable member.

TREATY COMMISSIONER

The Hon. R.I. LUCAS (15:18): I seek leave to make a brief explanation prior to directing a question to the Leader of the Government on the subject of a Treaty Commissioner.

Leave granted.

The Hon. R.I. LUCAS: The minister today issued a press release indicating that a Dr Roger Thomas had been appointed as a Treaty Commissioner in South Australia. A Department of State Development functional organisational chart issued on 16 February this year indicates that in the Aboriginal Affairs and Reconciliation section of the minister's department there is a Roger Thomas who is listed as the manager or director of Aboriginal Heritage. My questions to the minister are:

1. Is the Roger Thomas who is in the minister's department, as either the manager or the director of Aboriginal Heritage, the same Dr Roger Thomas who has been appointed a Treaty Commissioner?

2. If so, can the minister clarify whether Dr Roger Thomas would be continuing in the full-time position of manager or director of Aboriginal Heritage, or whether the Treaty Commissioner is a full-time position, or whether it is the intention, if it is the same person, for that person to fill the position of Treaty Commissioner whilst at the same time fulfilling the full-time position of director or manager of Aboriginal Heritage within the minister's department?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:19): The answer to his first question is yes, and second question is no.

The Hon. R.I. Lucas interjecting:

The Hon. K.J. MAHER: Yes and no to questions 1 and 2. They are your answers.

TREATY COMMISSIONER

The Hon. R.I. LUCAS (15:19): Supplementary question: in relation to the second question, that is—

The Hon. K.J. Maher interjecting:

The Hon. R.I. LUCAS: —will he be continuing in any—

The Hon. K.J. Maher: No. No.

The Hon. R.I. LUCAS: Can I finish the question first?

The PRESIDENT: Yes; allow him to finish the question.

The Hon. R.I. LUCAS: Can I finish the question?

The Hon. K.J. Maher: No.

The Hon. R.I. LUCAS: I can't finish the question? Can I finish the question, Mr President?

The PRESIDENT: Just sit down, the Hon. Mr Lucas. I know it's a joke, but at the end of the day, there are certain standing orders and certain procedures that we should abide by. The Hon. Mr Lucas is asking a question, at least have the respect to listen to that question before you answer it.

The Hon. R.I. LUCAS: Will Dr Thomas be continuing any part-time role in relation to his Aboriginal Heritage position? The minister has said that he won't be continuing in a full-time position, but will he continue in a part-time role in Aboriginal Heritage or has he resigned from the position of

director or manager of Aboriginal Heritage, has no role there and will be a full-time Treaty Commissioner?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:20): I thank the honourable member for his question. My understanding is, yes, it is a full-time position for Treaty Commissioner, so he will not be doing his role after that, is my understanding. If that is any different, which I am almost certain it is not, I will come back and let you know.

TREATY COMMISSIONER

The Hon. R.I. LUCAS (15:21): Supplementary: given that he's been appointed as Treaty Commissioner, can the minister confirm that he has resigned his position as director or manager of Aboriginal Heritage? Secondly, can he confirm what the remuneration package is to which he has been appointed as Treaty Commissioner?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:21): I'm happy to take those questions on notice in terms of the exact timing of when he finishes one and formally starts the other and the remuneration for the new position. I don't have that information with me. They are generally things that are left to the department to organise but I am happy to take that on notice and bring an answer back for the honourable member as soon as is humanly possible.

STORMWATER MANAGEMENT

The Hon. J.M. GAZZOLA (15:22): My question is to the Minister for Water and the River Murray. Will the minister inform the chamber about the recent announcement that the government will contribute up to \$70 million to implement the Brown Hill Keswick Creek Stormwater Management Plan?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:22): My answer is yes, Mr President. Brownhill, Keswick, Glen Osmond and the Parklands creeks are important drainage water courses in metropolitan Adelaide. The creeks have, of course, a history of flooding and a low standard of flood protection generally and, therefore, are relatively high flood risks for communities. Their combined catchment is mainly contained within the local government areas of Adelaide, Burnside, Mitcham, Unley and West Torrens.

I am advised that since 2006, West Torrens, Unley, Burnside, Mitcham and Adelaide City councils have investigated how to reduce the flood risk of around 7,000 homes and businesses from a one in 100 years flooding event in their region. I am pleased to advise the council that the South Australian government, along with the councils of West Torrens, Adelaide, Unley, Burnside and Mitcham, have reached an historic \$140 million agreement to fund the Brown Hill Keswick Creek Stormwater Management Plan.

The plan is a culmination of more than 10 years of planning, I am told. It is endorsed, of course, by the Stormwater Management Authority and has broad community support, as you would expect from such wideranging consultation. The state government has agreed to fund up to 50 per cent of the project, currently sitting at around \$70 million as our share, with the remainder to come from local government, at least at this stage. We're still waiting for confirmation, if the federal government will be vaguely interested in supporting this very important infrastructure program, given the importance of avoiding flooding to many areas of national interest, that being the airport, transport corridors and freight corridors.

The Brown Hill Keswick Creek Stormwater Management Plan, once fully implemented, will deliver a broad range of benefits to communities in the catchment. It means a significant reduction in the risk of flooding, as I said earlier, and serious water damage to houses and businesses in the event of a one in 100 years, or even a one in 50 years flood.

We also expect to see an overall benefit of at least, I am advised, \$240 million in terms of damage mitigation from flooding, minimisation of disruption to businesses, mitigation of infrastructure

damage and water quality amenity benefits across the catchment; a reduction in cost impacts to the Adelaide Airport of between \$15 million and \$56 million, depending on the modelling (and of course this is something I think the federal government should be very concerned about); the creation of up to 73 full-time jobs during construction; a potential reduction, hopefully, in the average home and contents insurance for residents living in the catchment area because of the reduced threat of flooding because of the infrastructure spending; and increased certainty for future industry investment across the catchment area.

Key works, I am advised, for the infrastructure investment include the South Parklands and Glenside detention basins, and I am speaking to mayors about whether they can be very early cabs off the rank in terms of detailed designs and beginning of the infrastructure, given that they will be constructed, in the main, on public land; Lower and Mid Brownhill Creek upgrades, which are much more problematic because a lot of that will require the assent and cooperation of private landowners; flow diversions from Keswick to Brownhill Creek; Ridge Park detention basin, which has been completed and was the site of our announcement this week, undoubtedly will be a great place to show residents what amenity can be created by this sort of infrastructure, which will be essentially in many residents' backyards; a diversion culvert at Goodwood railway junction; Glen Osmond Creek upgrade works; Mount Osmond interchange dam modification; and upgrades to critical sections of Upper Brownhill Creek.

It is not too fine a thing to say that this is a fantastic day for state government and local government cooperation in our state, and it is a great day in terms of the agreement to forge ahead with this infrastructure spend. Unfortunately, as I indicated earlier, we are somewhat let down by the federal government not wanting to be a party to this plan and not wanting to share what I think is their fair share of funding. It would be very simple for them to agree to go one-third, one-third, one-third, with the federal government, state government and councils putting in an equal amount.

Despite, as I mentioned earlier, the significant long-term benefit to our community in South Australia and Adelaide, and the requests from both state and local government directly to the feds, the federal government has refused time and time again to support this project financially. I note the complete lack of advocacy and effort from the Liberal opposition in this place. Perhaps they are too scared of their federal counterparts to speak up on behalf of South Australia; we have seen that before. We hear virtually nothing from them. Whilst this is very disappointing, it is just another example, I think, of the Liberal Party in South Australia failing to stand up for South Australians and our interests.

We are, of course, getting on with the job and rolling out the infrastructure upgrades anyway. It is very important to see the very strong support from the member for Waite, minister Hamilton-Smith, in the other place. At least he is prepared to put his community's interests first, the interests of his area and his electors. He is prepared to stand up for South Australians and put South Australians first, but not the Liberal Party in South Australia.

Again, they are such a supine bunch. They have no backbone. They just do whatever Chris Pyne, the member for Sturt, directs them to do, and that is: don't criticise the federal government on any terms. Do not ask the federal government for any money, whatever you do, in the interests of South Australians, because they aren't going to give it to you. That is the state Liberal Party here; they are a basket case. Of course, we don't stand around waiting for gifts from the federal government. We don't stand around waiting for the Liberals in South Australia to step up and support South Australians, because it just won't happen.

I would like to thank the Lord Mayor, Martin Haese, Mayors David Parkin, Glenn Spear, Lachlan Clyne and John Trainer, and Stormwater Management Authority Presiding Member, Mr Stephen Hains, for their ongoing support for this project and for joining me at the announcement this week. I would like to make special acknowledgement of federal members Steve Georganas and Kate Ellis, who advocated for financial support from the federal government and persuaded the opposition to promise, should they be elected, to pay for their fair share as a federal government and go one-third, one-third, one-third with state government and local government.

That is to their credit and speaks to their clout as Labor members in the Labor opposition, unlike Liberals in this state who have absolutely no weight, absolutely no persuasive ability with the

federal Liberal government. We can't even get them to agree to such an important infrastructure spend that protects not only the residents, communities and businesses of Adelaide, but also important commonwealth land and commonwealth assets. They have absolutely no interest in standing up for South Australians in this regard. Steve Georganas—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: Steve Georganas, the member for Hindmarsh, in particular, has been a staunch advocate for this project. As I said, in the lead-up to the federal election in 2016 he managed to secure a promise from the federal Labor Party of about \$40 million for this project, and that is a fantastic and substantial contribution from what could have been a fantastic federal Labor government, but not matched by the Liberals. If they have any sense of being a party that will stand up for South Australians, I implore them to go and talk to their federal Liberal counterparts and say, 'Fair's fair, come on and get on with sharing the burden of investing in this important flood mitigation infrastructure.'

This government at the very least, this state Labor government, is committed to investing in infrastructure, creating jobs (I am advised that about 73 jobs will be created as a part of some of this infrastructure build), and keeping South Australians safe and their properties safe into the future. The Brown Hill Keswick Creek Stormwater Management Plan is another great example of this.

I do encourage the councils, now having reached agreement on the finances and the spend, to rapidly put in place the council subsidiary that will manage this infrastructure in the coming years. It is something we need to get on with and bring into place before the end of the year.

STORMWATER MANAGEMENT

The Hon. J.A. DARLEY (15:31): Can the minister advise the basis on which the councils will participate in this, how their proportion of the \$140 million is to be shared by the councils?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:31): This is a brilliant question, and I thank the honourable member for his insight. A long-time sticking point has been to try to get councils at the up end of the stream to actually invest in programs and infrastructure down at the bottom where most of the impact will be, for instance, in West Torrens.

A lot of the impediments to an early resolution have been caused by councils higher upstream than those downstream. I remember the Mayor for West Torrens, John Trainer, a former member of the other place—in fact, a former speaker I think in the other place—lamenting at great length that, even though the residents of West Torrens, through their council, are prepared to invest in infrastructure projects, not just in West Torrens but further upstream, councils such as Mitcham and Unley were not prepared to invest their ratepayer funds in mitigation work further downstream.

It echoes the problem we have with the federal Liberal government and the New South Wales and Victorian states over the River Murray. Upstream states don't care what happens in South Australia, don't fight for our interests. Federal Liberals in the commonwealth government don't care what happens to South Australia in terms of the River Murray. In exactly the same parallel fashion, people upstream of West Torrens, where a lot of the flooding will be (there will be flooding elsewhere), don't care. That has taken us 10 years to resolve.

I am very pleased to say to the Hon. Mr Darley that we have overcome that hurdle. It is not a question now of just funding projects in your local council area but of seeing the catchment as a whole system, and we will be investing accordingly.

Motions

HANSON, HON. J.E.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:33): By leave of the council, I move:

That this council welcomes the Hon. Justin Hanson, elected by an assembly of members of both houses this day to replace the Hon. G.A. Kandelaars, resigned.

Leave granted.

The Hon. K.J. MAHER: This motion is to enable our newest member to deliver his inaugural address, but it also provides an opportunity to congratulate the Hon. Justin Hanson on his appointment to this place. Together with his family and friends gathered in the gallery, and all members in this chamber, I share in the pleasure of seeing this new member appointed to the Legislative Council, taking his position on these benches.

The Hon. Justin Hanson has been a member of the South Australian Labor Party for about 15 years, and I reckon I have known him for pretty much all of that time. I have come to know the Hon. Justin Hanson and his family very well over the years. He is a proud son, a dedicated husband and a doting dad. I have shared heaps of debates, strategies, beers, meals and chuckles with him over the years. I know he has a passion and a desire that will help him fulfil his role within the parliament in a way that promotes fairness, justice and equality.

The Hon. Justin Hanson comes with a deep insight into what it means to represent the community. He has worked on many successful election campaigns, and he has used some of those lessons that he has learnt from those campaigns and applied them to his own foray into public service, where he was elected to the Tea Tree Gully council. So, he has a very good understanding of what it means to represent constituents and what will be required of him in this place in representing the people of South Australia.

The newly appointed member's life experiences have prepared him well for his new career. He began his working life as an industrial officer in the Australian Workers' Union and will proudly tell you about the many battles he fought on behalf of working people, his union members. Such jobs are at the front line of the Labor movement, and I know he will continue to work just as hard in this place to advocate for better outcomes for working South Australians and all South Australians. I welcome him to this chamber and look forward to his inaugural address.

The Hon. J.E. HANSON (15:35): I know it has already been said in this place today, but I want to say again that we gather today on the land of the Kaurna people and that this nation always was and always will be Aboriginal land.

Before I speak about my own story, I want to say a few words about the Hon. Gerry Kandelaars. Gerry's tireless advocacy for workers, for equality and for fairness in the social, industrial and political realms has elevated us all. He is a unionist of the highest calibre, and a fundamentally decent person. I greatly regret the circumstances that have led to his resignation. I wish him and his wife all the best in their journey to come.

For new members, there is a lot to learn in this place. I thank the Parliament House staff, the office holders and my parliamentary colleagues for all their assistance as I settle in. I also thank the people who have travelled to come along to hear me as I give my first address in this place. I make particular mention of Anna, who has travelled all the way from America at very short notice to be here in person. I thank you all, and thank you, Anna.

Nobody comes to this place on their own. Firstly, I would like to thank my parents. To my father, who may need no introduction to many people in this place, your cast-iron values were never up for discussion and, to me, were a harsh but fair guide for who I am today. Integrity is a word which, unfortunately, is not very often used in politics these days, but it is my view that my father wrote the book on it.

To my mother, your work with young children in early education brings light to so many lives. Like so many others since, you taught me the importance of letters, numbers, and the power of words. I hope today's speech gives more strength to your arm, mum. I will always remember how understanding you were about me wanting to read the same book every single night as a young child. It sums it up to say that, to me, in some way, you and I will always be on that holiday with Father Christmas.

I genuinely thank those people who have joined me today for their support and friendship—my great comrades: Paris, Larissa, Scott, John and Ryan from the council, and in many ways my other wife, Lucas, from the council also, as well as my extended family: Susie, Ben, Karen and Pete.

I want to extend my thanks to the South Australian Labor Party for the opportunities it has given me and its significant influence on my values and my character. The privilege of being part of a successful and dedicated team of parliament is not in any way lost on me. I also thank the South Australian union members who support their union and their fellow workers every day out there in the real world. To hold the position of shop steward or delegate, or just to give your time to another worker, is one of the greatest small tasks that any person can perform.

To the various unions that I have toiled alongside in the often thankless and overworked tasks we perform, you are all a credit to yourselves. In particular, I mention the mighty AWU and those who currently work as organisers: Scott, Gary, Cleofe, Nathan, Mick, Joe, Frank and Trish. Thanks for the memories, comrades.

To many of my fellow elected members at the City of Tea Tree Gully with whom I formed excellent working relationships right across the political spectrum in South Australia, our exceedingly productive chamber and the great things that we accomplished for our city demonstrate that good comradeship can in fact transcend ideology. To the people who have served, at one time or another, throughout my life as valued mentors in personal, professional and political life—and in particular I mention Peter Lamps, Tony Zappia and Michael Ats and, more recently, Con Michalakis—you have all made an indelible mark on my character, and I deeply thank you.

There are many people I have come to know through politics who have become true comrades and friends. In particular, I want to mention my most loyal and cherished among those friends, John and Matt. I cannot thank either of you enough for all you have ever given me over the many years of our friendship. I thank you here. Last but by no means least, I thank my brother, Marcus. He cannot be present here today for reasons outside his control. Mate, I know you will be listening to this. As far as I am concerned, you are here, and I thank you for everything we have shared over the years.

It is expected that in your maiden speech to parliament you define something of who you are and where you have come from. To this end, I can say that my mother worked in a shoe store and in early childhood education, while doing the hard work of raising two boys, and I can tell you that we were not easy. I can also say that my father was a toolmaker and then a union leader by trade. I have found a love of governance and legislation through my study of law at Adelaide University and my involvement in local government, first with the Australian Workers' Union and, of course, more recently with the Tea Tree Gully council.

My work with the council with both elected members and staff has been a great source of joy for me. I know that many here will regard that kind of sentiment as perhaps a little odd or quaint, but I have learned that councillors can help their constituents in ways that seem small to the critics but, in fact, make a huge difference to people's quality of life. I am intensely proud of the ways in which I was able to help my community, and I look back on those years fondly.

I have also been fortunate enough to work in the great success that is the Australian superannuation industry, as a director for the Statewide Superannuation Trust. It is a fund that has its operations based entirely in Adelaide, has investments in this state and looks after almost \$7 billion in pensions and investments for over 100,000 South Australians. My time as a director has taught me a great deal, and I have made a lot of great friendships with colleagues that I hope will continue long after my departure. I am ever thankful for that experience.

My family and I now reside in Modbury. My family consists of my understanding and loving wife, Alex, and our energetic and inquisitive young son, who is now three years old. I take this moment to pause and recognise that in my duties in my role at the union, as a director and as an elected member at the council, I have often been away from home and my family for a long time. Alex, like so many other women in today's workforce, has been forced by circumstance to play the demanding role of primary caregiver in addition to maintaining her career.

Whilst I use this opportunity to extend my love and my thanks to Alex for all the help and time she has put into my career and our family, I also use this opportunity to express that it is a role that

I wish could be very different, not just for Alex but for all parents who are primary caregivers and who pursue a career in addition to a family.

In 2017, men make up only about 3 per cent of Australians who have the primary caregiver role at home. While we have seen welcome legislative activity in the area of equal pay, these numbers quite simply do not lie. There is a failure in other areas of change towards equality. Among the many things I look forward to doing in this place, foremost is working to find more ways that caregiving can be more equally shared by both parents.

I was raised in the western suburbs of Adelaide back when living near a beach was not as desirable as it seems to be these days. While the exact location of one of my earliest memories as a young child is lost to me, I do recall that it was in fact on a beach. Judging by the memory of my height compared to that of the waves, I think I was possibly about four or five years of age. I was keen to wander into the waves, but I was afraid of how loud they were. The sound of the surf was immense, but my father, who was a battle-hardened surf lifesaver in his day, was keen to get me acquainted with the reality of those waves. He took my hand and that of my brother and he led us in.

Needless to say, in a contest between a two foot nothing kid and the waves and pounding surf, it did not end well. Within a very short period of time, I was, of course, dumped by a wave. This was compounded by the unyielding grip of my father on my hand, and then as I ingested about two pints of seawater and sand, I was suddenly yanked out of the surf by one arm into the air and deposited on the beach.

Needless to say, this could have been a very formative experience of a different kind but after checking that we were okay dad said, 'Just remember, boys, that's how life will treat you if you let it. Find your feet. Don't be afraid of the waves. If you see your brother get sucked under, go out and help him.' I didn't go back into the ocean that day; instead, I sat on the beach with mum and I looked at it and watched the surf pound all day. While I did not end up aspiring to be a surf lifesaver like my dad, I never forgot those words. I have always aspired to find my feet, be it in education, work, public life or in the waves that sometimes knock us all down from time to time, but in doing so it has become clear to me that I have enjoyed significant privilege throughout my life.

The story I bring to this place is not one of great adversity or lost opportunity. I did not come to this place with some sort of poverty hanging around me and I do not have a disability. Unlike many in our society affected by change I did not have a moment in my life where I felt that everything hung on a knife edge. The story I bring here is essentially the payment of a debt, not a financial debt as I am sure I will hear many debates about here, and not a debt you might think of where a child knocks over a box of cornflakes at home, this debt is something more than that.

My father and mother were born into that greatest of Australian rural towns—Broken Hill. As was the usual run of things in Broken Hill, my father and my mother were the son and daughter of miners. Unlike where I grew up in the western suburbs, Broken Hill does not have very many beaches. However, like the mines that led to its creation, it is a town rich in so many other ways. On family visits to Broken Hill my mother would often recite, as we drove past a particular street or house, the history of the family who lived there, including their position in the mine, whether they were a manager or a worker and how they got on with their neighbours and other workers in the street.

Whilst I did not understand it fully at the time, my mother also spent untold hours immersing me and my brother in the libraries, museums, exhibits, monuments and everything educational around town. During my childhood, and even today, my father and my mother would speak passionately about the virtues of a life in a bustling industrial town. They recall the great wealth that supported their education and their participation in a rich community life which involved all the attributes enjoyed by those in capital cities at the time. It was a life that opened doors of opportunity for them that had never been opened for their parents.

However, they will also speak of the great tragedies, especially injuries and deaths. These led to the creation of tight-knit families and neighbourhood bonds amongst the workers, bonds that saw them share their wealth in times of adversity, bonds that prized community standing above financial wealth, bonds that contributed to the formation of some of the strongest unions this country has ever seen.

In the decades surrounding the birth of my parents, mining, like many industries that we see today, was in a period of change. As a teenager, I clearly recall spending time in my grandfather's sheds. I would be looking at the hand drills, machine parts and empty explosive boxes that were the tools of trade only a few decades before my life began. It is a truly humbling glimpse into history to know that my grandfathers were literally on horsedrawn carts using hand tools to extract the wealth that contributed to building the profits that fostered the largest mining company in the world. As fate would have it, my wife's grandfather, halfway across the world in the Appalachian foothills, also began his work using those same hand tools in a town where there was literally no other work to be had.

The advent of diesel-powered mining equipment and the move towards mechanised underground mining resulted in a decline in the amount of human labour required. As the largest mining company in the world severed ties with the town that gave it birth and global markets for commodities shrank or became unstable, mining companies also consolidated their mining leases and the number of operators changed from several dozen to less than a handful.

While the town, the life, the culture and the history remain, many of the town's residents, like my mother and my father, were forced to look elsewhere for opportunity. I do not mention my experience of Broken Hill as some kind of cautionary tale where people should pull themselves up by their bootstraps when change arrives. It is actually quite the opposite. It is an example of the kind of personal sacrifice and love for community that are the ideals upon which opportunity can arise.

Quite simply, I am here today because my grandfathers toiled long hours underground in a mine. I am here today because my father did not have to follow them down that mine. I am here today because my father and my mother both knew the value that opportunity could provide to their children. I am here today because of the hard work and the sacrifice of those who came before me and because of the kind of love which leads to that kind of sacrifice.

Through my work with the Australian Workers' Union, I have met many South Australians who are now facing the more recent effects of industrial transformation and change. I pay no small tribute to my father, Wayne Hanson, for his role in leading the AWU during these times of change. It is in tough times that we all wish most earnestly for greener pastures. I know that while many have found dealing with my father to be one of the toughest times you can have, I assure you that it is only that way because he is giving you the same advice he gave to me all those years ago: find your feet, don't fear the waves, and if you see someone getting sucked under go and help them.

I was listening to the television this morning and I heard a clip of the late, great Robin Williams in which he told his dad, 'I'm going to be an actor.' His dad said, 'Make sure you take up a secondary profession, like welding.' When I told my father I was interested in politics, he said, 'Make sure you take up a secondary profession, like law.' So I did. He has always strongly encouraged me in my academic pursuits.

I also recall my father often telling me something else, though, and that is that you do not need a university degree to understand when you are getting screwed. The value that fighting for workers brings to your life is not a degree and it is not a qualification, but it will teach you something you will not find in a textbook. I will never understand the opposition to trade unions fighting for better working lives for millions of Australians. I will never understand the belief that, in some way, this fight has ended or that workers in industries do not need the leadership that industry unions provide.

The AWU is one of Australia's oldest unions. Throughout the history of this nation and this state it has played a key role in many of the pivotal moments of Australia's political, social and economic life. In a complex, integrated world, global problems become our industry problems. Climate change and technology change now occur faster than established industry can adapt and faster than workforces can be reskilled.

In my time with the union, many changes have impacted on the industries that the AWU represents. To cite such companies as Castalloy, Caroma, Arrium, Penrice, Holden, Electrolux, National Foods, Santos, Adelaide Brighton Cement and Nyrstar is to give but a short list of those companies whose workers the AWU has fought for in my short time with the union. Some of those battles we won and some of them we lost, but I am proud that the union was there to fight for its members, regardless of the outcome.

Be it through industry assistance, job programs, reskilling or promoting development of new industries, I am also proud that the Labor Party has been there too. I am also proud that the Labor Party has supported the wages and the system of conditions that many unions fought for—topical things like penalty rates, superannuation and enterprise agreements.

I am certain that my father never wanted to be a miner, and I am certain that my mother is happy not to have a miner for a husband. Generational change in terms of the workforce is actually a good thing. It is a healthy thing. However, how we regard those people who are affected by such change, what opportunities we provide to them and how much, as a society, we are willing to strengthen the safety net for them is a measure of us all.

It is my experience that workers in exposed industries would not like a handout in preference to their jobs. They like that hard work is its own reward. They like that they can work hard to provide for their families. Workers do not expect to be immune from the realities of transition and change, but increasingly they see this change as a one-way street. The kind of one-way street where their boss earns 20 times what they do; the kind of one-way street where their job gets exchanged for someone who will earn 10 times less.

In many ways, it is an understanding of these matters that has always attracted me to the Labor Party. There is a fundamental belief in the Labor Party that a good job, a secure job, and a job that provides meaning to yourself, your family and your community, is something that should be within the reach of all Australians. The Labor Party has always rejected the idea that a race to the bottom, where you only ever worry about your own job, your own pay and your own career, and where everyone else in the workforce is regarded as a competitor, is not compatible with a growing economy that also promotes social, environmental and cultural wellbeing. It is vital that governments continue, and the private sector continues, to play a role in investing in and supporting Australian industry in our cities and our regions.

It has been most heartening to me in recent times, and for many of those I have spoken to in the regions, to see our state government's most recent \$50 million commitment to supporting the workers of Whyalla through the Arrium administration. That kind of support and outstanding commitment built on the state government's previous underwriting of the significant redevelopment of the smelter operations at Port Pirie.

In the Labor Party we know that there is much we can do to protect our jobs and our way of life. We know that there is much we can do to preserve the livelihoods of those now and the future of those yet to come of the South Australian workforce. The opportunity to be among the decision-makers who take those steps, who make those policies, is a most gratifying fulfilment of my lifetime of aspiration to make a difference for working people and their families.

This opportunity is the repayment of that debt. It is what the sacrifices of my grandparents and my parents have enabled me to do. I owe a great debt to them and I will repay it on behalf of all the families, just like mine, who have made the same sacrifices, but have not had the same opportunities that I have. Those families can be found in every city and every town, all across this state. It is a great and humbling privilege to represent them in this place and I will never, not for one minute, take that privilege for granted.

Honourable members: Hear, hear!

Motion carried.

Sitting suspended from 15:57 to 16:11.

Parliamentary Committees

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:11): By leave, I move without notice:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. J.E. Hanson be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:11): By leave, I move without notice:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. J.E. Hanson be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:11): By leave, I move without notice:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. J.E. Hanson be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

STATUTORY AUTHORITIES REVIEW COMMITTEE

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:11): By leave, I move without notice:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. J.E. Hanson be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

The Hon. K.J. MAHER: By leave, I move without notice:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. T.J. Stephens be appointed to the committee in place of the Hon. S.G. Wade (resigned).

Motion carried.

NATURAL RESOURCES COMMITTEE

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:12): By leave, I move without notice:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. J.M. Gazzola be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

Parliamentary Procedure

STANDING ORDERS SUSPENSION

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:12): I move:

That standing orders be so far suspended as to enable me to move a motion without notice concerning the replacement of a member of the select committees on budget and finance and the state government's O-Bahn access project in place of the Hon. G.A. Kandelaars (resigned).

Leave granted.

*Parliamentary Committees***BUDGET AND FINANCE COMMITTEE**

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:13): I move:

That the Hon. J.E. Hanson be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

SELECT COMMITTEE ON STATE GOVERNMENT'S O-BAHN ACCESS PROJECT

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:13): I move:

That the Hon. J.E. Hanson be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

*Parliamentary Procedure***STANDING ORDERS SUSPENSION**

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:13): I move:

That standing orders be so far suspended as to enable me to move a motion without notice concerning the replacement of a member of the select committees on the sale of state government owned land at Gillman and compulsory acquisition of properties for north-south corridor in place of the Hon. G.A. Kandelaars (resigned).

Leave granted.

*Parliamentary Committees***SELECT COMMITTEE ON SALE OF STATE GOVERNMENT OWNED LAND AT GILLMAN**

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:13): I move:

That the Hon. G.E. Gago be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

SELECT COMMITTEE ON COMPULSORY ACQUISITION OF PROPERTIES FOR NORTH-SOUTH CORRIDOR UPGRADE

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:13): I move:

That the Hon. G.E. Gago be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

*Parliamentary Procedure***STANDING ORDERS SUSPENSION**

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:13): I move:

That standing orders be so far suspended as to enable me to move a motion without notice concerning the replacement of a member of the Select Committee on Administration of South Australia's Prisons.

Leave granted.

*Parliamentary Committees***SELECT COMMITTEE ON ADMINISTRATION OF SOUTH AUSTRALIA'S PRISONS**

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:14): I move:

That the Hon. J.E. Hanson be appointed to the committee in place of the Hon. J.M. Gazzola (resigned).

Motion carried.

PRINTING COMMITTEE

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:14): By leave, I move without notice:

That the Hon. J.E. Hanson be appointed to the committee in place of the Hon. G.A. Kandelaars (resigned).

Motion carried.

JOINT PARLIAMENTARY SERVICE COMMITTEE

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:14): By leave, I move without notice:

That pursuant to section 5 of the Parliament (Joint Services) Act 1985, the Hon. J.M. Gazzola be appointed as the alternate member to the honourable President on the Joint Parliamentary Service Committee and the Hon. J.E. Hanson be appointed as alternate member to the Hon. T.T. Ngo.

Motion carried.

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

That a message be sent to the House of Assembly transmitting the foregoing resolution.

Motion carried.

*Bills***STATUTES AMENDMENT (SURROGACY ELIGIBILITY) BILL***Final Stages*

Consideration in committee of the House of Assembly's message.

(Continued from 15 February 2017.)

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

That the House of Assembly's amendment to the Legislative Council's amendment No. 1 be agreed to.

Motion carried.

CRIMINAL LAW CONSOLIDATION (MENTAL IMPAIRMENT) AMENDMENT BILL*Committee Stage*

In committee.

(Continued from 16 February 2017.)

Clause 2.

The Hon. P. MALINAUSKAS: I was hoping that I could take the opportunity to speak to a number of questions taken on notice during clause 1, with the leave of the committee, and respond accordingly.

Leave granted.

The Hon. P. MALINAUSKAS: I take this opportunity to address the questions that were taken on notice on the previous occasion. The Hon. Mr Wade and the Hon. Ms Vincent both sought clarification on whether people who suffer from alcohol-induced brain injury would be unable to utilise part 8A as a result of the government's proposed amendments to the act. My advice is that a person suffering from an alcohol-related brain injury would not be able to rely on the provisions contained within part 8A. As the mental impairment was caused by self-induced intoxication, it is irrelevant whether the person was intoxicated at the time of the alleged offending.

The Hon. Mr Wade and the Hon. Ms Vincent both also sought clarification about whether people suffering from the effects of foetal alcohol syndrome would be affected because of the reference in the bill to the 'self-induced intoxication'. I can advise honourable members and the council that foetal alcohol syndrome is not self-induced, and therefore a person suffering from this disorder would not be prohibited from utilising the provisions in part 8A as a result of proposed amendments to the act by the bill currently before the house.

The Hon. M.C. PARNELL: I thank the minister for those answers. Whilst they were not questions asked directly by me, they were questions that I chose not to ask because others had asked them. My understanding is that negotiations are still underway between the government and, perhaps, the Hon. Kelly Vincent in relation to her amendments. If that is the case, then my understanding is that we would not be proceeding too much further today.

The Hon. P. MALINAUSKAS: I am happy to disclose to the house that Mr Parnell's description of the status of where things are at is accurate.

The Hon. M.C. PARNELL: If no other members have anything to say, I might move that we report progress.

Progress reported; committee to sit again.

INTERVENTION ORDERS (PREVENTION OF ABUSE) (RECOGNITION OF NATIONAL DOMESTIC VIOLENCE ORDERS) AMENDMENT BILL

Committee Stage

In committee.

Clause 1.

The Hon. P. MALINAUSKAS: I thank members for their second reading contributions on this bill. This is, no doubt, an area of great concern to all of us in the wider community, as evidenced by the significant response to the government's Domestic Violence Discussion Paper, released for consultation last year.

The ability for police and courts to issue intervention orders in South Australia, or for persons to apply for such orders, is of great importance in protecting victims from abuse, including domestic violence victims. The terms of an intervention order, whether interim or final, can include any form of restraint needed to protect the victim from abuse. Similar legislation that allows for the issue of an order to protect victims of domestic violence exists in all jurisdictions.

The current bill seeks to build on these important protections for domestic violence victims in allowing the automatic recognition and enforcement of domestic violence orders anywhere in Australia. It represents South Australia's commitment to working with all other jurisdictions in tackling the scourge that is domestic violence.

The model provisions on which this bill is based were developed by the National Domestic Violence Order Scheme Working Group. The working group consisted of representatives from police services, attorneys-general departments and courts from each state and territory. The model provisions were endorsed by the Law Crime and Community Safety Council and the Council of Australian Governments. The government consulted with both South Australia Police and the Courts Administration Authority on the South Australian draft bill.

The current bill is expected to be followed by further reform in response to domestic violence, arising out of the feedback received to the government's Domestic Violence Discussion Paper, released on 24 July last year. Publishing an unprecedented level of SAPOL data on domestic violence in South Australia, the discussion paper shone a light on the extent of this scourge on our community and posed various topics for feedback from the entire community.

Consultation ran for six weeks and feedback was received through a number of channels, namely, written submissions, a community survey and a sector survey targeted at people working or involved in domestic violence services. In response to the paper, the government received 75 written submissions, 510 responses to the survey targeting community members and 119 responses to the survey targeting people working in the domestic violence sector. Feedback from the sector was also obtained by way of a facilitated two-day workshop for key representatives from the state's domestic violence system.

The large volume of feedback received affirms the importance to the entire community of tackling domestic violence, and we thank those who contributed for their considered, robust and informative contribution to this vital conversation. It has informed the government's next steps in response to many issues in the area, to be canvassed in a response document to be released in due course.

The progress of the current bill has certainly remained a priority for the government, but careful consideration needed to be given to issues raised in the context of this bill, namely, the issue of expiry dates on intervention orders. The government is mindful of giving due consideration to this complex issue, in light of the views of the community, to ensure we get this right. This community consultation occurred via the discussion paper. The government's subsequent response to the amendment will be dealt with later in the committee stage.

The timing of the progress of the bill through the chamber is irrelevant with respect to the expected commencement date of the National Domestic Violence Order Scheme. As the chamber has previously been advised, the scheme cannot commence until the underpinning interim information sharing system, for the sharing of data about domestic violence orders between courts and police, is ready. A common commencement date is being discussed amongst jurisdictions and is expected to be towards the end of this year.

The bill and the model provisions on which it is based, reflects a shared commitment throughout Australia to tackling domestic violence, a commitment which extends past governments and members of parliament to, we believe, all members of the community. I would also like to thank the sector for its ongoing commitment to supporting those impacted by domestic violence and its work with the government in tackling this scourge on our community.

The Hon. A.L. McLACHLAN: I thought I would take this opportunity, at clause 1, to set out the opposition's position as we proceed during the committee stage. The government has filed some amendments to the bill which are technical in nature, which the opposition supports. We are advised that these amendments correct an issue that was identified with the bill which would have had an unintended consequence. The amendments will ensure that interstate domestic violence orders continue to be recognised and enforced in South Australia, and, as a consequence, we will be supporting them.

I will turn my comments to the amendments standing in my name. Members may recall that the opposition moved similar amendments in respect of the Statutes Amendment (Attorney-General's Portfolio) Bill last year. Our reasoning provided at the time is equally applicable to the amendments currently tabled; however, for the benefit of honourable members, I will briefly restate our rationale for moving them. In moving these amendments, the opposition seeks to implement a recommendation contained in the Courts Administration Authority Annual Report 2014-15. The relevant recommendation, which can be found at page 20, states:

Section 11 of the Act provides that an intervention order is ongoing and continues in force until it is revoked. Accordingly, Section 11 does not allow an issuing authority to fix a date for expiration of an intervention order.

Given the high volumes of confirmed intervention orders since commencement of the Act, and that only a very small percentage (approximately 1.6 per cent) of orders are revoked, over time this is likely to result in a substantial number of intervention orders continuing in force which may no longer be necessary, potentially criminalising otherwise lawful behaviour.

The Child Sex Offenders Registration Act 2006 specifies that a control order under that Act remains in force for a period of five years or such lesser period as specified in the order. Given that those orders are for protection, by analogy it might be appropriate to have a parallel clause in the legislation governing protection in the area of domestic violence.

Accordingly, it would be desirable that there be an amendment to the Intervention Orders (Prevention of Abuse) Act 2009 to allow for intervention orders to lapse after an appropriate period of time.

The views of the opposition are consistent with the recommendation made in the Courts Administration Authority's annual report. The opposition amendment seeks to adopt this recommendation providing that intervention orders remain in force for a fixed term of five years or such lesser period as may be fixed by the court.

The amendment further provides that an interim intervention order remains in force until it is confirmed by the court or until it is revoked. The period of five years has been nominated to reflect control orders made under the Child Sex Offenders Registration Act 2006, as recommended by the Courts Administration Authority.

The opposition contends that although ongoing orders were aimed at achieving continued protection for victims, without these amendments it is likely that, over time, the number of intervention orders will continue to accumulate in the system, whilst many of the orders may no longer be needed or wanted by the individuals. The amendments seek to ensure that orders that remain in force reflect the needs of affected parties, while also ensuring that administration of the system does not become unworkable or impossible.

The opposition notes that the issue has been raised as a topic for discussion in the government's Domestic Violence Discussion Paper. However, the opposition takes the view that, for the purposes of consistency and since it has previously put forward this amendment, it will again test the chamber. The opposition is mindful that honourable members have, in recent memory, rejected this amendment for a variety of reasons. I would ask honourable members, as we come to the amendment, if they could indicate their support so that we can perhaps avoid a division.

The Hon. T.A. FRANKS: Given that this bill has now been in this place for over seven months, can the minister advise which other states and territories have passed the corresponding pieces of legislation and which have not?

The Hon. P. MALINAUSKAS: I have been advised that all other jurisdictions have passed it except WA.

The Hon. T.A. FRANKS: In response to the minister's advice at clause 1, I have two questions. He stated that the time frame for commencement of this as a federal scheme is yet to be determined. Will it go ahead even if a state or territory, such as WA, has not passed the legislation, and will that have any bearing on the scheme? It would not be unusual for WA not to have corresponding legislation, given the way they work. Will it be possible to commence this across the country without that state?

The Hon. P. MALINAUSKAS: My advice is that all parties concerned would much prefer a uniform commencement date nationwide, but if that is not able to be achieved due to one jurisdiction—for example, Western Australia—holding out, the act can commence without a jurisdiction being part of the picture.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

The Hon. P. MALINAUSKAS: I move:

Amendment No 1 [Police-1]—

Page 3, lines 16 and 17 [clause 4(2)]—Delete subclause (2)

The purpose of this amendment and amendment No. 2 [Police-1] is to correct an issue that has been recently identified with the bill. At present, a foreign intervention order includes domestic violence orders and non-domestic violence orders from interstate and New Zealand. Once a foreign

intervention order is registered under section 30 of the act it can be enforced in South Australia as if it were an intervention order.

Under the national recognition of domestic violence orders scheme set out in part 3A of the bill, interstate domestic violence orders will be automatically recognised and enforceable in all jurisdictions. Any New Zealand domestic violence order will be a recognised order and part of the national scheme but only if it has been registered under section 30 of the act.

The issue that this amendment addresses relates to interstate orders which are of a non-domestic violence type, including personal protection orders and restraining orders. In amending the definition of a foreign intervention order in the bill so that it no longer refers to interstate orders we have inadvertently removed the ability for non-domestic violence orders from interstate to be registered under section 30 of the act.

Unfortunately, this only became apparent recently following conversations with agencies about the implementation of the scheme and while the registration of personal protection orders or restraining orders occurs only rarely the government wants to make sure that these orders can continue to be registered. To address this issue two amendments have been made to this bill. The first amendment deletes clause 4(2) of the bill so that the current definition of a foreign intervention order will remain unchanged and will continue to refer to both interstate orders and New Zealand orders. The second amendment will insert a new definition of foreign intervention order into section 29A for the purposes of a new part 3A.

The effect of this amendment will be that only New Zealand domestic violence orders will be brought within the national scheme and considered to be a foreign intervention order for the purposes of part 3A. This will be achieved by declaring by regulation that all other foreign intervention orders—that is, those other interstate and New Zealand orders that do not relate to domestic violence that have been registered under current section 30 of the act—will not be foreign intervention orders for the purposes of part 3A, which is concerned only with domestic violence orders.

While the required effect is achieved in a way that might appear to be complex, this is due to the nature of the model law provisions and the way they interact with our legislation. Other foreign orders that do not deal with domestic violence will continue to be enforceable if they are registered under section 30 in accordance with that section.

The Hon. T.A. FRANKS: I rise to indicate that the Greens will be supporting both the government amendments and opposing the opposition amendments.

Amendment carried; clause as amended passed.

New clause 4A.

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

Amendment No 1 [McLachlan-1]—

Page 3, after line 17—Insert:

4A—Substitution of section 11

Section 11—delete the section and substitute:

11—Duration of intervention orders

- (1) A final intervention order remains in force—
 - (a) for a period of 5 years or such lesser period as may be fixed by the Court—
 - (i) that confirms the interim intervention order as a final intervention order under section 23; or
 - (ii) that issues the final intervention order under section 23 in substitution for an interim intervention order,
 - (as the case may be); or
 - (b) until it is revoked in accordance with this Act,
- whichever occurs first.

- (2) An interim intervention order remains in force—
 - (a) until confirmed by the Court under section 23; or
 - (b) until it is revoked in accordance with this Act, whichever occurs first.
- (3) Subject to subsection (4), this section applies to an intervention order—
 - (a) that was issued before or after the commencement of subsection (1); or
 - (b) that was continued in force under clause 37 of Schedule 1; or
 - (c) that was issued pursuant to the *Bail Act 1985*, the *Criminal Law (Sentencing) Act 1988*, the *Youth Court Act 1993* or any other Act.
- (4) An intervention order issued more than 5 years before the commencement of this section will, by force of this subsection, be taken to be revoked on the day falling on the 6 month anniversary of the commencement of this section (but nothing in this subsection prevents a person from applying for another intervention order in relation to the same defendant).

I set out the reasons for this amendment at clause 1 to give members an opportunity to reflect on the opposition's reasoning, which has been rearticulated from a previous debate. I would appreciate it if members of the crossbench could indicate to me if they will be supporting this amendment. I understand the government has a submission on the amendment.

The Hon. P. MALINAUSKAS: The government opposes this amendment. The proposed amendment will delete section 11 of the Intervention Orders (Prevention of Abuse) Act 2009 and replace it with a new section 11—Duration of intervention orders. The effect of the amendment is to impose a fixed term on all final intervention orders so that an intervention order only remains in force for a period of five years or such lesser period as may be fixed by the court.

Subsection (2) further provides that an interim intervention order remains in force until it is confirmed by the court under section 23 or until it is revoked. Under the current legislation, an intervention order is ongoing and continues in force until it is revoked. The onus is placed on the defendant to establish, in an application to revoke the order, that their victim is no longer at risk of abuse, rather than requiring a victim to come back to the court to show that they still require protection. This policy position was adopted by the government and welcomed by industry groups on the basis that it is difficult for a court to predict, when making an order restraining a defendant from being violent, what may happen when the defendant is no longer subject to that restraint.

The amendment reflects a fundamental change in the policy intention of the legislation. The current amendment mirrors the amendment, filed by the Hon. Andrew McLachlan early last year, to the government's Statutes Amendment (Attorney-General's Portfolio) Bill 2016. At that time, the government opposed the amendment to allow the government to conduct wider consultation on this complex issue to hear from all parties who would be affected by such reform. I note that other members of the chamber agreed with the need to consult all affected parties on the matter.

The issue of expiry dates on intervention orders was one of the key topics presented for consultation on the government's Domestic Violence Discussion Paper released in July last year. As stated earlier, consultation ran for six weeks through a number of channels, and a significant amount of feedback received was considered robust and informative. The government certainly acknowledges the reasons behind the opposition's position of adopting expiry dates. The issues surrounding ongoing intervention orders were canvassed in the discussion paper and acknowledged in the feedback. Such concerns include the indefinite nature of intervention orders potentially resulting in otherwise lawful behaviour being criminalised.

However, the government also acknowledges the strong community concern around the need to ensure that a victim's safety is not compromised by any reform in this area. The government has decided to oppose the current amendment to the bill, based on the consultation under the discussion paper and the reasons presented in the submissions. The government's position on this issue in response to the consultation will be contained in its response to the discussion paper—a

document which will set out the government's next steps in response to all the topics raised in the discussion paper. The response will be released in due course.

The Hon. D.G.E. HOOD: Despite Family First's opposition to this amendment when it was originally discussed in November last year, we are somewhat attracted to it. I think there is a lot of sense in having time limits to these sorts of orders because they can become, as the Hon. Mr McLachlan outlined, somewhat administratively cumbersome. However, on balance, given that the government is currently consulting on this very issue and is yet to reach a final position (I think the timing is unfortunate), I think the prudent position for us would be to maintain our position, which is to oppose the amendment in its current form, whilst being open to the general thrust of the argument. For now, that is our position, but should this issue raise its head again and the consultation be complete, it is entirely probable that we would support it.

The Hon. J.A. DARLEY: I indicate that I will not be supporting the amendment at this stage.

New clause negatived.

Clauses 5 to 9 passed.

Clause 10.

The Hon. P. MALINAUSKAS: I move:

Amendment No 2 [Police-1]—

Page 5, after line 34 [clause 10, inserted section 29A]—Insert:

foreign intervention order does not include an order (whether registered or not under Part 4) that is declared by regulation not to be a foreign intervention order for the purposes of this Part;

I have articulated the reasons in favour of this amendment already, Mr Chairman.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:45): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT AND REPEAL (SIMPLIFY) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 December 2016).

The Hon. A.L. McLACHLAN (16:46): I rise to speak to the Statutes Amendment and Repeal (Simplify) Bill, which was introduced in the other place by the Premier late last year. In the minister's second reading in this chamber, which mirrored the second reading in the other place, the government has described this bill as a first significant step in removing unnecessary red tape. One would have thought, after so many years on the treasury benches, we would be well past the first step in achieving reform in this important area. If one reflects on it, it shows where the government priorities lie.

Nevertheless, the opposition, on behalf of which I am speaking today, is supporting the second reading of the bill, as we too are committed to minimising unnecessary government intervention. This includes reducing red tape and removing unnecessary and redundant legislation. In fact, we note for the benefit of this chamber, the idea for this policy reform was first canvassed by the Liberal opposition in 2013. The Liberal opposition took this policy to the 2014 state election by committing to have a repeal day aimed at removing redundant legislation.

I flag, at this stage, that the Liberal opposition has filed one set of amendments concerning the Fisheries Management Act, and may file other amendments as the second reading debate progresses, and perhaps also in committee.

As I said, Mr President, this bill represents part of the Labor government's attempt to reduce red tape and simplify regulation for business and consumers. When reflecting on the provisions of this bill, I was reminded of a very good paper entitled 'Reducing the Regulatory Burden: the way forward' by Gary Banks, chairman of the regulation taskforce and productivity commission. For the benefit of the chamber I extract some important quotes. When reflecting on Australia, Mr Banks says:

In short, having made important progress in many policy areas, Australia risks undermining these gains through burgeoning regulatory imposts on business. It is important both for business and the wider community to introduce reforms that can provide relief on a sustainable basis.

The paper is quite extensive. He goes on to say:

A fundamental driver of the demand for regulation in recent years has been increasing 'risk aversion' in many spheres of life. Regulation has come to be seen as a panacea for many of society's ills and as a means of protecting people from inherent risks of daily life. Any adverse event—especially where it involves loss of life, possessions, amenity or money—is laid at government's door for a regulatory fix.

The paper goes on to say:

In responding to such pressures, governments themselves are often attracted to regulatory solutions as a tangible demonstration of government concern. Regulatory solutions are also more convenient politically, because the costs are typically 'off-budget', diffuse and hard to measure.

In a further paragraph he says:

In this climate, a 'regulate first, ask questions later' culture has developed within governments.

So, it is very pleasing for the opposition to see that this government is taking seriously the need to reduce the regulatory burden on its citizens. I note that in order to generate ideas for the Simplify Day agenda, the government conducted a 30-day consultation period during which it sought ideas for legislative and regulatory changes from business and the community. The bill seeks to implement its policy objective by four key methods. These are:

1. Repeal of legislation;
2. Amendments to legislation;
3. Regulatory changes; and take
4. Future reforms.

I now turn to the first category of legislative repeals. The bill repeals a number of acts that have become redundant or no longer needed, such as the Debits Tax Act, the Gift Duty Act, and the Naracoorte Town Square Act, to name a few. Another example is the repeal of the Mount Gambier Hospital Hydrotherapy Pool Fund Act, which was introduced back in 2009. The purpose of that act was to permit donations for the construction of a hydrotherapy facility at the hospital. Construction never went ahead, yet the act has remained on the statute books.

Similarly, the Wilpena Station Tourist Facility Act was enacted to support the development of a tourist facility that never proceeded. There are numerous other examples of acts which are no longer required or have become obsolete.

The bill also makes a number of amendments to numerous acts covering a broad range of industries and economic activity. Many of these amendments were based on suggestions by stakeholders in the engagement process. These amendments include reforms to fees, licences, permit notifications and compliance. For example, the bill amends the Electronic Transactions Act to enable the government to issue documents by electronic means. It is envisaged that these amendments will enable the future transition to digital licences, permits and other authorisations of documents.

The requirement to affix a registration label to a heavy vehicle will also be abolished, removing this unnecessary administrative task on businesses. The Building Work Contractors Act will also be amended to permit the commissioner to exempt unlicensed contractors from being

subject to licensing conditions. This is so that a non-active business partner, such as a spouse, does not have to be licensed. They are just a few examples of the tightening of the legislation that the Liberal Party supports.

There are also a number of amendments that will be made to various regulations, for example, the updated Australian Standard for child restraints in vehicles we referred to, rather than the current reference, which is to an outdated standard no longer used and applied in Australia.

Other changes to regulations include repealing the requirement for reporting on new motor vehicles to be done exclusively by police officers, by expanding the range of persons permitted to carry out this regulatory activity.

When introducing this bill, the government flagged its intention to continue reform in this area, and that there are a number of changes that are being developed, which the government has committed to implementing during this year. These include areas of work health and safety, the Surveyors Board of South Australia code of practice, reviews of the dangerous substance and explosive laws, incorporated association laws reviews, transport reform and various other portfolios. To this end, the government has committed ongoing resources by establishing a simpler regulation unit within the Department of Treasury and Finance. The government has asserted that it will continue to work closely with business and industry to continue ongoing reform in this area. We encourage them in this endeavour.

The government has sought public feedback, as I have mentioned, and has advised that the engagement process resulted in over 60 submissions and responses. I query, given the breadth of reform contemplated by such a bill, as to why the government has only decided to allocate 30 days to the consultation period. It seems to me a far too short a period of time. Not all of the submissions are publicly available; however, I have had the opportunity to read through a number of them that are available and appreciate the level of detail and care taken by many stakeholders when providing their feedback. It is important to note that, whilst this bill represents a first attempt by this government at reducing red tape, there is still a vast amount of work to be done in this area. The government has indicated in its Simplify Day discussion paper that during the engagement process there were more than 180 ideas put forward.

The government has asserted that some ideas put forward require further consultation. The government has committed to further progressing these changes over the coming year. I look forward to seeing the second tranche of the reforms, in areas such as transport, health and safety, and licensing of fisheries, that have been promised by the government to feature in this year's reform agenda.

The government has indicated its intention to report annually on the outcomes of this work, and perhaps the minister, in the second reading summing-up, can indicate to the chamber when we will receive the annual report. I should flag that we have filed in the name of the Hon. Mr Ridgway, leader of the Liberal opposition, some amendments and, as I have flagged, other amendments may be forthcoming from the opposition benches.

Those amendments are to clause 57. Currently, the act empowers the minister to cancel a licence if it has been suspended for more than six months and the minister cannot locate the holder of that licence. Before such a cancellation can occur, the minister must make reasonable attempts to locate the holder of the licence and to identify during the consultation period that there was no requirement in the current act for the minister to notify third parties who may have registered interest in the licence.

During a briefing on the bill which members of the opposition staff attended, we were advised that PIRSA is currently taking significant steps to advise third parties. This notification, however, is not a legislative or regulatory requirement. Rather it is standard practice based on internal PIRSA policy. The opposition has therefore filed amendments to put this policy into the body of the legislation. In doing so, we seek to increase the security of commercial fishing licences and those who have an interest in the same.

As I come near the end of my remarks, I thought I might leave you with a quote, as I know the honourable Leader of the Government in this chamber likes my quotes: 'The bureaucracy is

expanding to meet the needs of the expanding bureaucracy.' With those words, I complete my remarks.

Debate adjourned on motion of Hon. K.J. Maher.

ELECTRONIC TRANSACTIONS (LEGAL PROCEEDINGS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 15 February 2017.)

The Hon. A.L. McLACHLAN (16:57): I rise to speak to the Electronic Transactions (Legal Proceedings) Amendment Bill. I speak on behalf of the Liberal opposition. I indicate that the Liberal opposition is supporting the second reading of this bill.

An honourable member interjecting:

The PRESIDENT: Order!

The Hon. A.L. McLACHLAN: Thank you, Mr President, for your protection. This bill seeks to amend the Electronic Transactions Act 2000. Firstly, the amendments remove current barriers to enable communications between courts, police, legal representatives and the public to be provided electronically. The Attorney-General and the minister, in both their second readings, which are mirrored, state that the aim of the bill is to achieve greater efficiencies in the criminal justice sector by further facilitating the use of electronic technologies for communications between, as I said, courts, police, legal representatives and members of the public.

The government's intent is to focus on criminal proceedings and proceedings closely related to the criminal justice sector. However, the drafting of the bill is broader than purely criminal matters. The opposition understands that the bill has been drafted in such a way as to enable future technological advances to be utilised in the justice system without the need to keep coming back to the parliament for legislative consideration.

In practical terms, in order to permit court documents to be provided electronically, the bill amends the current consent provisions contained in the act. Currently, documents can only be provided electronically if prior consent has been given by the parties. The bill relaxes these provisions. Instead, consent will be presumed if it is ascertained that the person or their legal practitioner can readily access or download, and if required print, the information.

The government has stated in its second reading that this caveat will protect those without reliable internet access as well as those who may have access to a document but would be unable to print the document if they needed to. The government states that this will protect those in custody as well as those people in rural areas where internet access may not be adequate to download large documents. We are advised that in these circumstances production of hard copy documents will still occur.

I query whether the current drafting of the bill provides an adequate level of protection for those people, as claimed by the government. For example, exactly how will it be ascertained that the person has access to and is able to download the information? Further, if printing is required, how will it be established that a party has access to printing? What is the process for making these assessments? What is the threshold required to establish, for example, that someone has access to and is able to download documents electronically? I ask the government to set out responses to these questions in the summing-up of the second reading.

The legal proceedings to which this bill is to apply are to be prescribed by regulation. I understand that consultation on the regulations will be undertaken. Nevertheless, the government has given an indication in its second reading explanation that it is intended that the prescribed legal proceedings will consist mainly of criminal proceedings, including bail proceedings, sentence enforcement proceedings and those related to intervention orders, as well as paedophile and child protection orders in the Summary Procedure Act.

The government has also indicated that non-criminal proceedings are likely to include fine enforcement and recovery, as well as recovery of expiation fees. The government has indicated that the benefit of this approach is to control the uptake of the new provisions to ensure agencies and the legal profession are equipped to make the best use of the new provisions, as well as allowing new types of proceedings to be added over time. I ask the minister whether this consultation has commenced and when it is likely to conclude.

I alert members of the chamber to a submission by the Law Society of South Australia dated 16 February 2017. I ask the government to set out in its summing-up of the second reading and specifically address those matters raised by the Law Society in its letter.

The Law Society has some concerns with the provisions of this bill. It says that the amendments do not allow a person or legal practitioner to choose to receive information and documents in hard copy. The amendments do not make it clear how it will be ascertained that a person or their legal practitioner is able to access electronic information, and presume that a legal practitioner will print material for a client.

The society is concerned about the cost of printing and photocopying, setting out once again their comments, which they had included in an earlier submission in July, concerning the government's draft Electronic Transactions (Criminal Proceedings) Amendment Bill. It is the society's view that a defendant or a legal practitioner representing a defendant ought to be provided with information or documents electronically as well as in hard copy.

In light of the expense in printing material, particularly for those in custody who are indigent, the society does not support the provision of information solely by electronic means. As I have indicated to the chamber, I would like the government to address specifically those concerns as set out by the Law Society. I also alert the chamber, as I have done on previous occasions, that I am a member of the Law Society and have been so for the whole of my practising life as a lawyer.

There are a number of other submissions, but one I draw to the attention of honourable members is from the Commissioner for Aboriginal Engagement. Whilst he gave in-principle support for the bill, he highlighted that the bill assumes or implies that recipients have access to electronic communication. He rightly points out that many older South Australians do not. He further noted the following:

I am personally aware of many Aboriginal people who have a mobile phone but they are not connected to the internet or they may be encountering difficulties in paying their phone bill, so they do not have access to such information.

He goes on to strongly encourage the Attorney-General to put in place safeguards in the bill that do not disproportionately impact on or prejudice Aboriginal recipients.

I was reminded of a speech given by the Hon. Malcolm Turnbull to the Sydney Institute: *Magna Carta and the Rule of Law in the Digital Age*. He gave a powerful quote as follows:

There are powerful arguments that existing laws need to be constantly reviewed and updated to ensure they are still relevant and effective as new technologies emerge and the old ways of intelligence gathering become outdated.

He then went on to add:

...but the rule of law imposes on legislators and judges a conservative caution when making new laws—the idea that in general new laws, to quote Dyson Heydon, 'should only be changed by a process of gradual development, not by violent new advances or retreats by revolution or ruptures'.

Whilst the intent of this bill is supported by the Liberal opposition, it could have quite significant effects for those facing legal proceedings in the criminal justice system. Therefore, we will support the second reading but will seek to explore in the committee stage whether the provisions of this bill may have unintended consequences.

Debate adjourned on motion of Hon. S.G. Wade.

SUMMARY PROCEDURE (INDICTABLE OFFENCES) AMENDMENT BILL

Introduction and First Reading

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

Parliamentary Committees

STATUTORY OFFICERS COMMITTEE

The House of Assembly appointed Ms Cook to the committee in place of Hon. J.R. Rau.

At 17:08 the council adjourned until Wednesday 1 March 2017 at 11:30.

*Answers to Questions***AUDITOR-GENERAL'S REPORT**

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (15 November 2016).

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

The grant for \$300,000 (GST exclusive) was to MLEX Pty Ltd.

In accordance with the funding agreement, MLEX were required to provide a progress report on their activities for the period to 31 December 2015 by 29 February 2016. The report was not received on time and was followed up with a request to provide the report. The report was received on 14 April 2016. The report showed that the project was progressing as anticipated.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (15 November 2016).

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

The Department of State Development (DSD) has a formal monitoring process for companies that have participated in Our Jobs Plan programs. Participating companies provide DSD with project status and completion reports that detail the activities undertaken and outcomes achieved relevant to the program.

In addition, DSD proactively monitors the outcomes achieved by businesses that have participated in Our Jobs Plan programs. This includes regular contact with businesses involved in Our Jobs Plan programs to track progress and outcomes.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (15 November 2016).

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

There are nine project managers who are responsible for the administration of the grants associated with Our Jobs Plan.