LEGISLATIVE COUNCIL

Thursday, 10 August 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.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to welcome Black Forest Primary School. Good to see you here.

Bills

PUBLIC INTEREST DISCLOSURE BILL

Conference

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:19): I seek leave to move a motion without notice concerning the conference on the bill.

Leave granted.

The Hon. P. MALINAUSKAS: I move:

That the sitting of the council be not suspended during the continuation of the conference on the bill.

Motion carried.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter) on behalf of the Minister for Employment (Hon. K.J. Maher)—

Regulations under the following Acts—
- Police Superannuation Act 1990—General
- Superannuation Act 1988—Transfer of Electricity Industry Members

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

Vinehealth Australia—Report, 2016-17
Regulations under the following Acts—
- Animal Welfare Act 1985—Electrical Devices and Animal Ethics Committee
- Aquaculture Act 2001—Simplify No. 2
- Fisheries Management Act 2007—
  - Abalone Fisheries—General
  - Blue Crab Fishery—Simplify
  - Charter Boat Fishery—Simplify
  - Demerit Points—General
  - Fees—General
  - Fish Processors—General
  - General
  - Lakes and Coorong Fishery—Simplify
  - Marine Scalefish Fisheries—General

Miscellaneous Broodstock and Seedstock Fishery—Simplify
Miscellaneous Developmental Fishery—Simplify
Miscellaneous Fishery—Simplify
Miscellaneous Research Fishery—Simplify
Prawn Fisheries—General
River Fishery—General
Rock Lobster Fisheries—General
Vessel Monitoring Scheme—General
Forestry Act 1950—Simplify
Primary Industry Funding Schemes—Langhorne Creek Wine Industry Fund—Simplify
Retirement Villages Act 2016—
Fees
General

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

Response to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation's Inquiry into Work related Mental Disorders and Suicide Prevention
Response to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation's Referral of the Work Health Safety (Industrial Manslaughter) Amendment Bill 2016
Regulations under the following Acts—
Air Transport (Route Licensing—Passenger Services) Act 2002—Simplify
Land Agents Act 1994—Simplify No. 2
Motor Vehicles Act 1959—
Modification of Act
Simplify No. 2
Roads (Opening and Closing) Act 1991—Simplify
Second-hand Vehicles Dealers Act 1995—Simplify No. 2

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

Regulations under the following Acts—
Fire and Emergency Services Act 2005—Simplify

Ministerial Statement

LAND SERVICES SA

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:21): I table a copy of a ministerial statement relating to Land Services SA made earlier today in another place by my colleague the Treasurer.

NATURAL DISASTER RECOVERY ASSISTANCE

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:21): I table a copy of a ministerial statement relating to recovery assistance for the Pinery fire made earlier today in another place by my colleague the Minister for Communities and Social Inclusion.

Question Time

ANZAC HIGHWAY BUS LANES

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:22): I seek leave to make a brief explanation before asking the Minister for Police a question regarding bus lanes on Anzac Highway.

Leave granted.

The Hon. D.W. RIDGWAY: The Department of Planning, Transport and Infrastructure began a trial period of setback bus lanes in January this year and finished that trial with the removal of the same lanes in July this year. During this trial, it was iterated that there wouldn't be any fines issued, only cautions—not unlike when bus lanes in the city were introduced. With the trial finished in July this year, and the removal of the bus lanes to occur, there shouldn't have been any fines issued; however, on Channel 7 news last night it was reported that someone was fined on 24 July. In response to the Channel 7 news article, the Minister for Transport said of the issuing of the fine:

> It's up to police. I mean they're the ones who handed it out and we have also asked whether there is any possibility that any other fines were handed out before on the same offence.

My questions to the police minister are:

1. What are the processes between DPTI and SAPOL around the communication of changes to road traffic laws?

2. How many cautions were issued for driving in bus lanes during the trial period from January this year until the Minister for Transport announced the removal of the bus lanes?

3. How many fines were issued for driving in the bus lanes during the trial period from January until the Minister for Transport announced the removal of the bus lanes?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:23): I am more than happy to confirm that the expiation notices are the responsibility of the police commissioner; he is the authority on this particular issue. I am also happy to confirm that a brief is being sought from SAPOL on this very question, particularly in light of the news that was on Channel 7 last night. As more information comes to hand regarding this particular incident, I am more than happy to share that through taking the question from the honourable member on notice.

ANZAC HIGHWAY BUS LANES

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:24): Supplementary question: I accept that the minister is going to leave it in the hands of the commissioner, so maybe he could also find out: is SAPOL conducting a review into all fines issued throughout that trial period? I know it is a bit rude, but it is the last week before the winter break, so I will put three supplementaries to the minister. The second is: should it be found that fines have been issued, and in some cases paid, will SAPOL issue a refund? And the third supplementary: will SAPOL be proactive in issuing a refund or do fine payers have to apply for their refund?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:24): The honourable member would be aware of the fact that, as I said earlier, the authority for expiation notices sits entirely with the Commissioner of Police. As a matter of law, the Minister for Police does not have authority over the issuing of expiation notices or the withdrawal of them.

Having said that, I understand that my office is seeking a brief from SAPOL regarding this particular issue to seek some advice as to what is SAPOL's policy with respect to this particular issue on Anzac Highway. As that information comes to light I will be more than happy to share it with the honourable member.

ANZAC HIGHWAY BUS LANES

The Hon. S.G. WADE (14:25): I have a supplementary. If I understand the question and answers given, by what authority was the public told that notices would not be issued, that warnings would be given? Was the police commissioner's agreement sought before such an assurance was given?

The Hon. P. Malinauskas: Sorry, I'm not sure I follow what you are asking.

The Hon. S.G. WADE: I may have the facts wrong but I thought the people were told they would only get cautions.

The PRESIDENT: Do you want to ask the question again just to be clear?

The Hon. S.G. WADE: Is it the case that members of the public were assured that they would only get cautions, not expiation notices? If so, by what authority were those assurances given? In particular, was the police commissioner consulted before such an assurance was issued?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:26): Again, I am happy to repeat my earlier answer, that we are seeking a brief from SAPOL on this particular issue, and once that information comes to hand I will be more than happy to share it.

PARA WIRRA CONSERVATION PARK

The Hon. J.M.A. LENSINK (14:26): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question about Para Wirra Conservation Park.

Leave granted.

The Hon. J.M.A. LENSINK: In recent times, DEWNR officers have outlined to the Friends of Para Wirra a proposal to allow camping and camp fires in the Para Wirra Conservation Park. My questions to the minister are:

1. Which other conservation parks permit camp fires and, if there are none, why would you start with Para Wirra?

2. If the firewood must be obtained from outside the park, how will this be policed?

3. Has there been any consultation with the local and state CFS about the multiple camp fire sites planned to be initiated this year, particularly regarding restrictions in the non-fire ban season?

4. What plan is in place to monitor the timing of the lighting of fires, ensuring safety restrictions are met, etc., particularly given the massive slashing in ranger numbers throughout the Mount Lofty Ranges by this government?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:27): The honourable member was going so well up until a point and then she descended into absurdity, which is her wont. I thank the member nonetheless for her most important question about the Para Wirra Conservation Park and how we, as a government, are trying to increase the public utility of our parks, trying to get more people into our parks, particularly the peri-urban parks around the city, and investing roughly $10 million as a result of our promise at the last election to do so.

Upgrading our parks, including signage and camp sites—which I went into some detail about in this place a week or so ago, in terms of the response we had from the community to our simple ideas to make it easier for people to get into the parks for short stays, short periods of time, ideas that probably would not have occurred to us without actually asking people what they wanted. So, the feedback, whilst most of it was predictable in terms of upgraded facilities, the one bit of feedback I think I talked about in the council previously was that people wanted to be able to go camping but in parks that are close to the city, not so much parks where they have to drive for hours and hours to get to.

Para Wirra, of course, is one of those parks, as is Onkaparinga, Belair, Anstey Hill and Cobbler Creek, many of which are receiving upgrades as we speak. I think the Nature Play playground at Morialta is due for completion shortly. That is another astonishing investment by this government in utility.

In terms of camp fires in Para Wirra, or more generally, I will have to seek some information for the honourable member and bring it back to the specifics of the question. However, in relation to this erroneous position the member tries to fly around every now and then about a reduction in ranger numbers—

The Hon. J.M.A. Lensink: It's true, absolutely true.

The Hon. I.K. HUNTER: It is not true at all.

The Hon. J.M.A. Lensink: You have even admitted it.

The Hon. I.K. HUNTER: It is not true and the honourable member knows that it is not true. We have many staff now working in specialist services. We actually now create career pathways up through the agency for staff working on parks. They are not necessarily called rangers. They are called 'fire officers' and they are called 'specialist operators'. They are called rangers that work with Indigenous communities and those who work for our joint boards that we run to look after our more distant parks.

These are people who are working on our parks. Under the bad old days under the Liberals, they were cutting funding for our national parks after every budget. It is this government that is reinvesting in our national parks, reinvesting in our facilities that people have told us they want put into those parks. We are seeing a big upsurge in visitation.

I think I said in this place before, after the building of the park up at Cobbler Creek, I was advised that we had roughly 4,000 people visit the park per month. After the investment in the new facilities and new infrastructure around the playground and the BMX pump tracks, that is up to around 14,000. People are voting with their feet. They like what they are seeing from this government's investment in parks, and we will continue to do so.

BURNS REVIEW

The Hon. S.G. WADE (14:30): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation questions about the Burns review.

Leave granted.

The Hon. S.G. WADE: Recommendation 19 of the Burns review states:

> That, giving consideration to the previous recommendation, the Flood Reform Response Working Group identify and consider appropriate agency involvement and protocols for response to and management of dams which are in danger of losing their structural integrity or spilling.

My questions to the minister are:

1. How many dams have been identified by the flood reform response working group as needing agency involvement to prevent loss of structural integrity or spilling?

2. Where are those dams located?

3. What agency involvement has been undertaken in response to the identification of at-risk dams?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:31): I thank the honourable member for the most important question about which dams are specifically being addressed by SA Water. I did go into some detail yesterday in response to a question from the Hon. Jing Lee about SA Water and DEWNR's response to the Burns inquiry. I don't believe I have a list in front of me of the dams that are being looked at by SA Water and DEWNR, so I will have to take that question on notice and bring back a response for the honourable member.

MURRAY-DARLING BASIN PLAN

The Hon. J.E. HANSON (14:32): My question is for the Minister for Water and the River Murray. Will the minister outline the progress on ensuring the implementation of the Murray-Darling Basin Plan occurs on time and in full?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:32): I thank the honourable member for his very important and indeed topical question. As you would know, the South Australian government is committed to the implementation of the basin plan in full and on time. That means a full 3,200 gigalitres of water.

Just last week, this council suspended question time and debated a motion that was brought forward by the Hon. Tammy Franks in support of the basin plan and an independent judicial inquiry into allegations of water theft and conspiracy at the highest levels of the Public Service in New South Wales, as aired last month on the *Four Corners* program that we talked about.

It is very disappointing, therefore, to learn that last night and indeed just this morning in the federal parliament, federal Liberal MPs have either voted to not talk about the motion, as in the case of the House of Representatives, or voted against the motion, as in the case of the Senate.

Honourable members: Shame!

The Hon. I.K. HUNTER: It is shameful, as honourable members are murmuring all around me in the chamber, that South Australian Liberal senators and members of the House of Representatives would not want to support a motion to establish an independent judicial inquiry so that we can get to the bottom—

The Hon. J.E. Hanson: What've they got to hide?

The Hon. I.K. HUNTER: As the Hon. Justin Hanson says, what have they got to hide? We have to get to the bottom of these allegations that, on the face of them, undermine the very Murray-Darling Basin Plan that Liberal MPs claim to support.

Last week, we heard Liberal state MPs crying foul that they had not been invited to stand in solidarity with MPs from across the political divide in support of an independent judicial inquiry. I explained at the time that the event the Premier called together was actually to call together our South Australian senators, knowing that this debate had a bit to play out in terms of the federal parliament.

Here we see just how much our South Australian federal Liberal MPs and senators really care about getting to the bottom of these allegations. We have that answer: they are crocodile tears that are exposed for everybody to see. The Liberals do not want to stand with MPs from across the aisles, from other parties, South Australian Liberal MHRs and senators standing as one. They do not want to stand as one with the rest of us in solidarity for our river or the system that we all depend on. They do not want to stand in solidarity with us and call for an independent judicial inquiry, which is, at the end of the day, the only way the community can have faith and confidence that the basin plan is being supported at the highest level.

Every single Liberal MP in the federal parliament turned their back on this state, on the very community that they claim to represent, by voting against the motion in the Senate that called for a full investigation into these issues or, in the case of the House of Representatives, not even allowing the debate to happen. South Australians have every right to ask questions of the member for Boothby, Nicole Flint, the member for Barker, Tony Pasin, the member for Grey, Rowan Ramsey, and the member for Sturt, Christopher Pyne, who as I said would not even allow debate on the motion today in the House of Representatives.

Of course, we know that Senators Birmingham, Ruston and Fawcett all voted against the motion, which had support right across the aisles except, I think, from One Nation. Why will these Liberal MPs not stand up for our state? Why will the South Australian Liberal MPs not stand up for South Australia? All of us know that the Murray-Darling Basin system underpins our economy and provides our drinking water and our irrigation water. It provides across the nation these services for millions of people. Why should big cotton or rice growers not have to adhere to the same rules and regulations that our irrigators in South Australia have to adhere to, that all users along the river system have to adhere to? Why will the Liberals not allow a full investigation into this big irrigators' take from our river system?

We know that the terms of reference that have been released are far too narrow. We know that the allegations aired on *Four Corners* are just the tip of the iceberg. We know that the reviews announced by Mr Joyce, our Deputy Prime Minister, and the minister in New South Wales, Mr Blair, will not have the power to compel witnesses. They will not have the power to call for and demand documents. The current terms of reference I mentioned in this place previously for reviews in New South Wales, and I think in terms of what the MDBA is being asked to look at, cover a very tiny period of time.

One can only ask oneself why the reviews are focusing on just a four or five-day period when we know that these abuses, from the allegations raised on the TV program, are systemic and go back for years. One can only presume that it is because someone who is constructing the terms of reference does not want the reviews to go any further. There are allegations of New South Wales retrospectively giving irrigators more water rights, possibly in return for major political donations. This has been reported in the media around the country.

There is the appropriateness of the New South Wales Minister for Regional Water gazetting a Barwon-Darling Valley flood plain management plan that gives him the power to approve noncompliant flood works; retrospectively, licences for Bowen-Darling River water extractions subsequently subdivided, cut up, which appears to be a breach of the New South Wales Water Management Act; and allegations of New South Wales Public Service officials offering debadged documents to a secret group that sought to undermine the basin plan.

These are the allegations that cannot be looked at by the investigations that have been so far put up. They do not have the power to compel witnesses to answer. They do not have the power to call for documents and have them supplied. There are many other issues that are being raised on a day-to-day level. You only have to open one of the Eastern State papers nowadays to find new allegations being raised about bad practices in terms of water in New South Wales.

These allegations, I believe, paint a picture that suggests a systematic and deliberate attempt to undermine the basin plan and to deceive the South Australian community. South Australian irrigators have been complying with the plan and its objectives in good faith, expecting other states to do the same thing. The South Australian government, therefore, will continue to advocate for a full independent judicial inquiry into these allegations.

We will support calls for an urgent meeting of the Murray-Darling Basin Ministerial Council to agree on the terms of reference for a proper independent inquiry, not some bodgy inquiry fixed up by Deputy Prime Minister Barnaby Joyce to look after his National Party mates in New South Wales. Our community, and indeed all Australians, have every right to be asking themselves, 'Why won't Liberal MPs support this call?'

We as South Australians have every right to be asking ourselves, 'Why won't our federal Liberal MPs from South Australia stand up for South Australia's River Murray?' How can our community rely on the Liberal Party to stand up for South Australia when we call on them to do so and they squib it—they squib it.

The Hon. P. Malinauskas: At least they're consistent.

The Hon. I.K. HUNTER: Well, there is that, as the honourable minister says, at least they are consistent in that one regard.

The PRESIDENT: Well, the minister should not say anything while you are speaking.

The Hon. I.K. HUNTER: He probably shouldn't, but he couldn't control himself in the face of Liberal provocation. Only a judicial inquiry can provide the rigour and independence required to assess these allegations. Theft must be investigated. The Liberal Party might not want to properly investigate the theft of billions of litres of water, or the allegations of conspiracy at the highest levels of the New South Wales Public Service. They may not want to bring to light questions about National Party donations and subsequent changes to water rules. They may not want to bring to light allegations of lobbyists being stacked on to the independent and expert body, the Murray-Darling Basin Authority, by Deputy Prime Minister Barnaby Joyce but for everyone's sake these allegations must be gone into.

We do need the basin plan to be delivered. We do not want the basin plan to be jettisoned and thrown overboard because the health of the River Murray depends on it. But for the sake of the confidence of our community and the basin plan, for the sake of our irrigators who have been doing the right thing, all along, expecting everyone else to actually comply with the rules, we have to have an independent inquiry with powers to compel witnesses and call for documents. The South Australian state Liberals have an opportunity—

Members interjecting:

The Hon. I.K. HUNTER: — to get on the phones to their federal mates—

Members interjecting:

The Hon. I.K. HUNTER: Get on the phones—give me your call list, tell me who rang Chris Pyne and said, 'Mate, you have to vote for this.' Give me call list, tell me who stood up—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: Tell me which of you stood up to Chris Pyne, who stopped this debate in the House of Representatives?

Members interjecting:

The Hon. I.K. HUNTER: You tell me which one of your mates you called and said, 'We want this debate to be called off.'

Members interjecting:

The PRESIDENT: Order! Will the honourable minister take a seat. Two issues: first of all, I do not want any interjecting while the minister is answering a question; and, secondly, I do not want the minister to bite the bait that is thrown out to get you going, so please finish your answer.

The Hon. I.K. HUNTER: I take slight issue with you, Mr President. I do not think it was bait being thrown out, I think it was a confession of duplicity.

The PRESIDENT: The Hon. Ms Vincent.

Members interjecting:

The PRESIDENT: Order! Ms Vincent has the call.

ACCESS CABS

The Hon. K.L. VINCENT (14:43): I seek leave to make a brief explanation before asking questions of the minister representing the Minister for Transport and Infrastructure regarding access cab services in South Australia.

Leave granted.

The Hon. K.L. VINCENT: On Monday, I met with the Access Fleet Advisory Association. Members might be aware that 102 access cabs across South Australia provide transport to mobility aid users. Many access cab users access 50 per cent and 75 per cent subsidised trips in these access cabs through the SATSS (SA Transport Subsidy Scheme), and I appreciate that the minister has just further extended SATSS vouchers for NDIS participants for another two years.

Access cabs, because of their size, are often also used as taxis for larger groups but access cabs are not eligible for the $30,000 compensation scheme that standard cab drivers are receiving, despite the advent of Uber and other ride sharing services negatively impacting on their customer base. While in general, access cab plates or licence fees have been cheaper than standard cabs, I am aware, for example, of one access cab plate owner who paid $120,000 for his plate.

When the minister published his Taxi and Chauffeur Vehicle Industry Review in February of last year, one recommendation that he said he would implement was a lifting fee for access taxis, and he has also reiterated this to me in several meetings since this time. Lifting fees allow the actual time the driver uses to safely load and secure wheelchair and mobility aid users into the vehicle, and lifting fees have been present interstate for access cabs for up to a decade in all other jurisdictions but Queensland. It is now 18 months later, and there is still no sign of an implementation of this lifting fee.

I also note that smart cards, rather than paper vouchers, have been implemented interstate and in many jurisdictions too. My questions to the minister are:

1. When will the promised lifting fee be introduced for access cabs?

2. Will the lifting fee only apply to 75 per cent SATSS vouchers, despite the fact that some mobility aid users only have 50 per cent vouchers due to, for example, only using their mobility aid part time?

3. Will the minister meet with the Access Fleet Advisory Association to discuss their concerns?

4. What is the timeline for the introduction of the recently tendered smart card initiative for the SATSS program in this state?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:45): I thank the honourable member for her important series of questions. Obviously, questions addressed to the transport minister are best answered by him, but I am more than happy to take those questions on notice and seek a response as they pertain to important issues, particularly for the users of access cabs.

WORK RELATED MENTAL DISORDERS AND SUICIDE PREVENTION INQUIRY

The Hon. J.S.L. DAWKINS (14:46): My question is directed to the Minister for Police and Emergency Services. Why was the minister's response to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation's inquiry into work related mental disorders and suicide prevention, tabled in both houses just today, delayed well beyond the four-month response time required under the Parliamentary Committees Act 1991?

Why were responses relating to police and emergency services included in the Deputy Premier's response, and why was it more than four months late? Will the minister indicate why the letter of apology to the committee regarding this delay came just from the Minister for Industrial Relations and not also from the Minister for Police and Emergency Services?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47): The lead minister in respect of the government's response to that inquiry was the Minister for Industrial Relations, which is probably why his signature is on the bottom of the letter. Of course, it is regrettable that there was a delay in the production of the government's response, but nevertheless now it has been submitted, and we thank the committee for all their hard work.

WORK RELATED MENTAL DISORDERS AND SUICIDE PREVENTION INQUIRY

The Hon. J.S.L. DAWKINS (14:47): Supplementary: given that other ministers actually chose to respond earlier than the Minister for Industrial Relations and this minister, will the minister take steps to make sure that responses to parliamentary inquiries will be responded to promptly in the future?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48): Every endeavour will be made to do exactly that.

Parliamentary Procedure

VISITORS

The PRESIDENT: Before calling the next question, I welcome students from Peterborough and Yunta: good to see you all here.

Question Time

POLICE AERIAL OPERATIONS

The Hon. G.E. GAGO (14:48): My question is to the Minister for Police. Can the minister outline how South Australia Police is utilising new technologies to enhance its aerial operational capabilities?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48): I thank the honourable member for her important question, talking about an important piece of public policy, which is aimed

at keeping South Australians safe. Earlier this week, I had the great honour of joining Superintendent David O'Donovan, the officer in charge of the Special Tasks and Rescue Group, otherwise known as the STARies, and John Boag from Babcock International to announce a $4.6 million upgrade to the South Australia Police helicopter, otherwise known as PolAir.

PolAir is a critical piece of equipment for our first responders, conducting around 1,000 missions a year across all agencies that use the helicopter. I am advised that around 300 missions a year are utilised in a SAPOL context. The $4.6 million investment has seen PolAir fitted with world-leading infrared sensor technology in the form of the Wescam EO IR, replacing the Forward Looking Infrared system, otherwise known as the FLIR system, that was used by SAPOL for approximately 20 years.

The Hon. I.K. Hunter: Don't give away any operational secrets, Peter.

The Hon. P. MALINAUSKAS: No, no, I won't be doing that. The Wescam EO IR is a highly sophisticated camera that senses light and heat and has the ability to produce high definition bird's-eye images with superior precision. The integration of this technology has resulted in our helicopters being amongst the most mission capable in the world. These images can be overlaid on existing digital maps, enabling an individual or object to be rapidly pinpointed so that ground resources can be quickly deployed to the location.

The technology has significantly increased the night-time vision and operational capacity of STAR Group officers, and due to the nature of the technology and its aerial deployment, Pol-Air can be deployed to both land and sea searches. The technology enables SAPOL to search a larger area more effectively in a shorter amount of time and in turn provides a greater situational awareness of an operation for SAPOL's incident managers.

As a demonstration of the technology, the media was provided vision of a search-and-rescue mission whereby a man was located as the result of the identification of his body heat; I believe it was in a set of vineyards. The time saved in being able to locate him aerially through the use of this technology could have saved his life. Another example is the ability of SAPOL to pursue five offenders who had stolen a vehicle and had sought to flee. By using the infrared camera, Pol-Air was able to track each of the offenders and provide real-time updates to those officers on the ground, which resulted in their apprehension.

The most recent investment is, again, another demonstration of our continuing investment in world-leading technology for our South Australian police force. In recent months, I have had the great pleasure to announce the rollout or implementation of a number of technologies. Many in this chamber would, I am sure, recall reflections that I have shared on the body worn video technology that SAPOL now utilise, the facial recognition technology that SAPOL now have rolled out in sections of their force and also the mobile ruggedised tablets, which dramatically enhance the efficiency of SAPOL officers throughout the state. Now, of course, there is this installation of new technology on the police helicopter. All of these combined ensure that our police force is cutting edge when it comes to the utilisation of new technologies.

New technologies should be embraced; they mean we can provide for a more efficient, more effective service out on the ground, keeping South Australians safe. Of course, this comes on the back of the government's record commitment to additional to police in our police force. We have a growing police force in terms of sworn officers, but we are also giving them world-leading, cutting-edge technology. All of this amounts to an unprecedented commitment to South Australian police, something I am sure former police minister Robert Brokenshire, had he been here, would acknowledge and appreciate.

We are committed to keeping South Australians safe. This is all but part of a suite of reforms that we are seeing occur in SAPOL, and we wish the men and women who use the SAPOL helicopter every success in their missions, and of course we hope that they can always remain safe as they fly in the air.

POLICE AERIAL OPERATIONS

The Hon. A.L. McLACHLAN (14:53): Can the minister advise the chamber: what is the ongoing maintenance cost of the new equipment?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:53): The $4.6 million speaks to a number of costs associated with this new technology, but I am happy to take on notice what the ongoing specific maintenance cost component of that amount is.

AUTOMOTIVE INDUSTRY

The Hon. D.G.E. HOOD (14:53): I seek leave to make a brief explanation before asking the Minister for Automotive Transformation, if he was here, a question relating to the unfilled motor trades jobs.

Leave granted.

The Hon. D.G.E. HOOD: According to the Motor Trade Association of Australia the number of unfilled motor trade jobs in South Australia far outstrip the number of positions that will be lost, even when the Elizabeth Holden plant closes, as reported by *The Advertiser* just this week. The MTAA estimates that nationally more than 25,000 motor trade jobs are unfilled currently, which is set to increase to 35,000 next year.

In South Australia, 1,635 jobs are unfilled, and it's reported that more than half of the 4,857 businesses in South Australia are reporting difficulties in securing skilled workers for these positions. The MTAA is concerned that the substantial amount of unfilled positions could contribute to the closure of smaller companies in rural and regional areas in particular, which are further struggling in difficult business conditions, including higher power prices. My questions to minister are:

1. How will the government address the current shortage of skilled motor trade workers, as brought to the public's attention by the MTAA, and line them up with the vacant positions available?

2. What progress and initiatives are currently in place to ensure Holden employees are transitioning into industries where their skills are relevant and useful, such as, potentially, the motor trade industry, where there seems to be a surplus of positions available?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:55): I thank the honourable member for his very important question. Of course, it's a question I will need to take on notice on behalf of my leader, the Hon. Kyam Maher. I undertake to bring back a response, but I am sure that if my leader was here he would say, 'Hear, hear,' to the Hon. Dennis Hood's question and point him to the fact that the federal government, of course, made some structural adjustment money available for transitioning the Holden industry (which the federal government egged on to leave the country) but then withdrew the funding.

The federal government said, 'Look, we'll put in place some structural adjustment money to enable workers in the industry to transition to alternative jobs.' I can't remember exactly what it was—I think something like $900 million was on the table at some stage—and then they wrote it down by about $800 million and took it back again. So, we had the federal treasurer at the time and other senior ministers in the Liberal government egging Holden on to withdraw from the country—daring them to go; daring them to leave—and when in fact that came to pass they were incredibly embarrassed, to the point where they had to put up a huge amount of money for structural adjustment in transitioning the workers. Then they withdrew it, adding insult to injury to the workers in the north of Adelaide.

This Liberal federal government gives no care whatsoever to the problem they created and the people they are leaving in limbo. But I will leave it to the honourable leader of the council to respond in more detail to the Hon. Dennis Hood, and I am sure he will echo some of those sentiments.

SPEEDING FINES

The Hon. T.J. STEPHENS (14:57): I seek leave to make a brief explanation before asking the Minister for Road Safety questions regarding speeding fines.

Leave granted.

The Hon. T.J. STEPHENS: On 3 August, the government blocked a parliamentary inquiry into speeding fines, which the opposition had hoped would provide South Australians with transparency and confidence that the money they were paying in speeding fines, which is currently double that of New South Wales, is being put to good use. At the time, the Minister for Road Safety said that such a parliamentary inquiry was unnecessary and that all the information is already well and truly on the table.

Since then, the government has commissioned a study by the Centre for Automotive Safety Research, with the minister telling us that, once we get those results back, we hope there will be some pearls of wisdom in there that we can turn into innovative policies. Given this, my questions to the minister are:

1. Does the minister concede that the government clearly did not have all the information well and truly on the table at the time of rejecting a parliamentary inquiry into speeding fines?

2. Will the minister commit to looking at alternatives for drivers with good driving records who make the occasional, inadvertent mistake?

I am not referring to the honourable Tom Koutsantonis on that one.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:58): I thank the honourable member for his question. Maybe, for the sake of clarity, I might explain the exercise that is going to be undertaken by the Centre for Automotive Safety Research, as distinct from what was being proposed with the parliamentary inquiry. The Centre for Automotive Safety Research (CASR), working under the banner of the University of Adelaide, is specifically looking at measures that can be undertaken to address the issue of those who rack up a large number of fines or who might, indeed, become licence disqualified but continue to be repeat offenders.

It is a specific exercise outside of existing mechanisms—namely, speeding fines—to deter those people who often flout the law from doing so in the future. It will not necessarily be contemplating changes to the existing penalty regime, which I understand the proposed parliamentary inquiry was to look at, but rather might be looking at the use of other policy areas that could achieve that objective; for instance, the introduction of new technologies, as was the case with the Alcohol Interlock Scheme some years ago.

In respect of the idea of altering the existing arrangements with speeding fines in South Australia, what I can say is that it is important to remember where the money goes. I will be the first to acknowledge that paying speeding fines is not something that South Australians enjoy. Speed cameras, red light cameras, speeding fines generally are never going to be the recipient of affection within the community. That is well known and something that I acknowledge. But we have to look at what happens to speeding fine revenue to inform our view of that revenue.

Every dollar that is raised from speed cameras goes into the Community Road Safety Fund. Every dollar that goes into the Community Road Safety Fund is expended on road safety measures, and there is a whole range of different things that could be. It could be the Centre for Automotive Safety Research, it could be investment in shoulder sealing projects, it could be investment in education projects. There is a whole range of things that that money is invested in to make our roads safer.

The fact is that we know speeding fines do deter people from speeding and we know that it does fundamentally alter driving behaviour in South Australia. The record speaks for itself. I have seen numerous statistics that point to this. For example, we have seen a reduction in the number of road fatalities that are occurring in South Australia, which is something that isn't necessarily happening in other jurisdictions.

We have seen a reduction in the number of road fatalities occurring where speed was a contributing factor to the accident. We have seen a reduction in speeding fine revenue. We are seeing a reduction in terms of the number individual cameras are delivering in offences caught. So, on a whole range of different measures we have seen a change in driving behaviour in South Australia, where speeding is on the decline, and that is unequivocally a good thing.

Speeding dramatically increases the likelihood of an accident on our roads. While none of us want to receive a speeding fine, something we want even less is to be involved in an accident where, tragically, someone loses their life. Speed cameras make a contribution to our roads being safer. I know and understand that this is a hot button issue, and I understand that, particularly for those people who might have a rare incursion and make a mistake. I myself have done that, something I have acknowledged previously.

Speeding fines are an important deterrent for people speeding with impunity on our roads and they do make our roads safer. That is something we want to continue to see, if we are going to have the road toll in South Australia continue to reduce.

WYNDGATE FARM

The Hon. M.C. PARNELL (15:02): I seek leave to make a brief explanation before asking a question of the Minister for Sustainability, Environment and Conservation about Wyndgate.

Leave granted.

The Hon. M.C. PARNELL: Wyndgate might sound like a political scandal involving renewable energy—

The Hon. I.K. Hunter: With an i or a y?

The Hon. M.C. PARNELL: —but as the minister interjects, it is spelt with a y. Wyndgate is, in fact, a property on the eastern end of Hindmarsh Island which was purchased by the state and federal governments in 2001 to protect its high conservation values. In 2008, an additional area was purchased by the state government and added to the property. There is now 1,170 hectares of wetlands, farmland and revegetation areas. I note that the wetlands form part of the internationally listed Ramsar Convention wetlands.

The Hon. I.K. Hunter: What's it's proper name? Is it Lawari?

The Hon. M.C. PARNELL: I don't have the Aboriginal name. I am working from the minister's website.

Members interjecting:

The Hon. M.C. PARNELL: No; it's an important property for conservation.

Members interjecting:

The Hon. M.C. PARNELL: It's not a Dorothy Dixer; there is a legitimate question here. Constituents down at Hindmarsh Island have been in touch with me and they are very concerned that the process of turning this property into a conservation park, under the National Parks and Wildlife Act, may have stalled. Again, according to the minister's website, the department says that it proposes to proclaim it as a conservation park in the future. Correspondence that I have seen suggests that the—

The Hon. I.K. Hunter: I think I already have.

The Hon. M.C. PARNELL: It will be a quick answer then. The correspondence I have suggests that it was supposed to be declared a national park in 2015. The minister may well surprise me by suggesting that it has already been done, but my information was that it hadn't yet happened. So, my question to the minister is—

The Hon. J.S.L. Dawkins: The department's got form in slowing these things down.

The Hon. M.C. PARNELL: Anyway, my question is: is it still the government's intention to declare the land a conservation park, if in fact it hasn't already; is there any delay; and when might a proclamation be made?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:05): I thank the honourable member for his most important question. I think it deserves an incredibly long answer. I might talk about our commitment to our parks across the state before I get to the specific area of Lawari. South Australia's parks and reserves—

The Hon. J.S.L. Dawkins: You've got to wait for the text message.

The Hon. S.G. Wade: 18 minutes in.

The Hon. I.K. HUNTER: Thank you, Stephen, I will try my best to make sure that he gets another question in at some stage. South Australia's parks and reserves present South Australians and visitors with the great opportunity to enjoy and benefit from their engagement with our natural environment, and to unlock economic potential from those interactions, of course, in respect to regional tourism most particularly. The South Australian government recognises the importance of tourists and regional growth in these investment opportunities that arise, and nature-based tourism represents one of the biggest growing sectors of the South Australian economy.

We understand that making South Australia a nature-based tourism destination for domestic, interstate and international travellers will lead to significant economic development and job creation. I think, just this week, I spoke about the Adelaide International Bird Sanctuary as being one of those areas that we have great hopes for in terms of involving local communities. Again, I gave a great deal of detail about that and how we are going to work with communities coming together, called The Collective. Local governments are involved, local Indigenous communities are involved, local Vietnamese market farmers are involved, and many others, because they see the opportunities for that area to the north of Adelaide and they want to be part of it at the very beginning.

We are home to more than 300 parks that showcase our diverse range of natural attractions, including Seal Bay, Flinders Ranges, Cleland, the Kangaroo Island Wilderness Trail and, of course, the Naracoorte Caves. Because of this commitment, the government, as part of its 2014 election commitments, dedicated an additional $300,000 over two years to increase the size of our parks and reserves by adding new parks and, of course, increasing the size of the ones we currently have.

We believe this will protect more of our state's unique environment. We have enhanced our protected area system in South Australia through the protection area strategy, Conserving Nature 2012–2020: A Strategy for Establishing a System of Protected Areas in South Australia.

It is worth remembering and reminding ourselves that, when Labor came to government in South Australia in 2002, there was just 70,000 hectares of the state that had wilderness protection area status—just 70,000 hectares. Over the past 15 years, 74 new parks have been proclaimed, and there have been 87 additions to our parks. There are now a total of 356 reserves constituted under the National Parks and Wildlife Act 1972, the Wilderness Protection Act 1992 and the Crown Land Management Act 2009. Of these, 22, I am advised, are national parks.

An important new national park I mentioned earlier this week was created last October, the Adelaide International Bird Sanctuary National Park (Winaityinaityi Pangkara). I am advised that on 8 August the Port Gawler Conservation Park was reclassified to become part of the Adelaide International Bird Sanctuary National Park. The government is committed to the Adelaide International Bird Sanctuary, proposed to stretch for 60 kilometres up the coast, north of Adelaide. As I mentioned yesterday, I think it was, it has now become officially classified as part of the East Asian-Australasian Flyway, and I think has the potential to be an exciting drawcard for international visitors and birdwatchers from interstate and overseas, to support tourism and also environmental programs in South Australia.

Other recent additions proclaimed in March 2017—and now I refer to a piece of paper that has been thrust into my hand, which I think is from the *South Australian Government Gazette* of 21 March 2017—'National Parks and Wildlife (Lawari Conservation Park) Proclamation 2017'. It goes into the short title, commencement and constitution, with all the sections, including Hundred of Nangkita, County of Hindmarsh, and on and on and on, which I think the honourable member will find is exactly where he thinks Wyndgate was once, and is now Lawari Conservation Park.

This is situated, I am advised, within an area of internationally important wetlands, formally recognised as the Coorong and Lakes Alexandrina and Albert Ramsar Reserve. It comprises two former grazing properties, one of which was the former Wyndgate property. It was purchased with assistance from the commonwealth for inclusion in the protected area system. It covers important wetlands containing a diverse array of habitat, supporting a high number of threatened fish and water bird species.

Additionally, the honourable member might like to know (before he comes back with another question) that an additional 3,949 hectares of the Ngarkat Conservation Park was added on the northern boundary of this vast mallee park, which is south of Lameroo. An addition to the Ikara-Flinders Ranges National Park was the Sacred Canyon, a highly important Aboriginal cultural site. This area is located approximately 12 kilometres south-east of Wilpena, adjoining the southern boundary of the park. It comprises about 298 hectares, I am advised.

Sacred Canyon, Mr President, as you would know, is of profound cultural and spiritual significance to the local Adnyamathanha people and the site preserves ancient engravings of images representing animal tracks, people and waterholes in the sandstone walls of the canyon. I could go on with more details about other parks but I might leave that for a further question for the Hon. Mark Parnell to ask at a later stage.

WYNDGATE FARM

The Hon. M.C. PARNELL (15:11): I have a quick supplementary question by way of clarification. I think I suggested that I was getting this information from the minister's website but in fact it is naturalresources.sa.gov.au. My supplementary question is: will the minister encourage his colleagues to update their website to incorporate the good news that he has now provided to the chamber?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:11): I thank the honourable member for his most important supplementary question. I will have to make sure that he has actually checked the updated website and not some old cache of a website that he might have come across.

The Hon. J.M.A. Lensink: How would you even know what that is?

The Hon. I.K. HUNTER: I don't but someone wrote me the notes to say, and I am quite sure that if he does that—

The Hon. S.G. Wade: It is pronounced 'cash', I think.

The Hon. I.K. HUNTER: 'Caish', 'cash', it depends where you come from, I think, the Hon. Mr Wade.

Members interjecting:

The Hon. D.W. Ridgway: Don't get tangled up in the technical stuff.

The Hon. I.K. HUNTER: No, I shan't. But I will undertake to ask my agency to have a quiet word to the NRM website managers—who are probably 12 or 13 or something and who can update the website when they come home from school.

SA WATER INFRASTRUCTURE

The Hon. J.S. LEE (15:12): I seek leave to make a brief explanation before asking the Minister for Water and the River Murray a question about burst water pipes.

Leave granted.

The Hon. J.S. LEE: A burst water main in Craigburn Farm was unattended by SA Water, making residents wait for six months before it was fixed. Residents made complaints earlier this year about the leak located on the corner of Cummings and Archibald streets; yet, unfortunately, media reports stated that SA Water had washed their hands of the problem. When SA Water was contacted by *The Advertiser* in late July, they advised that the water was from an unsealed driveway, which was later proven wrong by *The Advertiser*, which had organised a site inspection, confirming that the water was welling up from the ground.

Only recently, SA Water accepted that the leak was from a broken pipe and their fifth site visit was to repair the damage. On 3 May this year, the chief executive officer of SA Water stated to the Budget and Finance Committee that from November 2016 SA Water had a new vision, which was to benchmark itself to the best utilities in the world and the best service providers in the world. My questions to the minister are:

1. Why did SA Water wait six months to address the problems and take responsibility, despite numerous complaints made by residents?

2. What consultation has the minister had with the local community about the burst water main in Craigburn Farm?

3. Is the minister satisfied with SA Water's approach to the Craigburn Farm burst water mains incident?

4. With these insights and failures, how can the minister justify that SA Water will reach its vision of benchmarking itself to the best utilities in the world and the best service providers in the world?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:14): I thank the honourable member for her most important question—if a somewhat ill-advised one, in terms of the information she is providing to the chamber. It is a matter for her if she seeks to rely on *The Advertiser* for her information. We all know the level of accuracy that supplies to its readers, but that is entirely up to her.

In relation to the particular situation the honourable member talks about where there was a shocking lack of follow-through from SA Water and its contractors, I have to say that that was incredibly disappointing. It was incredibly disappointing that it appears, on the face of it, that someone was going through a tick box exercise and not expending the extra effort in customer relations that we expect of our agents.

I have to say, frankly, I found it incredibly confronting that someone who, hopefully, would have gone through the cultural change in SA Water would have understood what was expected, to go that extra yard to help people when they ask for help, yet it was not provided in this situation. I have raised my concerns about this with SA Water. They understand the impact this has on the community. They understand now that it is my expectation that situations such as this would not occur in the future.

Let us remind ourselves—and the honourable member probably hasn't reflected on this for some time—that SA Water, in terms of its maintenance schedule, its replacement of water pipes and assets in the water system, produces an outcome with a massive investment that is actually one of the lowest water mains bursts in the country. The Bureau of Meteorology makes this comparison of utilities. They make a comparison of the number of bursts per hundred kilometres of pipe, so you can actually compare apples with apples. Smaller utilities might only have 7,000 or 13,000 kilometres of pipe. SA Water has 28,000 kilometres of pipe now, so you need to compare the per hundred kilometre pipe break, and we do have a very big difference between country breaks and metropolitan breaks.

The reason for that disparity is that we have reactive clay soils in Adelaide, which usually twice a year, in response to seasonal variation, have a preponderance of breaks that they do not have during the rest of the year. That is because when the clay soils wet up, they expand and apply pressure to the pipes. When they shrink, when the water is not there, those pipes get a similar amount of cracking pressure. It is exactly the same as is experienced particularly in the eastern suburbs of Adelaide in terms of our house foundations and the cracks that open and close periodically over the year.

As I said, any member of this place can go independently to the Bureau of Meteorology's web page or its published information that it puts out every year and look at the chart that actually compares water utilities by the number of water mains breaks. You will see SA Water down at the bottom with one of the lowest number of breaks per hundred kilometres of pipe compared to water utilities around the country. Why is that? It is because we invest over $150 million every single year in upgrading our water utility network—pipes, pumping stations, holding tanks.

We are now, as I have announced earlier in this place, investing another $55 million in upgrading the pipe network with newer pipes that are more flexible than the old pipes we have in place, particularly the old ductile metal pipes. We are also installing more valves on these mains water pipes than currently exist, so that when there is a break—and there will always be breaks; we

have to manage them to be at the lowest level they possibly can—we can actually isolate the breaks to smaller segments of the pipes by having more valves placed more frequently along these water mains so that the number of people who will be put out by us having to close water off for a period of time to fix these breaks can be minimised as well.

We understand the inconvenience it causes to the community, and we work very hard to make sure we keep that inconvenience to as low a level as possible. The situation the honourable member raised in her question, however, is one that is an absolute outlier. It is one that I am very disappointed in. I have expressed my view to SA Water that they need to put in place processes to make sure that their staff, when going out to address these situations, don't just tick a box on a form, but actually go out and look very hard to see if they can deliver what the customer is asking for.

WATER BILLING

The Hon. J.A. DARLEY (15:18): I seek leave to make a brief explanation before asking the Minister for Water questions regarding water billing.

Leave granted.

The Hon. J.A. DARLEY: I understand that SA Water receive the information they use to issue bills from the State Valuation Office. The State Valuation Office do not have a list of tenants, and so I understand historically it was decided to charge landowners instead. I have recently been contacted by several constituents who are frustrated that they have been left with outstanding debts to SA Water totalling thousands of dollars because tenants have absconded and refused to pay water bills, notwithstanding any tenant agreements.

While I understand there is a process to recoup this money through SACAT, this is often a lengthy process. Landlords often have to wait months for the matter to be heard and decided. Meanwhile, they continue to be pursued by SA Water for the debt. Further, even if landlords are successful, tenants are often not in a position to pay, which leaves the landlord out of pocket. My questions to the minister are:

1. What is the government's position on ESCOSA's recommendation that the end users should be SA Water's customers and not landowners?

2. Has consideration been given to SA Water using the list of tenants held by OCBA to issue bills to the end users rather than the landlords?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:20): I thank the honourable member for his most important question. At the heart of the question, and therefore the answer, is essentially who should wear the cost for an investment. That is what these situations are; they are an investment of a landlord owning a property and renting it out. Who should wear the cost of a default? We know that landlords have to wear the cost of defaults in many areas, particularly when it comes to damage, and there are usually bonds in place through the Residential Tenancies Tribunal to deal with those sorts of issues.

The honourable member also said there are methods in place of a similar nature for landlords to recoup those costs, and that is appropriate. If the honourable member is seeking to transfer that risk away from the private landowner to the public owner, that is the public of South Australia, which owns SA Water, that is something we would need to consider very carefully because that comes with a cost in itself. If you want to transfer cost from the private sector to the public sector, normally you have to have a very good reason to do that because you will be, at the end of the day, potentially increasing costs to consumers, SA Water customers. This is a cost-shifting exercise, understandably.

There is also a question of efficiency. At the end of the day, the question for SA Water as the operator has to be: is it in the interests of the shareholders, who are the public of South Australia, that they go to a system where they have to be responsible for keeping up with a list of tenants in all the private residences around the state and having a system of bureaucracy in place to go and check on those tenants when they change their tenancy, when they move from house to house or flat to flat? If that is the bureaucracy you want to create in SA Water, that is a very brave call. It is not one the government is currently interested in progressing.

PRISONER REOFFENDING

The Hon. A.L. McLACHLAN (15:22): I seek leave to make a brief explanation before asking the Minister for Correctional Services a question regarding the Strategic Policy Panel report.

Leave granted.

The Hon. A.L. McLACHLAN: In early July, the Strategic Policy Panel delivered its report, which outlined 36 recommendations for reducing reoffending by 2020. The government has indicated an acceptance of all 36 recommendations. Can the minister advise the chamber whether the policy panel or the department intends to establish individual deadlines for implementing each of the 36 recommendations?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:22): I thank the honourable member for his question and his interest in an important area of public policy. Only a few weeks ago the government released its policy response to the Strategic Policy Panel's effort. Within the government's response, there are two documents. One is a brief summary of the government's response, and a more substantial document goes into the detail of the government's response to the Strategic Policy Panel's recommendations. That document outlines quite thoroughly, in my view, the government's policy in terms of its actual plan for a reduction in reoffending by 10 per cent by the year 2020, which it is now in the business of implementing.

As I have said recently, there are two key funded components within that plan. There are other components that are important, but the two key funded components out of this year's state budget are the investment in the New Foundations program, which is all about making sure we reduce the number of prisoners who are released into homelessness, and of course the Work Ready, Release Ready program, which aims to increase the number of prisoners who are released to a job. I am more than happy to make sure the Hon. Mr McLachlan receives a copy of those policy documents, if he does not already have them, because they quite thoroughly work through the government's response to the recommendations from the Strategic Policy Panel.

Bills

BAIL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 8 August 2017.)

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:25): I thank the members who have made a contribution, and I also thank those members who have already indicated their support for the measures in this bill. I understand the member for Schubert in the other place sought information from the Attorney-General with respect to applications for bail by persons who were prescribed applicants by virtue of a breach of the intervention orders act. The Attorney undertook to seek this information between the houses. I am advised that, unfortunately, for bail matters, a breakdown of statistics as requested is not kept in a form that allows this level of detail to be extracted.

The Hon. Mr Hood in his second reading contribution asked when and how the government was made aware of the matter to be addressed by the amendment of section 10A, and whether the government is aware of any instances in which this has been an issue. The government is aware of one instance where the amended charge resulted in the applicant no longer being a prescribed applicant, and a fresh application for bail was made. Despite the presumption in favour of bail, on the facts, the court determined that bail should not be granted.

With respect to the first part of the Hon. Mr Hood's question, the issue was brought to the government's attention by the Director of Public Prosecutions last year. I note that this is an important amendment that will ensure offenders who are alleged to have committed serious violent offences in circumstances aggravated by a breach of intervention orders are prescribed applicants.

I note that there are amendments filed by the Hon. Mr Darley. The government has been in discussions with the Hon. Mr Darley and the opposition and has filed an amendment in the alternative to Mr Darley's second amendment. I look forward to addressing these amendments during committee. Again, I thank honourable members for their contributions and support, and I look forward to dealing with this expeditiously.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 5 passed.

New clause 5A.

The Hon. J.A. DARLEY: I move:

Amendment No 1 [Darley–1]—

Page 3, after line 6—Before clause 6 insert:

5A—Amendment of section 10—Discretion exercisable by bail authority

(1) Section 10(1)(a)—before 'gravity' insert 'nature and'

(2) Section 10(1)(b)—after subparagraph (iii) insert:

(iiia) endanger the safety of victims, individuals or the community; or

(3) Section 10(1)—after paragraph (e) insert:

(ea) any special vulnerability or needs the applicant has including because of youth, being an Aboriginal or Torres Strait Islander, or having a cognitive or mental health impairment; and

(4) Section 10(1)—after paragraph (f) insert:

(fa) the need for the applicant to be free to prepare for the applicant's appearance in court or to obtain legal advice; and

(fb) the need for the applicant to be free for any other lawful reason; and

(5) Section 10—after subsection (1) insert:

(1a) In having regard to the matters referred to in subsection (1)(b), the bail authority must consider the following:

(a) the applicant's background, including criminal history, circumstances and community ties;

(b) the strength of the prosecution case;

(c) whether the applicant has previously committed an offence while on bail;

(d) whether the applicant has a history of violence;

(e) whether the applicant has a history of compliance, contravention or failure to comply with any of the following:

(i) an intervention order under the Intervention Orders (Prevention of Abuse) Act 2009;

(ii) a parole order under the *Correctional Services Act 1982*;

(iii) an order or condition of a bond under the *Criminal Law (Sentencing) Act 1988*;

(iv) a home detention order under the *Criminal Law (Sentencing) Act 1988*;

(v) a non-association or place restriction order under the *Summary Procedure Act 1921*;

(vi) a supervision order under the *Criminal Law (High Risk Offenders) Act 2015*;

(f) whether the applicant has any criminal associations;

(g) the length of time the applicant is likely to spend in custody if bail is refused;

(h) the likelihood of a custodial sentence being imposed if the applicant is convicted of the offence;

(i) the conduct of the applicant towards any victim of the offence or any family member of a victim, after the offence;

(j) the bail conditions that could reasonably be imposed under section 11 to address concerns of the bail authority in relation to the matters considered by it under this section;

(k) whether the applicant has any associations with a terrorist organisation (within the meaning of Part 5.3 Division 102 of the Criminal Code set out in the Schedule to the *Criminal Code Act 1995* of the Commonwealth);

(l) whether the applicant has made statements or carried out activities advocating support for terrorist acts or violent extremism;

(m) whether the applicant has any associations or affiliation with any persons or groups advocating support for terrorist acts or violent extremism.

Both of my amendments provide a more rigid framework for bail. The first amendment expands section 10 of the act, which outlines the matters the bail authority must consider before they release a person on bail and is modelled on the New South Wales act. At the moment, matters that must be considered are general in nature. My amendment spells out matters that must be considered before granting bail.

This includes matters such as any history of family violence, criminal history and whether they have any associations with terrorist organisations. The impetus for these amendments was the Burke Street Mall tragedy in Melbourne, where 16 people were killed by a person out on bail who had a known history of drug use, family violence and mental health problems.

Since then, we have also had a case in rural New South Wales where a man killed his former partner and then himself while out on bail. In January 2017, Teresa Bradford was stabbed to death by her former partner, who was out on bail for previously attempting to strangle her. In October 2014, Greg Anderson beat his son Luke to death while on bail. This case is well known due to the efforts of Luke's mother, Rosie Batty, who has campaigned against family violence. In September 2012, Jill Meagher was killed by a stranger as she walked home after a night out. Her killer was also out on bail.

While all of the above crimes were not committed in South Australia, the community would expect us as lawmakers to be proactive and amend the laws before something happens. I commend the amendment to the house.

The Hon. P. MALINAUSKAS: The government opposes this amendment. Amendment No. 1 amends section 10, proposing additional factors for the bail authority to take into account in exercising its discretion as to whether to release the applicant on bail.

As it stands, section 10 creates a presumption in favour of bail unless, having regard to certain factors, the bail authority considers the applicant should not be released on bail. It is therefore unnecessary for section 10 to prescribe factors that may favour the applicant being granted bail. Considerations of public safety will already be taken into account within the operation of section 10.

Existing factors, such as the gravity of the offence, the likelihood that the applicant will offend again or intimidate witnesses, and the requirement to give primary consideration to the victim's need for physical protection are factors that address public safety. Amendment No.1 also prescribes the consideration that the bail authority must have regard to in assessing the likelihood that the applicant would, if released, abscond, offend again, interfere with evidence, intimidate witnesses or hinder police inquiries. Some of the prescribed factors proposed by the amendment are either not relevant or create duplication or inconsistencies. The scope for additional appeal work for the Supreme Court, and the significant increase in work required to make a bail decision, also cannot be discounted.

Considerations relating to the applicant's involvement in terrorist activities or association with terrorist organisations is already being addressed in the Statutes Amendment (Terror Suspect Detention) Bill 2017, introduced into the House of Assembly on 20 June this year. In short, the amendment appears to be an attempt to transpose considerations from the relevant bail regime in New South Wales onto the South Australian statute books. As outlined above, the amendments are unnecessary and will only serve to create confusion.

The Hon. A.L. McLACHLAN: I indicate that the Liberal Party will not support the amendment, for the reasons set out by the government.

The Hon. D.G.E. HOOD: I indicate that the Australian Conservatives will support the amendment. We approve of the direction the Hon. Mr Darley is heading with them.

The Hon. K.L. VINCENT: In order to assist the chamber, the Dignity Party also does not support this amendment, for the reasons that have already been outlined, not because we do not appreciate the intent with which it has been moved.

New clause negatived.

Clause 6.

The Hon. J.A. DARLEY: I move:

Amendment No 2 [Darley–1]—

Page 3, after line 14—Section 10A(2), definition of *prescribed applicant*—after paragraph (e) insert:

or

(f) an applicant taken into custody in relation to a serious drug offence (within the meaning of section 34(2) of the *Controlled Substances Act 1984*) if it is alleged that the applicant poses a risk to public safety.

This amendment inserts a new provision, for which presumption against bail will apply. My amendment will see people who have been charged with a serious drug offence and who pose a risk to public safety have bail refused, unless they can establish special circumstances justifying their release on bail. As previously mentioned, this is in response to community outrage at a number of cases where people have committed offences, including murder, whilst they are out on bail. It is not something that is accepted by the community; nor should it be something that is accepted by this parliament.

The Hon. P. MALINAUSKAS: The government opposes this amendment, and I might outline its reasons for opposing this amendment before speaking to its own. Amendment No. 2 from the Hon. Mr Darley creates an additional circumstance in which a person is a prescribed applicant pursuant to section 10A; that is, a person will be a prescribed applicant if they are taken into custody in relation to a serious drug offence if it is alleged that the applicant poses a risk to public safety.

While the government appreciates what the Hon. Mr Darley is trying to achieve, the proposed amendment is inconsistent with other offences listed in section 10A, which establishes whether a person is a prescribed applicant solely on objective facts. This amendment requires a subjective assessment by the prosecutor that the applicant poses a risk to public safety in order to establish that the applicant is a prescribed applicant. Further, the allegation that the applicant poses a risk to public safety is not an allegation that forms part of the charge. This creates new complexities for bail decisions and is undesirable.

As I have already outlined in response to Mr Darley's amendment No. 1, the risk to public safety can be taken into consideration by the bail authority in making a determination on bail. In appreciation of Mr Darley's aim, the government has prepared a similar, alternative amendment, replacing the subjective element attached to amendment No. 2. I will speak to the government's amendment in due course.

The Hon. A.L. McLACHLAN: The Liberal Party has sympathy with the Darley amendment but will not be supporting it for technical reasons, as outlined by the minister. The Liberal Party will be supporting the next amendment that the minister will be moving.

The Hon. M.C. PARNELL: To offer a trifecta, the Greens' position is very similar. We understand what the Hon. John Darley is trying to do. There are some unintended consequences. When we look at the list of offences, there are some things which, whilst they might appear to be serious—there is a gradation of seriousness—an unintended consequence could be that someone who has not done very much at all has a presumption against them in relation to bail.

The minister has not yet moved his amendment, but I can foreshadow that because the minister has combined the requirement for both a serious drug offence and a serious offence against the person as being the trigger for the presumption against bail, I think that makes a lot more sense because it goes to the question of public safety, which is largely what bail is about—protecting public safety.

The CHAIR: I think it is probably time that you moved your amendment, minister.

The Hon. P. MALINAUSKAS: I think that is an outstanding idea, Mr Chairman. I move:

Amendment No 1 [Police–1]—

Page 3, after line 14—Insert:

(2) Section 10A(2), definition of *prescribed applicant*—after paragraph (e) insert:

or

(f) an applicant taken into custody in relation to both—

(i) a serious drug offence (within the meaning of section 34 of the *Controlled Substances Act 1984*); and

(ii) a serious offence against the person (within the meaning of section 74EA of the *Summary Offences Act 1953*).

Government amendment No. 1 is proposed as an alternative position to amendment No. 2 [Darley-1]. Proposed new section 10A(2)(f) provides that a person will be a prescribed applicant and a presumption against bail will operate, unless special circumstances are established justifying release, if the applicant is taken into custody in relation to both a serious drug offence, as defined in the Controlled Substances Act, and a serious offence against the person, as defined in the Summary Offences Act.

The definition of a serious offence against the person in the Summary Offences Act includes the offences of murder, manslaughter, sexual offences, criminal neglect and causing serious harm. It is the government's view that this alternative will support the Hon. Mr Darley's purpose in moving his earlier amendment while maintaining consistency with the remainder of section 10A(2) in establishing whether a person is a prescribed applicant solely on objective factors.

The Hon. J.A. Darley's amendment negatived; the Hon. P. Malinauskas's amendment carried; clause as amended passed.

Remaining clause (7) and title passed.

Bill reported with amendment.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:39): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SUMMARY PROCEDURE (SERVICE) AMENDMENT BILL

Committee Stage

In committee.

Clause 1.

The Hon. P. MALINAUSKAS: I would like to thank the honourable members who contributed to the debate on this bill. The bill amends the Summary Procedure Act 1921 to modernise

and improve the way information is exchanged within the criminal justice system. It aims to increase efficiency and benefit the community by saving time and money, reducing delays and increasing accessibility within the justice sector. As always, community safety and access to justice remain paramount. The bill upholds these important principles, while increasing efficiency for the justice sector.

On 3 August this year, the Hon. Mr McLachlan asked a number of questions during his contribution to the second reading of the bill. I will now provide answers to those questions. Turning first to the honourable member's question regarding the service of summonses, the Commissioner of Police has advised the Attorney-General and myself that SAPOL currently serves summonses in two ways: traditional service and via the CAN+ process.

With regard to traditional service, section 27 of the Summary Procedure Act 1921 provides that a summons must be served personally on the defendant or:

(b) leaving the same for him at his last or most usual place of abode or of business with some other person, apparently an inmate thereof or employed thereat, and apparently not less than sixteen years of age.

Service of summons on the legal representative of a defendant is not defined as service under the act. I would also note that the act allows some summonses to be served by post. SAPOL also employs an alternative process to the traditional service of the summons. It is called the Court Attendance Notification (CAN+). It is a formalised process whereby SAPOL notifies the defendant of their impending court date and location. The CAN+ process commences once specific criteria based on the classification of the events charged are met.

A nominated member of South Australia Police attempts to make contact with a defendant by telephone. If contact is made, the defendant is advised of the court date and location and is advised to attend court. An email address is requested from the defendant to allow SAPOL to provide the defendant with an electronic copy of a summary of police allegations, Legal Services Commission information and the court date, time and location in email form.

If police are unable to make contact with the defendant or are of the view that the defendant will not comply with the Court Attendance Notification process, the traditional summons service is initiated. The benefit of the CAN+ process is through the early provision of the summary of evidence. The defendant is able to engage legal counsel at the earliest opportunity, reducing unnecessary adjournments by the courts.

At the time of initial interaction with a defendant it is not standard practice for an investigating officer to request the identity of an accused person's legal representative. This is particularly the case in summary matters. SAPOL's experience is that many defendants do not retain legal representatives and are not in a position to provide a contact solicitor's name.

As summonses are generally served prior to a first appearance in court, there is a limited opportunity for an investigating officer to identify an accused person's legal representative if they have not previously been represented in court. Even then, clients routinely change counsel. It is only through direct contact post apprehension with an accused person that a legal representative may be identified.

Failure to make contact via telephone requires an investigating officer to attend the home address of a defendant to make direct contact. Due to confidentiality provisions, where a summons is not served only the details of the investigating officer are provided.

SAPOL advise me that the amendments proposed within this bill provide for the issuance of a summons at the time of initial police interaction, meaning greater certainty to the defendant and reducing anxiety associated with police attendance at a home address. SAPOL also advise that internal policy and processes are under development to facilitate implementation of the bill's provisions.

On the other questions asked by the honourable member, I am also advised that the government maintains the commitment to maintain an open dialogue with the Legal Services Commission on the impacts of this bill and of the Electronic Transactions (Legal Proceedings) Amendment Bill 2017 when they come into operation. I am advised that the electronic case management system for the state courts is still under development. I commend this bill to members.

The Hon. A.L. McLACHLAN: I thank the minister for his response to my questions at the second reading. The Liberal Party will support the progression of the bill through the committee stage. I do not have any questions.

Clause passed.

Remaining clauses (2 to 17), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:48): I move:

That this bill be now read a third time.

Bill read a third time and passed.

INDUSTRY ADVOCATE BILL

Second Reading

Adjourned debate on second reading.

(Continued from 4 July 2017.)

The Hon. T.A. FRANKS (15:49): I rise on behalf of the Greens to indicate our support for the Industry Advocate Bill, which has been through the other place and is now here. I note that this bill is introduced with the aim of securing local jobs in South Australia in key industries. An identified industry is the building and construction industry, but it is not specific to that particular industry. It will do this by establishing and continuing the trial of the role of the Industry Advocate as a statutory position and strengthening its powers to hold contractors to the commitments they make to utilise South Australian workers or materials.

I congratulate the member for Kaurna in the other place for his work on this and I also thank both Ian Nightingale, the Industry Advocate, and Nari Chandler for their recent briefing on this bill. This bill recognises that there is an important role for the Industry Advocate to play, and indeed that role should be strengthened and continued.

The bill will enable the Industry Advocate to resolve complaints, remove barriers to South Australian businesses, improving their procurement practices and processes, with a focus on local procurement and procurement that benefits our state. It also establishes a statutory role for the Industry Advocate, giving that role stronger powers. This is certainly something the Greens welcome. From the briefing that I held with the Industry Advocate, I was most impressed with the breadth and depth of some of their work to date and, indeed, the potential that this industry advocate role has for our state.

According to the member for Kaurna, local products, materials and labour now make up an average of nearly 80 per cent of South Australian goods and services procurements, or around 90 per cent of major infrastructure projects. This is a welcome development. Since my first days in this role as a member of parliament and as a member of the Greens, I have been eager to see that we not just buy local, but that we build local and support our industry and keep jobs in South Australia. Particularly with a diminishing manufacturing base for our state, we need to be smarter with the spend of government moneys in this state.

The functions conferred upon the Industry Advocate under the bill include advocating on behalf of businesses and investigating complaints about industry participation. It is noted by the member for Kaurna in his speech to the other place that:

> This could include how government agencies and authorities are applying the policy through to enforcing the commitments made by businesses under the industry participation plan. The bill provides some powers and functions for the Industry Advocate to ensure compliance with the South Australian Industry Participation Policy. The Industry Advocate will develop an enforcement strategy in consultation with key stakeholders to ensure these powers are carried out in a fair, transparent and measured way…[with] a strong emphasis on education, advice and persuasion…

The member for Kaurna goes on:

> The bill includes a power for the Industry Advocate to be able to require participants contracting with the government to provide information or documents in [their] possession. The Industry Advocate must issue a notice to the participant and specify a reasonable time for the information or documents to be provided. [That assessment of] a reasonable time will depend upon the nature of what is being requested [to be provided].

A penalty of up to $20,000 can be applied for a failure to comply with these quite reasonable requirements. He continues:

> If a participant is found not to be complying with their contractual obligations, the Industry Advocate can direct the participant to comply with their obligations.

I note that the Office of the Industry Advocate has run some really successful Meet the Buyer events over the past few years and some 5,000 or so people have attended those events. I have been most impressed by some of the work that has been undertaken. An issue that is quite dear to my heart is Indigenous participation in the workforce and I certainly welcome, not just setting targets, but having an ability to assess whether those targets are meaningfully being met.

I do, however, want to focus on an area that I think does need some urgent attention on the passage of this bill from the Industry Advocate, and that is the awarding of government grants and the claims made to achieve those awards of public moneys being met truthfully and in a way that is giving dignity to those who work in our state. To that end, I would like to draw the council's attention and, indeed, the minister's attention to the grants that have been given in recent years to the company formerly trading as D'VineRipe, now trading as Perfection Fresh.

It is a Two Wells food company that will be no stranger to most members of this council. The company in question, Perfection Fresh, which supplies fresh produce to supermarkets such as Coles, is no stranger to controversy. In 2015, when it was trading as D'VineRipe, it was exposed for its use of exploitative labour hire arrangements. Members may possibly remember the *Four Corners* exposé of this issue where those vulnerable workers were being underpaid by as much as $5 an hour.

Last week, I met with some of Perfection Fresh's current workers and I heard repeatedly from them a common story, that they are required to work in quite hot and stressful conditions. The glasshouse itself can be as hot as 57° and they are expected to work in those conditions without what they term paid smoko breaks, which are more realistically water breaks and rest breaks in those intense environmental conditions.

Also, workers who had been working at that company—formerly known as D'VineRipe and now known as Perfection Fresh—for some three, four or even five years were still being treated as casual. They were on a casual and insecure roster where their behaviour could lead to them losing work at any time. Indeed, a request for leave of any sort could also see them lose shifts on that roster. It is insecure work and I think South Australians would not expect somebody who has given a company loyal service of some three, four or five years to be treated with such indifference.

These longstanding workers, however, do not seem to have benefited from the promised full-time jobs or full-time job equivalents that have been offered at Perfection Fresh's—formerly D'VineRipe's—acceptance of some $3 million in state government grants over the past five years. I spoke to workers who were living pay to pay and having their work taken away on a whim while this company is taking generous government grants, yet failing to make those jobs secure or, I would say, safe, in terms of forcing workers to work in such conditions without adequate work health and safety provisions and rest breaks, for example.

The Regional Development Grant is one of the grants that this state government has awarded D'VineRipe in the past. In that I note that there was a stated 80 full-time equivalent jobs to be created from that $2 million grant. Yet, the National Union of Workers' information indicates that only 70 permanent full-time jobs currently exist on the site. There are 220 workers on that site in insecure casual work, and an additional 100 labour hire and seasonal visa workers, so something is not adding up here.

I certainly think the Industry Advocate should take this on with some urgency and that the Weatherill government needs to ensure that, when it gives out state government grants such as these, workers are not being exploited in the way that the workers at Perfection Fresh appear to be. Yet, this is also a business that has links to one of the richest families in Australia, the Victor Smorgon

Group. Certainly, the bosses in this case are living a life and enjoying a security of tenure far removed from those workers who I met last week.

These are hardworking people, many of whom have come to this country through quite difficult conditions. They are migrants and refugees. They are refugees who had been on Christmas Island for some years, who are now not afforded the security of being able to plan their new life in South Australia even though they are committed and loyal to this company and have put in years of dedicated service in a difficult work environment.

With those few words, I urge the Weatherill government and indeed this new incarnation of the Industry Advocate to take on board that when government money is given out and promises made, promises must be kept. This promise appears to have been a very rubbery one. If you go and talk to the workers at Perfection Fresh in Two Wells, these are not quality jobs. These are not indicative of our ambition to have premium food and wine from our clean, green environment. These are conditions that are shameful to South Australia and should not be tolerated when this company is in receipt of government money to create these jobs.

With those few words, I look forward to the committee stage debate. I would ask the government to take on notice and give an update before we proceed through the committee stage on what actions have been taken to date to ensure that Perfection Fresh, formerly D'VineRipe, meets its obligations and what expectations this government has when it awards money with the stated intent of creating jobs, that those jobs are safe and secure jobs that all South Australians can be proud that our money is going towards.

The Hon. K.L. VINCENT (16:02): I would like to start by thanking Chris Picton from the other place for briefing my office on this bill and also for arranging for the current Industry Advocate, Ian Nightingale, to be present at that briefing as well. I would also like to thank Nari Chandler.

The Dignity Party will be supporting this bill. We will, however, not be supporting the Hon. Rob Lucas's amendments to the bill, as we believe they reduce accountability and transparency. Given that this bill is about encouraging local jobs and the use of local skills, transparency and accountability are, of course, vital when it comes to advocating for many, many workers in different industries.

To that end, I would like to thank the government and the Industry Advocate for giving consideration to some of the issues that my office raised on my behalf throughout the briefings on this bill, including the need for the Industry Advocate to support cultural change around two areas which impact in particular people with disabilities through tendering processes.

The first, of course, is the need to increasingly employ people with an identified disability in businesses, companies and organisations to whom the government tenders out their projects. At present, the state government is not even meeting its own targets for public sector employment of people with disabilities. Perhaps at least it could ensure the companies they are tendering out to have better practices in place.

The second issue is around ensuring that projects the government tenders out might consider not just minimum standards of disability accessibility but also best practice universal design and other principles to make the businesses not only accessible to employees and visitors with disabilities but the entire population.

While I appreciate that it could be argued that the points I am making currently do not strictly fall within the purview of the Industry Advocate, given that this is about increasing local jobs, I think it is somewhat relevant because we would very much like to see disability considered within all policies and departments in this state. As we all know, disability is not a discrete topic that we only consider in the context of disabled people or people who are currently disabled. Particularly with an ageing population, it is very important that we invest in making all facets of our great state accessible to all.

Of course, as we are increasingly expected to work to an older age as well, the need to make the workplace more accessible will become more and more apparent. It is fantastic to have this Industry Advocate role in place in a statutory sense to now push for innovation and increased

employment in more and more areas. Particularly as employment drifts away from areas like the automotive industry, with the loss of Mitsubishi and Holden's, it is really important that we invest.

The Dignity Party has been very vocal about the need to encourage people to go into growing areas like disability support industries and also about the increasing need for the manufacture of assistive technology—wheelchairs, adapted cars and so on—that will, again, increasingly be needed as our population ages.

We think there is a great opportunity for some people leaving the automotive industry to perhaps take on a role to use their existing skills to produce those types of products. That is something we certainly hope to work on ourselves with the Industry Advocate to ensure that it does happen, as well as the increased employment of people with an identified disability. With those few brief words, I commend the bill to the chamber.

Debate adjourned on motion of Hon. D.W. Ridgway.

STATUTES AMENDMENT (UNIVERSITIES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 July 2017.)

The Hon. A.L. McLACHLAN (16:07): I rise to speak to the Statutes Amendment (Universities) Bill. The lead speaker for the Liberal Party was the Hon. Jing Lee, who delivered a fine speech. I advise the chamber that I am a graduate of the University of Adelaide and continue to have a voluntary association with its business school. The effect of this bill has been well described by other speakers. I have a particular interest in the proposed amendments in relation to the governance arrangements. I have some questions that I ask be responded to by the minister at the second reading summing-up.

Our universities are critical to the future of the state and its peoples, in both economic as well as intellectual leadership. Both Adelaide and Flinders are creatures of statute and therefore, in one sense, can be considered assets of the state. I share the publicly stated views of many members of this place and the other place that we need to work with our academics and build great South Australian businesses from the product of their brilliant and diligent research. I acknowledge that it is not the sole role of our universities to fuel the corporate furnaces, but it is still a significant task of the modern university.

Universities also have an important role in the development of thought. As institutions, they should be a source of community pride and, as has been said, mirror the souls of their people. It is therefore vitally important that this chamber take a keen interest in the governance arrangements of its universities. We may have great pride in our universities, but this should not excuse them from criticism or proper examination. In other words, as community assets, they must be held to account by the people they purport to serve.

I have read the *Hansard* of the debate of this bill in the other place, and I have diligently read the minister's second reading in this place. I cannot find any substantive justification for the changes to the governance arrangements. It seems that the following has been proffered: that the size of the council is unwieldy; that the new arrangements are consistent with contemporary governance structures; and the changes are consistent with the voluntary code of best practice. These justifications or reasonings, on what is a matter of critical importance to our state, are at best poor.

What leaks from the *Hansard* is that the universities requested the changes, so the government has decided to give them what they want without a moment of reflection. If you take that approach, you are in effect dismissing the right of the people of South Australia to have input into the running of the universities through their parliamentarians and parliament. I asked the minister to table the formal request by the universities requesting the changes, together with any written justifications for the changes that accompanied those requests or which may have been subsequently provided to the government. It is important that these are on public record in the event that we have to revisit this issue in the future.

I ask the minister to set out in detail the consultation that was undertaken, both internally and externally, on the proposed changes, either by the government or the universities themselves. I ask for details of what approval processes took place within the university before making the formal request to government. Was it the case of the current council reflecting on itself? I ask for any consultants' reports or external advice the university commissioned to inform itself of the proposed changes to the governance arrangements. If the advice was internal, for example from a faculty member, then I seek that advice.

All governance changes have positive and negative outcomes. In other words, they carry an inherent risk. The key to successful leadership and management is to mitigate the weaknesses. What weaknesses of the proposed arrangements have been identified by the university itself, and how will they be mitigated? What are the problems with the extant governance arrangements that drove the request to the government for a change?

I also ask for specific examples of where the existing arrangements work to the disadvantage of the university. I note the criticism of the National Tertiary Education Union and I ask that the matters raised in their letter of 8 November to the shadow minister be addressed in the second reading summing-up. I understand similar correspondence was sent to the government. If not, I will provide copies of the letter. Extracts were read out by the shadow minister in the other place.

How will the parliament know, if the bill passes, that these changes will prove successful? Will the university report on the utility of the new governance arrangements going forward? How do we measure the success of these new measures? What are the governance arrangements for the other universities interstate? Are the proposed changes modelled on any other particular institution? If so, which one and why?

It is important for this chamber to have the justification for any changes to the governance arrangements clearly set out in *Hansard*. I further inquire as to whether these proposed changes are a precursor to council members being paid board fees. Also, whether there needs to be any legislative amendments or further legislative amendments to allow for payment of board fees, or is this at the university council's own discretion?

Honourable members could not have failed to observe or hear about the difficulty CPA Australia has recently encountered regarding board structure, board fees and board behaviour. There have been many publicly stated concerns that universities are captured by the radical left and are no longer servants of the people they serve. There are worrying signs of increasing attempts to restrict freedom of speech on campuses, the limiting of the right to speak for students and academics alike.

As we have been asked by the universities to reflect on their governance arrangements, I seek assurances from the leadership that freedom of thought and leadership are still valued at the institutions in question, and ask what practical measures are in place to support them. I seek to understand how these new arrangements will support freedom of speech on campus and resist the longstanding practice of the radical left to dictate what is right to say or not to say. I look forward to the minister's second reading summing-up.

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

STATUTES AMENDMENT (NATIONAL POLICING INFORMATION SYSTEMS AND SERVICES) BILL

Committee Stage

In committee.

Clause 1.

The Hon. A.L. McLACHLAN: I indicate to honourable members that, as the lead speaker, I do not have any questions at this stage in relation to the bill.

Clause passed.

Remaining clauses (2 to 6), schedule and title passed.

Bill reported without amendment.

Third Reading

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

That this bill be now read a third time.

Bill read a third time and passed.

LAND AGENTS (REGISTRATION OF PROPERTY MANAGERS AND OTHER MATTERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 21 June 2017.)

The Hon. A.L. McLACHLAN (16:17): I rise to speak to the Land Agents (Registration of Property Managers and Other Matters) Amendment Bill 2017. I speak on behalf of my Liberal colleagues, and advise honourable members that the Liberal Party will support the second reading of this bill.

The bill introduces a system of registration and regulation for residential property managers in South Australia. The ultimate aim of the bill is to strengthen protections for both landlords and tenants. Whilst currently agents who sell land or properties, and those who act as commercial property managers, are required to be registered, there is no equivalent requirement for residential property managers. The government has advised that South Australia remains the only jurisdiction not to have implemented any registration system to date.

The bill establishes a system of registration, ensuring that property managers have satisfied minimum probity requirements and possess the requisite knowledge and skills to perform the task of a property manager. Property managers are responsible for dealing with payment of bonds, rental payments and trust moneys, as well as being the responsible person for ensuring that both urgent and non-urgent repairs are completed on rental properties in a timely manner. This in itself justifies the need for this new regulation.

The government advised, when tabling this bill, that Consumer and Business Services receive numerous complaints per month in respect of property managers. However, currently, unless the behaviour complained of can be referred to the police for criminal investigation, the commissioner lacks the power to reprimand the agents for behaviour that falls below the threshold of criminal activity.

Naturally, concern has been raised that this lack of regulation has enabled less than satisfactory conduct to occur without repercussion. The government has provided informative detail in between the houses in relation to the matters referred to SA Police by Consumer and Business Services. In a letter dated 20 June 2017 from the Attorney-General to the member for Bragg in the other place, it was detailed that, in recent years, CBS has referred three matters to SA Police for prosecution, with an additional two matters referred by complainants.

Outcomes cited included a successful prosecution, eight public warnings issued, four assurances accepted and a referral to the Australian Criminal Intelligence Commission. Three additional matters were referred to SA Police by registered land agents for trust account thefts by unregistered property managers.

Whilst the commissioner is already able to refer matters to South Australian police, usually for serious misconduct relating to major fraud, this information does not indicate there is a need for the commissioner to also be able to address misconduct that falls short of criminal activity. It is clear there is a need for oversight and for all employees within the real estate sector to be held accountable. The bill addresses this and will enable the commissioner to consider and enforce disciplinary action or prosecution, with significant penalties attached, to any proven misconduct that falls outside what is able to be referred to South Australian police.

The commissioner will also have the power to suspend or vary a registration in urgent circumstances when there are grounds for disciplinary action, the offender is likely to engage in

misconduct and there is a danger that persons may suffer significant loss or damage. I note that both the CEO of the Real Estate Institute of South Australia and Anglicare South Australia made public statements in support of this bill. I commend the bill to the chamber.

The Hon. J.A. DARLEY (16:21): This bill will provide the vehicle to register property managers. Currently, only real estate agents and their staff who acquire or dispose of commercial property on their behalf need to be registered. There is no requirement for property managers to be registered. Registration will ensure that registered property managers have the prerequisite skills and knowledge to undertake the task. Those who operate unregistered will be liable to penalties under the act. Offences relating to trust accounts will be extended to apply to all who deal with trust money rather than just real estate agents. The commissioner will also have the ability to take action against these people.

I understand part of the impetus for this bill was due to the number of complaints about property managers from consumers. I am glad the government is responding to this as, over the years, I have received quite a number of complaints about property managers; however, in the vast majority of cases, the property manager has been the government, as the complaints are from Housing Trust tenants. I have had countless constituents contact me, dissatisfied that it has taken weeks or even months for Housing SA to respond to maintenance issues, and I would be grateful if the minister could advise how these changes will impact Housing SA and community housing organisations. Will their staff have to undertake training courses to be licensed?

Whilst not directly related, can the minister advise if the government is considering similar reforms for strata managers? I have also received a number of complaints about strata managers who do not seem to understand their obligations under the Strata Titles Act. It seems this is also an area where a registration scheme could improve the public's confidence in the industry, and I would be interested to hear whether this is something the government is considering.

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

SUMMARY OFFENCES (INTERVIEWING VULNERABLE WITNESSES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 20 June 2017.)

The Hon. D.G.E. HOOD (16:23): The Australian Conservatives rise to support this bill to amend the Summary Offences Act 1953 with respect to interviewing vulnerable witnesses. I understand providing enhanced support for vulnerable witnesses who are in contact with the criminal justice system is a key part of the government's Disability Justice Plan; hence this bill before us today. The act defines a vulnerable witness as a child under the age of 14 years or a person with a disability that adversely affects their capacity to provide a coherent account of their experiences and answer questions rationally.

The purpose of this bill is to address a shortcoming under the current act which arguably limits the operation of the provisions relating to vulnerable witnesses. Currently, such provisions are potentially only enlivened where a matter involves a serious offence against the person, such as murder, manslaughter, sexual and violent offences, breaches of intervention orders, breaches of restraining orders and stalking.

Where vulnerable witnesses give evidence in relation to such matters, the act allows the prescribed interviewer to make special arrangements to facilitate the giving of evidence by the witness, which includes allowing the witness to be accompanied by a communications assistant, parent, spouse, guardian, friend or carer. To avoid limiting part 17, division 3 of the act, this bill will, in clear terms, allow for interviews with vulnerable witnesses to be videorecorded as evidence for all matters and not simply matters relating to a serious offence against the person in line with those that I have just outlined.

There is no reason to limit the application of the division, and for that reason we support this aspect of the bill. Providing evidence or testimony under a formal court setting and in the presence of others can be overwhelming for many people, but especially so for vulnerable witnesses,

regardless of the matter being dealt with by the court. It will have a significant impact on people who are not vulnerable or not seen to be vulnerable, and it is not unreasonable to expect that it would have a greater impact on someone who may be deemed vulnerable.

It is important not to automatically discredit or disallow their testimony and evidence, as in a lot of cases vulnerable witnesses are able to provide relevant and probative evidence. Importantly, the accused's right to a fair trial is maintained through existing safeguards, including the cross-examination of witnesses in court by the defence and the trial judge's discretion as to whether or not evidence is admissible. With those very few words, I indicate that Australian Conservatives supports this very sensible bill.

The Hon. K.L. VINCENT (16:26): As the Dignity Party was one of the key voices in the development and eventual implementation of the Disability Justice Plan to which this bill pertains, I am sure it will be no surprise to anyone in this chamber or beyond that we support this amendment bill, which seeks, essentially, to clarify who can be deemed a vulnerable witness, under which circumstances and what supports they are to be given when they are deemed to be a vulnerable witness appearing in a court case.

I understand the bill addresses a potential gap that was identified in the existing vulnerable witnesses act, noted in a recent Supreme Court decision. This amendment provides explicit admissibility of, for example, a video interview with a so-called vulnerable party, which, as other speakers have said, is a child up to the age of 14 years or a person with a disability whose disability makes it difficult for them to give evidence without the right settings or support. Importantly, this bill ensures that that assistance is available in all offences, not just the particular ones other speakers have outlined.

We note that the Law Society has some concerns about this bill, but they must also note, I believe, that far too often people with disabilities and other conditions or concerns that might make them more susceptible to abuse in particular, do not see justice done through the justice system. This is particularly the case for victims, but it is also an issue for alleged offenders. In fact, we have seen cases where people with disabilities were wrongly convicted of a crime that they still very strongly argue they did not commit. They may well have been proven innocent if they had had the right support to give evidence, so we certainly do not want to see that happening on either end of the spectrum, whether that be as a victim or as an alleged offender or even a witness. Everybody participating in the justice system has the right to do so.

As other speakers have pointed out, the witnesses who are deemed vulnerable under this legislation are very often capable of giving very important and coherent evidence, as long as they have the right settings and supports around them, be that giving evidence via pre-recorded video or video link or other options. As I have said many times before, but I think it is worth saying again: no-one is truly voiceless, there are only those people to whom we have not yet learned to listen.

I hope that this further amendment to this important piece of legislation will help us to do that because—particularly as we lead the nation with the Disability Justice Plan, and I know other states are looking to copy what South Australia has done in this respect—it is really important that we do not accept the status quo and that we improve the plan and the legislation associated with it where it needs to be improved. We can learn from our findings so far. With those words, we very strongly commend the bill.

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

At 16:30 the council adjourned until Tuesday 26 September 2017 at 14:15.