LEGISLATIVE COUNCIL

Tuesday, 30 May 2017

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:18 and read prayers.

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

Bills

SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL (MISCELLANEOUS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

ANZAC DAY COMMEMORATION (VETERANS' ADVISORY COUNCIL) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Employment (Hon. K.J. Maher)—

District Council By-laws—
Alexandrina—
No. 7—Clause 4 Modification
Determination of the Remuneration Tribunal No. 4 of 2017—2017 Annual Review of Remuneration for Members of the Judiciary, Members of the Industrial Relations Court and Commission, the State Coroner and Commissioners of the Environment, Resources and Development Court
Report of the Remuneration Tribunal No. 4 of 2017—2017 Annual Review of Remuneration for Members of the Judiciary, Members of the Industrial Relations Court and Commission, the State Coroner and Commissioners of the Environment, Resources and Development Court

By the Minister for Water and the River Murray (Hon. I.K. Hunter)—

South Australian—Victorian Border Groundwaters Agreement Review Committee—Report, 2015-16

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

Criminal Law (Forensic Procedures) Act 2007 Report on Annual Compliance Audit 12 December 2015 to 3 February 2017
Quarterly Reporting—Summary Offences Act 1953 Return Pursuant to Section 74B of the Summary Offences Act 1953 Road Blocks
Quarterly Reporting—Summary Offences Act 1953 Return Pursuant to Section 83B of the Summary Offences Act 1953 Dangerous Area Declarations
Regulations under the following Acts—
Bills of Sale Act 1886—Fees No. 3
Births, Deaths and Marriages Registration Act 1996—Gender Identity

Community Titles Act 1996—Fees No. 3
Development Act 1993—Electricity Generators
Land and Business (Sale and Conveyancing) Act 1994—Fees No. 3
Real Property Act 1886—Fees No. 3
Registration of Deeds Act 1935—Fees No. 3
Roads (Opening and Closing) Act 1991—Fees No. 3
Strata Titles Act 1988—Fees No. 4
Valuation of Land Act 1971—Fees No. 3
Worker's Liens Act 1893—Fees No. 3

Parliamentary Committees

SELECT COMMITTEE ON STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL

The Hon. J.M.A. LENSINK (14:22): I lay upon the table the report of the committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

Bills

STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL

Third Reading

The Hon. J.M.A. LENSINK (14:22): I move:

That the bill be recommitted to a committee of the whole council on the next day of sitting.

Motion carried.

Parliamentary Committees

SELECT COMMITTEE ON ACCESS TO THE SOUTH AUSTRALIAN EDUCATION SYSTEM FOR STUDENTS WITH DISABILITIES

The Hon. K.L. VINCENT (14:23): I lay upon the table the report of the committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. J.E. HANSON (14:23): I lay upon the table the interim report of the committee on an inquiry into the Return to Work Act and scheme.

Report received.

Ministerial Statement

ARRIUM

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) (14:24): I table a ministerial statement made in the other place by the Treasurer on the topic of update on the sale process for Arrium Group.

RIGNEY, DR ALICE

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:24): I table a ministerial statement made by the Minister for Education and Child Development in the other place paying tribute to Dr Alice Rigney.

OAKDEN MENTAL HEALTH FACILITY

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:24): I lay on the table a ministerial statement from the Minister for Mental Health and Substance Abuse regarding the update of the move to Northgate aged care.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

STATE EARLY COMMERCIALISATION FUND

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:26): I seek leave to make a brief explanation before asking the Minister for Manufacturing and Innovation a question about the Early Commercialisation Fund.

Leave granted.

The Hon. D.W. RIDGWAY: On 6 April this year, the government announced eight recipients of the Early Commercialisation Fund. Recipients were awarded grants of between $300,000 and $50,000. However, it was not disclosed which level of funding these companies received. To clarify, I am not referring to the sum of funding which was disclosed in the press release, which I have a copy of here, but rather under which phase of the Early Commercialisation Fund these grants were received. Therefore, my questions are:

1. Can the minister outline which companies received grants under stage 2 of the Early Commercialisation Fund and which companies received grants under stage 3 of the Early Commercialisation Fund?

2. How many companies have applied for stage 3 funding?

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) (14:27): I thank the honourable member for his questions. I have answers to some of those questions. There were in excess of 200 expressions of interest for the South Australian Early Commercialisation Fund as of a couple of weeks ago. In terms of grants that have been made, it is now up to a total of 24 grants that have been made.

Tier 1 of up to $50,000 has seen 24 companies granted those funds. So far, 17 of those 24 companies have begun accessing the funds that have been granted. Eight companies have been approved for tier 2 funding from those 24 that will be able to access tier 2 funding once the individualised KPIs for those particular companies, through the tier 1 program, are met. Of those, a further five have been approved for tier 3 funding from that program once they have completed the KPIs for both tier 1 and tier 2.

STATE EARLY COMMERCIALISATION FUND

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:29): Supplementary question: how many companies—maybe do the arithmetic; maybe I should—are ready and eligible to progress to funding through the Venture Capital Fund? Is that beyond tier 3?

The Hon. K.J. Maher: Yes.

The Hon. D.W. RIDGWAY: So, how many in that?

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) (14:29): I thank the honourable member for his supplementary question. The South Australian Venture Capital Fund, a $50 million

state government backed venture capital fund requiring at least matching private equity to make an investment, is in the final weeks of selecting a fund manager. Obviously, because the fund manager is just some weeks away from being selected, no investments from the Venture Capital Fund have yet been made, but no doubt they will be made soon after the fund manager, in the coming weeks, is appointed.

STATE EARLY COMMERCIALISATION FUND

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:29): Just to clarify, I have a further supplementary. They haven't applied for that fund yet, but once the fund manager has been appointed and is operational, which you say is a few weeks away, then those companies will be able to apply?

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) (14:30): I thank the honourable member for his further supplementary. Yes, that is essentially the case. I suspect that if companies have only accessed tier 1 funding, that company is not going to be in a position to be investment ready for a venture capital firm, whether it is state backed or private equity venture capital, but certainly as companies progress through that early stage commercialisation process from tier 1, tier 2 and tier 3, you would expect in due course as they go through that pipeline that some companies will become investment ready for venture capital and will progress on to the Venture Capital Fund.

I would expect to see companies that had no involvement in the Early Stage Commercialisation Fund also being ready for investment in the Venture Capital Fund. I suspect it will also be the case that we will attract early stage companies to South Australia for the Venture Capital Fund investment as well.

STATE EARLY COMMERCIALISATION FUND

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:31): I have a final supplementary. Can the minister outline what, if any, targets exist for the Early Commercialisation Fund and the process? Can you tell us how many jobs the fund could create or what the target is for the number of jobs that this fund will create?

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 question. There are a number of different programs we have that have different names. This is, as the name suggests, to commercialise technology in very early stages. I think there are figures somewhere—I don't have them in front of me—as to the 24 recipients so far, how many jobs are currently in those companies and how many are projected from those first 24 companies. I don't have them in front of me, but I am happy to bring those particular figures back.

FEMALE GENITAL MUTILATION

The Hon. J.M.A. LENSINK (14:31): I seek leave to make a brief explanation before directing a question to the Minister for Police on the subject of female genital mutilation.

Leave granted.

The Hon. J.M.A. LENSINK: Honourable members may recall that earlier this year I asked the minister some questions about female genital mutilation (FGM). My question for the minister is: is it the government's position that similar legislative protections which apply for FGM should also be applied to boys and intersex children?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:32): I thank the honourable member for her important question. In the context of the answers that I have previously provided to this place, I think the government's position around its view about this particular issue generally is well known. With respect to the specific question of the honourable member, I am more than happy to make sure a considered response is provided through the responsible minister who has been turning his attention to this issue for some time, that being, of course, the Attorney-General. I am

more than happy to make sure the Attorney-General in the other place gets a response back accordingly.

FEMALE GENITAL MUTILATION

The Hon. J.M.A. LENSINK (14:33): Supplementary: in the House of Assembly a couple of months ago, a government member described circumcision as 'non-medical mutilation of boys'. Is it the government's position that that is the government's view on that matter?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33): Again, the Attorney-General is the minister who is responsible for this area of public policy. I am more than happy to make sure that we get a response from the Attorney-General and that we get that response back ASAP.

FEMALE GENITAL MUTILATION

The Hon. T.A. FRANKS (14:33): Supplementary: in that same debate in the other place, the Attorney-General actually considered looking at this issue of FGM being somehow discriminatory against intersex children and boy children in some sort of public inquiry, perhaps through YourSAy. Can the police minister please rule out that course of action?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:34): Again, the responsible minister for these areas is the Attorney-General. I am more than happy to make sure that the Attorney-General gets a response back in due course.

MANUFACTURING WORKS REVIEW

The Hon. S.G. WADE (14:34): I seek leave to make a brief explanation before asking the Minister for Manufacturing and Innovation questions with respect to the Manufacturing Works program.

Leave granted.

The Hon. S.G. WADE: In the Budget and Finance Select Committee last week the Department of State Development announced that they would initiate a second review of the Manufacturing Works program. The new review is scheduled to be completed by June this year, yet the department has yet to commission anyone to undertake the review. My questions to the minister are:

1. What was the cost of the first review, which I understand is commonly called the Frost and Sullivan review?

2. How long did that review take to perform?

3. What recommendations from the Frost and Sullivan review have been implemented?

4. Why is the second review going to be finalised after the 2017-18 budget has been finalised?

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 thank the honourable member for his questions in relation to manufacturing programs in South Australia and his questions about the Hon. Andrew McLachlan's favourite piece of work, the Frost and Sullivan review. I know it was a reasonably comprehensive piece of work—the Frost and Sullivan review—that talked to a lot of those early recipients of Manufacturing Works grants programs. I do not have a cost for that, but I will be able to find that out reasonably quickly, I am sure, and bring back an answer for the honourable member.

In relation to a review of the new program, programs are continually assessed on an ongoing basis as to their efficacy from state government support, and I am sure that reviewing current programs will happen as quickly as we possibly can, given other priorities for the work of the Department of State Development.

MANUFACTURING WORKS REVIEW

The Hon. S.G. WADE (14:36): On a supplementary question: I was wondering if the minister wanted to address the issue of what recommendations from the Frost and Sullivan review have been implemented?

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) (14:36): I thank the honourable member for his question. I am happy to take that away and go through the recommendations from that review to look at how the program going forward—post the Frost and Sullivan review—was altered or tweaked to make sure it is giving us the biggest bang for buck and state taxpayers as efficient and effective a program as possible.

AUSTRALIAN REFERENDUM, 1967

The Hon. G.E. GAGO (14:36): My question is to the Minister for Aboriginal Affairs and Reconciliation. Can the minister advise the chamber on how the government has recognised the anniversary of the 1967 referendum?

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) (14:37): I thank the honourable member for her question and her ongoing interest in this area. There are a number of events throughout South Australia and indeed throughout Australia recognising what is a quite historic year for Australia, and particularly for Aboriginal Australia. It will be celebrated in a number of events in South Australia during Reconciliation Week (this week) and also later during NAIDOC Week and with the NAIDOC awards in July.

On Friday night there was a dinner recognising the 1967 referendum that was attended by a number of members of the Aboriginal Lands Parliamentary Standing Committee in this chamber and many members of the Aboriginal community and that celebrated and recognised some of the historic milestones. The year of 2017 is a watershed year. It is the 20th anniversary of the Bringing Them Home Report, the 45th year since the Aboriginal Tent Embassy was erected on the lawns of Old Parliament House, importantly the 25th anniversary of the Mabo decision and, of course, the 50th anniversary, just in the last couple of days, of the 1967 referendum.

It has only been in the last 60 years that we have seen some historic and dramatic changes in some of these policies in Australia. The 1967 referendum—particularly from talking to people like Shirley Peisley who were campaigners at the time during that referendum—was a historic moment. It changed our constitution to do a couple of different things. It allowed the government of the day specifically to make laws for Aboriginal and Torres Strait Islander peoples, but it also, for the first time, counted Aboriginal people in our census. This allowed for proper government policymaking based on evidence in terms of health care, education and other needs.

The symbolism was great at the time: the counting of Aboriginal people for the very first time ushered in a new era of hope that things would change. Although change in a lot of areas probably hasn't come fast enough, or certainly as fast as those campaigners for the '67 referendum would have hoped, we have seen change during that time. I think it's fair to say that community attitudes and things like the High Court decision in 1992 in Mabo and Others v State of Queensland (No. 2) probably wouldn't have occurred without the change in attitudes that occurred during the 1967 referendum.

In June we also celebrate the 25th anniversary of the 1992 Mabo High Court decision, which, again, was almost a line-in-the-sand moment. I remember being in my first year of law school at Adelaide Uni when the High Court handed down the decision. It confirmed what most Aboriginal Australians knew: that land had an ongoing and deep spiritual connection for Aboriginal people and that ownership of land had never been relinquished. It encouraged a lot of people to think about the connection Aboriginal people have with land as a result of the 1992 High Court decision.

Certainly, what followed from there—things like the then prime minister Paul Keating's Redfern speech that talked about, really publicly for first time by a political leader, issues of

dispossession—and the consequences these things had were a flow-on effect of that decision. So, it is a very important couple of weeks in celebrating milestones in Aboriginal Affairs policy in Australia. There are a number of events during Reconciliation Week and also in July during NAIDOC Week to commemorate these events.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to welcome our students and teacher from Westminster. It's good to see you here.

Question Time

WOODSONS LANE

The Hon. J.A. DARLEY (14:41): I seek leave to make a brief explanation before asking the Minister for Police questions regarding Woodsons Lane.

Leave granted.

The Hon. J.A. DARLEY: The upgrade to the Festival Theatre and other developments has resulted in the Festival Theatre car park being closed. I understand Festival Theatre patrons are advised that the closest alternative is the Wilsons car park on Hindley Street. Upon exiting the car park complex, patrons can walk along Hindley Street and down Bank Street to access North Terrace. Alternatively, patrons can exit Woodsons Lane to get to North Terrace. I am aware of a number of people who have used Woodsons Lane in recent weeks and have been intimidated by groups who hang out on the street.

1. Can the minister advise whether he is aware of increased police monitoring of Woodsons Lane, given the increased foot traffic?

2. Will the minister raise this matter with the police commissioner to ensure the public can safely navigate Woodsons Lane without being harassed or, worse, attacked?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:42): I thank the honourable member for his questions. I am happy to report to the member, and indeed the chamber, that not this Saturday evening, but the Saturday evening prior, at approximately one o'clock in the morning, I was walking around Woodsons Lane with SAPOL. I was engaging in an exercise of working with officers on the beat to get a feel and flavour of the challenges that police officers have to deal with in and around Hindley Street. I am glad to report that I was there in an entirely professional capacity.

The Hon. K.J. Maher interjecting:

The Hon. P. MALINAUSKAS: I won't respond to the Hon. Mr Maher's comment. I have to say, it gave me a very interesting insight into the difficulties that many of our men and women in uniform have to deal with on a regular basis when working long hours in the evenings in and around Hindley Street. As part of that exercise, I actually did take the opportunity to walk down Woodsons Lane with the officers who were accompanying me. On that occasion, I could understand why patrons of the Festival Centre would be reluctant to do that in those early hours of the morning.

Having said that, by and large the behaviour of those patrons and those pedestrians hanging around Hindley Street and Bank Street was good. SAPOL—and this is anecdotal information that was provided to me on the evening—believes that things have improved in and around the area over a sustained period of time. There is already a very heavy SAPOL police presence in and around Hindley Street and Woodsons Lane, as it currently stands—regular foot patrols. Often they are assisted by members of other sections of the police, whether it be people from the liquor licensing enforcement branch or whether it be from the mounted police section, so there is already a substantial police presence around the area.

Bank Street would be a more advisable route for patrons coming and going from the Festival Centre to use by virtue of the fact that it is more heavily lit and there are a greater number of people in and around the area. That said, I think this is something we need to continue to monitor as the

Festival Plaza development continues before a more long-term solution is put in place. As it stands, I think SAPOL is committed to ensuring the safety of all people who use that precinct in the evenings and during the day as well, and if there is ever any need to review or amend the presence of SAPOL officers around that area, I am sure the police commissioner would undertake to do so.

WORKERS COMPENSATION

The Hon. R.I. LUCAS (14:45): I seek leave to make an explanation prior to directing a question to the Minister for Police on the subject of workers compensation.

Leave granted.

The Hon. R.I. LUCAS: The confidential Bentley-Latham report, which was taken to cabinet late last year in relation to the government decision to transfer claims management of workers compensation from self-insured government agencies to ReturnToWorkSA, reported some critical comments in relation to the services provided by the Crown Solicitor's Office to existing government departments and agencies. The confidential report stated that some agencies are clearly dissatisfied with the service and advice provided by the Crown Solicitor's Office and, if it were possible, would prefer to use other legal providers.

Further on, in summarising the criticisms of some of the agencies it surveyed in greater detail, the Bentley-Latham report notes that five of the agencies mentioned that they would like the freedom to choose their own legal representatives. In summarising the nature and tenor of the criticism of government departments and agencies about the Crown Solicitor's Office service, it said that their services resulted in an approach that was too conservative and sometimes not in the agencies' best interests. There were also complaints about the time frame taken to provide a service, the quality of the service provided and not being guaranteed continuity of service because people go on leave, etc.

My question to the Minister for Police is: were any of the agencies that currently report to the minister amongst those five agencies that expressed concerns about the services provided by the Crown Solicitor's Office and, if they were, what was the nature of the criticisms that his agencies made to the Bentley-Latham report?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47): Of course, I am not in a position to confirm any respective positions the government may have or what information particular cabinet documents may contain. What I can say is that the Hon. Mr Lucas was advised during the last sitting week, when receiving briefings from the Minister for Industrial Relations, that it is the broad intent of the government to transfer management of the government's employees' workers compensation claims to ReturnToWorkSA and achieve a mutual financial outcome for both ReturnToWorkSA and government agencies.

As is the case now, the fact that would dictate financial outcomes for the government is the incidence of workplace injury, the effectiveness of claims management and the achievement of return-to-work outcomes. It is expected that over time the consistent approach to the resolution of matters will result in lower costs and an overall benefit to government agencies. I understand that this assessment has been based on actuarial advice and it will cost no more or no less.

WORKERS COMPENSATION

The Hon. R.I. LUCAS (14:48): A supplementary question: as interesting as that answer might be, is the minister prepared to take on notice and seek an answer from his agencies as to whether or not any of them were the agencies to which I have referred that expressed concerns about the quality of the service provided by the Crown Solicitor's Office, rather than giving a general defence of the overall decision?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:49): I am not in a position to start going into the details of documents that are cabinet-in-confidence.

WORKERS COMPENSATION

The Hon. R.I. LUCAS (14:49): Supplementary question: I am not asking the minister to go into details of a cabinet-in-confidence document.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: My supplementary question is: is the minister prepared to consult with his agencies that report to him as to whether they have expressed concerns about the quality of the services provided by the Crown Solicitor's Office in relation to the management of workers compensation claims?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:50): I engage with my agencies, as all ministers do with their agencies, on a whole range of different issues on a regular basis. We receive feedback from them and we provide feedback to them, on a whole range of different issues. This government remains committed to ensuring that South Australians generally, whether they be taxpayers, whether they be injured workers within the government's employ, get the best possible outcome when it comes to the handling of workers compensation claims. That is what this government is committed to.

CIRCULAR ECONOMY

The Hon. J.E. HANSON (14:50): My question is to the Minister for Sustainability, Environment and Conservation and Climate Change. Minister, what is a circular economy and what are its benefits to South Australia?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:50): I thank the honourable member for his very important question, and I dismiss out of hand the interjection from the Hon. Mark Parnell, who, with some levity, is making wisecracks. I shall educate him, hopefully.

I am advised that a circular economy is a reference to the better use of materials within an economy, things like making use of better remanufacturing, repair and reprocessing of products. The concept of a circular economy is getting something of wider attention across the world, particularly in Europe and also, I understand, in the United Kingdom. It is also gaining traction, I am advised, across Asia.

The concept is not just confined to nations—companies are also embracing this new idea, and a good example of that is Schneider. Mr Gareth O'Reilly of Schneider spoke at CEDA's event on 26 May 2017, I am advised, about the circular economy and detailed Schneider's commitment to the concept—he is also the president of Pacific Operations—and told the audience how executive performances can be measured against sustainability, saying, 'Our drive towards energy innovation and sustainability has become our business.' This focus means that more than 78 per cent of the company's products sold in Australia are fully end-of-life recyclable, I am told. Their commitment extends to helping their supply chain improve on their sustainability.

Schneider is not alone: IBM, Unilever and 100 other global companies have embraced the concept of the circular economy. It is hardly surprising, when you look at the outcomes. It holds significant value for companies. According to the Ellen MacArthur Foundation, the value of material savings associated with the circular economy globally is estimated to be $US1 trillion. Honourable members would probably think that that is worth exploring—certainly those companies that I mentioned earlier do.

I am advised that Mr Rodin Genoff of Rodin Genoff & Associates also spoke at CEDA's event. Mr Genoff is, of course, a South Australian who is an expert in innovation and manufacturing. He was very clear about the potential for South Australia when it comes to the circular economy. He based this view on our leadership and innovation, particularly cluster projects, our achievements in the waste and resource recovery sector, our nation-leading and amongst world's best recycling rate of almost 80 per cent, and our many other achievements that help make us a clean and green state.

The benefits of a circular economy have been quantified. Thanks to work commissioned by Green Industries SA we now have a new independent report that outlines what a circular economy could mean for us. This report, The Potential Benefits of a Circular Economy in South Australia, was launched by the Premier last Friday. It finds that a circular economy could deliver an additional 25,000 jobs, approximately, by 2030, and was compared to 'business as usual'. The report also shows that we could cut 7.7 million tonnes of greenhouse gases by 2030, the equivalent of taking about 1.5 million cars off the road each and every year.

Formalising a future circular economy model for the state could help to bring about initiatives and activities designed to reduce waste, obviously, but improve material and energy efficiency and decrease greenhouse gas emissions. Further, the potential benefits of a circular economy align closely with our other state goals and economic priorities, such as the stimulation of employment, resilient local economies, particularly in regional South Australia, and development of a low-carbon economy.

Transitioning to a circular economy will not happen immediately but the report highlights a way that we can build prosperity whilst preserving our environment for future generations by embracing some of the key concepts related to circular economies. It provides a vision for how our state and our companies could create jobs and reduce those carbon emissions in a very innovative way that seems to be gaining traction, as I said, across Europe and the world.

This report represents a small first step in a much longer journey. I look forward to working with our communities and businesses to chart the course of a potential circular economy, starting out in a small way and finding willing partners in business who are already doing it and who could partner up with other businesses and show them what the bottom line benefits will be for their economies of scale in their business and also, of course, importantly, employing more South Australians as we transition to a sustainable economy into the future.

CABINET MEETINGS

The Hon. R.L. BROKENSHIRE (14:55): I seek leave to make a brief explanation before asking the Leader of Government Business a question regarding cabinet meetings.

Leave granted.

The Hon. R.L. BROKENSHIRE: I have noted with much interest that over the last few months it appears that the traditional cabinet process of due diligence, scrutiny and effort into growing South Australia's future seems to be off the radar with the cabinet. Traditionally, cabinet has met for at least the morning of Monday and, in fact, over history, if you have a look, many cabinets have met for most of the Mondays consistently week-in and week-out. They then have a further meeting of Executive Council on a Thursday morning where other issues can be addressed regarding cabinet-related matters in South Australia.

In recent times, we have been advised of the Minister for Primary Industries on a Monday over on Kangaroo Island campaigning when clearly one would have thought he would need to be in cabinet. We have also noted recently on a Monday another minister doing a good job but out visiting constituents during that whole Monday. As recently as yesterday, we saw on the television news last night the Premier and another minister at Costa mushroom farm at Monarto, Murray Bridge, announcing a $1.8 million grant to expansion there. My questions to the minister are:

1. Does the cabinet still meet every Monday and, if so, is the whole of the cabinet generally at those meetings?

2. If that is not the case, is the rumour true that the cabinet is run by three?

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) (14:57): I guess I thank the honourable member for his sort of questions. I realise that it has been a very, very long time since his very, very short stint as a cabinet minister but he might have forgotten that rule number one of cabinet is that you don't talk about what goes on in cabinet. We don't talk about what happens in cabinet.

I don't know how seriously the honourable member, in his very short time a very long time ago in cabinet, took his oath as a cabinet minister. I presume he freely talked to everyone about what happened in cabinet and when it happened and how it happened. That is not how we operate—that is just not how we operate, so no, I am not going to talk to you about what goes on in cabinet except to say that it is a very constructive process where ministers speak freely and make decisions for the state in the best interests of the state of South Australia.

I note that some of his other questions seem to complain about people doing their job. His complaints are that he sees ministers out on Kangaroo Island and out near Murray Bridge. His complaint seems to be that ministers are doing their job and getting out into the community. Do you know what? This government does not apologise for that. We don't care what the Hon. Rob Brokenshire would like us to do or what he suggests he might do if ever he was a minister again and stay nicely ensconced in Adelaide or at Mount Compass. We will continue to go out into the community, whether that is KI or Murray Bridge or Ceduna or Mount Gambier or Pipalyatjara. We will continue to do that.

CABINET MEETINGS

The Hon. R.L. BROKENSHIRE (14:59): I have a supplementary question. It wasn't about confidentiality in cabinet.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.L. BROKENSHIRE: I am not interested in what they do in cabinet.

The PRESIDENT: Ask the question.

The Hon. R.L. BROKENSHIRE: My question is: how many ministers regularly attend cabinet, because it appears that a lot of ministers have other priorities? That is the question.

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) (14:59): All ministers regularly attend cabinet.

Members interjecting:

The PRESIDENT: Order!

CABINET MEETINGS

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:59): I have a supplementary question, Mr President: could the Leader of the Government put the poor honourable member, the Hon. Robert Brokenshire, out of his misery and tell him on what days cabinet meets now?

The Hon. R.L. Brokenshire: Well, that was my question; never got the answer.

Members interjecting:

The PRESIDENT: Minister, just answer the question.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:00): As loath as I am to discuss when and what goes on in cabinet: our cabinet meets on Thursday.

The Hon. R.L. Brokenshire: Only Thursdays; when I was in cabinet it met twice a week.

Members interjecting:

The PRESIDENT: Order!

NORTHERN ENTREPRENEUR GROWTH SCHEME

The Hon. J.S.L. DAWKINS (15:00): I seek leave to make a brief explanation before asking the Minister for Manufacturing and Innovation a question regarding the Northern Entrepreneur Scheme.

Leave granted.

The Hon. J.S.L. DAWKINS: Members of this place would be aware that I have asked a number of questions of the minister about Gawler's exclusion from the Northern Economic Plan and that in response to my questioning the minister has eventually announced the Northern Entrepreneur Scheme. However, the scheme has been located outside of the Gawler area in the Stretton Centre in Munno Para West, which is in the City of Playford. My questions to the minister are:

1. Whose idea was it to place the Northern Entrepreneur Scheme at the Stretton Centre in Munno Para West and not in the Town of Gawler?

2. Given it is now obvious that no contact was made with the Gawler council, what consultation, if any, took place regarding the scheme's location?

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) (15:01): I thank the honourable member for his questions and before I answer his questions, rather than bringing back a response sometime in the future, I might bring back a couple of responses to questions asked earlier today.

The Hon. David Ridgway asked about the South Australian Early Commercialisation Fund and jobs and job projections. I knew that there was a figure because I had seen it some time before and since then I have been able to locate that figure in my folders. Of the 24 companies that have currently received funding under the South Australian Early Commercialisation Scheme, between the 24 companies there are 76 jobs at the moment and the companies' two-year projections are for that to go to 326 jobs.

In relation to the questions the Hon. John Dawkins asked about our Northern Entrepreneur Scheme, I am informed that there has been consultation with many representative bodies in Gawler, including the Gawler council. I am told there was a desire to locate it in a building that wasn't going to be ready until 18 months' time. So, it seems to me that the Hon. John Dawkins' contention is to wait at least 18 months before you start up the scheme. That is not what the government wants to do. The government certainly, with great input from the local member, the Hon. Tony Piccolo, wanted to get going immediately and didn't want to wait a couple of years, as the Hon. John Dawkins would have the community wait.

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

The PRESIDENT: Order!

The Hon. K.J. MAHER: We wanted to get going immediately and that's what we did. We have heard some very good reports about how that scheme is going and how it is benefiting businesses in and around the Gawler area, as I have talked about in this chamber before.

NORTHERN ENTREPRENEUR GROWTH SCHEME

The Hon. J.S.L. DAWKINS (15:03): Supplementary question, given that the minister needs to actually correct his understanding of this matter. Given that at no stage was the Gawler council contacted on this matter or asked about suitable premises, will the minister go back and check that, and will he make sure that that consultation is upgraded before the meeting that I understand is going to be happening urgently next week?

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) (15:03): I am happy to go back and get more details from the advice that I initially had that the premises that had been suggested wasn't going to be ready for about 18 months.

The Hon. J.S.L. Dawkins: You never even consulted with the Gawler council; you didn't do it.

The PRESIDENT: Order!

POLICE OFFICER OF THE YEAR AWARD

The Hon. T.T. NGO (15:03): My question is to the Minister for Police. Can the minister tell the council about the recipient of the 2016 Rotary Club of Unley Incorporated Police Officer of the Year?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:04): I thank the honourable member for his question because I would love to be able to advise the council of the recent Police Officer of the Year Award, provided through the 2016 Rotary Club of Unley Incorporated.

Since its inception in 1978, the annual SAPOL Police Officer of the Year Award has sought to highlight the service provided to our community by the South Australia Police and recognises outstanding acts of courtesy, courage, kindness, understanding, compassion and devotion to duty by any member of South Australia Police. Each year's winner is chosen by the Rotary Club of Unley from nominations received from individuals and groups in the community.

In February each year nominations for the Police Officer of the Year are called in advertisements in the Adelaide and local press, in notices posted in police stations and also in posters displayed by shopkeepers and businesses throughout the state. The high-quality and number of nominations received by the club each year demonstrates the high regard that the community holds for the members of South Australia Police and the importance that South Australians place on the Police Officer of the Year Award.

The prestigious award was again presented at a public ceremony held in Rundle Mall on 19 May to the Police Officer of the Year and that was Brevet Sergeant Peter Phillips. In receiving his award, Brevet Sergeant Peter Phillips becomes the 38th recipient of the award and is recognised for his outstanding community policing performance. He will, for the next year, be affectionately nicknamed 'Pooty'.

Brevet Sergeant Phillips joined South Australia Police in 2005 and is currently posted at Mount Gambier Police Station, following postings as officer in charge at the Beachport Police Station, the Transit Police and Holden Hill Patrols, Intelligence Section and CIB.

His contribution to the local community goes beyond his police duties and includes working in his own time to develop the Beachport Surf Life Saving Club. He has worked with club juniors on beach days, liaised with sponsors and various government departments, as well as chairing the club committee. Brevet Sergeant Phillips has regularly attended meetings of the Beachport District Development Association to promote police and community relationships and cooperation when dealing with local issues.

In accepting his award, Brevet Sergeant Phillips spoke of the human side of policing and the unique role policing offered him to engage with his local community. I pass on my congratulations to Brevet Sergeant Phillips and wish him well for his future in the South Australia Police, and thank him for his service to the South Australian community. I also congratulate all of the other officers nominated for this award and thank all the members of the community who recognise the challenging work that front-line police officers face on a daily basis and sought to see that work acknowledged by nominating their local officer.

POLICE OFFICER OF THE YEAR AWARD

The Hon. A.L. McLACHLAN (15:07): Supplementary: how many officers were nominated this year?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:07): Mr President, the honourable member has caught me unawares. I am more than happy to seek that information and share it with the honourable member. That's a good one.

GREYHOUNDS, EXPORT

The Hon. T.A. FRANKS (15:08): Thank you, Mr President. I'm not sure how I can follow that one up. I seek leave to make a brief explanation before addressing a question on the topic of greyhound export to the Minister for Sustainability, Environment and Conservation.

Leave granted.

The Hon. T.A. FRANKS: According to the RSPCA, in 2015 a total of 624 Australian greyhounds were exported to a number of destinations, including China, Macau, Vietnam and South America. In past days, it has been reported by *The Sydney Morning Herald* that tourists are being encouraged to attend a '100-metre race show' between an 'African cheetah and Australian greyhound' for the title of 'fastest animal in the kingdom' by the Shanghai Wild Animal Park in China.

It is further asserted in these reports that there are approximately 40 greyhounds at this animal park and some of them are as young as two years old and that these dogs are being kept in hot, dark, concrete cells in atrocious conditions. Indeed, English-based greyhound protection worker Kerry Elliman has visited that site and tried to negotiate the release of these greyhounds. She has seen and documented recorded footage of the animals which completely contradicts the so-called 'paradise' and 'warm home for animals' as publicised in the park's advertising.

I note that this park previously came to the attention of the Australian public when Animals Australia had an investigation that exposed that unwanted domestic greyhounds were being exported to this zoo. The dogs are in squalid housing, they are distressed and they are not given adequate room or time to exercise, Animals Australia at that time informed the Australian public. As a result, in 2015 Qantas stopped the freight of greyhounds to Asia.

National racing rules, of course, imposed by Greyhounds Australasia prohibit the export of greyhounds unless they have a permit, which is granted if overseas jurisdictions meet Australian animal welfare standards. However, the federal government has so far refused to toughen legislation and make their export illegal, while Greyhounds Australasia's power in issuing these passports only extends to those people who are registered with the organisation. My question to the minister is: can the minister confirm that none of these dogs in the Shanghai Wild Animal Park in China are of South Australian origin?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:10): I thank the honourable member for her most important question. My answer is no.

GREYHOUNDS, EXPORT

The Hon. T.A. FRANKS (15:10): Supplementary: has the minister undertaken any due diligence to ensure that these dogs did not originate in South Australia?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:10): The honourable member seems to be under some misapprehension that I have ministerial portfolio responsibilities for the issue she is raising, including the export of animals to Shanghai and other places, the housing of animals and overseas export. As I understand it, and indeed from part of her question, a large part of this responsibility lies with the federal government and, in any case, other matters related to greyhounds lie with the Minister for Racing in the other place.

If she would like to put together a series of questions for me to direct to the minister in the other place, or indeed to the federal government, I am happy to oblige, but I don't know how she can expect that I, with no portfolio responsibilities for the issue she is raising, should be able to answer the question for her today.

GREYHOUNDS, EXPORT

The Hon. T.A. FRANKS (15:11): Does the minister dispute that he has carriage of the Animal Welfare Act? Why then has the minister previously introduced legislation with regard to the welfare of greyhounds in this state to this place?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:11): It seems pretty logical to me that the Animal Welfare Act pertains to animals kept in South Australia. The honourable member is talking about export out of the country to overseas destinations. None of these levers I have any control over.

GREYHOUNDS, EXPORT

The Hon. K.L. VINCENT (15:12): For the sake of clarity, when the minister replied, 'No', did he mean no, he can't guarantee that the greyhounds in question are not from South Australia, or no, they are definitely not from South Australia?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:12): Yes.

Members interjecting:

The PRESIDENT: Order!

GREYHOUNDS, EXPORT

The Hon. T.A. FRANKS (15:12): Supplementary: does the minister expect the South Australian public to buy his complete lack of interest in this area as the minister responsible for animal welfare in this state?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:12): I expect the South Australian public would be completely embarrassed by the Hon. Tammy Franks coming in here asking half cocked, ill prepared questions and not directing them to the place they should be directed to.

GREYHOUNDS, EXPORT

The Hon. T.A. FRANKS (15:12): Is lack of ministerial responsibility for portfolios a trait of the Weatherill government, or simply an individual trait of you as a minister?

The Hon. R.I. Lucas: It's just arrogance—arrogance.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:12): The tick of arrogance in this place goes to the Hon. Mr Lucas, of course,. He is a past number one ticket holder in the arrogance team. No-one can hope to surpass him in that measure. If the Hon. Tammy Franks wants to ask a series of questions, do her homework, work out who the responsible minister is, I am very happy to take those questions to the responsible minister and get an answer for her. But please, do your homework first; don't come here and grandstand.

GREYHOUNDS, EXPORT

The Hon. T.A. FRANKS (15:13): Supplementary: can the minister define which parts of the Animal Welfare Act the racing minister has carriage of?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:13): Mr President, I said to her moments ago that I am responsible for the Animal Welfare Act, for animals housed in South Australia. She is complaining about animals that are being exported overseas, to destinations such as Shanghai and possibly other places. I already have said to her that export matters are under the control of the federal government. I am happy to take on notice any well-researched questions she wants to direct to me, but I ask her not stand in here and grandstand on an issue that she knows nothing about.

Members interjecting:

The PRESIDENT: Order!

GREYHOUNDS, EXPORT

The Hon. T.A. FRANKS (15:14): Final supplementary: I understand that the dogs have been marked with trainer numbers. Will the minister undertake to work with the racing minister to explore whether these animals have come from South Australia originally?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:14): At least if she had phrased it that way, I could undertake to take that question to the Minister for Racing to seek a response on her behalf. But clearly she was not after a meaningful answer; she just came in here to grandstand, as is her usual wont.

ARRIUM

The Hon. T.J. STEPHENS (15:14): I seek leave to make a brief explanation before asking the Minister for Employment and Manufacturing and Innovation questions about the future of Arrium steelworks in Whyalla.

Leave granted.

The Hon. T.J. STEPHENS: I draw the minister's attention to the article on page 2 of today's *Advertiser*, which refers to comments made by the secretary of the commonwealth Treasury, John Fraser, who stated that it looked as though Arrium would be a smaller rather than larger plant following its sale.

It's acknowledged that with the recent change in federal government procurement rules demand has increased, which should lead to greater production. I believe the federal government is playing its part in ensuring the use of Australian steel in government projects to the tune of $144 million, which include the Adelaide to Tarcoola railway track and the Adani coalmine railway project in Queensland, currently at risk due to Queensland Labor government inaction. My questions to the minister are:

1. Does he support mandating the use of Whyalla steel in South Australian government projects?

2. Does the minister support the Adani coalmine project in Queensland, which will see $74 million worth of steel procured from the Whyalla steelworks?

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) (15:16): I thank the honourable member for his questions. I sense a reluctance to ask these questions, but he has been put up to ask them, so I congratulate him for doing so.

He raises comments that were made by the federal government casting doubt and pessimism upon Whyalla. Do you know what, Mr President? That's not the attitude we take in South Australia. What you won't hear is us talking South Australia down. That's not the attitude that we take. We know that some in the Eastern States take that attitude, and we know that often we get stunned silence from the South Australian Liberal Party when those in the Eastern States talk us down. That's not the attitude that we take. Tabled in this chamber today was a ministerial statement from the Treasurer that gave a comprehensive update.

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Will the Leader of the Opposition stop pointing his finger and interjecting across the floor? Order!

The Hon. K.J. MAHER: As I was saying, the Treasurer in another place has made a comprehensive ministerial statement today, which I have tabled in this place, about where the sale process for the Arrium Group is up to. I know the Treasurer noted in his statement that he continues to have regular contact with the federal industry minister, Mr Arthur Sinodinos, about ensuring that

the state and federal governments are both doing everything they possibly can to ensure Whyalla's future. That's why comments we have seen from federal bureaucrats in the Eastern States are so very disappointing. I would encourage my colleagues opposite—not just in this place but in the lower house—to speak out against the criticism we get from the Eastern States, particularly some of their mates in the federal government. I would encourage them to do that.

In relation to using steel produced in South Australia, yes, we as a government encourage that and we are keen to see anything that we have control over helping Whyalla out as much as possible because it is critically important for South Australia, and quite frankly for Australia, to have a sovereign steelmaking capacity. Whyalla, as a major town in South Australia, needs the support of both the state and federal governments.

ARRIUM

The Hon. T.A. FRANKS (15:18): Supplementary: does the minister agree with the words of Richard Denniss of The Australia Institute that, rather than a lifeline for Arrium Steel, this offer from Adani is a cruel hoax? Indeed, describing a one-off order of 56,000 tonnes of railway line as a 'lifeline' for Arrium Steel, when it has a capacity of some 2.5 million tonnes of steel per year, is less than 1 per cent of the capacity of the steelworks, and rather than a lifeline is it indeed a piece of dental floss?

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): I'm not going to get into the merits of projects that have nothing to do with South Australia, but if there is an opportunity to supply steel for any project that occurs anywhere in Australia, I think that's a good thing.

INNOVATION VOUCHER PROGRAM

The Hon. J.M. GAZZOLA (15:19): My question is to the Minister for Manufacturing and Innovation. Can the minister update the chamber on recent recipients of grant funding through the Innovation Voucher 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) (15:19): I thank the honourable member for his enthusiastic question and his enthusiastic interest in this area so regularly. The state government is strongly supportive of fostering innovation in South Australia in small to medium enterprises, as we have covered thoroughly with questions from the Leader of the Opposition today. That's why we have the Innovation Voucher Program in South Australia that provides grants from $10,000 to $50,000 to small to medium enterprises to stimulate innovation through collaboration with research and technology organisations, such as universities and similar private research providers.

Through the latest round of the Innovation Voucher Program, three companies were successful in being awarded funding for their projects to stimulate innovation in their businesses. Microbric received $50,000 in funding, subject to a co-contribution of $20,000, for industrial design to assist in the development of an affordable and easy-to-use Lego-compatible robot for educational use in junior primary schools. Microbric have had significant success with their existing product, the Edison educational robot, for use in secondary and tertiary education and have sold more than 100,000 Edison robots, both directly and through a rapidly growing international dealer network of more than 40 dealers now.

The prototyping and development of the Edison robot was made possible through an earlier Innovation Voucher Program grant in 2014. Sales of the Edison robot have brought almost $5 million in revenue to the state. This product line resulted in the creation of five full-time jobs in Microbric's Tennyson office, plus additional contractors that provide a range of services in the areas of software development, electronics and website development. I look forward to keeping the chamber informed of the company's continued success in their latest Lego-compatible product.

SPW Analytical is a South Australian-owned business established in 2014 that specialises in soil, plant and water analytical services. The company is focused on the prompt delivery of results to the industry through a variety of flexible, innovative reporting formats. Since its establishment,

SPW Analytical has grown from employing eight staff in the 2013-14 financial year to 37 staff in the 2016-17 financial year. They were successful in their grant application for $26,000, which is subject to a co-contribution of $13,000, with the funding to be used for a project with Resonate Systems and the University of Adelaide to develop an automated high-throughput device for infrared analysis in agriculture.

The third grant approved in this round was provided to Kontor Commercial, a South Australian company that has operated successfully in Adelaide over the last five years. Kontor Commercial manufactures a range of products targeting developers, architects, landscapers, builders, government and educational institutions. The company has developed products that incorporate traffic and safety management systems; shade and shade sails, including umbrellas; solar street lighting; composite decking; commercial and industrial storage; and streetscape and commercial furniture.

Kontor was successful in receiving a grant of $50,000, subject to their co-contribution of $25,000, to develop and independently test a fire-resistant protective shelter that could be manufactured in a factory and transported as a complete unit to site. I understand the company has demonstrated a clear differentiation to existing shelters on the market through the innovative product design of this new product.

These grants will deliver positive outcomes for the companies involved and foster new economic growth. I am pleased that the Innovation Voucher Program is delivering support to our state's businesses to make sure that they are able to transform in a modern economy to develop growth and economic output for this state.

INNOVATION VOUCHER PROGRAM

The Hon. A.L. McLACHLAN (15:24): Supplementary question for the minister, arising out of the minister's answer: when a co-contribution is required, does the government require the company to pay that into a separate bank account or into an account held by the government?

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) (15:24): I thank the honourable member for his very, very penetrating questions that regularly see me without full and complete answers. When the Hon. Andrew McLachlan stands up, ministers are scared, as a general rule. We have seen him completely befuddle our police minister already today with a supplementary question. I will double-check, but often in grants programs in relation to co-contributions, grant funding is paid contingent on investments having been made. I will double-check to see if that is the case with the Innovation Voucher Program.

PORTFOLIO RESPONSIBILITIES

The Hon. K.L. VINCENT (15:25): I seek leave to make a brief explanation before asking questions of the Leader of Government Business regarding the ministerial processes for portfolio responsibility and regular referrals to my office by ministerial officers.

Leave granted.

The Hon. K.L. VINCENT: Last week, on top of a recent interaction I had with the police minister's office that members may recall, I received a letter from a senior business support officer on behalf of the Minister for Transport and Infrastructure in response to my inquiry on behalf of a constituent. In this constituent inquiry, I was seeking advice on a disability parking permit related matter.

In the response letter, the minister's office referred the matter to the Minister for the Public Sector, the Hon. John Rau MP in the other place, despite, as far as my understanding is, the Minister for Transport and Infrastructure being responsible for disability parking permits. I will quote the letter for impact. It closes, 'If you have any queries regarding your correspondence, please contact the office of the Hon. Kelly Vincent MLC.' While I would hope that this is just another administrative error or something of a Freudian slip, I will seek clarification from the relevant minister's office. My questions for the Leader of Government Business are:

1. Does the state Labor government have a policy of referring issues relating to disability matters to my office?

2. How do ministers' offices determine whether a matter is the responsibility of their office or an alternate minister?

3. How is a decision made in ministers' offices as to whether the minister, a delegated staff member, a departmental chief executive or another staff member will respond to letters from members of parliament?

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order!

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) (15:27): I thank the honourable member very much for her questions. Obviously, I can't speak about how other minister's offices operate. I worked many years ago in one minister's office, and obviously I work in another minister's office at the moment. Certainly, it is generally the case that you would seek to provide an answer as efficiently and as effectively as possible and that would be on a case-by-case basis as to who would be in the best place to provide that.

I know that in my office, often if I have questions raised by other members of parliament and I can find an answer to that quickly then I will give them a quick phone call or write to them about what the answer will be. I know that in areas that have very high amounts of correspondence, there are dedicated officers both within the minister's office and the department to help reply to inquiries, whether they be from other members of parliament or constituents. If there is a particular concern the honourable member has, I am happy to talk to her afterwards to see if there is anything I can help her out with.

Members interjecting:

The PRESIDENT: Order!

AUTOMOTIVE WORKERS IN TRANSITION PROGRAM

The Hon. A.L. McLACHLAN (15:28): I seek leave to make a brief explanation before asking the Minister for Automotive Transformation a question.

Leave granted.

The Hon. A.L. McLACHLAN: On 17 May, in the minister's answer to a question on the government's grants program, the minister indicated that the focus so far has been on making sure that workers register for the programs that are available and that the next stage is to look at what metrics can be used to see how those programs have benefited them over time.

The Frost and Sullivan review, which the minister often praises, recommends that the ongoing program measurement and impact assessment should be implemented and that data should be obtained on quantifiable benefits to participants. I ask the minister to advise the chamber why the government has been unable to implement the recommendations contained in the report that was published two years ago.

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) (15:29): I thank the honourable member for his question. Certainly, the Frost and Sullivan review did talk about having a process of ongoing review of programs to see that they are as effective as possible, and that is certainly what the department does.

I know they regularly speak to me about a whole variety of programs that are run through DSD. I think the question harked back to the Automotive Workers in Transition Program and reviewing its effectiveness there. Still, it is the case that far and away the most important function at

the moment is getting people involved in the program, but in relation to a review of that program I am happy to see where that is up to.

Bills

PUBLIC INTEREST DISCLOSURE BILL

Conference

Consideration of message No. 219 from the House of Assembly:

The House of Assembly requested that a conference be granted to it in respect of certain amendments to the bill. In the event of a conference being agreed to, the House of Assembly would be represented by five managers.

(Continued from 11 May 2017.)

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:30): I move:

That a message be sent to the House of Assembly granting a conference as requested by that house; and that the time and place for holding the same be the King William Room on the first floor of the Legislative Council on Wednesday 31 May 2017 at 8.30am and that the Hon. Andrew McLachlan, the Hon. Tung Ngo, the Hon. Mark Parnell, the Hon. Terry Stephens and the mover be the managers on the part of this council.

Motion carried.

SUPPLY BILL 2017

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2017.)

The Hon. T.A. FRANKS (15:31): I rise to speak on the Supply Bill. I note that both the Greens will be speaking today on the Supply Bill, a double treat for the chamber.

Members interjecting:

The Hon. T.A. FRANKS: I will resist the interjections of my non-Greens colleagues and note that while the Hon. Mark Parnell will raise issues that I certainly concur with in relation to the defunding of the Welfare Rights Centre of South Australia—and indeed what I would call yet another attack on the poor—I wish to turn my attention in this Supply Bill debate to a tale of what I would call two cities or two parts of North Terrace.

The most visible part of the current state government's efforts, of course, is the new RAH, soon to be opened at the far western end of North Terrace. This brand-new $2.3 billion hospital is variously touted as the most expensive hospital in the world or the third most expensive building in the world. Walking around it on a politicians' tour recently in our high-vis vests, sensible shoes and construction hats, I have to admit: it is certainly a stunner. But I think the sting in the tail is yet to come. When we see the staff and patients finally move in and start using the facilities, those facilities, yes, will be beautiful, but scratch that glossy surface and will they be fit for purpose?

Imagine the most expensive hospital in the world, built with the bureaucrats and builders calling the shots and only calling in the medicos for a proper second opinion well after those final licks of paint have dried and the cranes have long moved on. No need to imagine: people of South Australia—through you, Mr President—I give you the new RAH.

During the build itself those clinicians have not been twiddling their thumbs and waiting for the paint to dry on the new RAH before raising their concerns and in some cases alarm. They have taken time out of their busy schedules to construct their case, write pleading missives to bureaucrats and ask for responses and face-to-face meetings, and they have largely been ignored, not just for months but in fact for years.

Imagine, then, my lack of surprise to learn that 14 heads of departments at the current Royal Adelaide Hospital have described the outpatient facilities as 'woefully inadequate and not fit for purpose'. The CEO of SA Health has conceded that at this stage about some 10 per cent, or around 37,500, of expected outpatient appointments annually will probably have to occur elsewhere, or

indeed there has been talk of some sort of a night shift. This is no surprise to me. The walls may be beautiful, but the very foundations of this shiny new hospital are built on fiscally shaky ground.

Those heads of departments have written to the CEO not for the first time, but most recently in May this year. Having asked to see the facility's design and details for over two years, 14 of them have now written a joint letter to SA Health CEO, Vickie Kaminski, saying that they are not prepared to accept the outpatient facilities as 'it asks for an unacceptable level of compromise that will jeopardise patient care and safety, which we cannot condone'. The letter they have written goes on to say:

> Unfortunately, this only confirmed our long held apprehension that the outpatient facilities are significantly inadequate both in design and fitness for purpose, let alone in the availability of sufficient space for this directorate's current level of activity.

Their letter lists a dozen objections, including 'insufficient rooms to accommodate our current activities' and lack of space for trainees or families. The lack of provision, it is reported in the *Sunday Mail* in an article by Brad Crouch, for multidisciplinary services is 'clearly not functional'. The letter goes on to state:

> The destruction of multi-disciplinary clinics is a highly retrograde step, sending our function backwards by several decades.

It is no surprise to me that this has occurred. Imagine then, when confronted with this news, being told by the health minister that it is actually a good thing that this bright, shiny, new hospital is a year and a half behind schedule because, once we do open the doors in September this year, we hope, it will be a cost and we will be forking out another $1 million a day to a private consortium just to keep it running.

So, according to the health minister, we have done well because we have saved around $365 million so far with the hospital being behind schedule and will probably save another lazy $100 million before we see the very first patients even treated. Only in South Australia, some might say. But, sadly, unlike the Hills Hoist or the Balfours' frog cake murals on the walls of this lovely new hospital, this result is not a product of South Australian ingenuity. It may well be a product of South Australian political stupidity, but it is of course a product of a very flawed PPP process.

A PPP is a public-private partnership and it has been the funding model favoured by this Rann/Weatherill state government. They are, of course, nothing new. In the United Kingdom, the PPP by another acronym, the PFI (private finance initiatives), has seen that nation's National Health Service pay, for example, the Edinburgh infirmary hospital some seven times over the amount they would have paid had they used a public process, but that particular hospital will remain the property of the private operator. We have seen this system tried in the UK and we have seen it fail, but we have not learnt the lesson here in South Australia.

Of course, for a government, and this state government, the PPP looks better for the books. However, for the public this private partnership, like so many in the UK before it, is a dud deal. Under these PPPs, government payments to private companies are stamped as expenses, but it is all smoke and mirrors; it is debt and it is daft. The end result has hit not just our hip pocket in this case but it has hurt our health system. The new hospital may be a builder's and a bureaucrat's dream, but if it is not fit for purpose it will be a patient's and a medico's nightmare. It is already on the sick list even before taking the very first patient.

A little closer to this parliament on North Terrace is a tale of a much smaller piece of infrastructure, a piece of infrastructure that is no longer there, a piece of infrastructure that once existed below what is now the biomedical precinct on North Terrace West—the Adelaide city skate park. I note there is no money for the new Adelaide city skate park in this Supply Bill, and has not been announced in any way in the last few years by this state government. That is despite the fact that a new biomedical precinct now stands tall at the western end of North Terrace where once the Adelaide skate park stood. When it was announced to be built, the Premier promised that a new Adelaide city skate park would be built and would be supported by the state government.

A modern city, a vibrant city needs more than wine bars; it also needs a safe place for positive youth development opportunities. Now more than ever, our state has an opportunity to build an even

better facility than the one we had before. I have a note that skateboarding is no longer a form of simply rolling around and being rebellious on four wheels, and it should not be dismissed.

Just yesterday, I read a story about a 10-year-old girl from Western Australia who lives in the small town of Denmark. Her name is Isi Campbell and she is a skateboarding prodigy. She has to travel to the Eastern States because of the lack of skate park facilities near where she lives, but she has been so determined that she is looking at competing in the Olympics. Yes, that is right: the world now takes skateboarding seriously, even if this state government does not.

Young Isi is looking at competing in 2020 when, for the first time in history, skateboarding will become an Olympic sport. However, here in South Australia such dreams are being dashed before they can even begin. Skateboarding representatives say that the current temporary skate park, which is being used by as many as 80 skaters on a good day, is just not up to scratch for this kind of usage. To quote Jarrod Knoblauch:

> It's the same sort of skate park that a country town has, where eight kids skate it every week but when you've got 80 dudes skating it in one day, things are going to fall apart.

Respected Adelaide BMX figure Matt Hodgson has also pointed out that it is not even worth the time it takes to ride across town. Matt Hodgson has a background in BMX, which was previously catered for by the Adelaide city skate park but is not catered for by the temporary response that we have seen since the loss of the Adelaide skate park. Matt said, 'It's not built for us…It's fine for skating but it doesn't have any of the components of the old city [skate] park.'

Those components, of course, are that it was built for purpose, it suited skaters, scooters, BMX and it was fit for competition. There was a promise by the Premier of this state that there would be a new Adelaide city skate park when the state government took that land to build the biomedical precinct. That was prior to the 2014 state election and yet here we are in 2017 and still there is no skate park for the skaters.

There have also been complaints from the public—and I note a news piece recently on TV—regarding skateboarders, who are using the ledges in front of the Museum as a place to hang out and skate, being a nuisance. I have raised this matter in this place not just once in a motion, not just twice in a motion but, of course, this third time. Each time I have been told by the state government that it is too soon to commit to a skate park. Well, it was not too soon in 2013 and certainly it is not too soon for those people who are now having to deal with skaters resorting to skating out the front of the Museum, because if the city does not have a skate park, the city will become a skate park.

If you cannot get the basics right and you cannot keep your promises as a Premier to the skating community of this city then you do not have vibrant Adelaide. Indeed, if you cannot keep those promises and if you forget the skaters it may be a small thing, but it will be something that the skating communities, their friends and their families who vote next year in the state election will remember and will hold in mind when they cast their ballot.

The Hon. J.A. DARLEY (15:43): The purpose of this bill is to enable the government to continue to pay the wages of public servants. It is important that any state budget is used efficiently for the benefit of the people of South Australia and not wasted on unnecessary matters—for example, with regard to the O-Bahn project. The government embarked on this project to reduce travel time for residents in the north-east to go to the city and return by avoiding delays at intersections such as Botanic and Hackney roads. It was suggested that, for each of the approximate 1,000 bus journeys made on the O-Bahn each day, travellers would save 3½ minutes.

In reality, I understand the 3½-minute saving would only apply for two hours each day, that is, between 8am and 9am and 5pm and 6pm, Monday to Friday. Furthermore, the savings did not take into account the additional time taken to walk back to Rundle Mall or North Terrace from Grenfell Street for passengers working in those areas.

In the 2016-17 budget, the Valuer-General was provided with an extra $2.8 million to commence a five-year rolling revaluation program. I have made several attempts to obtain specific details of how the project was to be undertaken; however, the information I have been provided lacks detail and direction for the project. We are now within three weeks of the 2017-18 budget being presented to parliament. Not only should the Valuer-General be able to articulate details of the

revaluation program, they should also be able to provide details of what has actually been achieved in the past year since they received the additional funding.

In July 2015, PIRSA commenced an investigation into the problem and possible solution to spray drift issues between dryland farming undertaking grazing and cropping activities and adjoining vineyards within areas in the Barossa Valley. After questions were raised about the project, I was advised that the investigation was being undertaken by an informal committee which had no terms of reference and no projected time line. Under persistent questioning, a final report was produced with no effective recommendations. This informal committee has now been dissolved and replaced by a new committee comprised of the CEOs of PIRSA, DPTI and Primary Producers SA. I question the effectiveness and purpose of the initial committee if a new committee is now looking at the same issue two years later.

In the 2016-17 budget, the Investment Attraction Unit within the Department of State Development had a target to distribute $15 million to attract businesses in South Australia. In questioning at the Budget and Finance Committee, it was revealed that the $15 million target had been achieved at a cost of $13.6 million to the state. This seems like an extraordinary use of public moneys.

There have also been large-scale failures within large and medium-scale government computing systems. The health department and Treasury has spent well in excess of the budget amounts to develop the EPAS and RISTEC systems. The Department for Communities and Social Inclusion had to scrap its attempt to develop a pensioner concession system when the cost escalated to about 10 times the original estimate. Whilst it is important to make sure that computing systems are developed correctly, it is also important that customers (in this case, government departments) know what they want the system to do so that the software developers create programs which do what is needed in line with approved budgets and time lines.

These are but a few examples of the sort of inefficient outcomes of the Public Service, and government should ensure that these are not to be repeated in the future. With that, I support the second reading of the bill.

The Hon. M.C. PARNELL (15:48): In debating the Supply Bill, I want to draw attention today to how the federal and state governments are letting down some of the most vulnerable people in our state. I am referring to the decision that was announced last Friday afternoon to close three important community legal centres, namely, the Riverland Community Legal Centre based in Berri, the South East Community Legal Service based in Mount Gambier and the Welfare Rights Centre based in Adelaide. Depending on who you talk to, these closures are either the result of federal government funding cuts or they are the result of the state government failing to properly manage its own processes and budget. Regardless of who was to blame, the ones who will suffer are clearly some of the most vulnerable people in South Australia.

Let us look at what these community legal services do. The two country services (in the Riverland and in the South-East) are what are referred to as generalist services: they provide a wide range of legal advice on a wide range of legal problems. I have some experience with both of these services. In the 10 years that I was working for the Environmental Defenders Office we would often visit the Riverland and the South-East and both of those centres would lend us an office and would put us up for the day. In my time there I saw the range of work they did and the quality of the work they did.

It is not just high-level legal problems and it is not just major cases that are going to end up in the Supreme Court. I think a lot of us forget that ordinary folk do not have a lot of interaction with the law. Most people do not really understand how the law works and they do not know what to do when they are faced with a legal problem.

One conversation I had with one of the solicitors in one of these centres was about a client who had walked in the door recently, an elderly lady whose husband had just died and she did not know what to do. What do you do legally? She did not have family or kids to support her. What do you do? Here was a shopfront where there were sympathetic people who understood the law, if there was a legal issue involved, but who could otherwise help direct the person to other places that could be of more practical assistance. If there is a legal problem, they will identify it; if there is not, they will

reassure and calm the person. For people and clients like that a Skype service, an internet-based service or even a phone service just does not cut it.

The two legal services in the Riverland and the South-East also provide outreach services to the prisons that are in those areas. That is not terribly sexy work and it is not necessarily popular work. As Judge Peggy Hora, Thinker in Residence and a person I have quoted many times in this place, said about all these prisoners, 'They're coming back to us; they're coming out of prison and they're coming back to us.' They can come back to us with even more legal problems than they went into prison with or they can come back to us perhaps on a bit more of a level field and maybe with a chance to get back into society and to rehabilitate. So, they are important jobs that these country legal services provide.

Most of us know that a huge proportion of the population receives some form of social security benefit, whether it is aged pensions, unemployment benefits through Newstart, the disability pension or any of the other pensions, payments, allowances and concessions. We know that things go wrong when you have massive bureaucracies such as that administered by Centrelink. Sometimes things go wrong because of stuff-ups, sometimes it is human error, sometimes it is computer error, sometimes it is just appalling government policy that makes life overly difficult for people and discriminates against people and kicks them when they are down.

We know that mistakes happen often in the social security field. In fact, whilst I am always loathe to bring too many personal examples into this place, one of my kids once had an exchange with Centrelink over an imaginary application for a disability pension. When my child said, 'I have never applied for a disability pension. I am not eligible for one, I don't want one. I am a student.' The best they could do was say, 'We are sorry, you have been rejected for a disability pension.' You have to wonder. This stuff would do well in a *Yes Minister* script or even a *Monty Python* script.

We know things go wrong. Where do you go when things go wrong? You go to the Welfare Rights Centre. They are the experts. They know how all of these bureaucracies work. They know what people's obligations and rights are. There is more than just that, there is more than just the provision of legal advice to people who walk in or ring up. They also provide a duty solicitor service to the South Australian Civil and Administrative Tribunal and also a duty solicitor service at the Administrative Appeals Tribunal. Welfare rights are there to help those who have no-one else to help them and to advocate on their behalf. They also provide an outreach service to the APY (Aboriginal) lands. They go there two or three times a year, providing legal services.

There is even more than that. Another service they provide is a Housing Legal Clinic, providing essential legal advice to those who are experiencing or are at risk of homelessness. One of the great things about this particular service is that it leverages around $600,000 worth of pro bono legal assistance from the private legal profession. These are organisations that run on a shoestring. The annual budget for the South East Community Legal Service at Mount Gambier is something like $522,000 a year; it is about half a million dollars a year to serve that entire community. It is money well spent and it pays for itself.

Following the announcement of these three centres closing, the National Association of Community Legal Centres has sheeted home responsibility to both the federal and the state government. According to the national association's media release from yesterday:

> People in South Australia will miss out on essential legal services as a result of the decision of the South Australian Government to close three of the eight Commonwealth funded Community Legal Centres (CLCs) across South Australia…
>
> 'We are extremely concerned about the decision to close three of these centres—the Welfare Rights Legal Centre, that provides expert social security law assistance; South East Community Legal Centre based in Mount Gambier and Riverland Community Legal Service in Berri.'…
>
> 'The closure of these centres and the move to the centralisation of access to legal services will act as a barrier for people getting the help they need from local community-based services. People in places like Berri already face barriers to accessing services and now their nearest CLC will be hundreds of kilometres away.'

When it comes to whose fault it is, I will give you two contrary opinions. The first one we will get from the Attorney-General, Mr Rau. In his media release, which I think is best described as an attempt to put lipstick on a pig, he acknowledges that the commonwealth recently announced additional funding

for community legal services and he complains that the detail was only made available to the state government in recent days. Mind you, that complaint did not stop him from closing these centres. He says:

> The additional Commonwealth funding does not reverse the Federal cuts to community legal services sector in South Australia.

If we contrast that with the media statement, again from yesterday, from the peak body, the National Association of Community Legal Centres, their spokesperson says:

> We are very disappointed that the South Australian Government has made this decision despite the Commonwealth Government reversing the funding cuts facing CLCs in the recent Federal Budget.

I think that both levels of government need to bear responsibility, but our focus here is on what the state government can do. The government says that it is not cutting these services, but that they are going to be provided in different ways. As I have said before, there is going to be an emphasis on telephone advice, they are going to use the Legal Services Commission as a central clearing house and I guess people, if they are able to, will log onto computers, but what is really unclear is whether the shopfronts will be maintained, whether the hours will be maintained and whether local solicitors and support staff based in the local community will be retained.

According to the Attorney-General, services in Adelaide's south, in the South-East of the state and in the Riverland will now be provided by Southern Community Justice Centre. I have no beef with that organisation. They do good work; I have no criticism of them whatsoever. I guess you could say that providing some service is better than providing no service, but it is still very unclear whether the quality and quantity of services that those country communities have enjoyed up until now will be able to be met in the same way under new management.

It is clear that cost cutting has gone on, and it seems pretty clear that other organisations have sniffed the wind and put in bids for much lower levels of service. It appears that that is what has happened here. Similarly, the service provided by the Welfare Rights Centre appears to have gone to Uniting Communities. Again, I have no criticism of that organisation; they do fine work. They have entered a field that was much lacking in South Australia, that of consumer credit, so I take my hat off to them, but if this is just about cost cutting, shutting shopfronts and closing a specialist service that has served the South Australian community for decades, then it is just not good enough.

The next step, of course, is what can be done. I will refer to the media release put out by the National Association of Community Legal Centres. They have made the following call to the South Australian government. I think they are on the money, and I echo these calls. They call on the South Australian government to do its part in ensuring that the people of South Australia can access the legal help they need by—there are four dot points—firstly, increasing its contribution to community legal centre funding. The three centres had never received state funding; they were commonwealth funded. The state government always avoided sending money their way—they said, 'No, you can rely on the feds'—and now they are not prepared to step in and save those essential services.

Secondly, they call on the South Australian government to make a decision on the allocation of the additional commonwealth funding that was provided in the 2017-18 federal budget as soon as possible. We know that much of that money has been earmarked for domestic violence services. I think it is probably fair to say that that is exactly a lot of the work that these community legal centres do—it is in that field—so there is no incompatibility there.

Thirdly, they call on the state government to revisit its decision to de-fund these three centres. Finally—and I guess this is the fallback position at the end of the day—if the government is committed to closing these centres, they call on the state government to provide transitional funding and support for the people, communities and centres affected. I think that final point is an important one.

Having spent a fair bit of my life working in and with community legal centres, I know that there is a lot of sacrifice. We have lawyers, paralegals and administrative people who work for far less pay than they would get in the private sector or even in the Public Service. People work in these areas because they appreciate the need that they are serving. Sure, they get satisfaction out of it, but they work very hard. As I said before, it also leverages a lot of pro bono assistance. These

community legal centres are great training for young lawyers. It exposes young lawyers to issues and to people that they might not otherwise be aware of.

I can say, as a fact, that my early work at the Fitzroy Legal Service exposed me to a side of life that I had not imagined. It was a long way from the middle-class suburbs, where I guess most of us grew up, to the streets of Fitzroy in the 1970s—a very different world. We know that community legal centre lawyers work in a tough environment. It can be frustrating but it can also be rewarding. I think the government owes it to these people, who have served the South Australian community for so many decades, to not leave them in the lurch, to provide them with funding and to provide them with some certainty so we can ensure that the important work that they do will continue.

Debate adjourned on motion of Hon. J.M. Gazzola.

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 March 2017.)

The Hon. R.I. LUCAS (16:02): I rise on behalf of Liberal members to speak to the second reading of the Electoral (Miscellaneous) Amendment Bill. I apologise at the outset that, given the ongoing discussions about the legislation, my contribution might not be as well ordered as I might otherwise have wished it to be—it might be a little bits and piecey. I apologise to those members like the Hon. Mr Darley, the Hon. Mr Parnell, the Hon. Mr Hood and the Hon. Ms Vincent if it is a little bits and piecey and perhaps moves backwards and forwards a little more than it should do under more ideal circumstances.

With that apology at the outset, I will address the bill. It has been some time since the bill was debated in the House of Assembly. Later on in my contribution, I will outline, in part, the reasons for that. As I have indicated to some members, given the impending importance of the start-up date of 1 July for some key provisions of the public funding bill that we debated some time ago, there has been a view that certain amendments will need to be made to that, and I want to address some comments to that.

It is for those reasons that this bill was held up whilst discussions had transpired between the government and the opposition in relation to some of the public funding issues that have arisen as a result of the experience of dealing with the legislation in the early days. Given the timing of sitting weeks, it is therefore essential that this bill is passed by the end of this week, because we do not sit again until 20 June. I will address some comments in relation to those later on.

In broad terms, Liberal members support the provisions in the legislation. However, there are a significant number of issues and amendments. As members will be aware, I have now taken over carriage of the legislation. There are some amendments still in the name of the Hon. Andrew McLachlan, which I will move on his behalf.

There are currently amendments from the Hon. Mr Darley and the Hon. Mark Parnell. I am not sure whether they have actually been filed. It looks like they might not have been filed, but there are certainly amendments being discussed with minor parties and Independents today, as I understand it, which will be filed by the government for consideration. In terms of quantity, there are more significant numbers of amendments from the government package than there are from the Hon. Mr Darley and the Hon. Mr Parnell and the ones previously listed in the name of the Hon. Mr McLachlan.

The first key issue that I wanted to raise is in relation to government endeavours to restrict pre-poll voting. There are some significant amendments in relation to that to which we are strongly opposed, and we would respectfully ask minor parties and Independent members of the Legislative Council to consider our position on those parts of the bill that we have before us.

On the issue of pre-poll voting, the government—not previously but in this bill—has adopted a very strong position of saying that in their view, inherently, the increasing number of people voting before polling day is wrong in principle and they are seeking to significantly restrict it. They are doing that in a number of ways. There is quite an extreme provision in relation to people having to sign

statutory declarations to undertake certain pre-poll votes. There is a restriction on the length of time for which pre-poll voting centres will be open.

Put simply, the government is saying polling booths throughout the state will be open prior to election day. Voters who meet certain restrictive criteria, such as they are working or travelling on polling day or for a variety of other reasons, can go along and, if they make that particular claim and fill out that particular form, they are entitled to vote in those polling booths prior to election day. The government is seeking to restrict that period to just a period of five days prior to polling day. Essentially, the Monday before polling day would be the first day that those particular pre-poll booths would be open.

From discussions with the Electoral Commission in recent weeks, in broad terms, the current arrangements under the current act are that the pre-poll booths would be open on the previous Monday; that is, there would be provision for one additional week of pre-poll voting at those polling booths.

Broadly, the current situation is that these booths would be open in the last two weeks of the election campaign. The government position is to restrict that to just the last five days of the election period. There is a complication next year in that the Monday before the fixed election date is a public holiday, so it is not entirely clear whether that means there would only be four polling days or whether the Electoral Commission would open on the Monday so that there would be five polling days.

I am told that it might be possible—and I have struggled to understand how—that the fifth day could be the previous Friday, that is, it would be open on the Friday, close Saturday, Sunday and Monday and then open again on Tuesday, Wednesday, Thursday and Friday. I struggle with how that interpretation is possible, but that is an issue we will need to explore with the government during the committee stage of the debate.

The fourth restriction essentially says that party workers or volunteers would not be able to have certain electoral materials within 100 metres of one of these pre-poll booths. Again, members who are aware of the circumstances will know that party workers or volunteers who are there handing out how-to-vote cards may well have A-frames with the photo of the candidate and the slogan or whatever it might happen to be and, as long as they are more than six metres from the opening to the polling booth, a bit like on polling day, they are able to conduct certain campaigning activities.

The government proposes to say that they cannot do that within 100 metres of the polling booth. We think that all those restrictions are wrong in principle and restrict the ability of people who believe or undertake that they cannot vote or for whom it would be difficult to vote on election day from undertaking their democratic right to vote in a reasonable period before the election period and, similarly, to have how-to-vote cards or other materials given to them as they enter the particular polling booth without having to sign statutory declarations and the like during that particular process.

There is one other related issue, which was debated at length when we last had this bill open, and that is the issue of what is known as the postal vote application form. There was a restriction last time and a compromise arrived at which we thought was acceptable, in the end, that parties could provide to electors copies of the official postal vote application form; that is, you could get a copy of the official application form for a postal vote, but it had to be submitted to the Electoral Commission: it could not be submitted to the party organisations.

Prior to that change, the Liberal Party, the Labor Party and any party that wanted to go through it would undertake a process of putting out their own application form. It would come into the party headquarters; the party headquarters would then provide a copy of the official application form and forward it to the Electoral Commission. That process involved the party organisation. Under the current arrangements, that is not allowed; it is clearly the Electoral Commission. You can get it from the Electoral Commission, if you wish.

The party, or anyone, can send people a copy of the official application form and if you are travelling or going away you can fill it out, submit it and it goes not to the Liberal Party or the Labor Party but to the Electoral Commission and the Electoral Commission then processes it. That is an entirely reasonable position. For example, without that service being provided by parties, many people might not be aware of the capacity to apply for a postal vote. The Electoral Commission does

not have an unlimited budget in terms of publicising the availability of postal votes. It certainly does not send these application forms to every household or to a large number of households. So, if that is a service to be provided by the Liberal Party, the Labor Party or any party, and they then have to go back to the Electoral Commission, what is the harm in that?

That was the compromise arrived at when we last debated it, and the government is seeking to remove that capacity in this particular piece of legislation. We again will oppose it. We are saying that the compromise we arrived at last time was a reasonable compromise. Where is the evidence of any harm since that particular compromise was arrived at? No evidence has been proffered. It is clear that the government is intent on making it harder and harder for people to lodge postal votes, to undertake pre-poll voting and for campaigning activities to go on in the pre-poll centres.

It is interesting because, when these provisions were originally put in the bill back in March 1985, then Labor attorney-general, Chris Sumner, lauded the magnificence of the reforms that the Labor administration was introducing to provide for pre-poll voting in the Electoral Act. The Hon. Chris Sumner said in his second reading explanation of the bill:

> The principal objective behind the comprehensive revision of the Electoral Act is to make it as easy and as simple as possible for South Australian electors to enrol and to cast an effective vote. The bill seeks to be simple and straightforward: simple to read and understand, simple to administer and simple to comply with. All unnecessary impediments and obstacles to an elector seeking an entitlement to vote and exercising that entitlement have been removed.
>
> The government considers this healthy for democracy because it puts the future of the state exactly where it should be: in the hands of the people. A significant initiative in this bill, and one which is likely to be adopted by other states and the commonwealth, is the simplified method of voters voting for electors who cannot attend polling booths on the day of the election in their enrolled district.
>
> All they will be now required to do is to certify that they will be unable to attend, and they will be issued with a ballot paper. This can be done by post and most significantly at the office of any returning officer or assistant returning officer appointed for that purpose. This and other initiatives in the bill derive from three major sources: the first is the report of the Electoral Commission on the conduct of the 1982 election; the second is the substantially revised commonwealth Electoral Act, which was amended following a joint select committee report of the federal parliament; and, the third was the policy of the Australian Labor Party in respect of elections, which was announced during the 1982 state election.

Again, without reading the whole of then attorney-general Mr Sumner's second reading, I will quote one more paragraph toward the end, wherein he states:

> South Australia led the country with the electoral visitor program, and this new provision will similarly prove to be a model for the commonwealth and other states and will be welcomed by thousands of electors who, for a variety of legitimate reasons, cannot get to a polling booth, or polling booth in the right area, on polling day.

The Labor Party were the authors of this particular reform and patted themselves on their collective backs to say that they would lead the nation in relation to this reform, and to be fair these reforms have been followed in virtually every other jurisdiction, to allow greater freedom for people to be able to vote before an election.

There are many people who find it difficult and cumbersome to get to a polling booth on election day. There are many people who find it difficult and cumbersome to queue, potentially for an hour or so, on polling day to lodge their vote, as they might wish to do.

Those of us who worked at the recent state and federal elections will know that, in some polling booths, there were queues a hundred or couple of hundred metres long, lining up and delaying people for a hour or so in trying to get in to lodge their vote. The convenience of being able to provide some people, who might not be able to get to a polling booth or have some problem with voting on election day, with the ability to vote in the period 12 days prior to polling day, which is the current arrangement, is a sensible provision. It was consistent with Labor Party policy in the 1980s and it was introduced by a Labor government.

We have amended it over the years, but the essential principle has remained that we should make it as relatively easy as possible for people to vote at an election. This is essentially only allowing—in terms of the pre-polling centres, on the advice we have received—that the earliest that they could open would appear to be on the Monday, 12 days out from election day. So from our viewpoint there is no valid argument from the government as to why we should, in essence, breach

what has been a longstanding principle, one introduced by a Labor government, a Labor attorney-general, Christopher Sumner, to allow this 12 days of pre-poll voting in an organised way to maximise the participation of voters in expressing their wishes at an election.

Therefore, obviously that package of amendments will be disputed. There will be opposing views as between the government and the opposition. What I am seeking to do, I think, for the benefit of minor party and Independent members, is to highlight perhaps, firstly, the areas where there are differences of opinion and then ultimately it is going to be up to the wise counsel of the minor parties and Independents to decide, in their judgement, as to the adequacy of the argument and determine ultimately a position in relation to it.

There are significant chunks of the amendments where there is agreement between the government and the opposition; therefore, minor parties and Independents will clearly still express their views, but they will do so in the knowledge that the government and the opposition have agreed on a significant number of the amendments that the government is going to move. But in this particular area—those three or four areas I have highlighted—we on the Liberal side earnestly ask the minor parties and Independents to consider the argument that Chris Sumner and the Labor Party offered back in the 1980s and onwards.

It has only been now, in the last 12 months, under Premier Weatherill, Attorney-General Rau and other ministers currently that all of a sudden they are tossing out the window 30 years of Labor history and support for what they lauded as one of the great reforms, because, one suspects, they see some partisan political advantage in being able to restrict the number of people who can lodge postal votes or vote in pre-polling centres prior to the election.

That should not be the guiding principle for reforms to the Electoral Act. The guiding principle should be fair and free elections and maximising the capacity for people to participate and to maximise the chance for those who might find it difficult to queue at length on a polling day, for up to an hour or so, in inclement weather, such as very hot weather, or whatever it might happen to be.

The government's position appears to be, 'Well, blow that. What we're going to do is say that you can't do as you currently do, in the 12 days, and find a convenient day in convenient weather and when you've got a helper or carer who can get you to one of these pre-poll voting centres prior to polling day. What we're going to do is try to make it as tough as we can and restrict it to as limited a time as possible.' It is five days, and, as I said, depending on what they decide to do with the Monday holiday, it might actually even be four days in terms of being able to participate.

That is not maximising the chance for voters to be able to participate and express their view, one way or another, as to whether they want the current government to continue or some other government to be installed or whether they want to express a view in favour of a third party candidate instead of either of the major party candidates. So it is a critical issue, and it will be the subject of quite extensive debate, I am sure, in the committee stages of the legislation.

In relation to the amendments that are listed currently in the name of the Hon. Andrew McLachlan, then, amendment 1 is the issue I have just canvassed. Amendment 2, again, is one of the issues I have just canvassed. Amendment 3, however, is a different issue. That is the issue that is simply one of penalties in relation to misleading advertising.

This is a simple issue. Again, there is a difference of opinion between the government and the opposition and the minor parties will need to determine it. The government is significantly increasing the penalties for misleading advertising provisions. We believe that the current penalties are relatively significant and should continue as they are. There has been no evidence as to the inadequacy of the current penalties but, again, that is a relatively simple issue which will ultimately be determined by the minor parties and Independents in the chamber.

There is a fourth amendment that is listed as [McLachlan-2] amendment No. 1, and that is in relation to allowing candidates to, in essence, participate on election day. I indicate at the outset that I have been advised that the government is likely to support that so there may well not be a difference of opinion in relation to it. This is essentially allowing what occurs at federal elections to occur in state elections. That is, in the federal elections each of us would have seen federal Labor and Liberal

members or Labor and Liberal candidates on polling day handing out how-to-vote cards and being able to talk to voters, etc.

Under the state Electoral Act there is a provision which says that candidates are not allowed to personally solicit votes on election day. It does not stop Liberal and Labor members of parliament driving around all day and taking drinks and cakes and treats to their party workers and, if it happened that somebody said g'day to somebody who was going into a polling booth on the way it again does not prevent that sort of thing. However, in our judgement it does not seem to make too much sense. We think the federal provisions are reasonable and the amendment in the name of the Hon. Andrew McLachlan, which I will move, in essence seeks to reflect the federal provision in state legislation. As I said, my understanding is that that is likely to be agreed to by the government.

The next series of amendments are the ones being moved by the Hon. Mr Parnell. I will work backwards and do the easier one first. Amendment No. 3 is the one that I addressed some comments to earlier. It is the limitation on placing notices or signs within 100 metres of a pre-polling centre. The Hon. Mr Parnell is obviously opposing the government's moves there. We will be supporting the Hon. Mr Parnell's amendment. My understanding is that the government is likely to oppose that, for the reasons I outlined earlier and so, essentially, it will be a position for other minor parties and Independents to determine the ultimate effect of that particular amendment.

The next one is in relation to the nomination fees issue. The position arrived at when this was last debated, I understand, was that the nomination fees for upper and lower house candidates was significantly increased by the government to $3,000. There has been opposition to that from some people, and the Hon. Mr Parnell is moving an amendment to reduce that to $1,000 for Legislative Council candidates and $500 for House of Assembly candidates. The Liberal Party's position is that we will not be supporting that part of the amendment from the Hon. Mr Parnell in relation to a reduction in nomination fees for Legislative Council members. However, we have reserved our position for further discussion with the Hon. Mr Parnell and other parties in relation to our position on the nomination fee for House of Assembly candidates.

If there is no alternative agreement our default position as a party will be to stick with the $3,000 nomination fee but I, together with others I am sure, will be having discussions with the minor parties and Independents over the coming few days. The Liberal Party has some flexibility in relation to its ultimate position in relation to that part of that amendment.

I now turn to the amendments being moved by the Hon. Mr Darley. Amendment 1 from the Hon. Mr Darley offers candidates the opportunity to rectify mistakes made on nomination papers. We will be supporting that amendment. We suspect that the government may well support that, but it will be for them to indicate their position on that amendment.

In amendment No. 2, the Hon. Mr Darley wants to delete clause 14 of the bill, which removes the scope for Independents to have certain descriptive information, up to three words, printed on the ballot paper next to their name. In essence, the Hon. Mr Darley's position is to support the current compromise position which is 'Independent' plus three descriptor words. The government is seeking to remove the scope for any descriptor words being allowed after the word 'Independent' on the ballot paper. We will be supporting the position of the Hon. Mr Darley in relation to that amendment.

The position will therefore be determined by the other minor parties and Independents because our position is different to the government's, which is to remove the possibility of an Independent having a three-word descriptor—for example, 'Independent: Save the Murray' or 'Independent: Lower Taxes' or whatever it might happen to be. Our reason is that there was a long discussion about this when we last debated the bill and this was the compromise position arrived at then. Again, there has been no evidence to indicate a justification or reason why we should move away from the compromise we arrived at last time, so our position will be to support the Hon. Mr Darley's amendment.

The third amendment from the Hon. Mr Darley is a bit more complicated. Essentially, this provides that the Electoral Commissioner have powers similar to those that relate to misleading advertising during an election period in relation to dealing with what might be deemed to be misleading how-to-vote cards on election day. Clearly, there have been recent instances. I will not

go into the gory detail, but there has been much criticism of the Labor Party for distributing certain misleading how-to-vote cards on election day.

Again, the Hon. Mr Darley will outline the reasons for his amendment during the committee stage. Our reading of the amendment indicates that, in essence, he is trying to provide greater powers for the Electoral Commissioner to deal with those circumstances in a similar way as the Electoral Commissioner is able to deal with misleading advertising at other times during the election period.

In principle, we agree with the amendment that has been moved by the Hon. Mr Darley. We will await any detailed feedback from the government on whether or not they deem that there is any technical deficiency in the amendment but, in the absence of that, we are highly likely to support the amendment. The question ultimately will be whether or not the government and other minor parties support that amendment, and I will leave it to the government to indicate their position.

The fourth amendment from the Hon. Mr Darley relates to greater regulation of robocalls. We would all be familiar with the power of the automated political phone call. It is probably an issue of some significance for the Hon. Mr Darley and, I suspect, his colleague, Senator Xenophon, at recent elections where robocalls have been used by the Labor Party to assert various attitudes or policies from the Hon. Mr Darley and Senator Xenophon on issues like penalty rates. I note that in some of those, the Leader of the Opposition, Steven Marshall, was similarly maligned by being lumped in with the Hon. Mr Darley and Senator Xenophon on the penalty rates issue at the time.

The endeavour from the Hon. Mr Darley is, in essence, to simply put an authorisation on a robocall so that, if anyone gets the robocall, they will at least know from whom it came. I am not sure whether that helps too much because, with some of them, I think there was a clear designation that they might have come from, at one stage, the union. I am not sure whether the Labor Party calls actually said 'authorised by Jay Weatherill', or by the Hon. Kyam Maher or whoever it was, but I suspect that most people would probably have guessed where they were coming from. I do not have a copy of the actual robocall to find out whether or not there was an identification of who was making the claim.

The Liberal Party has discussed this amendment with the government and its advisers, and we will be supporting an alternative version of the amendment. The Hon. Mr Darley's amendment has the authorisation at the start of the robocall. We will support a position that the government will table which will be that the authorisation is at the tail end of the robocall, which is a bit similar to a television advertisement or a radio advertisement. You get the spiel from the political party or the candidate and then it says, 'Written and authorised by Kyam Maher on behalf of the state Labor Party,' or whatever it might happen to be. A similar requirement for a political automated call from our viewpoint is supportable, and the government will be moving an amendment along those lines. The principle is the same, but the amendment will be slightly different.

The fifth issue that the Hon. Mr Darley is dealing with is an endeavour to provide changes to the definition of 'political expenditure'. This is a critical part of the public funding arrangements. Put simply, the Liberal Party supports the principle of what the Hon. Mr Darley is putting, but we will be supporting an alternative solution to greater clarity on what political expenditure is, which is to be moved by the government.

It will be in two parts. Part of it will be a legislative change, which we will need to approve this week with the bill. The second part will be that the bill, if it is passed, will provide for greater freedom for regulations to define political expenditure. Of course, they will be disallowable, so if the Hon. Mr Darley and others are unhappy with that, they will be able to move for disallowance at some subsequent stage. They are still being drafted and I have not yet seen a final concluded copy of those.

The model that certainly we have looked at, and some others have looked at, is the New South Wales legislation which includes a very long list of things that are included in political expenditure and then an even longer list of things that are not included in political expenditure. It seeks to provide greater clarity to candidates in political parties and the Electoral Commissioner on what is in and what is out.

The simple reality is that, in terms of the New South Wales list of ins and outs and whatever is finally agreed in South Australia to be in and out, it is impossible for it all to be black and white. There will continue to be areas of grey that will need to be determined by the Electoral Commissioner, and the political parties and candidates will just have to live with the decisions that the Electoral Commissioner makes, or their own legal advice provides to them, as to what is in and what is out of political expenditure.

This is an interesting segue into the public funding provisions. I will make some introductory comments before addressing the detail of some of the amendments in the public funding area. When this was first negotiated on our behalf by the former member for Davenport, Iain Evans, and on the government's behalf by the Attorney-General, John Rau, it was their best endeavours to come up with a public funding scheme that had an appropriate level of taxpayer-funded support through public funding, the offset being an appropriate level of disclosure and caps on political expenditure, which were new elements.

I am advised by both of those gentlemen that their intention was to not have anything as convoluted, complicated and complex as the New South Wales public funding model. They had both been to New South Wales and spoken to practitioners in New South Wales who said that it was almost impossible to understand and comply with. They came back with a clear goal to have a simpler model.

Having been involved now in the discussions with the Attorney-General, whatever hat we each wear after March 2018, it is my clear view that whoever is in government will need to conduct a broad, comprehensive review of the public funding provisions of the Electoral Act, because it is complicated; it is impossible to answer some of the questions. All you can do is your best endeavours to try to understand what is meant by this particular provision and what is meant by that, or understand what the practical implications are of some of the changes, the impacts on modern day campaigning in relation to social media advertising, boosting a Facebook post, boosting Twitter coverage, or whatever it might happen to be.

All those things were never complicated four, eight, 12 or 16 years ago, when we looked at electoral advertising and things like that. We are trying to ensure that the legislation, which has been tweaked over the years and then undergone a significant change a few years ago, covers all the circumstances of modern day campaigning.

If you overlay that with the difficult questions of disclosures, who has to disclose what and when and political expenditure caps, all those sorts of things are extraordinarily complicated. In the Liberal Party's case, we have somewhere between 130 and 150 subunits, branches, SECs and FECs that are fiercely independent and protective of their capacity to influence what goes on in their area. We think we have got to the stage where the legislation says you cannot spend anything on political expenditure out of those particular accounts that you have, and you can only transfer money into the one state-campaign account, and whatever goes in and out of that is what has to be processed and disclosed, etc. We have to disclose anything that is donated to the subunits, but in terms of spending, it is the money that can only be spent out of the one state campaign account.

If you have all of those complicated things, how do you account for membership fees, sustentation fees from Labor Party unions and associated entities, and MPs' levy accounts? I suspect it is only the major parties that have them. I am not sure whether the minor parties have MP levy accounts. How do you account for those?

There are issues like term deposits and other things like that. The Labor Party and the Liberal Party both run admin accounts, a federal campaign account and a state campaign account. Where are the dividing lines between all of those? There are hundreds and hundreds of questions that were never contemplated at the time that it was drafted, and if the questions were never contemplated, the answers were not contemplated either.

Whoever is in government after March 2018, hopefully with no responsible officer leading the parties being in gaol as a result of having committed an offence but with the experience of the election as to how it has gone, a comprehensive review will need to be done, in particular of the public funding provisions of the Electoral Act. Good luck to whoever has to do that.

I understand that some of these amendments are being discussed with the minor parties and Independents today and possibly tomorrow. In relation to the public funding provisions, one of the key ones is an issue that was canvassed by the amendment from the Hon. Mr Darley; namely, what is and what is not political expenditure. The opposition is going to broadly support an amendment from the government which, in essence, will give a little greater clarity in the legislation on what political expenditure is, but allows for even greater clarity provided by way of a regulation or set of regulations in the not-too-distant future.

I can indicate at this stage of the drafting and the regulations that the Liberal Party accepts—and we think that is the position of the government—that we have a capped expenditure period that starts on 1 July, which is the critical date coming up as to why we have to pass this bill. From 1 July through to just after the election, there are limits on the amount of money that you can spend as individuals, in particular areas, but also overall as a party. Therefore, issues of what is and is not included in the capped expenditure period are important.

For example, if a candidate buys 1,000 corflutes in June this year before the start of the capped expenditure period, and will use a small number of those in the period leading up to the election but will use the vast bulk of them in the election period, do all of those costs have to be included in the capped expenditure period? We think the answer to that, in common-sense terms, should be yes. That is, it should not be a mechanism for avoidance by preloading a significant expenditure just prior to the start of the capped expenditure period. That seems black and white, but the issue is raised of what happens with Attorney-General Rau, who, for example, re-contests the seat of Enfield, and may or may not have had—he probably did not, in a safe seat—1,000 corflutes from March 2014.

He thinks that he is still as handsome as he was in March 2014 and wants to reuse the A-frames and 1,000 corflutes from March 2014 for March 2018. It is not an unreasonable proposition. That was not something that was done with the intention of subverting the capped expenditure period: it was something that was done back in March 2014. So, the intention of what the lawyers are slogging away at, at the moment, is to try to distinguish between what, at one end of the continuum, we think, in common-sense terms, is a clear attempt to get around the provisions of the capped expenditure period, but on the other end of the continuum is a very reasonable proposition that someone who has already spent the money and wants to reuse old materials should be allowed to do so. That is at both ends of the continuum, but there is any number of options that occur in between.

The lawyers are struggling to try to come up with something which, in essence, distinguishes between them. For example, if the Labor Party or the Liberal Party had preselected a candidate back in September last year, which, in a lot of election periods, may or may not have been the case—it was delayed this time because of the court hearings on the redistribution—it has not been uncommon for people to get business cards, stationery and their introductory candidate leaflets for up to 18 months before, or 16 or 17 months for people who are preselected.

Again, those sorts of things were not being done then to subvert the capped expenditure period. How far back do you go? That is with the candidate. Clearly, sitting members have not only used their global expenditure, which is clearly outside the provisions of the capped expenditure period, but if the Labor Party or the Liberal Party has used expenditure on advertising a candidate—an MP, for example—for the first three years after an election, should that be part of the capped expenditure cost? We think that in common-sense terms it should not be but, again, we are trying to get the lawyers to distinguish how we do that.

There are elements in the drafting of the primary reason for something to try to get over that particular issue, and there are going to be elements of perhaps a cut-off point, which may or may not be around 1 May or something like that. They are the sorts of issues that are being discussed. As I said, the slightly easier task will probably be what we agree to in the legislative change, then there will be the more difficult task of what is in and out in terms of the regulations as to what is political expenditure.

Our position is that we have, we hope with as much common sense as we can muster, had sensible discussions with the government to try to meet the purposes of the legislation and agree on some changes to the act, but different to the ones the Hon. Mr Darley has on political expenditure

and with greater detail in terms of the regulations. That will be the key issue. There are some other particular provisions that we have amendments on as well, some of which are minor and technical.

There is a requirement under the legislation for each candidate in a registered political party to have a state campaign account. We are told that does not make much sense at all for the Labor Party. We understand that the Labor Party has a centralised, regimented system of one campaign account, so allowances are being made for that by way of a technical amendment to which we have no opposition from the Liberal Party viewpoint. That will be agreed.

There is a complicated issue in relation to the interaction of the disclosure regimes of political parties under the federal legislation and under the state legislation. There is an agreed amendment to section 130C, one version of which I think was previously tabled by the Minister for Police or the government minister in charge of the bill some time ago. There is a new version of that amendment to be tabled, which has been agreed between the government and the opposition, to clarify the reporting requirements.

That amendment will ensure that the reporting requirements of the state Electoral Act are not subverted by the federal electoral act requirements or the other way around. One does not override the other, that is, it is made quite clear that the federal act applies to certain circumstances and the state act applies to other circumstances. Section 130C is a broad endeavour to try to clarify these state and federal electoral act issues.

There is a technical issue in relation to the current drafting, which says in essence that all gifts must be paid into the state campaign account. I am not sure about the other parties, but certainly from the Labor Party and the Liberal Party viewpoint there are some people who will donate to a party and say—it is easier for me to put this in the context of the state Labor Party—'We don't like Jay Weatherill at all. We are not prepared to put any money into re-electing Jay Weatherill in the state campaign account, but we are Labor people and we want to put money into Bill Shorten being elected, so we're prepared to put money into a federal campaign account.'

That is not an unreasonable position. All we are seeking to do here is to govern what happens in terms of state campaigns and state elections. Political parties run state campaigns and federal campaigns and, as long as we can be clear about the distinctions there, the provision that is there, which technically says that any donation to a party has to go into the state campaign account, does not make much sense in our view. If someone wants to donate solely to a federal campaign account for the benefit of a federal leader and a federal campaign and does not want to have anything to do with the state campaign, then there is nothing wrong with that and the legislation should allow for that.

So, there is a technical amendment in relation to section 130L and we will be agreeing to that particular amendment as well. There are further amendments to section 130Y, which are consequential on some of the changes to the definition of a capped expenditure period that will be made in an earlier amendment. We will be supporting those particular amendments. There are amendments to section 130Z of the Electoral Act, the public funding provisions.

Political parties have to negotiate cap agreements under this legislation with their own party candidates, which is a complicated part. So, there has to be an agreement between the party secretary and the candidate. If a particular candidate has a very strong view about how much money should be spent in their particular election to ensure their re-election and if agreement cannot be reached between the candidate and the party secretary, there is a default position in the legislation.

The candidate is entitled to have an expenditure cap of $40,000. With modern campaigning, party secretaries might take a view that that is a safe seat and they do not want to waste $40,000 in that seat. They might only want to spend $20,000 in that seat and up to $100,000 on a marginal seat, to sandbag a marginal seat or to win a seat from the opposing party. If you cannot reach an agreement with your own candidate, there is this default position.

This issue of agreements and when they have to be lodged is an interesting new innovation in the legislation. I am sure former party secretaries sitting on the Labor front bench will reach back into their kitbags of past experiences knowing that this is obviously a challenge for current state directors and party secretaries in terms of negotiating each of those. In essence, the amendment says that any cap agreement between a party and a candidate needs to provided to the Electoral

Commissioner within eight days of polling day; that is, the Friday a week before polling day. The current act requires much earlier advice on the cap agreements.

Again, Labor members and Liberal members will be familiar with this. The Labor system is a bit more controlled and regimented than we are. However, we understand that if, for example, a party secretary or a campaign committee makes a decision that, on the basis of research in the middle or early part of the campaign, they are writing off a seat—either they are going to win it easily or they don't want to waste any more money in this particular seat and they want to transfer resources elsewhere—in the past, without this whole notion of cap agreement, they did not have any problem at all. They just transferred resources from one seat to another. They would pull everybody out of one particular seat and put them all into another seat to try to sandbag that particular seat.

That happens in both political parties. Again, it is not an unreasonable proposition, but the current drafting of the legislation makes that very difficult. These cap agreements, in much earlier stages, had to be filed with the Electoral Commissioner. There is little purpose to that, other than prurient interest, I guess. There is no real disclosure issue.

Ultimately, the issues are whether donations are disclosed, whether expenditure caps are adhered to and whether the law has been upheld. Those are the key things that we are meant to determine in the legislation. The issue of how political parties manage their negotiations with their candidates and their caps with candidates are not really an issue that need to be part of the public debate until later in the process.

In essence, the amendments will say that up to eight days prior will be the time period when directors and state secretaries will have to lodge their cap agreements with the Electoral Commissioner. They will be there so that the Electoral Commissioner will be able to check those, together with overall expenditure caps as well. The legislation will also make it clear that the Electoral Commissioner cannot publish that agreement until after the end of the capped expenditure period. So, ultimately, there will be disclosure of what the cap agreements were with the individual parties and candidates.

I am sure Labor members will be very interested in what the Liberal Party has done and the Liberal Party will be very interested in what the Labor Party has done, but that will be something that will be part of the analysis post the election day and not be something that is part of the argy-bargy during the election period. Again, there is nothing in the current legislation that ensures that that is the case. Again, we think that is an entirely reasonable proposition, frankly, and there is no pressing need for that sort of detail to be in the public arena prior to election day.

There are some technical amendments in relation to the administrative burden on state secretaries and directors in relation to providing nil returns for candidates and groups under section 130Z(1)(f)—I will not go into the details of those as they are quite technical and no major issue. They are essentially the broad issues that are amendments to the public funding provisions, which will be agreed between the government and the opposition. There will be an agreed proposition in relation to the public funding provisions.

However, the government is also moving some amendments in the non-public funding areas, and I want to address, finally, some comments in relation to those amendments. There is a first technical amendment to clause 2, which will provide for an earlier operating date of this particular bill. That will be the date of assent and not a later date fixed by proclamation: that is technical and we will support that.

The government will move amendments to a number of clauses to prevent political parties registering a name that comprises the word 'independent' as part of their registered political party name, and we will be supporting those. That does not stop Independents, clearly, being independent, say, the Murray candidate or whoever it is, but it will stop a political party registering with the word 'independent' as part of the party's name.

There is a consequential amendment the government will move to its restricting pre-poll voting until five days before the polling day. We have already indicated that we will oppose that restriction on five days, so our position is clear on that.

There is, finally, an amendment from the government that will seek to allow political parties and others to start campaigning by erecting posters from 5pm. on the day before the issue of the writs. This game that is played about when you erect posters at state and federal elections: it is meant to happen on the day the writs are issued, so people are up poles in the middle of the night. Some people are up poles the day before, or whatever it might happen to be.

The government is taking the view that we should allow, in the state Electoral Act, people to start climbing poles if they want and putting up posters at 5pm. on the day before the issue of the writs, which the government advises, in essence, will be Friday 5pm. Our position is that we are supportive of that notion. Whether that will mean that people will then start climbing poles earlier in the day, prior to 5 o'clock, to get first mover advantage or not, I am not sure. It seems a reasonable proposition from the government, and the Liberal Party has indicated its willingness to support that particular amendment.

I apologise for the bits and piecey nature of the contribution I have made, but I thought it worthwhile to at least outline broadly our position on the bill because we have to resolve it by Thursday. So, at least third parties, minor parties and Independents will be aware that there are a number of provisions where the government and opposition agree but that there is a significant number of amendments where there is a disagreement and, ultimately, it will be a decision for the minor parties and the Independents.

I indicate on behalf of the Liberal Party that, having outlined my position now, if there is further clarification required about our position on any of the amendments, I am available for discussions over the next day or so with members of the chamber so that I can provide clarification as to the reasons why we have adopted a position and why we might be either opposing or supporting a particular government amendment. With that, I indicate my support for the second reading of the legislation.

Debate adjourned on motion of Hon. T.T. Ngo.

ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (SUSPENSION OF EXECUTIVE BOARD) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 May 2017.)

The Hon. T.J. STEPHENS (17:06): I rise to speak to the Anangu Pitjantjatjara Yankunytjatjara Land Rights (Suspension of Executive Board) Amendment Bill, introduced and read for the first time on 10 May. From the outset I will say that the opposition supports the second reading of this bill. My understanding is that there will be a number of crossbench amendments which I will address at the appropriate time on behalf of the opposition once we have had a chance to consider their merit.

This bill seeks to remove the sunset clause added to the power given to the minister under section 130 of the APY Land Rights Act. The sunset clause was added as a compromise to alleviate opposition and crossbench concerns regarding these powers when they were rushed through this place in December 2014. The three-year sunset period is set to expire in December of this year, which is the reason why we are debating this legislation here today. From my experience as a member of the Aboriginal Lands Parliamentary Standing Committee and from what I have seen and heard over the years, I can say with confidence that what most of us in this place would term good governance is often found wanting on the lands. For too long we accepted it as part and parcel of life in these remote communities, as disappointing as it was.

However, we have seen in recent times an up tick in financial accounting practices and, in some ways, the good conduct of local government on the lands which I believe is attributable to this power that the minister has under the act. On many occasions, I am certain that the threat of suspension has ensured that standards are kept and targets are met when in the past they have not been. Let us not forget that the general manager's position was a revolving door and not in any small part as a result of bullying. It appears that stability has returned. As a result, the opposition supports the codified permanency of this power.

That is not to say that the opposition is happy to see unchecked executive power. In fact, one of the chief reasons for the opposition supporting a sunset clause originally was that we had a lack of confidence in the minister at the time to properly administer his portfolio—indeed, neither did the vast majority of members in this place. As an opposition, we trust that the current minister will use his power sparingly and only when absolutely necessary. However, of course, it goes without saying that there are systemic issues with governance on the lands and many times over the years I have implored the minister to appoint an administrator when the situation has become disgraceful and clearly detrimental to Anangu.

If we do not act on this legislation now the power will lapse and I have been advised that a return to the previous legislative power would not have the same persuasive effects as it limits the minister's ability to act to a very strict set of circumstances which is far too prohibitive. We, in this place, should be encouraging the timely remedy of governance issues on the lands and, therefore, I commend the bill to the council.

The Hon. T.A. FRANKS (17:09): I rise on behalf of the Greens to give our position on the Anangu Pitjantjatjara Yankunytjatjara Land Rights (Suspension of Executive Board) Amendment Bill. It will come as no surprise to the minister and, indeed, to the chamber that the Greens will be opposing this bill. Indeed, when this debate first took place—almost three years ago now, as the Hon. Terry Stephens has just noted—the Greens sought to introduce a sunset clause to this piece of legislation in terms of the overall act.

At the time, I moved an amendment to introduce a sunset clause of some 12 months. The government amended that amendment to make it three years, and that three years, of course, expires at the end of this year. It should come as no surprise that, having opposed the original provision which gave the minister the ability to suspend the Executive Board and appoint an administrator—not for specified reasons, not for codified reasons as previously existed, but for any reason that the minister saw fit—the Greens do not regard it as an example of good governance. We expect good governance from the APY Executive but we also expect good governance from the ministers of this state government.

The minister should have to provide reasons. The minister should have to follow due process. That seems to be not just a natural justice provision but a good governance provision. The Greens saw no reason for the introduction of these unfettered powers of the minister in the first place. It would have been a simple process for the previous minister to have followed the codified process, to have written to the board, but that previous minister, minister Hunter, not only had not visited the lands for a period of some 14 months—a fact only revealed in the debate of the predecessor of this particular bill—but had not bothered to write in the appropriate form to the APY Executive Board giving them directions, as he was required to do under the act as it previously stood.

A minister who cannot be bothered to write a letter in the appropriate form is given the ability now, under the new form of the act, to dismiss an executive board for any reason he or she sees fit. If only the people of South Australia had such an ability—but no, they only have every four years at the ballot box to have such a say. I reiterate that the Greens opposed the introduction of this provision, a provision introduced to support a lazy, uninterested minister of the time and it is disappointing to see that a minister who has shown more interest and more expertise in this portfolio seeks to continue this provision, which was designed to support a lazy, uninterested minister.

The Greens will be opposing this bill. I note that the Hon. John Darley has an amendment to extend the sunset period for a further five years. I note that, in the original debate on this bill, we had already introduced a sunset clause. The Greens would have set it at 12 months. The government and the opposition, in support of them, agreed on three years. This amendment will actually make it an eight-year sunset clause. An eight-year sunset clause on a piece of legislation that was rushed through the parliament, that was not required, that simply reflected a minister too lazy and too uninterested to do his job, seems quite ludicrous. Again, the Greens alert the chamber to our concerns on this issue.

What I am interested in is that the bill seeks to amend an act that is, of course, about the governance of the APY lands. When we talk about bad governance of the APY lands, we have to look no further than the recent chronic situation in Mintabie. As members may be well aware, the

Federal Court has found the practices of a Mintabie store that drained almost $1 million from the bank accounts of local Anangu unconscionable. This book-up practice that has been used by Nobby's Mintabie General Store is a common form of informal credit used in the lands.

It is effectively running a tab in order to sell the basics—groceries and essentials. Stores sometimes keep those customers' bank cards, those Anangu people who are in fact some of the most vulnerable and marginalised and poor in our nation, and the shop takes out the money themselves. In a statement issued in November 2016, the Australian Securities and Investments Commission said that store owner Lindsay Gordon Kobelt's practices were 'exploitative' and that he used the credit system to control his customers and what they bought and to bind them to him and his store. He also charged a fee for this service. It is like a mugger leaving you a tip.

Consumers were required to provide their debit cards, PINs and details of their income to Mr Kobelt, who then used this information and cards to withdraw all or nearly all of a customer's money from their bank account on or around the day they were paid. He had been doing it since at least 2008 and, over a period of about 18 months, had withdrawn some $984,147.90 from 85 customers' accounts.

On one particular day, Mr Kobelt withdrew $56,944 from some of his customers' accounts, despite having no authority to do so, due to a bank glitch which allowed withdrawals despite insufficient funds being available, according to a statement by ASIC. The Federal Court found that Mr Kobelt's book-up practices tied his customers to him, leaving them with little practical alternative but to continue shopping at Nobby's, The court found:

> The combined effect of Mr Kobelt taking possession of the customers' key cards, and using them on the first day of the pay periods, was to deprive these customers—

these Anangu people—

> of independent means of obtaining the necessities of life.

Transactions were mostly undocumented, so customers could not effectively check that the amounts he was withdrawing were matched to what they spent.

In a landmark decision, ASIC has said that it would now ensure that other providers did not exploit vulnerable customers, and a directions hearing listed for 25 November found that the court could fine individuals up to $340,000 for such a breach. I have to concur with the federal Minister for Indigenous Affairs, Nigel Scullion, who said that book-up was an insidious practice that targets some of the most vulnerable people in Australia, causing great harm to individuals and communities. Yet, of course, these practices happened on the lands governed by this act.

Under division 4 of the act, it is not the Minister for Aboriginal Affairs and Reconciliation but the minister for mining who is responsible for the lease for Mintabie. Where is the due diligence of minister Koutsantonis? Where is his good governance? Where are the behaviours we expect from the APY Executive from minister Koutsantonis? He has been twiddling his thumbs, while the people of Mintabie and the communities who used that Mintabie shop were being ripped off and bled dry. Again, there is a lack of interest from this government, albeit from a different minister. Where is the good governance being shown by the Weatherill government on that issue under this act?

That minister has been derelict in his duty to the people who use that Mintabie shop. The lease power that the state government holds through that minister, which was signed in 2012, years after the bad book-up practices were already known, has continued and will continue to 2027 without any interest being shown by that minister and, sadly, it is not addressed in this bill. It is not addressed in terms of control of the lease and to date has been largely ignored in the debate about good governance on APY lands.

My questions to the Minister for Aboriginal Affairs and Reconciliation as part of this bill are: given the recent elections under this act, what provision has been afforded to the new executive to ensure the good governance that this amendment bill before us requires? What training and what provision has been made available or will be made available? What budget amount will that run to?

Have any incidents come to the minister's attention that are so pressing that he feels the need to continue an approach where he does not even need to write a letter to give direction to the board, but he can suspend them for any reason he sees fit? Surely, the minister will be able to provide

us with a litany of examples if we need to continue this retrograde piece of legislation. I look forward to hearing those examples from this government, which seeks to further restrict the self-determination of Anangu people.

The Hon. J.A. DARLEY (17:20): I rise very briefly to contribute to the second reading of the bill. The bill is very simple, in that it makes permanent the provision in the act which allows for the minister to suspend the APY Executive Board at any time they want. The minister does not need to provide a reason, nor does the suspension need to be as a result of any reviews into the Executive Board. This was a controversial provision of the 2014 bill, which was addressed by way of a sunset clause that saw the expiration of this clause three years after the clause came into operation.

The minister advises that this clause was needed in 2014 due to the concerns about the previous executive. Although there have recently been elections and a new Executive Board appointed, the minister believes that such provisions are still necessary to ensure the executive performs properly. This indicates that the minister may not have faith in the new executive and needs to have a big stick at the ready just in case things go wrong. I have great reservations about giving this sort of power to a minister to use entirely at their discretion. I am unaware of any other minister in this parliament who would have such broad powers to dismiss an elected body without any checks or balances, and would be grateful if the minister could advise if there are any in existence.

There is no avenue for appeal outlined and, as I said before, no reasons need to be provided for suspension. Given my reservations, I have filed amendments which would subject this clause to a five-year sunset clause. I would be grateful for the government's position on this amendment during the second reading, because without such a safeguard on such broad powers I will be unable to support the second reading.

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) (17:22): I would like to thank all members for their contributions on this matter. In summing up, I might respond to a number of questions that have been raised about whether this power is necessary, given we have had recent elections. Certainly, as members have indicated, I think there was a level of dysfunction with the APY Executive a couple of years ago that was unacceptable.

The power to appoint an administrator, as it currently stands in the act, is one that I think certainly has helped with creating a more functional, more accountable and more transparent executive in the APY lands and has allowed the administration to make reforms without having the threat of an executive continually sacking general managers, as we have seen in the past.

In relation to a couple of comments that have been made by recent speakers: do I think that this will need to be exercised imminently with the new executive? My answer to that is no, I do not. I have had an opportunity to spend some time with many members of the newly elected executive and quite some time with the new chair and deputy chair of the new executive, and I am very optimistic that the functionality that we have seen growing will continue and will increase under the current executive.

That does not mean that we should plan for the best case scenario. Given what we have experienced on occasion in governance on the APY lands, I think that a power that looks to 'if it goes wrong' needs to be retained, but I am optimistic about the newly elected executive. I am quite certain that we will see further reforms, further accountability and further transparency, and that, particularly with the recent elections and the soon to be held supplementary elections, we will see an equal number of women represented on the executive.

I think the newly elected executive shows that the new representation will be a step forward. We have a senior man in Mr Frank Young, who has been elected by the executive as chair, and we have seen a very capable young woman in Ms Sally Scales elected as the deputy chair. I have confidence and optimism. I have no reason to think that this power will need to be enacted any time in the near future. I believe some of the advances we have made have been as a result of this power being in the act.

In relation to training for governance on the APY lands, I know at the executive meeting last month that there was governance training provided to the APY Executive. I am happy to come back in the next day or two at clause 1 to give exact details of the governance training. I think it was legal training on the roles and responsibilities of elected members of the executive that was provided last month on the newly elected executive. I am happy to come back to give further and better details on exactly what training was provided. I look forward to the swift passage of this legislation and taking questions during the committee stage later this week.

Bill read a second time.

NATIONAL GAS (SOUTH AUSTRALIA) (PIPELINES ACCESS-ARBITRATION) AMENDMENT BILL

Second Reading

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) (17:26): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

The Government is amending the national energy legislation to promote an efficient gas transportation sector and address natural monopoly characteristics of gas pipelines and market power held by pipeline owners during negotiations for pipeline services.

The National Gas (South Australia) (Pipelines Access-Arbitration) Amendment Bill 2017 will amend the National Gas Law, set out in the schedule to the *National Gas (South Australia) Act 2008* to address information asymmetry between parties in negotiations for access to non-scheme pipelines and the superior negotiating position of the pipeline operator.

A comprehensive regime for access regulation to covered pipelines already exists in the National Gas Law, which provides for light regulation or full regulation. This Bill does not seek to amend the regime applicable to covered pipelines. The purpose of this Bill is to address access to transmission and distribution pipelines which are not covered pipelines under the National Gas Law.

Access to pipeline services on non-scheme pipelines, which are pipelines not covered under the National Gas Law, is currently a matter of commercial negotiation. The purpose of this Bill is not to replace this process for seeking access to non-scheme pipelines but rather to provide increased transparency to parties seeking pipeline services and a commercial arbitration framework which can be used where commercial negotiations between the parties break down.

Energy Ministers consider that increased transparency provides parties seeking pipeline services with an improved ability to undertake timely and effective negotiations. The Bill therefore provides for the National Gas Rules to include a framework for enhanced disclosure and transparency of non-scheme pipeline information on matters including in relation to pricing and contract terms and conditions.

The Bill reinforces the position that parties seeking access to pipeline services on non-scheme pipelines must negotiate commercially before resorting to commercial arbitration through a duty of negotiate in good faith. Importantly, this duty is not intended to limit normal commercial behaviour whereby parties undertake a discovery process in relation to pipeline services.

Also provided in the Bill is the ability for the National Gas Rules to include provisions with respect to seeking access to a non-scheme pipeline to provide greater transparency on this matter.

The commercial arbitration framework introduced by the Bill applies to all transmission and distribution pipelines that are not a scheme pipelines. It is recognised, however, that there may be circumstances where it is not necessary for the framework to apply to a non-scheme pipeline. The Bill deals with this matter by providing that the National Gas Rules may provide an exemption from the commercial arbitration framework.

A party to a commercial negotiation for access to a non-scheme pipeline can commence the commercial arbitration framework by serving notice that the parties are unable to agree to matters relating to access to a non-scheme pipeline and a dispute exists. As the purpose of the Bill is to provide for commercial arbitration, the Bill provides for the parties to appoint an agree arbitrator for the purpose of the process.

To provide some oversight of this process, the Bill appoints the Australian Energy Regulator as the scheme administrator. The role of the Australian Energy Regulator as scheme administrator includes to receive the notification

of an access dispute, to refer the matter to commercial arbitration, to join another person to the commercial arbitration process if appropriate and appoint an arbitrator if the parties are unable to agree upon one. This role is in additional to the Australian Energy Regulator's established functions and powers in section 27 of the National Gas Law related to compliance and enforcement.

The arbitrator also has a role to ensure that the commercial arbitration framework is used appropriately. To enforce this role the Bill provides the arbitrator with powers to terminate the arbitration in certain circumstances.

It is also worth noting that the parties may continue to commercially negotiate after commercial arbitration has commenced or the access seeker may decide they do not wish to proceed with access. The Bill accounts for these matters by providing the ability for the access seeker to terminate the arbitration.

The Bill includes hearing procedure provisions to support the arbitrations consideration of a matter before them including providing for hearings in private; right to representation; processes and powers in relation to information disclosure; confidentiality; procedures and powers for the arbitrator; and penalties where a party does not engage appropriate in certain circumstances.

If the arbitration is not terminated, the Bill provides that the arbitrator must make a determination in relation to the commercial arbitration matter. The National Gas Rules can provide prescription related to the matters that an arbitrator's determination may deal with, as well as determination process and timelines. In making its decision the arbitrator will be required to take into account any principles established in the National Gas Rules.

Importantly, the arbitrator must also not make a determination that would impact existing contractual rights in relation to a non-scheme pipeline.

A decision of the arbitrator is enforceable as if it were a contract between the parties where the access seeker proceeds with access to the pipeline service. The access seeker is not required, however, to proceed with access to the pipeline service.

An important consideration in forming the commercial arbitration framework was ensuring that cost is not a barrier to use of the framework. The Bill therefore provides for parties to bear their own costs and to share the costs of the arbitration process, such as the cost of the arbitrator. The National Gas Rules may provide for a different approach to cost in certain circumstances.

The Bill provides for prescription related to the both the enhanced transparency and disclosure and the commercial arbitration framework to be contained in the National Gas Rules. It is preferential that the provisions of the Bill are commenced at the same time as new National Gas Rules related to these matters. The Bill therefore provides that the South Australian Minister may make initial Rules in relation to the information and transparency requirements as well as the commercial arbitration framework.

The Bill will provide that once initial Rules have been made by the South Australian Minister on the subjects provided for in the Bill, the Minister will have no power to make any further Rules under this power.

I commend this Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause provides for the short title of the Act.

2—Commencement

The measure will be brought into operation by proclamation.

3—Amendment provisions

This clause is formal. The provisions in Part 2 of the measure will amend the *National Gas Law* set out in the schedule to the *National Gas (South Australia) Act 2008*.

Part 2—Amendment of *National Gas (South Australia) Act 2008*

4—Insertion of section 83A

This clause will insert a new section 83A into the Act:

83A—Special information and transparency requirements relating to non-scheme pipelines

An additional rule-making provision is to be inserted in the *National Gas Law* so as to allow the rules to make provision in relation to pipelines that are not scheme pipelines. This provision will support the operation of new Chapter 6A, which is to be inserted into the *National Gas Law* by this measure and which will provide for processes associated with gaining access to 'non-scheme' pipelines and the arbitration of access disputes.

5—Substitution of heading to Chapter 6

This is a consequential amendment.

Chapter 6—Access disputes—Scheme pipelines

6—Insertion of Chapter 6A

This clause will insert a new Chapter into the Act relating to access disputes arising in relation to a transmission pipeline or a distribution pipeline that is not a scheme pipeline under the *National Gas Law*. An explanation of the new Chapter is as follows.

Chapter 6A—Access disputes—Non-scheme pipelines

Part 1—Interpretation and application

216A—Definitions

This section sets out the terms that are defined for the purposes of the Chapter. A non-scheme pipeline is the term used to describe the pipelines in relation to which the Chapter will apply. An access dispute is a dispute between a user or prospective user and a service provider about one or more aspects of access to a pipeline service provided by means of a non-scheme pipeline (subject to the operation of section 216C(2)). The scheme administrator under this Chapter will be the AER.

216B—Meaning of prospective user

A prospective user is a person who seeks or wishes to be provided with a pipeline service by means of a non-scheme pipeline. A user is also a prospective user if the user seeks or wishes to be provided with a pipeline service by means of a non-scheme pipeline other than a pipeline service already provided to them under a contract or an access determination.

216C—Application of Chapter

The Chapter will apply to and in relation to a transmission pipeline that is not a scheme pipeline or a distribution pipeline that is not a scheme pipeline. However, the Chapter will not apply to or in relation to a pipeline or a part of a pipeline excluded from the operation of the Chapter by the rules, in relation to a pipeline within a class or group of pipelines excluded from the operation of the Chapter by the rules, or to or in relation to a pipeline service excluded from the operation of the Chapter by the rules.

216D—Application of this Chapter to disputes arising under Rules

It will also be possible to apply the provisions of this Chapter to any dispute arising under the rules if the rules so provide (subject to any modification as may be prescribed by the rules). (This section is comparable to existing section 178A of the *National Gas Law*).

216E—Chapter does not limit how disputes about access may be raised or dealt with

The Chapter is not to be taken as limiting any other way that an access dispute may be raised or dealt with. (This section is comparable to existing section 179 of the *National Gas Law*).

Part 2—Negotiation of access

216F—Access proposals

The rules will be able to set out provisions for or with respect to seeking access to a pipeline service provided or to be provided by means of a non-scheme pipeline or by an extension of a non-scheme pipeline. (This is a general rule making power in connection with the operation of this Chapter and may be read in conjunction with section 74 of the *National Gas Law* and proposed new section 83A, together with Schedule 1 of the *National Gas Law* and other relevant provisions).

216G—Duty to negotiate in good faith

The parties under this Chapter must negotiate in good faith with each other about whether access can be granted to a non-scheme pipeline (or an extension of a non-scheme pipeline) and, if so, the terms and conditions for the provision of access.

216H—Notification of access dispute

If agreement cannot be reached about access, the prospective user or user, or the service provider, may notify the scheme administrator that an access dispute exists. (However, a notification cannot be made if the access dispute relates to a matter excluded from arbitration under this Chapter by the rules). (This section is comparable to existing section 181 of the *National Gas Law*).

216I—Parties to an access dispute

The parties to an access dispute will be the parties to the negotiations that gave rise to the dispute and, if the scheme administrator is of the opinion that the resolution of the dispute may require another person to do something and it is appropriate that the other person be joined as a party, that other person.

Part 3—Reference of dispute to arbitration

216J—Reference of dispute

If a notification is received by the scheme administrator, the scheme administrator must refer the relevant dispute to arbitration.

216K—Selection of arbitrator

The parties to an access dispute may agree to appoint an arbitrator for the purposes of an access dispute that has been referred under this scheme. If an agreement cannot be obtained within a period specified by the rules, the scheme administrator may select an arbitrator after consultation with the parties to the access dispute. An arbitrator must be independent of the parties to the dispute, be properly qualified, and not have a direct or indirect interest in the outcome of the dispute.

216L—Determination of access dispute

An arbitrator will make a determination about access. A determination must not be inconsistent with the rules (or go beyond the matters specified by the rules). The rules may contain provisions for or with respect to such things as the form of any determination, the content of any determination (including as to the giving of reasons), the time within which a determination must be made, the process for making a determination, the timing for the commencement of a determination, and the giving of notice of the making of a determination.

216M—Principles to be taken into account

An arbitrator will be required to take into account any pricing or other principle specified by the rules.

216N—Restrictions on access determinations

An arbitrator must not make an access determination that would prevent another party obtaining a sufficient amount of a pipeline service in specified circumstances or to a specified extent. (This section is comparable to existing section 188 of the *National Gas Law*).

216O—Arbitrator's power to terminate arbitration

An arbitrator will be able to terminate an arbitration in specified circumstances. The rules will also be able to specify circumstances which will entitle an arbitrator to terminate an arbitration.

216P—Access seeker's right to terminate arbitration

The prospective user or user will be able to terminate an arbitration before an access determination is made by the arbitrator.

Part 4—Compliance with access determinations

216Q—Compliance with access determinations

Subject to the rules, an access determination will be enforceable as if it were a contract to the parties to the access determination. However, a prospective user or user of a pipeline service will not be required to seek access under an access determination (but if access is sought then the prospective user or user (as the case requires) will be bound by any provision of the access determination).

Part 5—Variation of access determinations

216R—Variation of access determinations

An access determination will be able to be varied by agreement between all parties to the access determination, or under a scheme to be prescribed by the rules.

Part 6—Hearing procedures

216S—Hearing procedures

Certain provisions of Chapter 6 Part 6 of the *National Gas Law* are to apply in relation to the proceedings for an arbitration.

Part 7—Miscellaneous matters

216T—Correction of access determinations for clerical mistakes etc

The rules will be able to make provision with respect to correcting some clerical or technical matters with respect to an access dispute. (This section is comparable to existing section 213 of the *National Gas Law*).

216U—Reservation of capacity during an access dispute

A service provider who is in an access dispute must not, without the consent of the relevant user, alter the rights that the user has to use the capacity of the non-scheme pipeline during the period of the dispute. (This section is comparable to existing section 214 of the *National Gas Law*).

216V—Costs of arbitration

The general rule is that the costs of an arbitration under the Chapter (including costs associated with the arbitration process and the cost of the arbitrator) will be shared equally between the parties to the arbitration. However, the rules will be able to make provision with respect to the costs of an arbitration, including so as to provide for a different approach to the general rule in specified circumstances. Costs payable to an arbitrator will be a debt due to the arbitrator. It is also made clear that the parties to an arbitration will be responsible for their own costs.

7—Amendment of section 271—Enforcement of access determinations

This amendment provides for the enforcement of an access determination under Chapter 8 Part 6 of the *National Gas Law*.

8—Insertion of section 294F

This clause will insert a new section 294F into the Act:

294F—South Australian Minister to make initial Rules relating to access to non-scheme pipelines

The South Australian Minister will be able to make the initial rules relating to this new scheme. The initial rules will only be able to be made on the recommendation of the MCE

9—Amendment of Schedule 1—Subject matter for the National Gas Rules

These are consequential amendments to Schedule 1 of the *National Gas Law* relating to subject matter of the rules under that law.

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

CHILDREN AND YOUNG PEOPLE (SAFETY) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2017.)

The Hon. J.A. DARLEY (17:27): I rise to oppose the second reading of this bill. As my thoughts echo much of what the Hon. Tammy Franks has already said, I will keep it short. Several key stakeholders, including the AMA of South Australia, the Law Society and SACOSS, have expressed their concerns that the bill which is currently before the council will result in worse outcomes for child protection than what currently exists. I am certainly no child protection expert, therefore I rely on the comments made by those who are experienced in dealing with these matters.

The Select Committee on Statutory Child Protection and Care in South Australia, of which I am a member, recently handed down its report on this bill. The recommendation was that this bill should be considered in conjunction with a bill to replace or amend the Family and Community Services Act 1972. I support this recommendation. Whilst this bill deals with what will happen at the pointy end of the stick in terms of child protection, it is important that these measures are considered alongside what will happen before things become critical. I understand much of this is outlined in the Family and Community Services Act, and it makes sense that these two interrelated matters would be considered together.

Our state's record on child protection has been woefully inadequate in recent years. There is no doubt that we have let down not only the people of South Australia but especially the children of South Australia. They deserve better. This is our opportunity to get it right. I appreciate the government recognises that changes need to be made, but I would rather go back to the drawing board to get it right than rush something through which will have worse results for vulnerable children than what we have now. As such, I oppose the second reading.

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

LOCAL GOVERNMENT (BOUNDARY ADJUSTMENT) AMENDMENT BILL

Introduction and First Reading

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

PARLIAMENT (JOINT SERVICES) (STAFFING) AMENDMENT BILL

Introduction and First Reading

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

Second Reading

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) (17:30): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The *Parliament (Joint Services) (Staffing) Amendment Bill 2017* will amend the *Parliament (Joint Services) Act 1985* to remove the role of the Governor in approving staffing matters for the Joint Parliamentary Service, or JPS.

As Members would know, the JPS is established to provide services to both Houses of Parliament. The JPS is responsible to the Joint Parliamentary Service Committee (JPSC), which is comprised of the Speaker, the President, and two members from each House, one government and one opposition. The JPS currently consists of 64 FTE.

Staffing matters within the JPS are largely a matter for the JPSC, but there are three matters that currently require the approval of the Governor:

- creating or abolishing offices within the JPS
- determining salary classifications, and
- approval special leave of more than 3 days.

The Parliament (Joint Services) Act was enacted following a Joint Select Committee Report on the Administration of Parliament in 1985, but it is not clear from the report or from Hansard why the Governor was given the role of overseeing staffing matters in the JPS. It is possible that this was done to ensure consistency with public sector classifications, or to ensure that Executive Council was kept abreast of Parliament's potential expenditure.

In my view, it is not appropriate that the Governor be required to approve staffing matters for the JPS. Under the current system, the Governor is asked to reclassify, create, and abolish positions at the administrative services level. This is inconsistent with broader public sector practices in which the power to manage staffing matters is delegated to agencies to create a flexible and responsive workforce. To involve the Governor in staffing matters creates unnecessary delays and an unnecessary administrative burden on the Governor and his staff.

The Amendment Bill will transfer to the JPSC the power to create or abolish positions, determine salary classifications, and approve special leave of greater than 3 days' duration. It will also update a number of obsolete references to industrial relations legislation. It does not affect the rights of JPS employees or their ability to access industrial processes under the *Return to Work Act 2014* or the *Fair Work Act 1994*.

In preparing the Bill, I have consulted with the JPS through the Speaker, who is the current chair of the JPS. I have also consulted with the Commissioner for Public Sector Employment. No concerns have been raised.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Parliament (Joint Services) Act 1985*

4—Amendment of section 10—Creation and abolition of offices

5—Amendment of section 11—Classification of offices

6—Amendment of section 21—Special leave

These clauses remove the role of the Governor in relation to staffing issues.

7—Amendment of section 24—Application of certain Acts

This clause updates some references to legislation and removes obsolete references.

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

Resolutions

WOMEN'S SUFFRAGE ANNIVERSARY

The House of Assembly passed the following resolution to which it desires the concurrence of the Legislative Council:

1. That, in the opinion of this house, a joint committee be established to inquire into and report on matters relating to the 125th anniversary of women's suffrage and to consider—

   (a) the significance of the Adult Suffrage Bill 1894;

   (b) the courageous political campaign by South Australian suffragists, unions, and women's rights movements;

   (c) recognition of Aboriginal women in South Australia, who gained the right to vote in 1894, but were denied the right to vote at Federation until 1967;

   (d) ways to commemorate the 125th anniversary of women's suffrage in South Australia; and

   (e) any other related matter.

2. That, in the event of a joint committee being appointed, the House of Assembly shall be represented thereon by three members, of whom two shall form a quorum of assembly members necessary to be present at all sittings of the committee.

Bills

HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

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

SUMMARY PROCEDURE (INDICTABLE OFFENCES) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

CRIMINAL LAW CONSOLIDATION (MENTAL IMPAIRMENT) AMENDMENT BILL

Final Stages

The House of Assembly agreed not to insist on its disagreement to amendments Nos 1 and 2 made by the Legislative Council.

SUMMARY PROCEDURE (SERVICE) AMENDMENT BILL

Introduction and First Reading

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

STATUTES AMENDMENT (NATIONAL POLICING INFORMATION SYSTEMS AND SERVICES) BILL

Introduction and First Reading

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

STATUTES AMENDMENT (TRANSPORT ONLINE TRANSACTIONS AND OTHER MATTERS) BILL

Introduction and First Reading

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

PUBLIC INTEREST DISCLOSURE BILL

Conference

The House of Assembly agreed to the time and place appointed by the Legislative Council for holding the conference.

At 17:35 the council adjourned until Wednesday 31 May 2017 at 11:30.

Answers to Questions

OAKLANDS ESTATE GROUNDWATER CONTAMINATION

In reply to **the Hon. M.C. PARNELL** (28 February 2017).

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change): I have sought the advice of the Environment Protection Authority (EPA) and have been advised that:

The Oaklands Wetland Managed Aquifer Recharge (MAR) scheme harvests water from the Sturt River which is then treated in the wetland and pumped to the tertiary aquifer, which is almost 100 metres below ground.

Contaminated groundwater is confined to the separate, upper aquifer of less than 25 metres below ground. Results of the groundwater investigations to date do not indicate that the water or aquifer used as part of the MAR scheme is being impacted by the offsite groundwater contamination.

The independent site contamination auditor engaged by Renewal SA, as the site owner of the former Mitsubishi Motors site, is still finalising assessments, however the interim audit advice provided to the EPA indicates that neither the Sturt River nor the wetlands have been impacted by groundwater contamination.

HIGH RISK FOOT

In reply to **the Hon. K.L. VINCENT** (1 March 2017).

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change): The Minister for Health has received this advice:

1. The main focus of diabetes prevention in South Australia is in policy and program development that supports people to make healthy choices to reduce their risk of developing chronic diseases such as type 2 diabetes.

SA Health supports general practice with initiatives such as education and screening to assist in diabetes prevention. SA Health provides the get healthy information and coaching service that assists adults to improve the management of type 2 diabetes.

2. Foot screening and care is one of the identified screening priorities to be supported in general practice education and with the primary health care networks (PHN's).

There are eight metropolitan and 10 country based High Risk Foot Clinics in SA Health. These are multidisciplinary clinics providing management plans for people with high risk of complications of the foot and lower limbs.

3. Limbs4Life is a national peer support organisation that provides training to volunteers. The volunteers support clients who have undergone an amputation. SA Health has included the role of Limbs4Life volunteers in the Transforming Health lower limb amputation pathway. SA Health rehabilitation team's work with Limbs4life to match suitable peer support volunteers to new clients.

4. The minister supports local health networks to continue to work with peer support volunteers, who are trained by amputee support organisation such as Limbs4Life. These authorised volunteers are credentialed to work with clients at this vulnerable time.

5. The SA Health Statewide Rehabilitation Clinical Network 'Model of Amputee Rehabilitation in South Australia', and the current pathway being developed under a Transforming Health framework, articulate that Limbs4Life volunteer peer support is an integral component of recovery after amputation. SA Health and I support the continued access to peer support volunteers through this program.