LEGISLATIVE COUNCIL

Tuesday, 13 November 2018

The PRESIDENT (Hon. A.L. McLachlan) took the chair at 14:15 and read prayers.

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

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2017-18—
- Child Death and Serious Injury Review Committee
- Commissioner for Children and Young People

Regulation under the following Act—
- Supreme Court Act 1935—Probate Fees

By the Minister for Trade, Tourism and Investment (Hon. D.W. Ridgway)—

Reports, 2017-18—
- Dairy Authority of South Australia
- Phylloxera and Grape Industry Board of South Australia
- SA Cattle Advisory Group
- SA Sheep Advisory Group
- The Department of Primary Industries and Regions

Reports, 2015-16—
- South Australian Apiary Advisory Group
- South Australian Cattle Advisory Group
- South Australian Pig Advisory Group
- South Australian Sheep Advisory Group

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

Reports, 2017-18—
- Department for Correctional Services
- Parole Board of South Australia

Parliamentary Committees

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

The Hon. J.S.L. DAWKINS (14:19): I bring up the annual report of the committee.

Report received and ordered to be published.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

CENTRE FOR DISABILITY HEALTH

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): My question is to the Minister for Health and Wellbeing. Will the minister explain why patients at the disability health centre at Modbury Hospital have been without a psychiatrist for more than two months?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:20): The psychiatrist at the Centre for Disability Health retired unexpectedly, and the department is actively working to fill that position.

CENTRE FOR DISABILITY HEALTH

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): I thank minister for his answer. Supplementary arising from the answer: in addition to actively looking to fill the position of an apparently unexpected retirement, will the minister accept the recommendations of an independent report and guarantee that the centre I asked about, the disability healthcare centre at Modbury, will not close or move?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): The fact of the matter is that it's common knowledge that the Centre for Disability Health is the centre that is under review. I recently met with the Royal Australian and New Zealand College of Psychiatrists and discussed both the centre and the role. The former psychiatrist in that role was highly regarded. We are undergoing a recruitment process to engage a locum to fill the psychiatric vacancy for this valued and important service. Given the specialised nature of the role, it's anticipated it could take six to eight weeks to fill that role. There has been a review of the Centre for Disability Health. My office has received a copy of the review report and is currently considering it.

CENTRE FOR DISABILITY HEALTH

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Supplementary: in relation to the unexpected retirement of the psychiatrist from the disability healthcare centre at Modbury, has the minister asked, inquired, or will he ensure that a locum psychiatrist is appointed to that position to ensure patients have access to their service?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): I've already indicated that the recruitment process is underway to engage a locum to fill that psychiatric vacancy. It's a very important role. The centre primarily provides support for people with intellectual disability, but often they have comorbidities. People with intellectual disability and psychiatric disability certainly derived great value from the service of the previous psychiatrist. We are actively trying to minimise the disruption from the unexpected vacancy.

CENTRE FOR DISABILITY HEALTH

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Supplementary: the minister talked about, I think, originally a recruitment process for a permanent replacement psychiatrist. In his answer to the supplementary he talked about a recruitment process for a locum. Can he confirm whether the recruitment process is for a permanent ongoing position or is it for a locum? If it's for the ongoing position, will he consider making sure a locum is appointed immediately?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23): We are actively recruiting to a locum now. As I said in my previous answers, the goal of the government is to minimise the disruption to this client group. People with intellectual disabilities, and particularly people with comorbidities in terms of psychiatric disability, are a client group which needs specialist attention. That's why the Royal Australian and New Zealand College of Psychiatrists specifically raised this issue with me and that's why the government is actively recruiting to fill the psychiatric vacancy.

TRADE MISSION CALENDAR

The Hon. C.M. SCRIVEN (14:24): My question is to the Minister for Trade, Tourism and Investment. When will the minister publicly release the government's trade mission calendar?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:24): I thank the honourable member for her ongoing interest in trade and exports, and growing our state's

economy. It didn't grow quite so well when her party was in power but, nonetheless, business confidence is at an all-time high and the economy keeps going from strength to strength. We are just finalising the final details of next year's trade mission calendar. As members would know, we are also undertaking a review of international engagement, being led by the Hon. Steven Joyce, former treasurer and minister for economic development from New Zealand. While we will be publishing a trade mission calendar—

The Hon. C.M. Scriven: When? That's the question: when?

The Hon. D.W. RIDGWAY: In the near future, and we will be giving businesses plenty of time to engage in those trade missions. It is interesting to look at some of the past trade missions and the actual activities from them but, nonetheless, we will be doing that in the near future. Of course, the review will give us an opportunity to look—once that has been handed down and handed to the government—at the whole program for quite some period of time ahead of that. But we will be releasing our trade mission calendar, both inbound and outbound, in the near future for next year.

TRADE MISSION CALENDAR

The Hon. C.M. SCRIVEN (14:26): Supplementary: the minister has answered similar questions, talking about 'in development' and now it is 'being finalised'. Can we have a date, because how can South Australian businesses attend these missions if there is insufficient notice given? Just a date. When will it be?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:26): There have been strong discussions with business. We have been in deep consultation with business around the activities because, unlike members opposite when they were in government, we actually talk to business. We have been out there talking to the food sector, the wine sector, the red meat sector—all of the sectors—about the areas of interest they have.

Members interjecting:

The Hon. D.W. RIDGWAY: That's not one thing they have said. I know I shouldn't respond to interjections but—

The Hon. K.J. Maher: Bring back Marty. A man of action. He published dates, he did. That's what they're saying.

The Hon. D.W. RIDGWAY: That's about all he did do was publish dates. I won't be distracted by interjections around the former member for Waite and the man who hands out business cards that say 'former minister' for a whole range of things as well.

The Hon. K.J. Maher: Hold on. What does he put on his business cards, Ridgy?

The Hon. D.W. RIDGWAY: I won't be distracted by that.

The Hon. K.J. Maher: Something about a minister on a business card?

The Hon. D.W. RIDGWAY: You should not mislead parliament. We sat down with business groups to find out when they want to go and the markets they want to go into, and we are still just finalising that final program. It is not about publishing a calendar for the members opposite; it's talking to the businesses and the business community. But clearly there will be some activities early next year and we will announce that in the near future.

TRADE MISSION CALENDAR

The Hon. C.M. SCRIVEN (14:27): A further supplementary: if it's going to be given sufficient notice, if it's going to be early next year, when can we expect the trade mission calendar?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:27): How many times do I have to say 'in the near future' or 'shortly' or 'soon', 'in a moment or two'? I can assure the honourable member, when we publish it, I will make sure she gets a copy straightaway when it's published.

REGIONAL MINING

The Hon. E.S. BOURKE (14:28): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding mining in regional areas, and I am glad he is a minister who likes consultation.

Leave granted.

The Hon. E.S. BOURKE: On 21 February this year, weeks out in the state election, the minister wrote a letter addressed to the chairman of Grain Producers SA. In this letter, the minister states, and I quote:

> The review of the Mining Act is a topic which we have had an ongoing dialogue on. As you are aware, the Liberal Party refused to rush the rewrite of the Mining Act, as we believe that it can go further in balancing agriculture with competing land uses. In consultation with primary industries, we will continue to consult on and finalise that legislative process as soon as practicable.

My questions to the minister are:

1. Can the minister advise if he stands by the words I have just read out?

2. On 25 October, during question time, the minister said he made it clear to the Yorke Peninsula community that if the Liberal Party was elected to government there would be a consultation period. Considering the increased pressure from regional communities, particularly the Yorke Peninsula residents, do you feel statements like the ones made in your letter to Grain Producers SA and at a community forum held on Yorke Peninsula were in fact 'very clear' and the community are satisfied with the government's consultation process on this bill?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:29): I thank the honourable member for her ongoing interest in this matter. The interest, I have to say, clearly wasn't there by the Labor Party prior to the election, but certainly since the election they have gained an interest.

I will say that the Hon. Mr Parnell and I collectively, in the lead-up to the election, said that this bill was too important to rush through, and I think we had broad agreement from the Greens and the other crossbenchers—I think the Hon. Mr Darley. I think we all agreed that to try to rush it through—I am not quite sure; Mr Darley was orange at that point, so that's a strange combination of colours: blue, green and orange.

Nonetheless, we decided that it should be adjourned until after the election. I made it very clear on Yorke Peninsula and a number of times that my view was that they were two very important industries, agriculture and mining, and where possible we have to find a way for them to coexist.

I also made it clear that it would be the Minister for Mining's responsibility—and I assumed if we were successful and won the election it would be the Hon. Dan van Holst Pellekaan, which clearly it has been—because it is his bill. It is not an agriculture bill. If I had been fortunate enough to be the minister for agriculture it would not be in the bill that I would be responsible for; it would always be a review of the Mining Act, as a responsibility of the mining minister.

Yes, I said there would be a period of consultation, and we are still consulting. The minister tabled it before the winter break and it has been out there for discussion. I think Grain Producers SA and the South Australian chamber of mines are in robust dialogue at the moment, which is what two industries would be doing to put the case of their members to try to come up with some sort of workable resolution to the differences that exist.

What I said last year was that, yes, we would consult, and that is still ongoing. The bill hasn't progressed any further than being tabled in the House of Assembly. I said on 24 or 25 October, I can't recall—

The Hon. E.S. Bourke: The 25th.

The Hon. D.W. RIDGWAY: The 25th, the Hon. Ms Bourke says—exactly the same I think in relation to a question she quoted from Mr Alex Brown, I think from recollection, that exactly what we said we would do we are doing. In the former government—and I had people coming to me who said, 'The government said they would consult.' They did but people always expect that when you consult

you are going to get 100 per cent support for your point of view. This will be an issue where there will always be a bit of give and take and there will always be some land use conflict. It is Yorke Peninsula and other parts of the state. We are still consulting on it and I expect the consultation will continue to go on for some time.

REGIONAL MINING

The Hon. E.S. BOURKE (14:32): Supplementary, just a simple one: is the minister happy with the government's consultation that he has undertaken so far? Just a simple yes or no.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:32): I am happy, but I am going to add a bit more than just yes or no. Clearly, we have Grain Producers SA, very capably led by Ms Caroline Rhodes, and SACOME led by Ms Rebecca Knol, which are the two peak industry bodies. They are well engaged; they represent all the grain growers on Yorke Peninsula and all the other people in the mining sector. In fact, primary producers is not just grain growers, it is every primary producer in South Australia. They are well engaged in that process. The minister tells me that he is in regular contact with both of them.

So, yes, we are consulting broadly with those sectors and we will continue to do so. It is a consultation process that I think is far more robust than any that we saw completed by the former government. The former government did quite a lot of workshops and forums, which informed the department, and that's one of the reasons why I said, when we talked about the debate last year with the Hon. Mark Parnell, the Hon. John Darley and others, a lot of good work has been done. I remember Daniel Woodyatt from the department and minister Koutsantonis's adviser—what's his name, the big guy—Nick—

An honourable member: Alexandrides.

The Hon. D.W. RIDGWAY: No, not Alexandrides. They came to see me and I said, 'Whatever the election result, we're not going to throw away the consultation work that's already been done. That would be crazy. But we will look at that and, if we are in government the new minister, I am sure, Mr van Holst Pellekaan, will continue on and that will inform how he would like to progress a bill if he is the minister. I am sure that if we aren't successful and minister Koutsantonis is still the minister then they will keep using that consultation and progress the bill as the government wanted to do prior to the election.' I am very comfortable with it.

The Hon. C.M. Scriven: So are you happy?

The Hon. D.W. RIDGWAY: I am very happy with the consultation that was done.

The Hon. E.S. Bourke: You are. Thank you; there it is.

The Hon. D.W. RIDGWAY: I said that to start with; yes, I am happy.

SHANGHAI TRADE OFFICE

The Hon. T.J. STEPHENS (14:34): My question is to the Minister for Trade, Tourism and Investment: can the minister share with the council news about the opening of the new South Australian trade office in Shanghai?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:34): I thank the member for his ongoing interest in trade and investment. It is an important step for the Marshall Liberal government. I was fortunate enough last Tuesday—so a week ago today—I was proud to open South Australia's new trade office in Shanghai. As a key Marshall election commitment to regain the ground in international trade, we are delivering on time, and I am sure honourable members will agree it's a great result.

The new office is the first milestone in the Marshall Liberal government's $12.8 million state budget investment to establish five new overseas trade offices. Deepening our trade relationship with China remains a clear focus for the Marshall Liberal government, and this new office ensures that we are well placed to advance the interests of South Australian businesses in China across the entire spectrum of goods and services trade. The Shanghai office complements a range of initiatives by the South Australian government to take South Australia to the world and has been specifically

located within the existing Australian Trade and Investment Commission with the support and collaboration of the federal government.

Joining me at the opening was Mr Graham Meehan, the Australian Consul-General in Shanghai. I do wish to pass on my thanks to our federal colleagues for their support in this venture, and especially the team in Austrade. Together, South Australia and China have already built a remarkable trade and investment partnership based on complementary interests, vision and entrepreneurship and we are genuinely excited about the creation of our new Shanghai office to continue to build upon the momentum, particularly the ongoing implementation of the China-Australia Free Trade Agreement.

The Shanghai trade investment office will extend South Australia's network in China to cover north and east China, whilst complementing the existing office in Jinan, Shandong and also the representation we have in Hong Kong and, I might add, the wonderful representation from Ms Alice Jim who has been there a number of years and has been a very proud supporter of the South Australian government's initiatives.

We have already appointed a new country director in China, Ms Xiaoya Wei, to manage the South Australian Trade and Investment Office. Xiaoya brings a wealth of experience as the previous China country manager for the Australian business chamber in China and also Australian Wool Innovation in China. South Australia values its relationship with China, our largest two-way trading partner, our highest source of international students and one of our most valuable tourism markets.

We know that international trade boosts economic growth and household incomes. It creates and supports South Australian jobs. It gives consumers and businesses greater choice and lowers their costs. It drives innovation and boosts productivity. But, most importantly, it gives our businesses a far greater opportunity to sell their products in a global market. The record of the opposition when they were last in government shows that they were afraid and preferred to look inward. They closed overseas trade offices, which have caused us difficulties, especially in that market, but we won't be deterred.

We, on the side of the chamber, are not afraid of the outside world. We embrace it and welcome the opportunities it brings. Under a Marshall Liberal government, we will continue to fulfil our election commitments and to build on the international business relationships to grow exports, attract investments and create rewarding jobs our children deserve.

SHANGHAI TRADE OFFICE

The Hon. I.K. HUNTER (14:38): Supplementary question arising from the minister's answer: minister, what mechanism have you or the government put in place to measure the effectiveness of this trade office and assist the government to make a judgement on whether it should continue into the future?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:38): Ms Xiaoya Wei has a set of KPIs and targets that have been agreed with the department. I have not actually seen those targets, but I know that has been negotiated as part of her engagement. We will be measuring the outcome and the outputs of that office and her activities in particular, and also the broader trade figures that we see, as we expect, with growth into the China market.

SHANGHAI TRADE OFFICE

The Hon. I.K. HUNTER (14:38): Supplementary: the minister mentioned KPIs and an agreement, but what mechanism have you put into place? Have you formally put into place a mechanism for monitoring those KPIs and the agreement that you said you have in place, or is it just the vibe that you will be looking at in 12 months' time?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:39): It will be more than a vibe. I am not sure of the exact—I will bring back some information for the member opposite on when we are going to review the KPIs.

Members interjecting:

The Hon. D.W. RIDGWAY: No, the KPIs—I am not sure whether we are reviewing them six-monthly, annually, every two years, but clearly we are going to have some KPIs, because the

KPIs of those opposite reflected, in 2002, 6 per cent of the population and 8 per cent of the nation's exports, and 16 years later, in 2018, 7 per cent of the population and less than 4 per cent of the nation's exports. Taking the KPIs over a whole 16-year period of members opposite, our relevance diminished by 50 per cent on the national stage.

SHANGHAI TRADE OFFICE

The Hon. I.K. HUNTER (14:39): A further supplementary: perhaps the minister might like to take this on notice. Has the minister put in place a formal mechanism to measure the success of this initiative?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:40): We have a range of targets and KPIs, as I said, and we will be measuring the performance of this office.

SHANGHAI TRADE OFFICE

The Hon. I.K. HUNTER (14:40): A final supplementary: will the minister take that last question on notice?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:40): If it pleases the member opposite and gives him some comfort, I will take it on notice for him.

MINISTERIAL DIARIES

The Hon. F. PANGALLO (14:40): I seek leave to provide a brief explanation before asking a question of the Treasurer, representing the Premier.

The PRESIDENT: What does it regard?

The Hon. F. PANGALLO: Regarding ministerial diaries.

Leave granted.

The Hon. F. PANGALLO: In May 2014, former Liberal New South Wales premier Mike Baird made a commitment to publishing ministerial diaries to 'restore the public's trust in our political process'. The policy was implemented four years ago. Similar policies have been implemented in the Australian Capital Territory and in Queensland, where ministerial diaries are published retrospectively every month and provide details like dates and purposes of meetings, organisations or individuals, including registered lobbyists, and attendance at meetings with external parties seeking to influence policy or decisions.

My question to the Treasurer is: given the Marshall government is similarly focused about bringing greater transparency to government, what is the Treasurer's and the Premier's view of having an open book and will the Treasurer and the Premier endorse that the Marshall government implement a policy of publishing South Australian ministerial diaries?

The Hon. R.I. LUCAS (Treasurer) (14:41): I thank the Hon. Mr Pangallo for his public acknowledgement of the new government's commitment to greater transparency and accountability. I think that is a very fair assessment of the new government compared to the former government in terms of transparency and accountability. On the public record, I thank the Hon. Mr Pangallo for that acknowledgement.

However, in relation to the Hon. Mr Baird's 2014 commitment to the publication of ministerial diaries, I have no recollection—and I am probably in a reasonably good position to recall if there had been one, but I certainly gave no commitment, and I do not believe the Premier, or indeed any incoming minister, gave a commitment whilst in opposition to an equivalent policy in relation to South Australia. It is not an issue that we have committed ourselves to. The honourable member, however, has asked the question. I am happy to take his question on notice and to bring back a considered reply in relation to what the government's position might be.

OVERLAND TRAIN SERVICE

The Hon. J.E. HANSON (14:43): My question is to the Minister for Trade, Tourism and Investment. Will the minister advise the date of when the final service of the *Overland* will run as a

result of the Liberal government not providing funding for this service, so that tourists of South Australia can plan their final trips?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:43): I thank the honourable member for his ongoing interest. Given that it is a matter for the Minister for Planning, Transport and Infrastructure, I will take that question on notice and bring back the details exactly.

OVERLAND TRAIN SERVICE

The Hon. J.E. HANSON (14:43): Supplementary: does the minister believe the decision is justified to no longer fund such a historic service and will he outline to the chamber why there might be no value in tourists coming to South Australia by using it?

The PRESIDENT: That is a new question, the Hon. Mr Hanson. I am going to have to rule that out of order. Another Labor member can ask it later in question time, I think. The Hon. Ms Lee.

DOMESTIC AND FAMILY VIOLENCE

The Hon. J.S. LEE (14:44): My question is to the Minister for Human Services about the government's commitment to address domestic and family violence. Can the minister please provide an update to the council on the government's consultation with the domestic and family violence sector and the housing and homelessness sectors on further developing crisis interventions or first response models?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44): I thank the honourable member for her question and her ongoing interest in this area. The South Australian Housing Authority and the Office for Women are leading some important consultations in this particular space—what is termed the first response. Last Wednesday, 7 November, a range of service providers came together to commence discussions on this important model. There will be three rounds of consultation in total. One was also held on the 9th, and there is one which is going to be held in a couple of weeks. I think the one on 9 November had a specific focus on Aboriginal responses. They are all to be facilitated by an independent facilitator, Dana Shen, who is well known and well respected in the sector.

In terms of first response, housing can sometimes take a housing first response. What we know in terms of domestic and family violence is that safety is the paramount issue for people who may be fleeing or seeking assistance from the sector, so in that sense safety first has been certainly the focus of the domestic and family violence expert providers in this space.

The Office for Women, as we know, has been key in leading a range of round tables so far that the Assistant Minister for Domestic and Family Violence Prevention, Carolyn Power, and myself have attended to inform our policy discussions, particularly related to the crisis end of domestic and family violence, which includes the new funding for the 24/7 crisis line, crisis accommodation, interest-free loans, the personal protection app and responses to perpetrators.

We were also seeking to leverage how first responses or crisis interventions can be further orientated on keeping women and children safe in their homes and thereby achieving a genuine safety first response model. We have developed a paper which I think is very informative as to where the sector is heading. I have touched on this, I think, in this chamber in some recent discussions in that 30 years ago the shelter models were very much women-led, very much covert locations for shelters. We have moved very much to preferring the core and cluster accommodation type services.

In the contemporary discussions we also are looking at better engagement with perpetrators. The discussion paper touches on a range of areas in terms of defining crisis accommodation, discussing the core and cluster model, hotel and motel accommodation, infants and children in crisis accommodation, Safe at Home programs, perpetrator interventions, culturally safe and responsive services and also looking at a range of cohorts that haven't been considered as holistically in the past, such as people living with disabilities and LGBTIQ people.

So, on those discussions, we are looking forward to receiving feedback from the sector about what conclusions they have reached so that we can continue to modernise our responses in this system to provide the most effective models going forward.

Parliamentary Procedure

VISITORS

The PRESIDENT: Can I acknowledge in the gallery the Hon. Mr Gilfillan.

Question Time

COAL GASIFICATION

The Hon. M.C. PARNELL (14:48): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Infrastructure representing the Minister for Energy and Mining about underground coal gasification.

Leave granted.

The Hon. M.C. PARNELL: It would be no surprise to members that many South Australians have been writing letters to the Premier, to the environment minister and also to the Minister for Energy about underground coal gasification. One constituent has provided me with the response that the Hon. Dan van Holst Pellekaan MP, Minister for Energy and Mining, provided, and it includes the following line:

> In recognition of the sensitivity of LCE proposal,—

that is Leigh Creek Energy—

> the South Australian Government regulators sought additional advice from independent national and international USG experts prior to granting each stage of the approval.

I note that the USG is a typo: it should be UCG. The government is claiming that it has taken advice. My questions are:

1. Who are these experts and what was their advice? Will the minister make that advice available to members of the public?

2. Were any of these experts Professor Campbell Gemmell, who was the chief executive of the South Australian Environment Protection Authority and who is one of the world's foremost authorities on underground coal gasification and an advisor to the UK and Scottish governments?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:50): I thank the member for his ongoing interest in this matter, one that has spanned many years now. Underground coal gasification is an issue that falls fairly and squarely under the responsibility of the Hon. Dan van Holst Pellekaan, and I will take that question on notice and bring back a reply.

MITSUBISHI MOTORS AUSTRALIA

The Hon. R.P. WORTLEY (14:50): I seek leave to make a brief explanation before asking the Minister for Trade, Tourism and Investment a question regarding industry financial assistance principles.

Leave granted.

The Hon. R.P. WORTLEY: In his answer to a question on notice of 25 September, the minister advised that the government had industry financial assistance principles. My questions are:

1. What specifically are the government's industry financial assistance principles?

2. How do they differ from any other form of due diligence?

3. Were these principles applied when a government grant was provided to Mitsubishi?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:51): I thank the honourable member for his ongoing interest in the way this government operates.

An honourable member: Just say you don't know.

The Hon. D.W. RIDGWAY: No, no. We saw a whole range of projects funded by the previous government; some went through a process and were recommended not to be funded but

the Treasurer, the Premier, or somebody, maybe one of the minister's officers, decided to fund those projects. We made it reasonably clear before the election that we were going to have a different approach to the previous government.

The member opposite raises Mitsubishi, in particular, as an example. Mitsubishi Motors Australia has been in South Australia since 1980. The government took a view that this was a company we would like to see here, and it formally took up ownership of the Chrysler manufacturing site at Tonsley.

The South Australian government provided Mitsubishi with financial support of $2 million towards the capital expenditure needed to develop its new, purpose-built headquarters at Adelaide Airport. It is estimated that the investment by Mitsubishi will have a $60 million impact on gross state product, and Mitsubishi currently has a team of 180 employees in South Australia. Its future business plan has head office staff growing to approximately 200 employees. Mitsubishi plans to use its new, purpose-built Australian headquarters as the centre of its Australian operations. It plans to use the facility for dealer conferences, national sales, after sales, dealer and staff training, and national employee training.

The Mitsubishi Motors Corporation is also working on expanding its 'vehicle to home' EV system currently available in Japan to other markets, and Mitsubishi Motors Australia is investigating whether it can integrate the system into its new head office to test and demonstrate the technology in our market. Mitsubishi is seeking private investors to build the new, purpose-built facility at Adelaide Airport, which Mitsubishi will then lease for a minimum of 10 years. The total construction cost is estimated at around $26 million, and it will provide 96.4 construction jobs over the period of the build.

The Marshall Liberal government is committed to considering companies that provide a long-term strong return on investment. I might add, for members opposite, that their colleagues in Victoria were extremely aggressive, putting significantly more money on the table. It is interesting, this trying to pry businesses from one state to another; like the negotiations of the Andrews government to try to lure Mitsubishi away from South Australia.

I think it is a very good result. They have also got some long-term investments in electric cars, driverless cars and a whole range of technologies that the former government was starting to embrace that the new government has continued to embrace.

Mitsubishi will bring some of the new technology, and we have their national Australian headquarters here. Their market share in a range of vehicles is growing and, of course, Mitsubishi has a strong presence in a whole range of other consumer goods—electric, heavy engineering, heavy construction, earthmoving equipment. There is a whole range of opportunities that the government thought, from investing in Mitsubishi to try to get them to stay in South Australia, would benefit South Australians in the very long term. So we were happy to make that investment.

MITSUBISHI MOTORS AUSTRALIA

The Hon. R.P. WORTLEY (14:54): A supplementary: did the funding for the Mitsubishi grant come from the Economic and Business Growth Fund?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:55): Yes, Mr President.

The Hon. R.P. Wortley: Was that yes?

The PRESIDENT: It was a yes.

ECONOMIC AND BUSINESS GROWTH FUND

The Hon. R.P. WORTLEY (14:55): A further supplementary: is the fund now open for more applications?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:55): Yes, the fund is open for more applications and the government is always considering opportunities that we can invest in to grow the South Australian economy. Just as I have said, with Mitsubishi, we think there is an opportunity to support Mitsubishi. They have been a long-term partner of South Australia's

since 1980 and we saw it as an opportunity to embrace their new technology, the opportunities that that will bring to South Australia, especially in the electric vehicle and driverless cars, all of that space, that I think the former government were embracing as well.

MITSUBISHI MOTORS AUSTRALIA

The Hon. C.M. SCRIVEN (14:55): A supplementary: is this grant to maintain existing jobs only or is there some link to a need for increased jobs?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:56): As I outlined, there will be an increase. They currently have a team of 180 employees and then it will be going on, we hope, to some 200 employees. It is a significant sized business. There will be, as I said, a new facility at the Airport. We expect that over time Mitsubishi will make some further investments in South Australia. We see it, as I said, in the answer to the Hon. Mr Wortley's question, as an opportunity to embrace some of the new technology. Mitsubishi's market share is growing significantly. I don't have the figures in front of me but I was even surprised myself to see the actual expansion of their market share in the motor vehicles in Australia. I expect that this is a good long-term investment to have their national headquarters here in South Australia.

MITSUBISHI MOTORS AUSTRALIA

The Hon. C.M. SCRIVEN (14:56): A supplementary: the increase of 20 jobs for the investment of $2 million, over what period of time must that be achieved?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:56): I thank the honourable member for her supplementary question. It will be over a number of years. The $2 million is not paid all in one lump sum, so the actual money is paid over a number of years. I don't have those figures in front of me at the moment and the jobs will flow once the facility has been built and they are in it. The construction time, I assume, will be 18 months or so. Most of these big buildings take between 18 months and two years to build, so I would assume it would be some time after that that we will see those extra jobs.

MITSUBISHI MOTORS AUSTRALIA

The Hon. C.M. SCRIVEN (14:57): A further supplementary: for this increase of 20 jobs for a $2 million investment, are there clawback provisions if that's not met? Over what period of time is that provision?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:57): There are always clawback provisions. I don't have those provisions and details with me at the moment but I will bring back some details on the clawback provisions.

NORTHERN SUBURBS MENTAL HEALTH SERVICES

The Hon. J.S.L. DAWKINS (14:57): I seek leave to give a brief explanation before asking a question of the Minister for Health and Wellbeing regarding mental health services in the northern suburbs of Adelaide.

Leave granted.

The Hon. J.S.L. DAWKINS: Members of the council will know of my long support for people living with mental illness, my work as the Premier's Advocate for Suicide Prevention and also my involvement with the Playford and Salisbury suicide prevention networks, among many others. Will the minister update the council on the government's action with regard to mental health services in the northern suburbs?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:58): I thank the honourable member for his question and acknowledge his long-term work in the area of mental health and suicide prevention. The Marshall Liberal government yesterday opened an interim mental health assessment unit at the Lyell McEwin Hospital to provide specialised care for mental health patients. The five-bed unit will allow patients to receive timely assessment, initial treatment and care in an appropriate environment. These beds deliver on a Marshall Liberal government election commitment to establish an interim unit at the hospital ahead of the construction of a brand-new $5.5 million facility.

The decision of the former Labor government to abruptly close the short-stay unit in December 2017 under previous health ministers Peter Malinauskas and Chris Picton, the honourable members for Croydon and Kaurna, has added pressure to our hospitals this year. While the former Labor government was prepared to leave mental health patients without a dedicated unit for years while a new permanent unit is constructed, the Marshall Liberal government does not want mental health patients to languish.

In opposition, the Marshall Liberal team committed to an interim solution; we have delivered. Emergency department wait times for mental health patients have increased since Labor cut more than 60 mental health beds across the state's hospital system and older people's mental health network. The cuts have contributed to emergency department overcrowding and mean that more mental health patients are staying in acute metropolitan hospital beds for longer periods.

The government has invested $500,000 in the facility to ensure it is fit for purpose for mental health consumers and will be staffed by a dedicated mental health multidisciplinary team. The permanent mental health assessment unit is part of the wider $58 million major redevelopment of the Lyell McEwin Hospital's emergency department. While the major project is due for completion in 2020-21, the development of the permanent mental health assessment unit is a priority. In the meantime, the temporary unit will improve the way consumers receive care and also help to alleviate demand on the emergency department.

There has been an increase in the number of presentations to Lyell McEwin over the past decade, and a significant number have been mental health presentations. Mental health consumers have complex needs and require specialised facilities to ensure they receive the best care. Being able to assess and treat mental health consumers in the interim facility not only benefits the patients but also frees up staff in the emergency department.

The facility includes purpose-designed beds, bathroom facilities, dining and lounge area, private consulting rooms and staff work stations, and will allow our dedicated mental health staff to provide specialised care to consumers in a suitable environment.

NORTHERN ADELAIDE IRRIGATION SCHEME

The Hon. J.A. DARLEY (15:01): My questions are to the Minister for Trade, Tourism and Investment, representing the Minister for Primary Industries and Regional Development:

1. Can the minister advise the current progress on the construction of the Northern Adelaide Irrigation Scheme?

2. What is the estimated completion date of this project, and is the project on schedule and on budget?

3. Has a final cost for irrigation water been determined and, if so, what is it?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:02): I thank the member for his ongoing interest in this particular issue; it is one that I have been interested in for quite some time. In fact, when I sat probably where the Hon. Mr Hanson sits, and the Hon. Caroline Schaefer was sitting where the Hon. Emily Bourke sits, we were talking then, 16 years ago, about the Northern Adelaide Irrigation Scheme, and we had 16 years of talk. All we ever had was talk.

I think it is fabulous that, finally, we have some activity happening out there. It was towards the end of the 16-year period of just plain talk—all the jobs and all the investment that would come from it—after 15¾ years of talk we finally got a little bit of action when the federal government put some money on the table. I think that the Hon. Mr Hunter may have been the minister involved in the announcement.

At least now we have a project, and let's hope that the talk stops and the action continues to take place and that we will deliver the Northern Adelaide Irrigation Scheme. All the details the honourable member has asked for I will be delighted to take on notice and refer them to the Minister for Primary Industries and Regional Development to get those details. It is an important project, and if the talk is delivered it will be a wonderful economic benefit to South Australia.

REGIONAL TRADE

The Hon. I. PNEVMATIKOS (15:03): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding regional trade strategies.

Leave granted.

The Hon. I. PNEVMATIKOS: A look through the Department for Trade, Tourism and Investment website shows that the regional trade strategies are no longer available for viewing or downloading. My questions to the minister are:

1. Following machinery of government changes, what has happened to our regional trade strategies for China, India, Europe, North-East Asia, the Middle East, North Africa, South-East Asia and the USA?

2. Will the availability of the Economic Business and Growth Fund, like that provided to Mitsubishi, form a part of those strategies?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:04): I thank the honourable member for her question. As I said earlier in response to somebody else's question, we are actually undergoing a review. The Hon. Steven Joyce has been here doing a review. I expect we'll see a slight tweaking from a regional focus to a sector focus as we move forward. Rather than have information that is under review and potentially not accurate, the decision has been made not to have that information available at the moment. I am not quite sure of the connection with the business growth fund and the regional strategies. I am not quite sure what the connection is. I didn't understand that part of the question, Mr President. Maybe the honourable member might like to ask a supplementary to give me some clarification.

ECONOMIC AND BUSINESS GROWTH FUND

The Hon. C.M. SCRIVEN (15:05): Supplementary: in terms of the Economic and Business Growth Fund, from what the minister is saying he lacks the understanding of the connection, so can I ask, therefore, how does one apply for the Economic and Business Growth Fund?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:05): There are a number of ways that people can apply. Clearly, there are approaches made to the government on a regular basis. Clearly, we haven't yet published the way that you can apply for it. There is a range of opportunities. Every minister is available and can use that fund if they think it fits the criteria. It is available for investment when the government sees fit to invest in businesses and industries and opportunities to grow the South Australian economy.

ECONOMIC AND BUSINESS GROWTH FUND

The Hon. C.M. SCRIVEN (15:06): Further supplementary: given there is no published ability to apply, how was it that Mitsubishi was able to apply for this fund and be granted $2 million?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:06): There is a range of businesses that approach the Department for Trade, Tourism and Investment. A number of businesses approach the Premier on a regular basis. A number of businesses approach a whole range of ministers. Cabinet ministers can bring cabinet submissions to the government, as members opposite would be aware, on a range of issues.

ECONOMIC AND BUSINESS GROWTH FUND

The Hon. C.M. SCRIVEN (15:06): Supplementary: so what is the criteria to apply for this fund, when it's obviously secret and not published anywhere?

The Hon. R.P. Wortley: Must be a donation, maybe, from a Liberal.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:07): Mr President, I'd ask the Hon. Mr Wortley to withdraw that interjection of saying it's something to do with donations. That's a disgraceful thing to say and I'd ask him to withdraw it.

Members interjecting:

The Hon. D.W. RIDGWAY: It is disgraceful, so I'd ask him to withdraw it.

The PRESIDENT: It was not unparliamentary.

The Hon. D.W. RIDGWAY: Well, I think that is disgraceful. I think the intention is to make all of those details around the guidelines and principles available in the near future.

SA TOURISM AWARDS

The Hon. D.G.E. HOOD (15:07): My question is to the Minister for Trade, Tourism and Investment. Will the minister update the chamber on the winners at the recent South Australian Tourism Awards?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:07): It's a pleasure to update the chamber on the recent awards, which I attended on Friday night, the 2018 tourism industry awards night. It was an honour to attend, speak and present at the awards. It is recognised as tourism's night of nights and there were more than 30 category winners. More than 750 industry representatives were in attendance. Three first-time entrants were crowned best in their categories, with 37 finalists receiving silver or bronze medals, seven of which were first-time entrants.

Attached to the awards is a robust awards support program for nominees, which provides an opportunity for tourism businesses to gain further insight into the industry, their fellow businesses and to recognise their success. The awards recognise their creativity, innovation, resilience and passion, qualities that are proving to grow both the industry and our economy.

Some of the awards' highlights included two regional businesses that took home the RAA People's Choice Tourism Award: the Calypso Star Charters in Port Lincoln for their shark diving and BIG4 Renmark Riverfront Holiday Park. Catherine Hughes was named the South Australian Tourism Student of the Year.

Catherine is a student and the president of the Tourism and Event Management Club at the University of South Australia. The d'Arenberg Cube was awarded the prestigious Premier's Award for Service Excellence. New to this year's awards program was the South Australia-only award for Excellence in Accessible Tourism. That too went to the BIG4 Renmark Riverfront Holiday Park, recognising that they offer a product and service welcoming people of all abilities.

Four businesses were inducted into the South Australian Tourism Awards Hall of Fame having won their respective categories for a third consecutive year: Aboriginal Cultural Tours South Australia, the Qantas Award for Excellence in Aboriginal and Torres Strait Islander Tourism; Wrightsair, for major tour and transport operators, and they do a fabulous job based at William Creek showcasing our outback; Mulberry Lodge Country Retreat, the hosted accommodation award winner; and the fourth one was The Playford MGallery by Sofitel for luxury accommodation.

Mr Peter Cahalan received the Outstanding Contribution by an Individual Award. Peter’s contribution to the tourism industry spans five decades, incorporating cultural tourism, heritage tourism, marketing, industry development, destination management and more recently in partnering with tourism stakeholders across the state. I have recently enjoyed working with Peter in my time as minister. It is very exciting that the category winners will represent South Australia at the national Australian Tourism Awards in Tasmania next year.

We have some outstanding businesses here in South Australia that are providing some incredible experiences which can’t be found anywhere else in the country. Congratulations, not just to the winners and the nominees, but to the entire industry which now contributes some $6.7 billion to our visitor economy, directly employing some 36,700 people in our great state of South Australia.

I was also encouraged by the passion, dedication and innovation of this industry which is integral to our state's economy. The awards night was a wonderful opportunity to celebrate the collective effort of these operators, as they power towards the 2020 target of $8 billion. I congratulate the SA Tourism Industry Council on another wonderful event, and I am so pleased that they continue the partnership in delivering our annual awards.

SA TOURISM AWARDS

The Hon. C.M. SCRIVEN (15:11): Supplementary: have any of those award recipients also received grants from this government?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:11): Just checking through the list—I would have to say no.

ABORIGINAL YOUTH JUSTICE SUPERVISION

The Hon. C. BONAROS (15:11): I seek leave to make a brief explanation before asking a question of the Treasurer, representing the Attorney-General, about the over-representation of Indigenous young people under youth justice supervision.

Leave granted.

The Hon. C. BONAROS: According to the Australian Institute of Health and Welfare, Aboriginal and Torres Strait Islander (ATSI) young people are over-represented in youth justice supervision. On an average day in 2015-16, Indigenous young people were 17 times more likely than non-Indigenous young people to be under supervision. Those young people represented 48 per cent of all young people under supervision, despite representing less than 6 per cent of all young people in Australia. This is even higher for those in detention, where more than half of young people were Indigenous (59 per cent) making them 25 times more likely to be in detention than non-Indigenous young people.

While the overall proportion of Indigenous young people under supervision has decreased between 2011-12 and 2015-16, it has decreased at a slower rate than for non-Indigenous young people. This means that they are still over-represented, and that number has increased despite the total number decreasing. My questions to the Treasurer are:

1. How many Aboriginal and Torres Strait Islander juvenile justice officers are currently employed in the juvenile justice system?

2. Where are they based?

3. Are any positions currently vacant and, if so, how long have they been vacant for?

4. What programs does the state government fund to address the over-representation of Indigenous young people under youth justice supervision?

The Hon. R.I. LUCAS (Treasurer) (15:13): I will take the honourable member's question on notice and bring back a reply.

WINE INDUSTRY

The Hon. T.T. NGO (15:13): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding wine exports.

Leave granted.

The Hon. T.T. NGO: Industry group Wine Australia has confirmed that large amounts of Australian wine were stranded at Chinese ports earlier this year impacting export volumes. My question to the minister is: on his recent trip to China, did the minister make representation to the Chinese government regarding the impact of trade tensions with China on wine exports?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:14): I thank the honourable member for his question. On the recent trip to China, I did actually meet with Wine Australia while I was there. While they did talk about the issues that were a problem earlier in the year, my recollection is that by and large most of those issues have been resolved—though every now and again an issue will pop up—but I think they have some pretty good relationships. I didn't personally meet with the Chinese representatives. Of course, that's often really a national government to national government responsibility. Minister Birmingham was in China while I was there and I know he had a range of meetings.

Clearly, there are some issues that the federal government continues to raise with the Chinese government but certainly Wine Australia—I spoke to a number of wineries that were both presenting and selling product in China, and none of them raised the issue. Some raised that the issue had been a problem but none of them raised it as a current issue as of today. That's not to say that it could be an issue that I'm not aware of, but it certainly was a problem. Penfolds had some

wine held up on the wharf in some containers earlier in the year—not Penfolds but Treasury. There were some issues but, as I said, I don't believe there are any significant issues at this moment.

NYRSTAR

The Hon. T.J. STEPHENS (15:15): My question is to the Treasurer. There have been recent stories about Nyrstar's global operations. Could you update the house on any information that you have?

The Hon. R.I. LUCAS (Treasurer) (15:15): I thank the honourable member for his ongoing interest in Nyrstar and indicate, as I'm sure his position is, the government's position absolutely is one of trying to ensure that the best interests of the workers and their families at Nyrstar Port Pirie and the best interests of Nyrstar and Port Pirie generally are well protected and that ultimately they will be well served by, hopefully, the transformation project at the smelter at Nyrstar proving to be as successful as the company and the former government originally envisaged. Certainly, the new government shares those wishes and desires in relation to what we hope will be a successful project.

I have indicated on the public record the concerns the South Australian government has had in relation to the failure of Nyrstar to meet what we believe were agreed repayment schedules, both in May and a forecast repayment in November. However, I guess the reports the honourable member is referring to are some concerning reports released internationally by analysts of Nyrstar globally in relation to its financial health. There has been some local media interest in those stories.

In particular, I think there was some analysis by an analyst from ABN AMRO, who has made some inflammatory comments—perhaps I shouldn't use the word inflammatory—has made some comments which have attracted the media, and a lot of attention in financial circles as well. The analyst from ABN AMRO has, so it is reported, indicated that shares in Nyrstar were virtually worthless and advised clients to abandon ship. ABN AMRO analyst Philip Ngotho, in his report, reiterated a sell rating and setting a 1¢ target price.

The first thing I would say is that whilst ABN AMRO are entitled to an assessment of Nyrstar's global position it is, at this stage, an assessment by an analyst. Clearly, the financial markets and the share price have responded to not only that piece of analysis but one or two others, and the share price for Nyrstar has dropped significantly overnight in trading in Europe. The South Australian government, on behalf of the taxpayers of South Australia, because we have—on behalf of taxpayers—$291.25 million swinging in the breeze in relation to taxpayer-funded guarantees for this particular operation, would urge caution and sober analysis in relation to the global prospects for Nyrstar but in particular, I guess, a sober analysis of the prospects of Nyrstar at Port Pirie.

As I said, it is certainly the South Australian government's fervent wish that the projected success by the former government and Nyrstar locally for this particular transformation will prove to be successful and we will endeavour to do, as the new government, everything that we can to assist the accomplishment of that particular shared goal.

I have highlighted before, and I have clarified the actual date, that I have a meeting with Mr Hilmar Rode, who is the global CEO of Nyrstar and who is coming to South Australia—I am sure for other meetings as well, but as part of that—to meet with me representing the South Australian government. I would hope in that meeting on Monday afternoon that he will be in a position to provide some better news in terms of Nyrstar's intentions both globally, but more importantly, their intentions in relation to the local project at Port Pirie.

Members will be aware that in the early days Nyrstar globally was highlighting the potential success of the Nyrstar Port Pirie project as being a significant driver of the potential future success or otherwise of Nyrstar globally. We obviously hope that will still be the case, but on behalf of the South Australian government and on behalf of the taxpayers of South Australia, I will have the opportunity on Monday afternoon to meet with Mr Rode to get a firsthand assessment, we hope, of the prospects of a successful completion of the project, we hope, at Port Pirie, but within the context of whatever it is that is occurring within Nyrstar globally.

The ABN AMRO analyst and, indeed, other financial analysts in Europe are speculating on a potential major restructuring of Nyrstar globally in terms of their financial structure. We understand that Morgan Stanley have been employed, according to the media reports, and are looking at options

for Nyrstar globally. Can I assure members of this chamber and the taxpayers of South Australia that the South Australian government will do all it can within the legal obligations we have signed up by the former government to not only try to protect the jobs of workers in Port Pirie but also to try to protect the $291.25 million in taxpayer funds that we have swinging in the breeze as part of the guarantee underwritten by the former government.

ASYLUM SEEKERS

The Hon. T.A. FRANKS (15:22): I seek leave to make a brief explanation before addressing a question to the Minister for Health and Wellbeing on the situation with the former asylum seekers based on Nauru.

Leave granted.

The Hon. T.A. FRANKS: Recent media reports revealed that families, and particularly children, who were formerly asylum seekers based in Nauru, have recently been able to have healthcare treatment in South Australia. I note that this includes both groups of children in inpatient care at the Women's and Children's but also know that there is longer term community detention of some in Adelaide who have been here for longer than a year. My question to the Minister for Health and Wellbeing is: what is the status of both those children recently removed from Nauru and those receiving health care longer term in community detention in our state?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:24): I thank the honourable member for her question. In terms of the detail of the status of individual children and their families, I don't think it is appropriate for me as the state minister to comment. That is a matter for the commonwealth. What I have said publicly, and I will certainly restate here, is that the state government stands ready to assist the commonwealth in providing care for people in migration detention. We responded positively and immediately when we were approached.

The placements are only made when we have capacity. The placements are coordinated by a commonwealth-funded agency. I think it is a non-government agency. Sorry, it may be a for-profit agency, but what I meant was it is not a government agency. It is a commonwealth government contracted entity. Their responsibility is for both security and supervision of the children and families. We have been pleased to assist the commonwealth in providing care for these children and these families, and we will continue to do so as requested by the commonwealth.

Auditor General's Report

AUDITOR-GENERAL'S REPORT

The Hon. R.I. LUCAS (Treasurer) (15:25): I move:

That standing orders be so far suspended as to enable the report of the Auditor-General 2017-18 to be referred to a committee of the whole and for ministers to be examined on matters contained in the report for a period of one hour.

Motion carried.

In committee.

The Hon. K.J. MAHER: My question is obviously to the Treasurer. I refer to part B, page 345. Is the South Australian Government Financing Authority guarantee fee set to increase and, if so, by how much?

The Hon. R.I. LUCAS: I am advised that there is a set formula about which the guarantee fees for SAFA are used. We have not changed that particular set formula, but we have not actually crunched the numbers for what the guarantee fees will be for this year. We can take that on notice. We have done it for this particular part of this financial year, from 1 July. We will take that on notice as to what it is. There is a set formula and we have not changed that formula, so I am advised, but we can take it on notice and find out exactly what the result of that guarantee fee calculation was.

The Hon. K.J. MAHER: I refer to Part A, page 13 of the Auditor-General's Report. I think it is 1.8, Proposed changes to controls opinion audit approach. The Auditor-General states that not every public sector agency will have controls opinions audit in the annual report. Has the Auditor consulted with the Treasurer in relation to this change?

The Hon. R.I. LUCAS: My advice is no. The way the Auditor-General goes about his audit functions is entirely a matter for him as an independent officer. My advice is that he has not consulted with us on the detail of that particular matter.

The Hon. K.J. MAHER: Notwithstanding that there has not been consultation to date, does the Leader of the Government in this place have any concern with an approach that might not see each public sector agency have a controls opinion audit?

The Hon. R.I. LUCAS: My advice is we acknowledge that the Auditor-General is an independent officer and it is up to him as to how he conducts it. To answer the member's question specifically, our advice is that we have no specific concern about the way the Auditor-General has gone about his task or indeed the issues that he has highlighted in that part of his annual report.

The Hon. K.J. MAHER: Has there been any request from the Auditor for more funding to enable all agencies to be subject to a controls audit at the same time?

The Hon. R.I. LUCAS: My advice is no.

The Hon. K.J. MAHER: Has there been any funding cut or any efficiencies required of the Auditor-General and, if so, has the Auditor-General indicated what impact this will have on his office's operations?

The Hon. R.I. LUCAS: On my advice, he is one of those lucky parts of government generally that is unaffected by efficiency dividends or savings cuts in this particular budget, so nothing has been applied to him and no concern has been expressed by him, so I am advised.

The Hon. K.J. MAHER: I refer to Part B, page 251. Given the government's stated intention to wind up the Motor Accident Commission, will surplus funds currently held by the commission be directed to the Highways Fund?

The Hon. R.I. LUCAS: My advice is that, if there are any surplus funds, by law they are required to go to the Highways Fund, so we would obviously follow the law of the state.

The Hon. K.J. MAHER: At this point in time, what is the total surplus of funds held by the commission?

The Hon. R.I. LUCAS: We might need to take that on notice. When you say, 'At this point in time', do you mean as of today's date?

The Hon. K.J. MAHER: Yes, as of today's date, or whatever date would be relevant.

The Hon. R.I. LUCAS: Or the most recent date where we might have something.

The Hon. K.J. MAHER: Yes.

The Hon. R.I. LUCAS: We will take that on notice and bring back a reply.

The Hon. K.J. MAHER: Referring to Part A, page 32, why was $146.4 million in funding from the Victims of Crime Fund transferred in June 2018 to fund claims from South Australia's participation in the National Redress Scheme when the estimated start for the scheme is not until February 2019?

The Hon. R.I. LUCAS: I have addressed this particular issue publicly on a number of occasions, but I am happy to repeat what I have said. One of the early questions I asked when I became Treasurer was: given the stated shared goal of providing adequate compensation for victims in this particular area, how much has been set aside for potential compensation claims? I must admit I was stunned when I was told that not one dollar had been set aside by the former government. So, as a member of the new government, we took the bold decision to say, 'Right, we will actually quarantine the current estimated liability, put it aside within SAicorp, within SAFA, in a quarantined, guaranteed fund', and that was the estimated potential liability in terms of compensation.

We wanted to make it quite clear to the people of South Australia and indeed to the government and the parliament that the money was there, it had been set aside and this government could not be accused of not having provided adequately for the current estimated liability in terms of future compensation claims.

The Hon. K.J. MAHER: I refer to Part B, page 473. Given the decision by the government to abolish the Economic Investment Fund, did the Treasurer base this decision on any economic modelling or analysis regarding how this could impact the employment growth rate?

The Hon. R.I. LUCAS: We based the decision in terms of not just that particular fund but a whole range of grant and fund schemes that the former government was enamoured with—I think in the budget speech highlights we listed more than 30 separate fund or grant programs, so not just that particular one. The new government, prior to the election, made it quite clear that we would not continue with that model of jobs growth and economic growth for the state.

We had an alternative model which was based upon lowering the cost of doing business in the state, acknowledging that if our businesses wanted to be nationally and internationally competitive the costs of doing business needed to be nationally and internationally competitive. Secondly, we indicated that, if we were to provide industry assistance, we wanted the industry assistance to be placed with greater emphasis on industry sector support and greater emphasis on support which would assist not just one individual business but groups of businesses.

On a number of occasions I have highlighted examples where—it may be through the provision of a water reclamation project or utility infrastructure support, it might be market gardeners in the lower Mid North or groups of wineries and associated industries in one of the wine-producing regions—the provision of industry assistance in a particular area might assist a group of businesses and industries or an industry sector rather than just an individual company.

I have said it often and I repeat it again: I think it is a quaint notion, given the generally bad odour in which politicians are held, that politicians and public servants—with great respect to our very hardworking public servants—are the best people to decide that a company run by the Hon. Mr Maher deserves a $5 million grant yet a company run by the Hon. Ms Scriven does not deserve a $5 million grant.

We think there should be an emphasis on more broad-based support, as we have highlighted on any number of occasions. Governments will always reserve the right to occasionally provide support to individual companies, and this has already been the subject of questioning earlier in question time today, but there will be much less emphasis on individual company support and much greater emphasis on support for an industry sector or groups of companies.

The Hon. K.J. MAHER: On those occasions that the Treasurer says will not happen very often, where individual companies are provided with funds, does he support some sort of open and transparent application process, or does he prefer the Hon. David Ridgway's process, where a company bowls up and, on any given day on the winds of what is happening, they get funds without any financial criteria?

The Hon. R.I. LUCAS: It will not surprise the honourable leader to know that the Hon. Mr Ridgway and I are absolutely 100 per cent simpatico in terms of our approach to industry assistance. We speak with one voice, we speak from the same hymn sheet, we are in the same ballpark—whatever colloquial expression or metaphor you want to use. We are as one in relation to our approach to industry assistance.

As has been highlighted before, there is a cabinet committee, there is a cabinet-endorsed fund, there are soon-to-be-released cabinet-endorsed guidelines in relation to the operations which will provide some transparency and accountability. However, ultimately, as with any government, individual applications will always be considered by, first, agencies, and then ministers, cabinet committees and/or cabinet processes before a final determination is made one way or another.

All I can say is that I have no fear of being contradicted by any reasonable person when I say that the processes the new government adopts will be much more transparent, much more accountable and, more importantly, much more reasonable, in terms of sensible expenditure of taxpayer dollars, than any process engaged in by the former government.

The Hon. K.J. MAHER: I refer to Part B, page 470. Given that the Consolidated Account recorded an $806 million increase in commonwealth revenue received and a $306 million increase in revenues received from the South Australian government in 2018 compared to 2017, can the Treasurer explain why debt is increasing by millions over the forward estimates?

The Hon. R.I. LUCAS: In large part the budget brought down by the former Labor government forecast increased commitments, which saw a very large projected increase in the level of total public sector debt over the forward estimates period. I think that has been highlighted in the budget speech and in the budget statement.

The new government said in its policy framework document '2036' and in the period leading up to the election that we were prepared to accept a moderate increase in the level of the state's debt as long as it was targeted towards productive infrastructure. That is why we said no to the former government's infrastructure plans that every suburb that wanted to have a tram could have one. Norwood could have one for $250 million to $300 million. North Adelaide could have one for $250 million to $300 million. The western suburbs could have one for $250 million to $300 million.

What we said was that, if we were going to invest in infrastructure which we have committed to do, and if we are prepared to countenance a modest increase in the level of state debt forecast by the former Labor government, we would do so on the basis of productive infrastructure. I note, I must say in concluding, the quixotic nature of the criticism of the Labor government.

Just prior to the budget, we were being attacked and criticised for a valley of death in relation to infrastructure spending, that the new government was going to plunge the state into an infrastructure crisis because we were unprepared to invest in infrastructure. Now that we have done so, we are being criticised for that. We are happy to accept those criticisms because we think it is in the best interests of the taxpayers of South Australia.

The Hon. K.J. MAHER: I refer to Part B, page 420. Given that delays were identified in allocating around $800,000 of members' contributions to member accounts within the Triple S scheme, with the problem expected to be fixed by mid-September 2018, has the problem now been fixed?

The Hon. R.I. LUCAS: It is fair to say that the new government inherited some problems from the former government's oversight of Super SA in relation to a particular IT project. I must admit I have been shaking my head at some of the decisions the former government took. I will take further advice if I can add anything further, but I believe substantially the problems that have been identified in the Auditor-General's Report are well on the road to having been fixed.

There were significant IT issues in relation to a new IT project that was being introduced. There was a range of concerns being expressed by members in relation to the level of service that was being provided by Super SA to members. I shared the concerns of some of those members about the impact on some of those members in terms of the level of service. The latest advice we have had is that they have made significant improvements in terms of addressing those concerns and the leader can rest assured that we will do all we can to correct any of the problems we might have inherited from the former government.

The Hon. K.J. MAHER: On the same part, will a reconciliation occur on these funds to ensure members whose contributions were not allocated correctly receive the appropriate investment return on those funds?

The Hon. R.I. LUCAS: My advice is that, yes, that is the standard practice.

The Hon. C.M. SCRIVEN: I refer to page 382 of Part B: Agency audit reports, which states that naming rights sponsorship for the Adelaide 500 is a 'significant portion of SATC's sponsorship revenue'. Can the minister give a precise value of Superloop's naming rights sponsorship for the race, please?

The Hon. D.W. RIDGWAY: As some background for the honourable member on the naming rights sponsorship, Clipsal by Schneider Electric was the naming rights sponsor for 18 years from 2000 to 2017. The 2018 event did not have a naming rights sponsor. Of course, we know that the Adelaide 500 remains our biggest ticketed domestic motorsport event in Australia. The Adelaide 500 offers significant value for the right partners, and we connect very closely with our audience. Superloop Pty Ltd has been contracted as a new naming rights sponsor for the Adelaide 500.

Superloop owns and operates telecommunication networks, including in-ground fibre, fixed wireless networks, subsea cables and key data centres across the Asia Pacific, and currently employs 350 people in Australia and more than 500 worldwide. Currently, it employs 45 staff in

Adelaide, and Adelaide is the lead office of the Superloop broadband and its call centre, which will be based here. Superloop anticipates its workforce will expand to nearly 200 in coming years.

The financial impacts: the six major events managed by the SATC, including the Adelaide 500, the Tour Down Under and the Christmas Pageant, have numerous arrangements with many commercial partners, which are crucial to the critical delivery and success of these events. The value and some details of sponsorship payments may be subject to a contractual duty of confidence. In addition, the SATC does not disclose the details and values of its sponsorship arrangements on policy grounds, based on the commercial sensitivity of the information. Disclosure of the commercial agreements may impact on future sponsorship opportunities or negotiations with the events' valued partners.

The Hon. C.M. SCRIVEN: I thank the minister for that extensive background. Can he at least indicate that the current agreement is at least of similar value to when Clipsal held naming rights?

The Hon. D.W. RIDGWAY: As I said earlier in my previous response, it is commercial-in-confidence. When the member's team was in government before, they were well aware of the figures that Clipsal and Schneider paid to be part of the Adelaide 500. She is, by almost devious means, trying to extract from us an approximate figure. The figure is commercial-in-confidence.

The Hon. C.M. SCRIVEN: On a point of order, Mr Chairman: making injurious reflections upon a member's character, I believe.

The CHAIR: The Hon. Mr Ridgway, it is a reasonable point of order. The point of order is actually debating the question. Please just respond to the question.

The Hon. D.W. RIDGWAY: As I said in my previous answer, it is commercial-in-confidence and we will not be disclosing the value of the contract, other than to say it is fabulous news for South Australia. As I said in a previous question time, the Superloop Adelaide 500 is a great announcement for the state.

The Hon. C.M. SCRIVEN: So as the minister is unwilling to indicate that it was of a similar value, is he at least able to say whether it was greater or less than the previous amount?

The Hon. D.W. RIDGWAY: It seems to be a way of asking the same question. I will repeat the answers I have given many times in this chamber: it is great news for South Australia that we have a naming rights sponsor. Members opposite criticised the announcement a few weeks ago, but they do not know much about the company. That is why companies that are unknown sponsor big events: so they become known. I do not know where the lot opposite have been for the last 15, 16 years. It is about marketing and branding, and I think that is—

The Hon. I.K. HUNTER: Point of order: this is not question time; it is the examination of the Auditor-General's accounts.

The CHAIR: I take the point of order. The Hon. Mr Ridgway, restrain yourself.

The Hon. D.W. RIDGWAY: I did not hear the point of order. We are meant to be examining the accounts. The audit was on the previous years. The Superloop 500 payments and deals are in the next year, so I think it is a bit of a stretch to even allow the questions, Mr Chairman.

The Hon. C.M. SCRIVEN: I would just remind the minister that I was referring to page 382 regarding naming rights, so I think it is entirely within order. How long have the negotiations for Superloop been going on for?

The Hon. D.W. RIDGWAY: I am advised that it is about five months.

The Hon. C.M. SCRIVEN: Were there any potential conflicts of interest that had to be managed through that process?

The Hon. D.W. RIDGWAY: I am advised that there were not any potential conflicts of interest that had to be managed through that negotiation process.

The Hon. C.M. SCRIVEN: Minister, since taking office, how many Treasurer's Instruction 8 briefings from the SATC have you had to either approve or consider?

The Hon. D.W. RIDGWAY: I do not have that figure in front of me at the moment and I do not believe that the team has that figure, so we will take that on notice and bring back a reply.

The Hon. C.M. SCRIVEN: My next questions relate to investment. I do not know if you need to change your advisers. I refer to page 411 of Part B: Agency audit reports. Investment Attraction South Australia provided $14 million in grants. Can the minister advise what was the return on investment on the IASA grants mentioned in terms of jobs created, capital expenditure generated and economic contribution?

The Hon. D.W. RIDGWAY: It is quite an extensive question. We do not have those figures at hand, but as I indicated in a previous answer on tourism I am very happy to take that on notice and bring back a response for the honourable member.

The Hon. C.M. SCRIVEN: I must say that is a bit disappointing from the minister. Is he able to give any contribution with regard to that question at all?

The Hon. D.W. RIDGWAY: My understanding is that the honourable member's question was about the total of the jobs created, the economic benefit of all the $14 million-something dollars of grants. To give the member an accurate answer, it will be more appropriate for me to take that on notice. We do not have all those figures with us and I think it is better that we take it on notice and bring back a reply that answers the honourable member's question.

The Hon. C.M. SCRIVEN: I appreciate, minister, that you will be taking that on notice. Do you know who would have provided the estimate on economic contribution, who would have been involved in providing those figures that you will come back to me with?

The Hon. D.W. RIDGWAY: I am advised that we had an independent analysis done on every project by the South Australian Centre for Economic Studies. I am advised that was done for every project.

The Hon. C.M. SCRIVEN: So an independent third party verifies the return on investment?

The Hon. D.W. RIDGWAY: It is not just the return on investment; it is the economic benefit of the project, so it is broader than just a simple return on investment.

The Hon. C.M. SCRIVEN: From what the minister has just said, I understand that there was a positive benefit, and an independent third party, the South Australian Centre for Economic Studies, has verified this positive benefit, I would take it. Given that it appears to be a success, why has the government abolished the agency?

The Hon. D.W. RIDGWAY: The honourable member would have heard the answer that the Treasurer gave to her colleague the Leader of the Opposition in relation to the new government's plan of abolishing a whole range of grant programs. I think he said there were nearly 30 of them that he outlined in the budget. We have a different approach from the previous government.

It is the new government's policy that we took to the election, and there are always going to be people, like the member opposite, who think that we have not got it right. Time will tell. I expect we have got it right and that we will see some significant economic benefits flow from the new government's policies. We are already seeing significant business confidence and economic confidence in the state as we speak.

The Hon. C.M. SCRIVEN: Do you expect the new department to surpass the results of the IASA?

The Hon. D.W. RIDGWAY: I expect that over time we will see significant stronger growth in the South Australian economy on a whole range of fronts. The new agency has a whole range of activities: immigration, international education, investment, trade and, of course, tourism. All indicators are that strong economic growth is starting to emerge and we will see that continue with the support of strong economic government policies.

The Hon. C.M. SCRIVEN: Will the same independent economic evaluation be performed on the new department?

The Hon. D.W. RIDGWAY: I am advised it will be a different process that we will engage in but, nonetheless, it will be a robust process that will make sure that taxpayers' dollars are wisely spent.

The Hon. C.M. SCRIVEN: What will that different process be?

The Hon. D.W. RIDGWAY: As the Treasurer answered in a previous question about the guidelines and the process, it is a cabinet-approved fund. We do have a cabinet-approved committee and, as I think he said only 15 minutes or so ago, there will be a cabinet-endorsed set of guidelines, and the process will be outlined shortly. When that has been approved by cabinet, we will make that available to members opposite.

The Hon. C.M. SCRIVEN: Is the minister saying that cabinet and departmental officials have more technical expertise relevant to this area than an industry advisory board?

The Hon. D.W. RIDGWAY: No, I did not say that. That is putting words in my mouth. I said there is a different process and the guidelines will be released when the cabinet approves them shortly. I am happy to take questions from the honourable member when those guidelines have been released.

The Hon. C.M. SCRIVEN: Since taking office, how many Treasurer's Instruction 8 briefings from DTTI or IASA have you, minister, had to approve or consider?

The Hon. D.W. RIDGWAY: I think that was Treasurer's Instruction 8. Again, I do not have that figure in front of me at the moment, so the same as with tourism, I think it would be wise for us to take that on notice and bring back a response rather than give an inaccurate response today.

The Hon. C.M. SCRIVEN: My next question is in regard to international education. I refer to StudyAdelaide financial statements provided to the Auditor-General, note 2, objectives and activities: describe StudyAdelaide's function to engage in marketing and promotional campaigns to make Adelaide an attractive destination for international students. Can you advise what projects the increased funding to StudyAdelaide in this year's budget will support?

The Hon. D.W. RIDGWAY: It will be a little change of focus away from destination marketing, working more in the market to look at where we can get extra students. Obviously, China is a huge opportunity for us: 41 per cent of our students now come from China. I met this morning with the ambassador to Thailand and there are some great opportunities there. We are actually changing the approach from marketing Adelaide as a destination as more in-market activities. There is also career pathways, where we are trying to look at opportunities for international students to gain job opportunities and careers here.

We also have the ministerial advisory council on international education that has been established, looking towards what our targets should be. Clearly, we have about 35,000 international students who contribute $1.5 billion to the state's economy each year. There is a significant opportunity to grow. We have fallen behind the rest of the nation, which is, sadly, a common phenomenon. In the last 16 years, we have fallen behind the rest of the nation, so there is an opportunity to catch up a bit of the lag time. We are keen to focus on—

The Hon. C.M. SCRIVEN: Point of order, Mr Chairman. I am aware of the time. The specific question was about what projects. If there are no specific projects, that is fine, but I would like to move on to the next question.

The Hon. D.W. RIDGWAY: I was just trying to outline how important the sector was, but if the member does not wish to hear that I will take my seat.

The Hon. C.M. SCRIVEN: I am aware of the importance; I wanted some specifics. When did the Adelaide Engage—Work Experience Network project first begin, and can you provide a full breakdown of which organisations and businesses are participating in that project?

The Hon. D.W. RIDGWAY: Only recently, in answer to a question asked in this chamber, I gave a breakdown of the number of businesses that were involved in the most recent one. To get a full list of all the businesses that have been involved and the outcomes, I will take that question on notice for the honourable member.

The Hon. C.M. SCRIVEN: The first part of the question was when that project began development.

The Hon. D.W. RIDGWAY: I do not have the exact date with me. Again, I will get the exact date—take the question on notice and bring back an answer.

The CHAIR: That completes that section. The Leader of the Opposition.

The Hon. K.J. MAHER: I refer to Part A, page 34. The Auditor-General notes the government's commitment to have LHN boards fully operational by July 2019. The Auditor-General has raised concerns that this deadline will be challenging—I think the word is—to meet. Given this warning from the Auditor-General, does the minister remain steadfastly committed to this deadline?

The Hon. S.G. WADE: The government is still aiming for 1 July and we have an extensive program of consultation and training to achieve that deadline.

The Hon. K.J. MAHER: The minister previously told parliament that a second tranche of legislation is due at the end of this year. I understand that he has now told a briefing that has been delayed and will not be introduced until something like March 2019, many months afterwards. What happens to the government's proposed reforms and the functions and authority of the various boards if this legislation is not passed and enacted before July 2019, or at all?

The Hon. S.G. WADE: My understanding is that the stage 1 legislation gives all of the enabling elements. The board chairs have all already been appointed. Expressions of interest for the board members closed recently and selection processes for the board members will ensue shortly. I would describe the stage 2 legislation as fleshing out the governance and accountability framework, not providing the essential elements for the operation of the boards.

The Hon. K.J. MAHER: What elements have not been decided that means the government's legislation cannot be introduced this year, as was promised?

The Hon. S.G. WADE: I would not characterise it is a promise: I would characterise it as an expectation. The fact of the matter is that the government is orderly progressing its development of the framework. A key element of the current discussions is the discussions within the department, within the local health networks, with the board chairs, with other stakeholders, about, shall we say, the distribution of functions and responsibilities.

There is a diversity of models used throughout Australia and, just as we did with stage 1, we are looking at the best practice in every jurisdiction. One of the benefits of the lazy reform approach of the former government is that we are the last jurisdiction in Australia to take on board governance for local health networks in Health and so we have the benefit of drawing not only on a diverse range of legislative frameworks but also a diverse range of departmental and other structures.

The Hon. K.J. MAHER: What level of the financial decision-making will the boards be given and what expenditure will remain under central control?

The Hon. S.G. WADE: Of course, the health portfolio will need to continue to operate within the financial framework of government as a whole, but within the health portfolio I think it would be fair to say that the commitment of the government and the intention of the department is that, to the greatest extent responsibly appropriate, we will maximise the authority of the local health networks.

The Hon. K.J. MAHER: Can I just confirm that expressions of interest for board memberships have closed?

The Hon. S.G. WADE: I will correct this if I need to, but my understanding is that they closed on 5 November.

The Hon. K.J. MAHER: If they closed on 5 November, why then, on page 13 of *The Advertiser* on Saturday 10 November, were they seeking nominations for such positions? It would seem a bit odd, five days after they closed, to have an ad in the paper seeking nominations. Can the minister please explain that?

The Hon. S.G. WADE: I cannot explain that, but I will take that on notice and let you know. Certainly, our recollection was the 5th, but, as I said in the answer to my previous question, if I am mistaken I will correct the record.

The Hon. K.J. MAHER: Once the expressions of interest had closed, were there enough expressions of interest for each vacant position?

The Hon. S.G. WADE: My understanding is that the positions, shall we say, were significantly oversubscribed.

The Hon. K.J. MAHER: So they were oversubscribed, yet it seems it was continued to be advertised after nominations closed, is that correct?

The Hon. S.G. WADE: I would be interested to look at the paper that the honourable member refers to.

The Hon. K.J. MAHER: Will the minister take that on notice and bring back a response as to why that has occurred?

The Hon. S.G. WADE: I have already taken it on notice.

The Hon. K.J. MAHER: In relation to Part B, page 112—and I suspect the minister may have further and better information that he can update the house with as we progress along here if he has more information about the taxpayer-funded placement of ads in the paper after positions had already closed. If he does get that I would be grateful if he could update as we are going along. He may have some more so I will give him an opportunity now before we move on.

The Hon. S.G. WADE: Did you want to talk to page 112?

The Hon. K.J. MAHER: No, I was asking if you had further information about the ads in the paper, if you wanted to update.

The Hon. S.G. WADE: I have taken it on notice; this is not a role when you take it on notice.

The Hon. K.J. MAHER: If he has further and better information and wants to bring it back as we go, I would invite him to do so, to update the house as soon as possible.

The Hon. S.G. WADE: If the honourable member wants to adjourn the house—

The Hon. K.J. MAHER: In Part B, page 112, the Auditor-General notes that the minister's governance changes 'will present challenges, particularly given the relatively small size of some of the regions and existing centralised processing and control frameworks'. Given the board is coming into operation in a few months, what Country Health functions will remain centrally controlled and what will be devolved to the six LHNs?

The Hon. S.G. WADE: The Auditor-General, of course, was accurate in noticing the challenges of devolution. The fact of the matter is, devolution will also produce great opportunities. It will lead to significant clinical and community engagement. In the context of the Auditor-General's consideration, if you like, financial management, we also believe that it will significantly enhance the financial accountability. In the Auditor-General's health budget performance 2017-18, report 8 of 2018, the Auditor-General highlights a whole series of elements of a governance framework in a board context. We believe it will significantly strengthen accountability.

The Hon. K.J. MAHER: What decisions remain to be made? Given we are only a few months away from the functions being decided, what functions will remain centralised and what will be devolved? What specific functions will those small LHNs be responsible for and what will be retained centrally?

The Hon. S.G. WADE: I actually take a different view. This perhaps might be the difference between a glass half full and a glass half empty approach, but we are eight months into this government, we are eight months away from the commencement of the full operational authority of the regional boards. In those eight months since this government was elected, we have put in place the key governance legislation, which was passed in this house at the end of July.

We have selected ten board chairs. We are well on the way to appointing the rest of the board chairs. A lot of very valuable work has been done within the department, within government, with our stakeholders on fleshing out that framework. I agree that it is a challenging task between now and 1 July, but considering the great work done by my department and its stakeholders I am very confident that we will deliver the second eight months as well as we have the first.

The Hon. K.J. MAHER: Oh dear, we will see more ads in papers after positions have closed, I guess, if that is as good as it gets for the first eight months.

The CHAIR: Leave the commentary; we are on the clock.

The Hon. K.J. MAHER: Thank you, Mr Chairman, I appreciate that. In relation to Agency audit reports, page 205, Part B, Significant events and transactions, the Auditor-General notes the establishment of the task force to develop a fully costed plan to build a new women's and children's hospital. Is the task force still set to finalise their report in December of this year?

The Hon. S.G. WADE: I have received recent updates. In that recent update, I was led to believe that it is still on track to deliver its findings before the end of the year.

The Hon. K.J. MAHER: When will the report be publicly released?

The Hon. S.G. WADE: When the government has given it due consideration.

The Hon. K.J. MAHER: Will the full report be publicly released?

The Hon. S.G. WADE: That is my expectation.

The Hon. K.J. MAHER: What sites is the task force currently considering for a co-located hospital?

The Hon. S.G. WADE: I have not received a report.

The Hon. K.J. MAHER: Has the minister had any indication, advice, briefings or otherwise about where sites are being considered?

The Hon. S.G. WADE: I have had discussions with both my department and members of the task force on a range of possible sites. I do not know what sites are currently being considered by the task force. I do not know what sites will be included in the final report.

The Hon. K.J. MAHER: I thank the minister for taking on notice the sites that are being considered, and he will bring that back. Has the minister seen or been given any advice on costings or preliminary cost estimates for the new hospital resulting from this task force?

The Hon. S.G. WADE: I certainly have not received any cost estimates from the task force.

The Hon. K.J. MAHER: Has the minister received any briefings or advice at all from his department or from other places as to preliminary cost estimates for a new hospital?

The Hon. S.G. WADE: I have received a number of briefings in relation to the Women's and Children's Hospital.

The Hon. K.J. MAHER: Will the minister bring back a reply in relation to what those estimates might be?

The Hon. S.G. WADE: There have been a range of briefings, a range of estimates. I would suggest that the council might be best served by the final report of the task force and the government's decision on it.

The Hon. K.J. MAHER: Well, if you release it. I refer to Part A: Executive summary, pages 59 and 60. The Auditor-General goes into detail about how the NDIS delays and issues with the rollout placed pressure on the health system, including on mental health. What is the difference between the pre-NDIS funding previously provided for mental health clients under block funding arrangements and the current funding provided under the combination of the NDIS package and the national psychological measure?

The Hon. S.G. WADE: The details we do not have with us; I am happy to take that on notice and bring back information for the honourable member.

The Hon. K.J. MAHER: This may be taken on notice then: how does that affect the continuity of support funding?

The Hon. S.G. WADE: In terms of the continuity of support funding, the state government is determined to meet its obligations under the NDIS agreement with the commonwealth to work with

the commonwealth for continuity of care. We believe we are doing everything we can to support continuity of care, but we have had, and have had for some time, significant concerns that the commonwealth is doing its bit.

The Hon. K.J. MAHER: The Auditor-General further notes that state hospital bed expenditure will be required for clients who would otherwise have been managed by an NDIS plan. How many mental health patients are currently in our hospital system that could otherwise be supported outside of hospital under an NDIS plan?

The Hon. S.G. WADE: We will certainly seek further details. In relation to the NDIS generally, my recollection is that we are talking in the order of 110 patients in our hospitals whose discharges cannot be completed because they are still waiting for some element of the NDIS process to be completed. In relation to mental health clients, I will take that on notice and also clarify to what extent they are included in the 110 or excluded from the 110.

The Hon. K.J. MAHER: What actions has the minister himself taken to put pressure on the federal government to address the delays for patients who should be on the NDIS in this regard?

The Hon. S.G. WADE: As I indicated earlier, both myself and my honourable colleague the Minister for Human Services have long held concern that the commonwealth is not doing all it should be doing in terms of ensuring continuity of care. In that context, I wrote to the commonwealth ministers for health and human services on 15 June about the transition of their services and clients to the NDIS. The impact of this on the state is becoming apparent over time, and specifically to monitor the impact I asked the South Australian Chief Psychiatrist to establish a task force to provide detailed information and advice regarding the interface between mental health and the NDIS, both during the transition period and at full scheme.

The terms of reference of the task force are to monitor the impact of NDIS transition arrangements on both clients and service providers, with a particular focus on continuity of service to clients; secondly, to advise on appropriate action to address continuity of service, and that would include necessary remedial actions by services, programs and jurisdictions; and to identify future issues that may arise. That task force first met on 28 June. It has broad membership across the sector, including, I am delighted to say, the commonwealth. When the Chief Psychiatrist and I first discussed it, we were not confident that the commonwealth would come to the table. I am delighted that they have.

I have mentioned the fact that I wrote to the commonwealth ministers in June. I requested the Chief Psychiatrist establish a task force, which was also established by June. On 2 August 2018, at the COAG Health Council meeting, I also proposed that the council monitor the ongoing transition to the NDIS of mental health clients and identify any emerging service gaps that need to be addressed in order to ensure continuity of support.

All jurisdictions agreed to this proposal, and I thank my fellow ministers and the council for their support. Ministers also agreed that the Australian Health Ministers' Advisory Council work with the Disability Reform Council's Senior Officials Working Group on monitoring the effects of the transition to NDIS of people with psychosocial disabilities.

The Hon. K.J. MAHER: How many patients in total are currently in our hospital system who could otherwise be supported outside of hospital under an NDIS plan?

The Hon. S.G. WADE: My answer is the same as the one I gave a few minutes ago, which is that my understanding is that about 110 patients are in our hospitals whose discharge is being delayed because of the lack of availability of some element of the NDIS.

The Hon. K.J. MAHER: Just to confirm that is not waiting for discharge, but the total in the hospital system who could otherwise be on an NDIS plan, the estimate is 110?

The Hon. S.G. WADE: It is almost impossible to know. There would be a lot of patients who are in there for, shall we say, episodic medical care who might be fully entitled to an NDIS package but who have not been assessed, have not been granted a package. All I can tell the member is that the advice I have been given is that there are about 110 whose discharge is being delayed because

of the NDIS. That could be delayed because they are yet to receive an assessment; often it will be because of, if you like, the supply of services against an NDIS package.

To try to be fair to the commonwealth—and I try to do that from time to time—some of those patients will be waiting for NDIS-related building modifications. Building modifications take time and that is not going to change; we could get the NDIS and the state agencies working together perfectly but we would still have to take time to modify buildings to accommodate people. In terms of an overall statement, including the building modifications group, my understanding is that it is in the order of 110.

The Hon. K.J. MAHER: In Part A: Executive summary, page 74, the Auditor-General notes that duress alarms are an outstanding issue at the RAH. By what date will the duress alarms be fixed and by what date will all 10 of the mental health beds be open?

The Hon. S.G. WADE: I totally concur with the question. I am incredibly frustrated—

The CHAIR: You cannot concur with a question.

The Hon. S.G. WADE: I will concur and try to answer it at the same time—

The Hon. K.J. MAHER: All you need is a date, to answer the question.

The Hon. S.G. WADE: If the honourable member is looking for a date I cannot give him one.

The Hon. K.J. MAHER: Then why did the minister, on 19 July, say that there is now an agreed-upon solution, and told the parliament on 4 September that the time frame for completion of that upgrade is 10 weeks, a time frame that has now passed? Why has he said this in the past if he has given, as they say, one of those rock solid guarantees that the minister and his colleagues are fond of giving?

The Hon. S.G. WADE: I am advised that the fault that was being worked on in July has been rectified, but subsequent faults have been identified.

The Hon. K.J. MAHER: What are those subsequent faults, and what is the new date for them to be fully rectified?

The Hon. S.G. WADE: I am advised that the fault we are currently working on relates to a latency issue; in other words, a delay between activation and recognition. We do not have a date as to when it will be rectified.

The Hon. K.J. MAHER: Will the minister undertake to check the parliamentary record from 4 September to see whether he has inadvertently misled parliament, and come back and answer that? I refer to Part B: Agency audit reports, page 124, Procurement of centralised contracts for hotel services. How did the government arrive at a savings figure of $20 million out of the procurement of two centralised contracts for hotel services? Have any services or beds been cut to achieve these savings?

The Hon. S.G. WADE: I feel constrained by the Chair from wandering into highlighting the hypocrisy of Labor asking questions about privatisations of hotel services. But being chastened by the Chair's presence alone, I would advise the member that the hotel services that were contracted in the new phase were similar to the hotel services contracted under his government.

The Hon. K.J. MAHER: Will the minister confirm that there is a savings figure of $20 million out of the procurement of the two centralised contracts for hotel services? Page 124, Part B.

The Hon. S.G. WADE: I am advised that that is the advice the department provided.

The Hon. K.J. MAHER: Is the minister trying to tell us that they have been able to achieve a saving of $20 million out of the goodness of the heart of the commercial providers of these services, or is there a change in the nature, scope of the services or beds being cut to achieve these savings?

The Hon. S.G. WADE: I will seek further advice.

The Hon. K.J. MAHER: The Auditor-General details how the probity advisers for these contracts did not provide a report communicating their findings. Can the minister confirm that probity requirements were indeed met for these contracts? If not, why not?

The Hon. S.G. WADE: What I will do is quote from the next page, page 125, that the Department for Health and Wellbeing:

> …advised it had subsequently obtained a probity report for the hotel services procurement which would be provided to the Executive Director Procurement and Supply Chain Management by October 2018.

The Hon. K.J. MAHER: The minister confirms that before awarding these contracts, a probity report was not provided? Is that what the minister is confirming?

The Hon. S.G. WADE: The report was provided subsequently.

The Hon. K.J. MAHER: Is it usual practice to have probity reports provided after the awarding of contracts?

The Hon. S.G. WADE: I am advised that it is not.

The Hon. K.J. MAHER: Are there any other instances of probity reports not being provided to the awarding of contracts across SA Health that the minister or his people are aware of?

The Hon. S.G. WADE: It is a very broad question. I am not able to answer that.

The Hon. K.J. MAHER: Will the minister take that on notice and bring back a reply, please?

The Hon. S.G. WADE: I am happy to do so.

The Hon. K.J. MAHER: In relation to Agency audit reports, page 116, National Health Reform Agreement (NHRA), this section refers to the financial arrangements that were established under the NHRA. What is the difference between the hospital funding levels that would have been provided to South Australia under the Gillard government's NHRA and the current proposed NHRA for this current financial year and over the forward estimates?

The Hon. S.G. WADE: I think that might be a law student's example of a hypothetical question.

The Hon. K.J. MAHER: Is the minister confirming that no-one in his department has done any modelling on this whatsoever that he is aware of?

The Hon. S.G. WADE: I did not say that.

The Hon. K.J. MAHER: Is the minister aware of any modelling that has been done on this at all?

The Hon. S.G. WADE: No.

The Hon. K.J. MAHER: The minister is saying he is not aware that any modelling has been done on this.

The CHAIR: You are asking if the minister is aware. That is the minister's answer.

The Hon. S.G. WADE: I can assure you I am not aware of such modelling.

The Hon. K.J. MAHER: Has any modelling been done by the department on this?

The CHAIR: We got there!

The Hon. S.G. WADE: Apparently the previous government has.

The Hon. K.J. MAHER: Will the minister table any modelling that he is able to be provided by the department?

The Hon. S.G. WADE: I would suggest that he speaks to the honourable member for Kaurna, the assistant health minister under the failed former Labor administration—

The Hon. I.K. HUNTER: A point of order, Mr Chair: again, the minister is entering into debate when he should be answering the questions of the Leader of the Opposition.

The Hon. S.G. WADE: —or the member for Croydon, the failed health minister in the former Labor government.

The CHAIR: It is a fair point of order and I am also applying it to the Leader of the Opposition.

The Hon. K.J. MAHER: In relation to Part B, page 200, what action has been taken following the Auditor-General's revelations that SALHN has no processes whatsoever to track medical officers' claims for professional development leave?

The Hon. S.G. WADE: I am yet again surprised that the Leader of the Opposition wants to highlight the mismanagement of the former Labor government, but let me give the answer nonetheless. The new Liberal government is determined to clean up the mess left to us by the former government, and we are currently working on a system that will allow us to monitor both claims and timing. We are consulting with the employee organisations to that end, and I can assure the honourable member, before he asks his supplementary, that it will be applicable across the LHNs and not just to SALHN.

The Hon. K.J. MAHER: If officers have taken more professional development leave than they are entitled to, will they be required to pay back the leave hours they have taken over and above their entitlements?

The CHAIR: Probably the better way to ask the question would be: has a decision been made? That is for the education of the Leader of the Opposition.

The Hon. S.G. WADE: I am advised that it would be the normal expectation that it would be repaid.

The Hon. K.J. MAHER: In relation to page 184, Audit findings and comments, the Auditor-General notes that SAAS was undertaking improvements towards legacy revenue systems, and that these would be completed by October this year. Has that occurred?

The Hon. S.G. WADE: I am happy to take the honourable member's question on notice.

The CHAIR: Time for committee has expired. I conclude the examination of the Auditor-General's Report.

Motions

IKARA-FLINDERS RANGES NATIONAL PARK

The Hon. J.M.A. LENSINK (Minister for Human Services) (16:32): I move:

That this council requests His Excellency the Governor to make a proclamation under section 27(3) of the National Parks and Wildlife Act 1972 excluding allotment 63 in approved Plan No. D93043, Out of Hundreds (Parachilna), from the Ikara-Flinders Ranges National Park.

The Ikara-Flinders Ranges National Park is renowned for its natural and geological significance and is a major part of the South Australian identity. The Department for Environment and Water has reached an agreement with the lessees of Willow Springs Station, a neighbouring pastoral property, for an exchange of land between the Willow Springs Station pastoral lease and the park. This exchange proposes that Willow Springs Station surrender approximately 1,350 hectares for addition to the park.

This parcel contains significant intact conservation values, as well as quite stunning scenic ranges. Inclusion of this parcel in the park will reinforce the park's national significance. In exchange, an area of approximately 900 hectares, known as Appealina paddock, is proposed to be excised from the park for inclusion in the Willow Springs Station pastoral lease. The excision will result in minimal impact on the park as the area consists mainly of degraded land systems. However, this provides good grazing opportunities for Willow Springs Station.

The deed was signed between former minister Hunter and the lessees of Willow Springs to give effect to this commitment to exchange the land. To allow this land exchange to proceed, the Appealina paddock must first be excised from the park. An alteration to the boundary of a national park, where land ceases to be included in the national park, requires the resolution of both houses of parliament. This matter was considered by the parliament last year and was approved. However,

the land swap was not able to be concluded ahead of the state election in March 2018. In consequence, the Appealina paddock is still part of the park.

On advice from the Crown Solicitor, fresh resolutions are to be required because the effect of the prorogation and then dissolution of the previous parliament was almost certain to cause the previous resolutions to lapse. Parliament is therefore being asked to provide a fresh resolution supporting the proposed excision, following which the Governor can be asked to make the required proclamation formally, giving effect to the alteration of the park's boundaries. The agreed area from Willow Springs Station can then be added to the park. I commend this motion to the house.

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

Bills

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 8 November 2018.)

The Hon. M.C. PARNELL (16:36): I rise to speak to the second reading of this bill. The budget measures bill is always one that attracts some controversy. It does that for a number of reasons, one of which is that there are always things in here that do not necessarily belong in a budget measures bill. The other area of controversy is around the disallowance of certain elements in that bill. Most years, it seems that we have a debate about whether it is appropriate for an opposition and the crossbench to oppose a measure that is in the budget measures bill. I think it is fair to say that it is a rule that exists, I think, in the imaginations of various members, but it certainly has not been applied in practice. We only need go back as far as the car park tax to see that the opposition had no qualms about opposing measures that were in the budget and required legislation through a budget measures bill.

This particular piece of legislation is long. There are 146 clauses in the bill. There is one clause that I am opposing. I would urge all honourable members to join me in opposing clause 63. Clause 63 of the bill is the one that abolishes the Office of the Commissioner for Kangaroo Island. I note that our colleague the Hon. Clare Scriven spoke at some length about this in her contribution to the Appropriation Bill. I align myself with her remarks. She has made the point that this office has been important for Kangaroo Island, it has done good things and it does not deserve to be abolished.

In her contribution the honourable member referred to a couple of lines in a letter that I think all members of parliament received from Mr Tony Nolan, Chairman of the Kangaroo Island Industry and Brand Alliance. His letter, I think, is very informative. I propose to read it onto the record. It is not long but it is important. The letter says:

> I note with concern that on October 18th a Bill to repeal the *Commission of the Kangaroo Island Act 2014* has passed the House of Assembly.
>
> When I met the Premier in July at the opening of the Kangaroo Island Airport I was keen to tell him more about the extraordinary value of the Act for the businesses of Kangaroo Island. He made a commitment at the time to consult further with the Island's industry associations before proceeding. However, no such discussion has taken place.
>
> Since then, I have also noted with concern the flagged de-funding of the Office of The Commissioner…in the budget—although I acknowledge gratefully the funding for this financial year. In tabling the Bill in the Legislative Council this week, the Treasurer has noted that he recognises the value of Kangaroo Island to the State and 'we will ensure our resources are directed to support the island's economic growth and community services rather than supporting unnecessary bureaucracy'.
>
> In fact, it is exactly the unnecessary bureaucracy that the Commissioner is helping us to overcome in our unique isolated remote community when trying to deal with government. The Office of the Commissioner for Kangaroo Island (OCKI) is not another layer of bureaucracy, but the knife that slices through and gets things done. The Act has been helping us to liaise with government departments, with outcomes and actions that we could only dream of previously.
>
> When the legislation was crafted and brought into law in 2014 it recognised the unique challenges faced by Kangaroo Island, a place that is so important to South Australia and the nation. The national and international recognition of Kangaroo Island draws more than 200,000 tourists a year. However, the small population on such a

large island creates particular challenges, including with access, freight, housing, roads, financial viability of local government and development of industry.

This enabling legislation was supported in the Legislative Council by members of the ALP, Greens and Family First.

The Office of the Commissioner for Kangaroo Island was founded to give a voice to our complex issues, directly to Cabinet. OCKI has achieved much in its 3½ years and I attach the annual report for 2017-18 and commend it to you.

A review of the Commissioner for Kangaroo Island Act 2014 was conducted in 2017 by the Parliamentary Committee for Environment, Resources and Development. It found the Act had operated efficiently and effectively and recommended only minor adjustments.

Repealing this act would be a backwards step for Kangaroo Island and the many projects under way with the Commissioner's support. It would be a blow to business confidence and undermine the work being done by the Island's industry groups.

I urge you to vote against repealing the Act, which will be a vote for the community and industry of Kangaroo Island. Please contact me if you would like more information.

Kind regards,

Tony Nolan

Chairman, Kangaroo Island Industry and Brand Alliance.

I note that support for the Office of the Commissioner for Kangaroo Island is not just from private industry groups. A lot of individual citizens made submissions to the parliamentary inquiry last year and one that I note, and I will not read it all out, but Rodney Harrex, the Chief Executive of the South Australian Tourism Commission—so we are talking a government body—wrote an extensive submission and concluded with these words:

In summary, the Office of the Commissioner plays a valuable role in coordinating the resources needed to enable Kangaroo Island to seize the opportunity to increase its appeal as one of Australia's greatest and best-known tourism destinations.

That is the official word from the South Australian Tourism Commission. I mentioned that there were many submissions. I will come to the findings of the inquiry, but I will direct some remarks to our friends in the SA-Best party, because one of the most supportive submissions received by the inquiry last year was from Rebekha Sharkie MP, federal member for Mayo, which includes Kangaroo Island. Again, I will not read her whole letter but she concludes with these words:

I am pleased to provide my full support to the ongoing role of this important office and look forward to seeing the role continue to provide advocacy and support for the people of Kangaroo Island.

So we have the support of the Labor Party, the Greens, who are strong supporters of the office of the commissioner, and we have Centre Alliance supporting it at the federal level, so I really hope that our colleagues in SA-Best get on board as well.

I mentioned the inquiry, and I think this is important because the act that set up the Commissioner for Kangaroo Island did have a review clause in it, and the government decided, I think quite reasonably, that that review was best undertaken by one of the standing committees of the parliament and they gave the job to the Environment, Resources and Development Committee.

The committee took evidence from several dozen witnesses. We went over to Kangaroo Island, we heard from people in person and, at the end of the day, the conclusion of the committee was that the office should continue. There was no recommendation to repeal the legislation. In fact, I mentioned the Tourism Commission before—other government departments were standing up in line to congratulate the commissioner and to talk about the importance of the office, and I will mention a couple of words from the Department of Planning, Transport and Infrastructure's submission that there was a 'positive increase in economic and investment interest' with the commissioner 'playing an active role' recognising the necessity for an 'on the ground connection'.

They listed four projects as an example of where the commissioner played a positive role. They were the golf course, the American River Resort, the Plantation Timbers port proposal and the airport upgrade. I know there was a lot of controversy over these projects—there always is—but at the end of the day government agencies and industry groups are saying that this is an office worth

keeping. The conclusion of the Environment, Resources and Development Committee states in the last paragraph:

> The government wanted a vehicle whereby the potential for Kangaroo Island could be realised. Various plans saw an island doubling its population, similarly expanding its farm gate income and with a huge boost in tourism. Strategic plans factored this into the State's strategic documents. The Commissioner for Kangaroo Island Act was designed to make this happen. The Committee is of the view that the act is delivering on these goals.

This was not a very radical committee. Let's have a look at who was on this committee and who put their name to this. The presiding member was the Hon. Tom Kenyon; Mr Stephen Griffiths MP served on that committee; Mr Eddie Hughes; the Hon. Michelle Lensink put her name to this report as well; the Hon. Tung Ngo; myself; and Mr David Speirs MP was on the committee from 29 March 2017, so he put his name to this as well.

Here we have it: an act of parliament that the people of Kangaroo Island say they appreciate and want; industry says it; government says it; members of both major parties and the crossbench say they want it to keep going, yet we find it in the budget measures bill being repealed. The final thing I will say in relation to that is that, whilst the government will no doubt make a hue and cry about why we should not do this, there is a difficulty that we face in this chamber and that is that we can insist that this act stay on the statute books. We can simply do that by opposing clause 63 of this bill. What we cannot do is we cannot force the government to put any money into it. People might say that is a hollow victory.

I would hope that over time, despite the protestations of the new Mayor of Kangaroo Island, the government will listen to industry groups on the island who are getting advantage from this, and they will thank the upper house for having kept the architecture alive—that we have kept the bill on the statute books. All it requires for them to do in one of their next three budgets before the next election is to re-fund the position.

If, in four years' time, there is a change of government—the Greens might do very well; we might be on the Treasury benches—we will not then need to re-legislate to have a commissioner for Kangaroo Island; the architecture will be there. I am expecting that the government will do what they do and they will come out and say that we have no right to mess with the budget measures bill. I certainly propose to mess with it by ensuring that clause 63 does not pass. I would urge my Labor colleagues to join us, and I would urge the crossbench members as well to get behind the Greens and let's keep the office of the commissioner alive until the government sees reason and starts to re-fund the position.

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

HEALTH AND COMMUNITY SERVICES COMPLAINTS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 November 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:49): I indicate that I will be the lead speaker for the opposition on this bill and that the opposition intends to support it. Although AHPRA looks after most health practitioners, the Health and Community Services Complaints Act covers the oversight of those remaining unregistered practitioners AHPRA does not cover. Between 2007 and 2009, the Social Development Committee undertook an inquiry into bogus, deregistered and unregistered health practitioners.

This committee was established in response to complaints about the treatment of South Australians suffering from terminal cancer from unregistered practitioners. Amongst other things, the committee recommended that the government legislate to regulate unregistered health practitioners and to establish a code of conduct based on the New South Wales model. This recommendation was enacted, with a legislated code of conduct established in 2013.

In 2015, the COAG Health Council committed to standardising the codes of practice for unregistered health practitioners based on the South Australia and New South Wales models to

facilitate information sharing between jurisdictions and to stop the practice of jurisdiction shopping. The bill legislates for this national code to apply in South Australia and essentially aligns other jurisdictions with South Australia's best practice model. The bill also allows orders to apply across jurisdictions and introduces a fine where orders made interstate are breached in South Australia.

The bill contains updates to the language of the act, including changing the language of 'user' to 'consumer' upon recommendation from the Health and Community Services Complaints Commissioner. As the minister touched upon during his second reading, the bill is about preventing harm where a health practitioner, regardless of whether they practice in mainstream or complementary alternative forms of medicine, is presenting a risk to the community.

We understand the bill will come into the other place next year, should it successfully pass this parliament. The opposition has been advised that the updated national code of conduct will be introduced later by regulation and this will not contain any fundamental changes and will primarily seek to present the code in more accessible and easier to understand language. The opposition supports the bill and looks forward to running through a few remaining queries we have during the committee stage.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:51): I thank the Leader of the Opposition for his comments and the indication of support of the opposition. I think he appropriately highlighted the role that the Social Development Committee played more than a decade ago. I think at that stage it was chaired by the Hon. Ian Hunter of this chamber. It is another example where, together with New South Wales, South Australia has provided national leadership. I thank the honourable member for his comments and look forward to further consideration of the bill in the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: Can the minister confirm when it is intended that the bill will be enacted?

The Hon. S.G. WADE: I am advised that the government will proclaim the legislation as soon as the regulations have been finalised and that is likely to be in the first or second quarter of next year.

The Hon. K.J. MAHER: Is the minister able to outline what consultation was undertaken on the bill prior to its introduction?

The Hon. S.G. WADE: The government regards the bill as enabling. There was consultation nationally on the code of conduct, but we did not undertake a state-based consultation other than with the commissioner himself.

The Hon. K.J. MAHER: I thank the minister for his answer. What is the status of each other jurisdiction in terms of legislating to a national standard as agreed at the 2015 COAG Health Council?

The Hon. S.G. WADE: I am advised that four jurisdictions, namely Queensland, New South Wales, Victoria and Tasmania, have legislated and their amendments are operational.

The Hon. K.J. MAHER: I understand that the ANMF in their feedback on this bill put the case for assistants in nursing to be included under AHPRA's remit and therefore under the jurisdiction of the Nursing and Midwifery Board. Given that they perform nursing work as a fundamental aspect of this role, is this something that the minister is willing to further investigate and raise federally?

The Hon. S.G. WADE: I thank the honourable member for his question. There is constant debate as to what health professions should be covered by AHPRA and, in contrast, what professions should be covered by the unregistered health professional framework that we are referring to here. For example, I have been approached by speech pathologists who believe that they should be under AHPRA, and there is also currently a debate in relation to social workers.

The COAG Health Council has developed a set of criteria as to whether or not a profession will be recognised going forward. I think from 1 December this year we will have our next health profession joining the AHPRA framework, that being the profession of paramedic. Of course, assistants in nursing are somewhat different because there is already a Nursing and Midwifery Board. My understanding is that AHPRA is moving towards recognising nursing and midwifery as separate professions, and I presume it would be open to the Nursing and Midwifery Board to progress a role of assistant—I think the term was 'assistant in nursing'—but I am not aware of COAG having actively considered that.

The Hon. K.J. MAHER: I understand the ANMF has further suggested, and I quote:

> It is possible that a Nurse may have had their ability to practice withdrawn by the Nursing and Midwifery Board but might still be able to practice as an Assistant in Nursing, unless they are also specifically barred from engaging in that activity, which may not be identified by AHPRA or the Health and Community Services Commissioner until it is too late.

My question is: how do we respond to those concerns and would this situation be prevented under a new national code?

The Hon. S.G. WADE: My understanding is that, if a person has been a registered nurse and loses their registration, they are by definition an unregistered health worker or health professional and they would therefore be covered by the code that is the subject of this act.

The Hon. K.J. MAHER: Could they practise as an assistant in nursing if that was not covered by the code?

The Hon. S.G. WADE: The member might ask further questions if I am missing the point, but I am not aware of assistant in nursing being a protected title. AHPRA protects titles and, through that, protects professions.

The Hon. K.J. MAHER: This might be one that the minister takes on notice. How many prohibition orders and how many undertakings against unregistered health practitioners have been issued since the 2013 code of conduct came into effect?

The Hon. S.G. WADE: Having been the subject of a dare by the Leader of the Opposition, I might give him more than he asked for.

The Hon. K.J. Maher: I have a couple more questions so you might—

The Hon. S.G. WADE: Why don't I get them in before you—I will save you the time. It might be of interest to the chamber to know that I am advised that the total of complaints relating to unregistered health workers received by the Health and Community Services Complaints Commissioner from 1 July 2015 to 24 October 2018 were 264. The number of complaints relating to unregistered providers was 253—

The Hon. K.J. Maher interjecting:

The Hon. S.G. WADE: No, I am happy to take guidance.

The Hon. K.J. MAHER: It might assist just in the flow; that was going to be my next question. Of the complaints about unregistered health practitioners, I think the minister said 264 since a particular date in 2015?

The Hon. S.G. WADE: Yes.

The Hon. K.J. MAHER: How many of those cases are now closed, if the minister has that information?

The Hon. S.G. WADE: The total number of complaints is 264; the number closed is 253.

The Hon. K.J. MAHER: And how many complaints against unregistered health practitioners have been made since the 2013 code came into effect, and how many of those are closed?

The Hon. S.G. WADE: You caught me out there; I will have to take that on notice.

The Hon. K.J. MAHER: How will this information be shared across jurisdictions in the new national scheme?

The Hon. S.G. WADE: It is an interesting point, because I think it is worthy to note that AHPRA, the Australian Health Practitioner Regulation Agency, is a joint state agency. It is supported by a network of state and territory legislation, and it of course has its own database. Each of the jurisdictions has their own form of a health and community services complaints commissioner, obviously by different names, but I am advised that, whilst they are separate bodies, they will be working together to share a common portal to share such data.

The Hon. K.J. MAHER: I guess this question then goes one further than that: is the minister currently aware, and under the new system is there a way for the minister to be made aware, of how many unregistered practitioners are residing in SA who have orders in place from other states?

The Hon. S.G. WADE: I am advised that each of the commissioners—or whatever title they may go by—will be able to interrogate the portal and identify which individuals are subject to orders, whether or not they are resident in their state.

The Hon. K.J. MAHER: I think I understand what the minister is saying: each state will be able to check the national database, so if there is a practitioner in a certain area who has some sort of order from WA, Tasmania or the NT, the South Australian authorities can check the national database and say, 'Ah, they have an order or a ban for something from that other state.'

The Hon. S.G. WADE: I am advised that the Leader of the Opposition has accurately described situation.

The Hon. K.J. MAHER: We will come back full circle, and I think it was the original question that sparked the further ones: how many prohibition orders and undertakings have been issued against unregistered health practitioners since 2013?

The Hon. S.G. WADE: To clarify, I am only talking about 1 July 2015. In relation to 2013, I am happy to take it on notice—

The Hon. K.J. MAHER: Yes, if you can take that on notice.

The Hon. S.G. WADE: Do you want the data as of—

The Hon. K.J. MAHER: Yes.

The Hon. S.G. WADE: I am advised that, from 1 July 2015 to 24 October 2018, the number of prohibition orders imposed, whether that be interim or final, was six.

The Hon. K.J. MAHER: And then, if you could take on notice the—

The ACTING CHAIR (Hon. D.G.E. Hood): Through the Chair, please, members.

The Hon. S.G. WADE: Yes, I will, sir.

The Hon. K.J. MAHER: I ask the minister if he will take on notice the total since the 2013 code came into effect, through the Chair.

The Hon. S.G. WADE: I still will, sir.

Clause passed.

Remaining clauses (2 to 19) and title passed.

Bill reported without amendment.

Third Reading

The Hon. S.G. WADE (Minister for Health and Wellbeing) (17:06): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (BINDING RATE OF RETURN INSTRUMENT) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 November 2018.)

The Hon. M.C. PARNELL (17:07): I rise to support the second reading of this bill. As we see on many occasions during the parliamentary year, national energy laws are brought into the South Australian parliament first because we are the lead legislators.

This is almost a broken record but, as I say on every one of these occasions, as much as we would like to amend some of these bills my experience of the last 12 years is that neither Liberal nor Labor has been prepared to countenance any amendments to national energy laws. I maintain that is an abrogation of our responsibility as legislators because I think we could actually make some improvements to many of these national laws if only we were given the latitude to do so.

This particular bill is not as contentious as some of the other ones we have dealt with. I have had a look at some of the stakeholder positions that were taken during the public consultation on the draft of the bill back in April this year, and there is general support across the board so I do not think there will be a problem with the bill passing.

The importance of getting the formula right in terms of rate of return is pretty simple. Ultimately, consumers end up paying, and when you have these natural monopolies with their regulated asset base and their guaranteed rate of return the consumer's interest has to be front and foremost, otherwise business will do what it does and extract every last dollar it can from the resource it is controlling.

I will briefly put the only questions I want to raise on the record now. They relate to the power imbalance that exists between representatives of consumer organisations and the industry sector itself. I refer to the submission that was made by the Public Interest Advocacy Centre on 13 April. Whilst generally supportive of this bill, they point out that this resource imbalance means that in a particular competition case in New South Wales the energy networks ended up paying legal costs of around $90 million fighting the case. The consumer advocates had half a million dollars to spend. There is a serious imbalance of resources.

One important aspect of this bill is that it provides for a consumer reference group. There will be a body of people representing the interests of consumers and they must be listened to and their views taken into account. The Public Interest Advocacy Centre points out that in order for this consumer reference group to be effective it must also be appropriately resourced. By resourced they mean that they need payment for the time that is spent and they need funding to be able to commission research that is in the interests of consumers.

So these are the questions I would ask the minister to take, and if he is able to give an answer in the committee stage that would be good. What are the proposals or plans for the Australian Energy Regulator to fund this community reference group? What do they have in mind? Is there a budget? Will the representatives of the various consumer bodies be paid to attend the meetings?

In fact, to put a little more context to it, the sort of people we are talking about, the people the Public Interest Advocacy Centre represent, are groups like the Salvation Army, St Vincent de Paul Society, Physical Disability Council, Anglicare, Good Shepherd Microfinance, Financial Rights Legal Centre, Tenants' Union, Mission Australia. These are not people who are loaded with money and what money they do have they spend for the benefit of the community. So that is my main question in my second reading contribution: how will the consumer reference group be funded?

The second question that I will put on the record is that the bill provides a get out of gaol free clause, a clause that basically says, 'Here are the rules, but if you do not follow them it does not really matter.' We see that in legislation a lot. Proposed new section 18R—Failure to comply does not affect validity, reads as follows:

> Failure to comply with this Subdivision does not invalidate or otherwise affect a rate of return instrument.

I understand why they put these clauses in because what they are trying to avoid is a catastrophic result flowing from an official miscounting of days on a calendar and not giving someone exactly the right amount of time to comment or some minor thing, so I get why we put these things in.

But my question is: what comeback is there for, say, representatives of energy consumers when the process has not been followed? Is there anything they can do? The clause says that the

rate of return instrument will not be invalidated, but what is the response? Where would people go if they were dissatisfied with the process that the Australian Energy Regulator followed? With those brief words, the Greens will be supporting the second reading of this bill.

The Hon. C.M. SCRIVEN (17:13): I am the opposition's lead speaker on this bill, which we will be supporting. These changes are a result of the COAG Energy Council's agreement to amend both the National Electricity Law (NEL) and the National Gas Law (NGL)—a decision taken in July 2017. The changes will create a rate of return instrument for regulatory determinations by the Australian Energy Regulator and the Western Australian Economic Regulation Authority. This instrument will be binding, in contrast to the current situation where the authority's rate of return guidelines are not binding, meaning that they can use different approaches to the rate of return for each network business determination.

The rate of return allows electricity and gas businesses that are regulated to recover their efficient financing costs. This goes some way to ensuring that those businesses are viable and can maintain their infrastructure as well as having the ability to invest to meet reliability standards, among others.

The binding nature of the rate of return instrument is intended to reduce the amount of uncertainty that currently exists for regulated businesses, for investors, for consumers and for the regulator. It is also intended to reduce the regulatory burden through less debate of rate of return issues and, therefore, less time and cost to stakeholders.

The rate of return makes up the largest revenue component for energy network businesses, so these changes will be one step in stabilising energy prices over time. I am advised that energy ministers considered this to be an important step. Indeed, the opposition commends minister Frydenberg and the members of the COAG Energy Council, which of course at the time of the decision included South Australia's Labor minister prior to the change of government, for progressing these changes.

South Australia is the lead jurisdiction for passing the legislation on behalf of all member states, and this is a national reform that should be supported. The opposition does not have any questions in committee. We are very pleased with these reforms, and I commend the bill to the chamber.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (17:15): I thank honourable members—the Hon. Mark Parnell for his contribution and the Hon. Clare Scriven on behalf of the opposition for her contribution—and commend the bill to the chamber.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 5 passed.

Clause 6.

The Hon. M.C. PARNELL: I nominated clause 6 because that is where most of the action is in terms of inserting new Division 1B—Rate of return instrument. This is in relation to electricity; the situation is the same in relation to gas, which is clause 15 (we only need to deal with it in one spot). I will give the minister a chance, if he can, to respond to my questions about the consumer reference group and how it is to be funded. The second question I had was about what redress there is if the proper process is not followed.

The Hon. D.W. RIDGWAY: In relation to the consumer reference group to which the honourable member referred, I have been advised that it is funded by the Australian Energy Regulator, which of course has its own budget and is funded by the commonwealth, and they are doing all that. We can take on notice to get the make-up of the people involved, and who is on that consumer reference group. Could the honourable member repeat the second part of his question for me?

The Hon. M.C. PARNELL: I thank the minister for taking that on notice. I think the actual membership—it is a new group, so we do not know who it is, so if the minister can come back with who is on it, and also its budget. The second part of the question referred to new clause 18R, which basically says that failure to follow these processes does not invalidate the rate of return instrument, which is the final product. My question is: is there is any comeback, other than complaining to the Australian Energy Regulator? What could groups do if they were dissatisfied with the process that was followed?

The Hon. D.W. RIDGWAY: I am advised that this is a catch-all clause. If somebody thinks there has been a breach, they could seek a judicial review. My advice is also that it is a catch all, so that some little minor technical breach does not invalidate it all. It has been designed so that, if there is a major breach, clearly there is a process to go through and maybe a judicial review, but not something of a minor nature.

The Hon. M.C. PARNELL: I thank the minister for his answer. I have only one other question and I might ask it now to assist the committee in rapidly moving through the rest of the bill. It is a question that combines elements of clause 2—Commencement and also clause 15, which is in relation to the National Gas Law. The question is quite a simple one: will this bill, when it becomes law, affect the current application by Australian Gas Networks to get a new gas pipeline to Mount Barker? That is currently underway. I think there is a draft determination being granted. I think there is a final one at around about the end of the month. Will anything in this legislation affect that process?

The Hon. D.W. RIDGWAY: I am advised that the answer is no.

Clause passed.

Remaining clauses (7 to 21) and title passed.

Bill reported without amendment.

Third Reading

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (17:21): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ELECTORAL (PRISONER VOTING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 September 2018.)

The Hon. M.C. PARNELL (17:22): The Greens' position on this bill is very simple: we do not support removing the right to vote from prisoners. That is what this bill does and we do not support it. This is not a position that we have come to recently. It has been a long-held Greens' policy. In fact, as I was researching this issue, I came across a 20-year-old press release from Senator Bob Brown, and it included the following:

> Australia is likely to be acting counter to our obligations under the United Nations International Covenant on Civil and Political Rights 1991 Article 25(b) and the United Nations Universal Declaration on Human Rights 1948 Article 21(1) which was just re-signed by the Howard Government…

Moves 20 years ago to take away from prisoners the right to vote was identified back then as breaching these international instruments. That has not changed. Interestingly, it was a prescient of Dr Brown. I note that the Labor Party has an amendment on file. This is what Dr Bob Brown said 20 years ago:

> The ALP have not gone far enough in their recommendations. The Greens propose ensuring all prisoners have the right to vote.

Having said that, the Greens will absolutely be supporting the Labor amendment. We did hear some disturbing news yesterday that perhaps negotiations are still underway, but I am hoping that Labor

do hold their ground because removing the right to vote only from life-term prisoners is certainly far better than the government's proposal, which will remove the right to vote from many, many more prisoners.

It is not just the Greens' position. If you look at the Australian Human Rights Commission, they have looked into this issue over the years. I think their most recent report was from 2010 and it addresses precisely the issue that is before us in relation to prisoners who are serving sentences of three years or more not being able to vote even if they are on the electoral roll. The Human Rights Commission back then pointed out that nearly 10,000 people were disqualified from voting in federal elections under that federal law. The Human Rights Commission states:

> Some argue that it may be reasonable to punish prisoners who have committed serious crimes by depriving them of the right to vote. However, the Australian Human Rights Commission believes that enfranchisement is a powerful and positive tool to assist with social reintegration and rehabilitation of prisoners…Giving prisoners the right to vote would be consistent with Australia's obligation to ensure that:

And it goes on to quote the International Covenant on Civil and Political Rights. The quote is:

> The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.

That is the object of the prison system according to international law: reformation and social rehabilitation. The question that we have to ask ourselves is: how does disenfranchising prisoners achieve either of those ends? The short answer is that it does not. Again, the Human Rights Commission goes on to say:

> The Australian Human Rights Commission believes that denying prisoners of the right to vote, just because they have been sentenced to imprisonment for 3 or more years does not satisfy the 'reasonableness' test at international law. This approach is consistent with judicial decisions in Canada and the United Kingdom.

I have been around long enough to understand that the way the politics of this thing works is that, whenever it is suggested that prisoners should be able to vote, opponents of that position will identify the worst of the worst and say, 'What about them?' The usual examples that are trotted out are Martin Bryant, the perpetrator of the Port Arthur massacre, or perhaps in South Australia Bevan Spencer von Einem, convicted sex offender and murderer, usually gets raised. They are pretty hard to reconcile but, in my view, a better way forward would be to leave the matter to a separate judicial process to decide whether voting should be removed, and the clearest cases are those prisoners who are never going to be released.

I cannot see Martin Bryant in Tasmania ever being released. I am more than happy for him not to vote. However, as a general rule, we are going to see these people back in the community. Unless we lock people up until they die, which we do not do very often, they are coming back to us, and I would like them to come back to us with some shred of connection to the world and the community that has incarcerated them. We have not written them off completely.

As I have said, this is the position that Dr Bob Brown took 20 years ago back in 1998. It is the position that my Greens' colleagues have taken in other states, such as Tasmania, where the Greens went to the last state election with a policy allowing prisoners to vote whilst also giving judges the discretion to withdraw that right in the most serious or heinous cases. I think that is a better approach: leaving it to the judiciary to decide whether some element of punishment includes taking away the right to vote. I think that is a sensible compromise and it would deal with the hardest cases.

I draw attention briefly to one—I think the word is probably 'irony' in this. Under clause 6 of the bill, a reference to a person in custody does not include a person detained under part 8A of the Criminal Law Consolidation Act. That part relates to mental impairment and it deals with people who are determined to be incapable of being found guilty of an offence.

They can still vote. So the person who is mentally unable to know the difference between right and wrong can vote, but the person who well knew the difference, or should have known the difference between right and wrong and has been convicted, cannot. What we are trying to reconcile here is the quality of a vote that might be cast with the right of the person to cast that vote, and I can see that that is a dilemma.

Members interjecting:

The Hon. M.C. PARNELL: I point out—not in response to that interjection—generally that a question for the minister to answer when we get into committee is whether the minister can explain why persons who have been found incapable of determining right from wrong and therefore cannot be found guilty of a criminal offence are able to vote, but those with full mental capacities who are in a regular gaol are not allowed to. I want to point out at this point that, whilst I have raised that irony in terms of mental capacity, I want to make it clear that I am not advocating that we should remove the right to vote from forensic prisoners; I am not making that point at all.

In fact, I have been enlightened by the submission of John Brayley, South Australian public advocate in 2015, who made a submission to the Senate Community Affairs Legislation Committee regarding the Social Services Legislation Amendment Bill 2015. He addressed exactly that point. He said the following:

> Denunciation and the stripping away of rights is part of the process of removing the full status of people who are convicted of a crime and sent to prison.

He was not justifying that position, he was just explaining what it was. He went on:

> The same process of denunciation and rights removal should not be applied to a patient who is hospitalised having been found not guilty by reason of mental impairment, who retains their civic status; the most immediate manifestations of this are the right to vote, and to receive Social Security payments. It is not uncommon for patients who recover and regain insight into events, to experience remorse and distress at their actions when unwell. It is neither relevant nor appropriate to diminish the status of people caught in these tragic situations further.

The position that the Greens will be taking is one that we have taken many times before: our first preference is the status quo to enable prisoners to vote; our second preference is to support an opposition amendment that only takes the right to vote away from prisoners serving life sentences. I am hoping, despite these discussions that are apparently underway, that Labor does not weaken that position further, but we certainly reserve the right to vote against the entire bill at the third reading as well.

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

SENTENCING (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 October 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:32): I rise to indicate that Labor will support this bill and that I will be the lead speaker and have carriage of this bill. As I understand it, the intention of this bill was to preclude a punishment of home detention for attempts to commit or to commit certain commonwealth offences, which would bring state and commonwealth regimes more closely in line. I say it was the intention because that appears to have been changed very significantly now.

I understand that there was initially a request of the commonwealth DPP to make these changes, but what was originally requested was included when this bill was introduced earlier by the Attorney-General in another place. However, the main work of this bill and those clauses that the commonwealth DPP apparently wanted in the bill have been removed. There are still some rats and mice issues in there that we support, but the bill has effectively been gutted.

The Attorney-General in another place has deleted the clauses, effectively leaving us with a very small bill in what can only be seen as another embarrassing misstep by the Attorney-General in relation to how she conducts her portfolio. We have seen this in a range of areas. We saw it with the Colin Humphrys case when one particular Monday morning the Attorney-General said that legislation definitely was not needed, there was no work to do here, nothing to see.

By that afternoon, in terms of the indefinite detention of sex offenders unwilling to control their sexual instincts, the Attorney-General had been completely overruled, had changed her mind completely and actually introduced almost mirror legislation to what the opposition put to parliament. The Attorney-General got that completely wrong and was sensibly rolled by either her cabinet or her party room.

Even more recently, we have seen a stoush between the Attorney-General and royal commissioner Bret Walker, the commissioner in the Murray-Darling Basin Royal Commission. There was a war of words when the Attorney-General appeared to misrepresent a royal commissioner and the royal commissioner, I think, asked that the media release the Attorney-General wrote should be completely withdrawn and that the royal commissioner was owed an apology. The royal commissioner went on to say that the way the Attorney-General conducted herself in these matters was wrong, discourteous and inappropriate. This is a very serious matter and it was a royal commissioner who made these comments about another unfortunate misstep by our hapless Attorney-General.

Questions have been raised even more recently about statements that the Attorney-General made in relation to the ICAC. We have seen different recollections of conversations from no less than the ICAC commissioner and the Attorney-General and the possibility having been raised that the ICAC legislation may have been breached by the state's first law officer, the person who the act is actually committed to, another huge misstep by the Attorney-General. We have seen, even more recently—and I understand it has caused quite some disquiet within government ranks, particularly government backbenchers—the Attorney-General under intense pressure with the possibility of a notorious paedophile getting court-ordered home detention in the Pasadena area.

I know that members of the government and backbenchers from the government and ones who have very serious concerns about the way the Attorney-General has conducted herself in this latest matter are quite right. We know there are significant portions of her own party who would be not too displeased if the Attorney-General was replaced by someone who would not keep making these very, very serious missteps. In fact, one mooted possibility is when the Kirribilli-style agreement comes to an end and there is a change of president halfway through this term, that another lawyer steps in to become Attorney-General when they step down from presidential positions—

The PRESIDENT: Please do not impugn the presidency in the second reading.

The Hon. K.J. MAHER: —and when the Hon. Terry Stephens becomes president and that would solve that. In fact, the way the Attorney-General has been conducting herself may mean such a change may be necessary even before the Kirribilli agreement comes into force in that two-year term. We may need another Attorney-General much, much sooner than that. The Labor Party supports the bill.

Members interjecting:

The PRESIDENT: Can we just cut the conversation out. The Hon. Ms Pnevmatikos.

Debate adjourned on motion of Hon. I. Pnevmatikos.

STATUTES AMENDMENT (DOMESTIC VIOLENCE) BILL

Second Reading

The Hon. J.M.A. LENSINK (Minister for Human Services) (17:38): I move:

That this bill be now read a second time.

As part of the government's election commitment to implement a suite of measures to combat domestic and family violence, I am pleased to introduce the Statutes Amendment (Domestic Violence) Bill 2018. As a government and as a community, we stand united in our view that domestic violence is unacceptable in any form. The bill, which was the subject of a four-week public consultation process, seeks to put in place a range of legislative measures that will complement other key initiatives of the government's domestic violence reform agenda, such as the statewide trial of the Domestic Violence Disclosure Scheme, which commenced operation on 2 October 2018.

Part 3 of the bill makes two amendments to the Criminal Law Consolidation Act 1935. Clause 5 amends section 5AA(1)(g) to broaden the definition of an aggravated offence to include all the relationships incorporated in the definition of domestic abuse in the Intervention Orders (Prevention of Abuse) Act 2009. An expanded definition will mean that a person's criminal record would more clearly indicate that an offence was domestic abuse, as an aggravated offence will list the specific circumstances of the offence.

Clause 6 inserts a new stand-alone offence of choking, suffocation or strangulation in a domestic setting. The new offence has a maximum penalty of seven years' imprisonment and will apply if a person who is, or has been, in a relationship with another person chokes, suffocates or strangles that person without their consent. There is no requirement that harm be intended or caused. Rather, it is the conscious and voluntary act of choking, suffocation or strangulation that proves the offence.

The creation of a new offence, rather than simply relying on existing offences, such as causing harm or serious harm, endangering life or attempted murder, serves a number of purposes: it increases the penalty for this behaviour where no harm is caused; it recognises the inherent dangerousness of this conduct in a domestic setting and its indication of escalation to domestic homicide; it educates police and the community; and it assists in the assessment of risk to the victim. In addition to the new offence, subclause (4) provides for an alternative verdict of assault where a jury is not satisfied beyond reasonable doubt that the strangulation offence has been established.

Linked to the new strangulation offence is an amendment to section 10A of the Bail Act 1985, which creates a presumption against bail in certain circumstances. For example, there is a presumption against bail if the applicant is taken into custody relating to a breach of an intervention order that involves physical violence or a threat of physical violence, or where an applicant is charged with an aggravated offence involving physical violence or a threat of physical violence if an aggravating circumstance of the offence is that the applicant is alleged to have contrived an intervention order and the offence lay within the range of conduct that the intervention order was designed to prevent.

As strangulation is one of the highest predictors of future serious or fatal domestic violence incidents, the government considers that there should be a presumption against bail for such offences to ensure the continued safety of the victim.

Another key feature of the bill is the insertion of new section 13BB into the Evidence Act 1929. This new provision will help to reduce the stress for victims associated with the court process and to address the problem of complaints being withdrawn in domestic violence cases by allowing the evidence-in-chief of a victim to be admitted in the form of a recording made by a police officer. In order to be admitted under this section, the recording must be in the form of a prescribed recording and it must meet certain preconditions, unless the court is satisfied that the interests of justice require the admission of the evidence.

A recording is a prescribed recording if it occurs as soon as practicable after the commission of the offence, is taken with the victim's informed consent and includes a statement by the victim about their age and that they are being truthful, as well as any other matter required by the regulations or rules of court. The preconditions for admissibility include a requirement that the court is satisfied as to the victim's capacity to give sworn or unsworn evidence; that the court is satisfied that the defendant has been given a reasonable opportunity to listen to or view the recording; and that the victim is available, if required, for further examination, cross-examination or re-examination.

Part 5 of the bill makes a number of amendments to the Intervention Orders (Prevention of Abuse) Act 2009. An intervention order may be issued for the protection of a person against whom it is suspected the defendant will commit an act of abuse. Section 8(2) of the act states that acts of abuse are acts intended to result in physical injury; emotional or psychological harm; an unreasonable and non-consensual denial of financial, social or personal autonomy; or damage to property in the ownership or possession of the person or used or otherwise enjoyed by the person. Subsection 8(4) provide examples of what can be considered emotional or psychological harm.

Clause 9 of the bill expands this list of examples to include forced marriage, threatening to distribute invasive images without consent and preventing a person from entering the person's primary place of residence. Proposed new section 26A gives the court the ability to make an interim variation to a final order on application by a police officer.

At present, an application for a variation of a final intervention order can be made pursuant to section 26 of the act. However, subsection (5) provides that, before varying an order, the court must allow the Commissioner of Police, the defendant and each person protected by the order a

reasonable opportunity to be heard on the matter. This does not allow for a process to immediately increase the protections for a victim.

An interim variation will be able to be made in the absence of the defendant and will come into force as soon as it is served on the defendant. Once served, the intervention order acts as a summons for the defendant to appear before the court for the purposes of proceedings to finally determine the application for variation of the final intervention order under section 26.

Clause 12 of the bill inserts new section 28A into the Intervention Orders (Prevention of Abuse) Act 2009. This amendment is linked to the amendment to the Evidence Act and is another measure being introduced by the government in order to reduce the trauma on victims associated with the court process.

Pursuant to this section, evidence in the form of a recording made by a police officer can be admitted in proceedings for the making or variation of an intervention order if the court is satisfied that it is in the interests of justice to admit the evidence in that form. If evidence is admitted pursuant to this section, the person cannot be further examined, cross-examined or re-examined on the evidence so admitted without the permission of the court.

Proposed new section 29ZCA has been included at the request of the Chief Magistrate and allows the Youth Court to declare a domestic violence order made in any jurisdiction to be a recognised domestic violence order. At present, only the Magistrates Court has the power to declare an order to be a recognised order for the purposes of the National Domestic Violence Order Scheme, which came into operation on 25 November 2017.

As the Youth Court has the power under section 7(c) of the Youth Court Act to make, vary or revoke an intervention order if the person for or against whom protection is sought is a child or youth, it is appropriate that they also have the power to also declare an order to be a nationally recognised order.

Finally, clause 14 of the bill implements the government's election commitment to introduce legislation to toughen penalties for abusers who repeatedly breach conditions of court orders put in place to protect their victims.

Under section 31 of the Intervention Orders (Prevention of Abuse) Act 2009 there are two separate breach offences. Pursuant to section 31(1), a person who breaches a term of an intervention order imposed under section 13 is liable to a fine of $1,250 or an expiation fee of $160. For any other breach under section 31(2), the maximum penalty is two years' imprisonment.

Clause 14(1) amends section 31(2) to add a pecuniary penalty of $10,000 to the existing penalty of two years' imprisonment. Clause 14(2) inserts a new subsection (2aa) which doubles the penalty for a breach to $20,000 or four years' imprisonment where the breach constitutes a second or subsequent breach or where the breach involves physical violence or a threat of physical violence.

Beyond all aspects of the bill, we must remember that prevention is key to combating domestic and family violence. This bill goes a long way in actioning key legal implements, and will work alongside the already functioning Domestic Violence Disclosure Scheme in stopping domestic violence before it starts.

I commend the bill to members and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Bail Act 1985*

4—Amendment of section 10A—Presumption against bail in certain cases

This clause provides for a presumption against bail for a person taken into custody in relation to the new offence proposed by clause 6 of the measure (choking, suffocation or strangulation in a domestic setting).

Part 3—Amendment of *Criminal Law Consolidation Act 1935*

5—Amendment of section 5AA—Aggravated offences

This clause broadens the concept of an 'aggravated offence' for consistency with the *Intervention Orders (Prevention of Abuse) Act 2009*.

6—Insertion of Part 3 Division 7AA

This clause creates a new offence of choking, suffocating or strangling a person where the defendant and the victim are, or have been, in a relationship (which is defined in the proposed section consistently with the concept as defined in the *Intervention Orders (Prevention of Abuse) Act 2009*). The offence does not require proof of harm (unlike the existing offences in Part 3 Division 7A) but has a maximum penalty of 7 years imprisonment, so is more serious than the assault offence in Part 3 Division 7.

Part 4—Amendment of *Evidence Act 1929*

7—Insertion of section 13BB

This clause inserts a new provision allowing a court to admit in evidence, in proceedings for a domestic violence offence, an audio record, or audio visual record, made by a police officer of a representation made by a complainant when questioned by a police officer in connection with the investigation of the offence. The provision sets out certain preconditions and matters that the court must be satisfied of, ordinarily, before such evidence can be admitted and also gives the court a broad discretion to admit such evidence if satisfied that the interests of justice require the admission of the evidence. The clause also imposes limits on the ability to further examine, cross-examine or re-examine the complainant on the evidence and sets out matters that the judge must put to the jury if the court admits evidence in the form of an audio record, or audio visual record, under the provision.

8—Amendment of section 73—Regulations

This clause amends the regulation making power to make it more consistent with current drafting practice and to ensure that the provision is flexible enough to allow the making of the kinds of regulations that may be required to support proposed section 13BB.

Part 5—Amendment of *Intervention Orders (Prevention of Abuse) Act 2009*

9—Amendment of section 8—Meaning of abuse—domestic and non-domestic

This clause seeks to include additional examples of circumstances that will constitute acts of abuse, namely forcing a person to marry another person, preventing a person from entering the person's place of residence and taking an invasive image of a person and threatening to distribute it without the person's consent.

10—Amendment of section 21—Preliminary hearing and issue of interim intervention order

This clause makes a minor change to the wording of section 21 for consistency with proposed section 26A.

11—Insertion of section 26A

This clause allows for the making of an interim order varying an intervention order where the application is made by a police officer.

12—Insertion of section 28A

This clause seeks to insert a new section 28A. The amendment is related to the amendment to the *Evidence Act 1929* and allows evidence in the form of an audio record, or an audio visual record, to be admitted in proceedings for the making or variation of an intervention order where a police officer is the applicant in the proceedings and the Court is satisfied that it is in the interests of justice to admit the evidence in that form.

13—Insertion of section 29ZCA

This clause allows the Youth Court (in addition to the Magistrates Court) to declare any DVO made in any jurisdiction to be a recognised DVO in this jurisdiction.

14—Amendment of section 31—Contravention of intervention order

This clause amends section 31 to add a $10,000 fine to the penalty for breach of a term of an intervention order (other than a term imposed under section 13). The provision also creates a higher maximum penalty for a second or subsequent such breach or for a breach that involved physical violence or a threat of physical violence.

15—Amendment of section 42—Regulations

This clause amends the regulation making power to make it more consistent with current drafting practice and to ensure that the provision is flexible enough to allow the making of the kinds of regulations that may be required under proposed section 28A.

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

RESIDENTIAL PARKS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. R.I. LUCAS (Treasurer) (17:48): I move:

That this bill be now read a second time.

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

Leave granted.

Mr President, this bill passed the House of Assembly last year in 2017, with support from both sides of the chamber, but lapsed in the Legislative Council due to the prorogation of parliament.

The Residential Parks Act 2007 ('the act') regulates the relationship between park owners and park residents. When the act was originally passed, caravans and other demountable and movable structures were envisaged; however a variety of additional accommodation options now exist, ranging from annexes through to manufactured homes. Whilst residents own their own home, there are no ongoing fees for residing in a residential park except for the lease of land—unlike retirement villages. Also, unlike retirement villages, the property interest can be transferred.

Residential park living is growing in popularity as it presents an affordable arrangement, often in scenic rural or coastal settings. I am advised there is no official data on the number of residents in parks, it is estimated to be 2,600.

However, the types of residential parks and accommodation options now on the market differ from what was originally envisioned and recent cases, such as the eviction of residents from Brighton Caravan Park by the council, have highlighted the need for clarity around the rights and obligations of owners and residents.

Residential park living is often seen as an attractive retirement lifestyle. Purchasers expect they can reside on site throughout their retirement, despite the terms of site agreements that do not make provision for this.

Although the current act does not prohibit owners from offering long term site agreements to purchasers, there is no obligation to do so. Mr President, while there are many existing agreements voluntarily entered into that have been the subject of negotiation between parties, equally there are instances where there are no agreements in place or are periodic agreements that have little protection for residents' interests.

In March 2016, the former government released a discussion paper with respect to the current act and received submissions on it. The primary concern of residents was the insecurity of tenure, in addition to inadequate disclosure of information prior to purchase, safety in parks and the payment of compensation.

This feedback informed the drafting of a bill which was released for further consultation to key interested parties, including residents and park owners, advocacy groups the South Australian Residential Parks Residents Association (SARPRA) and SA Parks, and state government agencies. Ongoing consultation with interested groups occurred throughout progression of the bill in the House of Assembly, where it was ultimately passed on 28 September 2017 with bipartisan support.

The proposed bill has been developed in consultation with key stakeholders, including SARPRA, SA Parks, state government agencies and park residents. It improves the previously introduced Residential Parks (Miscellaneous) Amendment Bill 2017 by providing more clarity around termination of agreements for redevelopment, increased disclosure for any new resident, and making several minor administrative amendments.

The bill will introduce measures to provide a more transparent system for residential park residents and owners by providing for better disclosure of information when coming to an agreement. Park owners will face increased penalties if there is no written agreement, or the same with a copy of the residential park rules, if not provided to residents.

A two week cooling-off period will also be introduced to ensure that prospective residents have sufficient time to properly consider their agreement and obtain legal advice.

Section 17B of the bill addresses security of tenure concerns. Currently, at the expiry of a fixed-term agreement, the agreement becomes a periodic tenancy, which currently can be terminated on no specific ground with 90 days' notice.

Under these proposed changes, residents of more than five years can have their agreements reviewed upon their expiry and reissued on the same or new terms. Furthermore, park owners will need to give residents 90 days' notice prior to the expiry of an agreement if they are intending to seek revisions to the agreement.

This bill also seeks to require residents' committees in parks where there are more than 20 long-term residents. This will serve as a forum for owners and residents to resolve issues or disputes in a consistent manner, and thereby improve the understanding of each other's rights and obligations. Within a month of an issue being raised in writing by the residents' committee, a park owner will need to formally respond.

The bill seeks to improve safety measures in parks. Section 138A provides all parks will be required have a safety evacuation plan which is to be provided to residents and annually reviewed.

The review undertaken by the government has taken into consideration the financial and legal consequences on all parties, including the need for residential parks to continue to remain an affordable housing alternative. The proposed regulatory requirements for park owners will be offset by providing them with increased security of income, as well as retaining the right to terminate an agreement on no specified grounds for site agreements under five years.

Consumer and Business Services (CBS) will be updating and preparing additional resources for park owners and residents that clarifies their respective rights and obligations. Several forums will be held for interested parties. Examples of best practice site agreements, park rules, and disclosure statements will be made available, in addition to the ongoing support provided by the advice and conciliation officers at CBS.

This bill aims to strike a fair balance in protecting the respective rights of residents and owners, and clarifying their obligations through enhanced disclosure of information.

I commend the bill to members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Residential Parks Act 2007*

4—Amendment of section 3—Interpretation

This clause inserts a definition of *personal representative* and defines the concept of a *short term* residential park agreement.

5—Amendment of section 4—Presumption of periodicity in case of fixed short terms

This clause is consequential to the new general definition of *short term* inserted by clause 4.

6—Amendment of section 7—Residents committees

Subclause (1) requires certain park owners (defined in proposed subsection (8)) to ensure that there is a residents committee for the park. The penalty for failure to comply is $1,250 and defences are provided where reasonable steps to comply have been taken. Under the transitional provisions, the park owners will be exempt from the offence provision for 12 months after commencement.

Subclause (2) inserts a new subsection (2a) allowing the Tribunal to make a ruling where there is more than 1 group purporting to be the residents committee for a park.

Subclause (3) requires a park owner to consider representations made by a residents committee and provide a written response. The penalty for failure to comply is $1,250.

7—Insertion of section 9A

This clause inserts a new section clarifying that Part 3 applies to a residential park agreement whether it is the first agreement between the resident and the park owner or is a reissued or subsequent agreement between the parties.

8—Amendment of section 10—Residential park agreement to be in writing

This clause provides that a written agreement for a periodic tenancy, or a reissued fixed term tenancy, that has arisen by operation of the Act does not need to be signed (but in the case of a periodic tenancy must include the date, or approximate date, on which the resident was first granted the right to occupy the site (if known)) and also increases a penalty.

9—Amendment of section 11—Copies of written agreements

This clause increases a penalty.

10—Amendment of section 12—Agreements incorporate park rules

This clause requires that a written residential park agreement, or a document recording its terms, signed by a resident includes a copy of the relevant park rules and that residents are notified of any later amendments to park rules. The penalty for failure to comply is $1,250 or an expiation fee of $210.

11—Amendment of section 14—Information to be provided by park owners to residents

This clause requires the specified information to be given to a resident at least 14 days before they enter into the residential park site agreement (unless the agreement is for a short term and the resident has waived the entitlement) and requires additional information to be provided to the resident. The clause also increases the applicable penalties in the section and adds an offence of knowingly making a statement that is false or misleading in a material particular in information provided under the section.

12—Insertion of Part 3 Division 3

This clause inserts a new Division as follows:

Division 3—Continuation or reissue of certain agreements

17A—Agreement for fixed term continues as periodic agreement if not terminated

The current section 53 is being moved to this proposed new Division (with a minor change related to proposed section 17B).

17B—Certain site agreements to be reissued

A residential park site agreement for a fixed term of 5 years or more (or for a lesser fixed term if the resident has held a right of occupancy within the park for a total period of 5 years or more) will, if it has not terminated at or before the end of the fixed term and no notice has been given that a review will be required under proposed subsection (2), be taken to have been reissued on the same terms. Under proposed subsection (2), either party to such an agreement may instead give at least 90 days' notice that they want a change to the terms and, in such a case, there must be a review of the agreement and the agreement must be reissued on the newly agreed terms. The old agreement will continue until the new agreement is reissued.

If a resident under a periodic residential park site agreement has held a right of occupancy for a total period of 5 years or more, the park owner must undertake a review of the agreement (unless the resident has waived the entitlement) and, following the review, the agreement must be reissued for a fixed term agreed with the resident.

A review is not required under the section if the resident waives the entitlement by notifying the park owner that the resident does not want to occupy the site under a fixed term agreement or if either party has given notice of termination under Division 3 (noting the limitations being imposed on termination for 'no grounds' by other provisions of the measure).

Where the resident has waived an entitlement to a reissued fixed term agreement under the section the resident may subsequently re-enliven the entitlement and rights under the section will automatically re-enliven if the agreement is assigned under section 48.

A park owner who refuses or fails to comply with a requirement of the section is guilty of an offence punishable by a fine of $1,250 or an expiation fee of $210.

13—Amendment of section 48—Assignment of residential park agreement

This clause inserts new requirements relating to assignment of residential park site agreements. The resident must, at least 14 business days before assignment of the agreement to another person, advise the other person to contact the park owner to request the prescribed information (unless the resident believed on reasonable grounds that the other person had already contacted the park owner to request the information). The park owner, having received a request, must provide the person with the prescribed information within 7 business days. Failure to comply with either of these new provisions is an offence punishable by a fine of $1,250 or an expiation fee of $160 but does not invalidate the assignment.

14—Amendment of section 49—Residential park site agreement—acquisition of park or site

This clause deletes provisions that currently allow the new owner of a residential park to terminate residential park site agreements without specifying a ground of termination.

15—Insertion of section 50A

This clause inserts a new provision as follows:

50A—Sale of dwelling following death of resident

If the personal representative of a deceased resident, or another person who has inherited property of a deceased resident, intends to sell a dwelling that is on the site that was occupied by the deceased, they must inform the park owner of that intention and give the park owner a first option to purchase the dwelling. If no agreement is reached within 28 days, that option will lapse and the dwelling may be sold in the normal way.

16—Amendment of section 52—Termination of residential park agreement

This clause:

- provides that a residential park site agreement for a fixed term does not terminate when a mortgagee takes possession of the rented property under a mortgage (in section 52(d));
- makes a minor amendment to ensure consistency of expression (in section 52(da));
- limits the provision about termination due to the death of the resident (where no dependents are left in occupation of the property) to residential park tenancy agreements (in section 52(f)); and
- clarifies that, except as provided in subsection (1)(f) of the section, a residential park agreement does not terminate on the death of the resident.

17—Repeal of section 53

This section is being moved to new Part 3 Division 3.

18—Insertion of section 70A

This clause inserts a new section as follows:

70A—Termination where change of use or redevelopment

This provision will allow for termination of a residential park site agreement (after a specified notice period) where the residential park will no longer be used as such or where the residential park, or a part of it, is undergoing redevelopment that cannot be completed in a safe and efficient way unless the resident vacates the site. The provision requires, as a precondition to such termination, arrangements to be agreed in relation to relocation or purchase of the resident's dwelling on the site. If such arrangements cannot be agreed, either party may apply to the Tribunal for resolution of the dispute.

19—Amendment of section 71—Termination where periodic tenancy and no specified ground of termination

This amendment provides that an agreement for a periodic tenancy cannot be terminated for no specified ground if the resident has held a right of occupancy of the rented property for a period of 5 years or more.

20—Amendment of section 72—Termination at end of fixed term

This is consequential to proposed section 17B inserted by clause 12.

21—Insertion of section 78A

This clause inserts a new section as follows:

78A—Termination where notice given under section 70A

This provision is consequential to proposed section 70A and allows a resident who has been given a notice of termination by a park owner under that section to terminate at an earlier time without specifying a ground of termination (but with 28 days' notice).

22—Amendment of section 116—General powers of Tribunal to resolve disputes

This clause broadens the Tribunal's power to order a person to make a payment.

23—Amendment of section 134—Commissioner's functions

This clause allows the Commissioner to publish information relating to action taken by the Commissioner to enforce the Act.

24—Insertion of section 138A

This clause inserts a new section as follows:

138A—Park owner must have safety evacuation plan

This provision requires a park owner to have a safety evacuation plan for the park; to provide the plan to residents; and to review the plan annually. The penalty for failure to do so is a fine of $2,500 or an expiation fee of $210.

25—Amendment of section 141—Regulations

This clause amends the regulation making power.

Schedule 1—Transitional provisions etc

This Schedule contains the transitional provisions relating to the measure.

Debate adjourned on motion of Hon. I. Pnevmatikos.

JUDICIAL CONDUCT COMMISSIONER (MISCELLANEOUS) AMENDMENT BILL

Final Stages

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

At 17:49 the council adjourned until 14 November 2018 at 14:15.

Answers to Questions

DROUGHT ASSISTANCE

In reply to **the Hon. F. PANGALLO** (17 October 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): The Minister for Primary Industries and Regional Development has advised:

Under the Intergovernmental Agreement on National Drought Reform (IGA), signed up to by the former government in 2013, there is no longer a formal process for the declaration of drought. The IGA is currently being reviewed by the commonwealth, states and territories.

The Marshall Liberal government has acknowledged a number of regional areas as being drought affected. These include Eyre Peninsula, Mid North, northern Yorke Peninsula, Murray Mallee, North East Pastoral and the northern pastoral areas. Further information can be found at:

http://www.pir.sa.gov.au/grants_and_assistance/drought_support/outlook

The state government has been in discussions with the Australian Banking Association and relevant banks regarding drought-affected areas in South Australia. On 19 October 2018, my department wrote to all banks, including the ANZ, providing information on the drought-affected areas of South Australia to assist them target their drought support packages.

Following representations from the Marshall Liberal government and also from federal Liberal members Mr Rowan Ramsay MP, Member for Grey, and Mr Tony Pasin MP, Member for Barker, on 26 October 2018 the Hon. Scott Morrison MP, Prime Minister, announced 17 local government areas in South Australia as eligible for the Drought Communities Program.

TOURISM DEVELOPMENT PROGRAMS

In reply to **the Hon. I. PNEVMATIKOS** (24 October 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): I have been advised:

The decrease of $5.6 million in tourism development programs is predominantly due to a decrease in one-off expenditure which occurred in 2017-18, associated with hosting the Australian Tourism Exchange in April 2018 and contractual arrangements with providers of transport access to South Australia.