LEGISLATIVE COUNCIL

Thursday, 4 July 2019

The PRESIDENT (Hon. A.L. McLachlan) took the chair at 11:00 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

SITTINGS AND BUSINESS

The Hon. R.I. LUCAS (Treasurer) (11:01): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

Bills

CRIMINAL LAW CONSOLIDATION (ASSAULTS ON PRESCRIBED EMERGENCY WORKERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 20 June 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (11:02): I rise today to support parts of this bill but also to inform the chamber that we intend to move amendments, as we moved amendments as the Labor opposition in the House of Assembly. This bill is a weak and inadequate response to the very genuine concern of our police and emergency services workers. The opposition have been in constant dialogue with the Police Association of South Australia and other groups about tougher laws to protect police, ambulance workers and other emergency services workers. The Attorney's bill, the government bill, as it stands:

- creates a new offence in the Criminal Law Consolidation Act 1935, where a person who spits at or throws or otherwise applies blood, saliva, semen, faeces or urine on a prescribed emergency worker in the course of their duties;
- establishes the maximum penalty for this new offence at four years' imprisonment, or five years if there is harm caused to the victim;
- consequentially amends the Criminal Law (Forensic Procedures) Act 2004 to enable blood samples to be taken from these offenders;
- includes employees in youth training centres in the existing aggravated offence provisions of the Criminal Law Consolidation Act, which currently include offences against a police officer, prison officer or other law enforcement officer;
- explicitly includes volunteers in the definition of prescribed workers;
- increases the maximum penalty for all unlawful threat and assault offences, in which this is an aggravating factor, by one year;
- amends the Sentencing Act 2017, so that when a court is sentencing an offender for an offence, the court must take into account in setting the penalty the need to protect police and other emergency services workers; and
- repeals the assault police offence in section 6(1) of the Summary Offences Act.

This bill fails, because rather than create a standalone specific offence for assault on our police and prescribed workers it merely increases by one year the maximum penalties for unlawful threat and assault on officers in which the victim is a prescribed worker. This bill marginally increases certain penalties, but it does not in any way address the sentencing for these types of assaults.

The opposition will therefore be introducing amendments which reflect the measures that have been discussed with the Police Association of South Australia, the ambulance union and other groups, all of which have expressed a need that we in opposition recognise. What our amendments go to is creating specific offences in the Criminal Law Consolidation Act to deal with assaults against police and emergency services workers, with tougher penalties, including much higher penalties for criminals who injure police while hindering or resisting arrest. Our amendments amend section 96 of the Sentencing Act to make assaults against police and emergency services workers a designated offence, thus ensuring anyone who has received a suspended sentence cannot have their sentence suspended again.

The amendments clarify the list of occupations to be covered by these new provisions. This list is not exhaustive but brings together the consultation we have done as well as the consultation reported to the lower house by the Attorney-General and in media coverage on this issue. Importantly, it goes a step further than the Attorney's formulation in that it includes all persons, whether a medical practitioner, nurse, security officer or otherwise, performing duties in a hospital, as defined by the Health Care Act 2008, rather than just those in an emergency department. This is an amendment that sections of the healthcare community have been calling for and is a sensible amendment to the bill for anyone who seeks to protect front-line workers.

Criminals who injure police, ambulance workers, and emergency workers when they are trying to do their jobs, protecting, serving, helping and treating members of the public, should feel the full force of the law. The law must be strong enough to deter others who think that they will just get away with just a slap on the wrist. Unamended, the bill before us is a weak bill. It is inadequate, and it has been roundly condemned since the day it was introduced to the lower house.

The Attorney-General, as has been her way in a number of areas, has rushed to play catch-up on this issue after months of inaction and disinterest and has introduced a bill which is weak and entirely unfit for purpose. The Labor opposition will be introducing amendments and commend our amendments to the chamber to make sure that those who protect us get the protections they need.

The Hon. T.A. FRANKS (11:07): I rise on behalf of the Greens to support, with some reservations, the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Bill 2019. This bill creates a new offence under the Criminal Law Consolidation Act where a person spits at or throws or otherwise applies blood, saliva, semen, vomit, faeces or urine on a prescribed emergency worker in the course of their duties. That has a maximum penalty of four years' imprisonment, or five years if harm is caused to the victim.

This has been introduced as a standalone offence, but it can also be applied to offences committed against people not working in emergency services. A prescribed emergency worker is defined to mean a paid worker or a volunteer who is a police officer; prison officer; youth training centre officer; a member of the SA Ambulance Service, the Country Fire Service, the Metropolitan Fire Service or the State Emergency Service; a law enforcement officer; or a person as prescribed in the legislation's regulations.

The bill will also amend the existing provisions of the Criminal Law Consolidation Act in respect of certain workers who are victims of aggravated offending. The act provides that some offences have a basic form and an aggravated form where the maximum penalty is significantly greater than that of the basic form of the offence. The bill will also amend the Sentencing Act 2017 so that when a court is sentencing an offender for the offence, the court must take into account in setting the penalty the need to protect our police and other emergency services workers. Currently, the courts must consider the safety of the community paramount to other sentencing considerations, and that aspect will not change.

The Law Society have raised, quite rightly, concerns relating to some of the provisions of this bill, particularly the penalty structure of and the need for the new offence. The amendments to the

Sentencing Act and the removal of section 6(1) of the Summary Offences Act are unnecessary, contend the Law Society, and should be reconsidered. The Greens have some sympathy for this case, but we can also understand that the numbers are here and present for the support of this legislation. So we will ensure that the legislation is the fairest that it can be.

The Law Society states that in their view the measures proposed by the bill are unlikely to actually achieve their objective in changing behaviour. That is yet to be tested. However, they are likely to have a disproportionate effect on Aboriginal people, and the Greens are most concerned, with that contention by the Law Society and the ALRM, to ensure that this legislation does not in fact impact on the most marginalised and vulnerable members of our community, the most disempowered, so we will be watching carefully to see the implementation with regard to those aspects. Our other concerns also extend to those with substance abuse or mental health issues, and how they will be treated with regard to these issues.

The Law Society is quite technically correct: much of what is in this bill already exists. However, it is the government's aim through this legislation to encourage more appropriate charging and better consideration by the courts of the actual nature of assault that occurs but also to send a very strong message that we do, in this parliament and from the government and the opposition in particular, support our police and emergency services workers.

The Greens wholeheartedly support that intent. We have grave concerns, as I say, with regard to people who may have mental health issues, who are Aboriginal, who are perhaps homeless or on the street. In those sort of situations we need to ensure that these types of protections, these quite right protections, will not adversely disadvantage those particular vulnerable groups. We will be watching carefully to ensure that happens into the future, but today we will support the good intentions of both the government and the opposition to ensure that, where our emergency services workers, where our police, are on the job, where nurses are on the job, where, as the SA-Best amendment will provide for, our RSPCA investigators are doing the job of law enforcement with regard to the protections under the Animal Welfare Act, those workers who protect us are rightly protected.

With those few words, we will be participating actively in the committee stage of this bill. We reserve our right at the third reading to see where the bill strikes a balance, but at this point we welcome the debate, we encourage the strong signal to the community that we protect our police and emergency services workers, our ambos, our nurses, our RSPCA inspectors alike, and give them the support that they are crying out for.

The Hon. F. PANGALLO (11:12): I rise to speak in support of the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Bill 2019, inclusive of the amendments that Labor and I will be moving. This is an important bill to better protect the state's police, emergency services workers, law enforcement officers, corrections officers, staff in training centres, front-line health workers and emergency services like the MFS, CFS and SES, who should be able to perform their vital and valued duties without fear of being assaulted or attacked while doing so.

Parliament needs to make it clear that no-one is to lay a hand on any of these prescribed emergency services workers or, if they do, they will face the full wrath of the law. It is arguable, as indeed the Law Society of South Australia has submitted, that some of the offences in this bill already exist in the Summary Offences Act 1953, but it is SA-Best's view that the current legislation has been shown time and again to be completely inadequate. We need to do a lot better in terms of personnel to be covered, charges able to be laid and maximum penalties to be applied.

We also need to do a lot better in terms of workers' compensation coverage for our injured emergency service personnel, specifically those who have suffered psychological as well as physical effects of threats made to them and attacks made upon them. I will soon be introducing a private members' bill to address the serious defects in recognising and compensating post-traumatic stress disorder, now acknowledged as very prevalent in emergency services workers and first responders, but that is for another day.

Today, I want to make it abundantly clear that the bill, while covering police officers, is not only intended to cover offences against police but to afford the same protections and provisions to

our courageous ambulance officers, paramedics, nurses and doctors, and the SES, MFS and CFS first responders. They all selflessly serve as paid staff—some as volunteers—on the front lines in the most highly charged and dangerous environments. The job is hard enough without offenders thinking that emergency workers are soft targets.

These workers need to know that when they go to work, they are not going to be threatened, assaulted or injured, but that if they are, then prosecutions and the courts are able to deal with the offenders with appropriate charges, penalties commensurate with the crime and sentences that both reflect the seriousness of this offending and act as a deterrent to that very offending.

Importantly, the bill better responds to the increasing numbers of assaults against police and other prescribed emergency services workers. In 2017, there were approximately 771 assaults against police alone, many of these involving weapons. This morning's media tells us that there have been nine scares involving weapons at South Australian hospital emergency rooms in this year alone. The Australian Nursing and Midwifery Federation of SA tells us that its members are experiencing increasingly violent incidents at the coalface and at the bedside.

Whilst there is a need for more protections and preventative measures, this bill better articulates the community's expectation that the courts will apply penalties that reflect contemporary community values and standards and sends a very strong message of deterrence to would-be offenders.

These prescribed emergency workers—and my amendment also includes inspectors, like RSPCA staff enforcing the Animal Welfare Act in the list of prescribed emergency personnel—whether volunteers or paid staff should not be subjected to the repulsive actions covered under the new use of human biological materials offences contained in the bill. I believe these comprehensive provisions cover the field for now.

It is pleasing to see that the bill before us in the Legislative Council, and Labor's amendments, have been revised during its passage through the House of Assembly, such that we now have an improved and more comprehensive definition of prescribed emergency services workers and higher penalties than the House of Assembly version. While the list of prescribed emergency workers in section 20AA can still be added to the regulations, we are, as we expressed in this place only yesterday, not content to leave this kind of critical detail to subordinate legislation.

We know only too well from the current attempts by the government to water down the Gayle's Law legislation by way of regulations what a risk leaving the detail to regulations devised by this government can be. On the other hand, I welcome the inclusion of new offences for use of human biological material against any person and that 'harm' means physical and mental harm in this bill. I also believe that the new section providing for alternate verdicts if the higher threshold of section 20AA is not achievable gives the courts a very sensible safety net.

As we all know, setting maximum penalties in legislation is often something of an academic exercise, with the Police Association expressing its frustration about the lenient sentences handed down by the courts to offenders convicted of threatening, assaulting, resisting and hindering police. Certainly, the recent case of Police v Dodd and the experiences of police officer Sergeant Jason Smith illustrate that offenders can, and often seem to, get off lightly. In the case of Dodd, he was found to be mentally unfit to plead. In the case of Matthew Wright, who viciously attacked Sergeant Smith and his partner, Matthew McCarthy, he received a suspended sentence of just 12 months, when the maximum penalty for aggravated assault causing harm was 13 years.

Then there was the horrific vision of an off-duty policeman who went back on duty to deal with a group of young vandals in the city. He was brutally kicked, punched and knocked to the ground. The main offender received an 18-month sentence. Is it any wonder the public sometimes loses faith in our criminal justice system when lenient sentences like that are handed out?

As Mark Carroll of the South Australian Police Association points out, the current laws are tantamount to a free pass system. We see offenders walk blithely out of courtrooms while the cops they have attacked languish with serious injuries. This morning's media featured a story about a veteran paramedic, Amanda Martin, who has been assaulted three times while doing her job with the South Australian Ambulance Service. The remarkable thing to me is that Ms Martin and the

SAPOL officers I have referred to are still on the job, such is their commitment and dedication to the community they serve.

While the courts need to have some discretion, these cases show that it is often very hard to reconcile the actual sentence given to the maximum penalty applicable. The Labor amendments generally provide for higher penalties than the government's provisions and are strongly advocated for by the Police Association. With controversial sentencing discounts available to offenders, an issue currently up for debate with serious offenders, the penalties applied by the courts can often seem disproportionate to the offence, so we will be supporting the Labor amendments in this respect. We also refer to the Labor provision that covers a person performing duties in any area of a hospital, not just the ED as in the government bill. We know that violent patients do not confine their offending behaviour to the ED of hospitals.

Finally, the Labor amendments deal with hinder and resist offences in a much more practical and effective manner than they have been in the Summary Offences Act 1953 alone, creating a new offence of 'hinder police and/or resist arrest' in this act if harm is caused. The Supreme Court case of Faehrmann v Edwards in 1986 illustrated how an offender could successfully argue that their actions were merely 'resist arrest' rather than assault.

The maximum penalty of 10 years in this bill is sufficiently high to send a very strong message to offenders that these offences are not those we would expect suspended sentences or good behaviour bonds to apply to. Indeed, the Labor amendment to schedule 1 appropriately prohibits suspension of imprisonment. However, more serious offences and higher penalties for hinder police and resist if causing harm need to be balanced with the appropriate evidentiary obligations and burdens of proof. I will be calling for the mandatory wearing and operating of lapel and dashboard CCTV to protect emergency workers and the public. As I have often said, those who have nothing to hide have nothing to fear from CCTV.

Every day, our emergency services workers get up at all hours of the day and night, leaving their family and loved ones to deal with difficult and dangerous circumstances, and individuals who are often at their very worst. We rely on them to be first and second responders to road fatalities, dangerous emergencies, personal crises, domestic violence incidents, suicides, murders, abhorrent child protection matters and sexual assaults, just to name a few. We expect them to be professional and effective in our hour of need and in high-risk emotionally charged situations, where they often put themselves in harm's way to keep us safe.

As a parliament, we need to make sure that we provide them with protections commensurate with those that these dedicated and committed emergency services workers provide us. With those comments, I commend the bill to the Legislative Council.

The Hon. J.A. DARLEY (11:25): I rise to speak on the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Bill. The bill proposes a number of changes to the Criminal Law Consolidation Act, the most significant being the introduction of an offence for attacking an emergency worker with human biological material. The bill also outlines who is considered to be an emergency worker for the purposes of this clause.

I understand that, currently, if an emergency worker were to be attacked with human biological material, the perpetrator could still be charged with an existing offence under either the Criminal Law Consolidation Act or the Summary Offences Act. However, the government wants to make it clear that attacking emergency workers with human biological material is not acceptable and so have moved his amendment to send a message. Not only would passing this bill send a message to the community that this type of behaviour is not to be tolerated, but I am told it is often useful for prosecutors to have a separate specific offence to prosecute on. I also understand that having a separate offence eases the burden on the courts when considering the matter and also during sentencing.

Last week, I was shocked to hear that a nurse had been stabbed in the neck while on a break at the Lyell McEwin Hospital. Whilst this was not an attack using human biological material, emergency workers across the board are facing increasingly violent and creative attacks against them. They are merely people trying to do their job, and it is not right that they face contracting a communicable disease because they have been attacked while doing their job.

The opposition have filed a number of amendments that insert further separate offences for harming an emergency worker, for being reckless in a way that then causes harm to an emergency worker and for assaulting an emergency worker. Importantly, there is also an offence for causing harm while resisting or hindering a police officer while they are acting in the course of their duties. Again, these are already offences under existing legislation; however, I understand that these new offences have been listed again partly to send a message to the community about the severity of attacking emergency workers and also because of the lobbying of stakeholders, in particular the Police Association.

These are the people representing those at the coalface, and I think, in this instance, it is important that we listen to them, so I indicate that I will be supporting the opposition's amendments. It is important that, as a parliament, we send a message about the standards that the community expects of everyone and that there are appropriate sentences available for those who do not abide by those standards. I support the second reading of the bill.

Debate adjourned on motion of Hon. D.G.E. Hood.

STATUTES AMENDMENT (SACAT) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 20 June 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (11:30): I rise today to speak on the Statutes Amendment (SACAT) Bill. In starting to speak on this, I will say that I am a little surprised that I am speaking on this bill. The opposition had been informed that we were proceeding with the bill to which we just had second readings, and that that would be the first thing we do today. Apparently at the last minute it gets adjourned off, for whatever reason. Apparently we revolve around meetings that other people have in terms of the business of this council. Most of us are here because we have a job as legislators in this chamber and that is what our first priority is, but not everybody sees it that way.

I do note that there are people in the gallery who have come to hear this bill being debated. Whether this is a tactic not to allow those people who have given up their time today to see the democratic process and see what we do in this place, I do not know. But, we have people who represent hardworking emergency services officers—those who protect us. Their representatives, who put forward their wishes to us, deserve the right to see what people in this chamber think. I think it is absolutely disrespectful for this chamber not to allow that to happen and to put off debate without informing anyone.

I register our strongest possible annoyance at the disrespect the government is showing not just the opposition, not just the crossbenchers, but also those who are here to hear the debate. It will not go away. We will debate the emergency services bill. It does not matter how often the government says, 'Someone's got a meeting so we don't want to do this.' That is their job; it is their job to do legislation regardless of a meeting or another excuse they try to make. With those words, I will talk about the statutes amendment bill, and I will foreshadow that maybe there is other legislation that is on the *Notice Paper*. There is the rate capping legislation, there is the labour hire legislation—

Members interjecting:

The Hon. K.J. MAHER: Yes, I am just—

The PRESIDENT: Leader of the Opposition, I have given you a long bit of rope to make your political polemic, which is not relevant to the bill. I have given you a fair go. Let's get to the bill.

The Hon. K.J. MAHER: Alright, thank you, Mr President. I rise today to indicate that Labor supports the SACAT bill with the exception of clause 161 which allows the Attorney-General of her own volition to appoint assessors without cabinet approval and without Executive Council and the governor's involvement. We will not be supporting that one aspect in the SACAT bill. The bill brings together a number of other jurisdictions to SACAT, or makes some amendments to existing jurisdictions. I do not intend to go through the exhaustive list already provided in the second reading explanation.

I would like to very briefly thank, on this occasion, the Attorney-General and her staff for providing comprehensive answers to questions asked during the briefing, as well as debate in the bill in the other place. As I flagged earlier, one of the amendments to this bill will allow the Attorney-General to directly appoint assessors under the SACAT act. I understand that currently assessors are appointed by the Governor following cabinet consideration. During debate in the other place on this bill, the Attorney-General advised that ministers currently appoint assessors for use in the District Court and the Administrative and Disciplinary Division.

The Attorney-General also advised that should the amendment succeed, assessor appointments would be made on recommendation of the president of the tribunal. Frankly, that is not our concern. We believe that the current appointment mechanism, where assessors must be approved by cabinet and appointed by the Governor provides an important oversight function and should be retained. The Attorney-General advised in the other chamber that, and I quote:

> I think it is fair to say that the machinery of this bill will not rise or fall without the passage of this matter.

I would encourage to take the Attorney-General's invitation to heart and retain the existing appointment oversight function. With those few words, I indicate that Labor supports the majority of this bill but will oppose section 161. I also indicate that we might consider debating very soon the labour hire or the rate capping bill rather than what the government wants to do with the disrespect that they have shown us.

The Hon. I. PNEVMATIKOS (11:34): I rise today to speak on the Statutes Amendment (SACAT) Bill 2019. When reviewing bills, I consider that we need to take into account whether it will make a service more accessible, whether it will make a process more efficient and whether the change is fair. The bill seeks to confer additional jurisdictions to SACAT, a body established to provide an administrative and civil alternative dispute resolution process, using a range of approaches to achieve efficient and fair solutions to disputes and reviews.

The expansion and inclusion of the following jurisdictions are proposed by the bill: equal opportunity complaints, South Australian Health Practitioners Tribunal, disciplinary functions of the Architectural Practice Board, disciplinary functions of the Veterinary Surgeons Board, a range of disciplinary proceedings and appeals currently heard in the Administrative and Disciplinary Division of the District Court, appeals against licensing decisions, administrative approvals and appeals to the Magistrates Court. One of the primary reasons for transferring some of these jurisdictions is because they can get bogged down in the court system and therefore delay justice. The advantage of the tribunal is that it can initiative alternative approaches to resolve matters in both a cost-effective and expeditious manner.

I want to raise concerns about the issue of resourcing. I know there has been much discussion in the other chamber that there is no need for additional resourcing in terms of the expansion of jurisdiction. However, if we are going to focus on an alternative dispute resolution process in the tribunal in order to conciliate and mediate disputes, there is a need for additional resources to be placed in the tribunal in the area of dispute resolution. It cannot be done by one person, not with the transfer of the various jurisdictions.

It is most apparent, when we take into consideration some of the bodies that are transferring, that they have significant resourcing challenges. Rather than thanking Her Honour Justice Judy Hughes for her willingness to absorb these jurisdictions, whilst acknowledging that the extra work will increase their workload, the Attorney-General should be doing what she can to ensure adequate resourcing be provided to assist in the management of the workload as a result of the transfer.

When reviewing the bill I took a heavy interest in part 2, clause 78, amendments pertaining to SAET. I am anecdotally aware that there are only a handful of cases that are employment related that fall under the Equal Opportunity Act per year. As such, I do believe that it is appropriate that they be conferred to SACAT rather than SAET, with the provision that SAET has the ability to hear matters involving equal opportunity and employment matters where they interrelate.

The second component of the bill is the notion of the Attorney-General having powers to appoint assessors without cabinet approval and without the Governor appointing such assessors, in clause 160 to be precise. Currently, assessors are appointed by the Governor following cabinet consideration. I am yet to receive a reputable reason as to why this should change, especially given

the importance of their role in several matters considered by SACAT. I do not see how this amendment makes the process more efficient, nor do I believe it is a fair change.

With these words I reiterate Labor's willingness to support the majority of the Statutes Amendment (SACAT) Bill 2019 and look forward to continuing to consult with the community to ensure SACAT is able to continue to promote the best principles of public administration, including independence, natural justice and procedural fairness, quality and consistent decisions, and transparency and accountability.

The Hon. M.C. PARNELL (11:39): This is a long but fairly simple bill which expands the jurisdiction of the South Australian Civil and Administrative Tribunal. The list of areas of potential dispute that are being transferred to the tribunal has been known for some little while. When this new tribunal was created, the former government flagged its intention that there would be a staged transfer of jurisdiction to it. Members would recall that the first cab off the rank was residential tenancies. I think the guardianship board jurisdiction was next, and we have since then seen a staged and orderly transfer of responsibility to this new jurisdiction.

When they sought the Greens' views on this, the government offered a briefing. My response was that it was a pretty straightforward bill transferring responsibility, so I did not need a briefing. However, I did remind the government of what happened last time. What happened last time was that the bill was put forward, debate was commenced in parliament, and key stakeholders were not even aware that the legislation was proposed to change jurisdiction. The example that I give is that when the guardianship board jurisdiction was being transferred, my first phone call was to the Mental Health Coalition.

Their response to me was, 'What are you talking about? What do you mean the jurisdiction's changing?' My reaction to their response was to say in parliament, 'Let's hold this process up and make sure that everyone who needs to be consulted is consulted.' So I reminded the government that they had handled that badly last time, and I think they have learnt from the mistake. Within a very short period of time, they shot back to me a list of 70 organisations that had been consulted about this change of jurisdiction. I certainly will not read them all out. The vast bulk of them relate to the health practitioner regulation national law.

I am pleased that the government appears to have consulted fully and widely. My only evidence for that is the list that was provided to me by the government and the fact that my inbox is completely devoid of any criticism of the bill from any of these organisations. I do not think there is anyone who has been taken by surprise that the jurisdiction of SACAT is expanding, so I think this bill pretty much falls within the definition of routine.

Having said that, I note that the Leader of the Opposition has flagged that they will be opposing one clause relating to assessors. We look forward to the committee debate and hearing the Leader of the Opposition's arguments and the government's response in relation to that particular clause. However, as I see it, the rest of the bill is fairly uncontentious, and I look forward to its speedy passage.

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

LANDSCAPE SOUTH AUSTRALIA BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 June 2019.)

The Hon. J.A. DARLEY (11:44): I rise to speak about the landscape bill. This bill fulfils the government's election commitment to overhaul the Natural Resources Management Act. Several years ago, my office was inundated with complaints from disgruntled landowners who had been in contact with their local natural resources management boards, more particularly NRM staff. Some reported that authorised officers had been very heavy-handed in their enforcement of the act, and some were frustrated at the decisions that their NRM boards had made in interpreting the act.

Whilst I give the benefit of the doubt that those involved only had the best intentions, it was crystal clear that there was a problem. Enforcement and interpretation of the act was often

undertaken with little consideration of the needs of primary production and, at times, common sense. This bred a culture of distrust against the NRM, with landowners gaining the perception, rightly or wrongly, that the government were out to get them. There were widespread feelings that the NRM had moved away from the principal objectives of controlling pest plants, animals and water management and were instead merely there to manipulate the act against primary producers in favour of the environment. Unfortunately, this is an attitude which still remains with some today.

I am therefore heartened that the government has made the principal objectives of the boards clear in this bill. Boards are to go back to basics and focus on soil quality, water management and pest plants and animals through the management of natural resources. The bill also makes it quite clear that regional boards must work collaboratively with landowners, with an emphasis on education rather than punishment.

The government is to completely restructure the boards. Instead of being entirely appointed by the minister, a proportion of the board will be elected by those in the region. Ministerial appointments will still occur; however, it is hoped that by having elected members it will result in better engagement with the local community and enable those who feel they have not had a voice to have a seat at the table or at the very least be heard by the boards.

As part of community engagement, boards will have grants available for local community groups for relevant grassroots projects. Because boards will be autonomous, they will also be able to determine which projects will best benefit the region and engage with community on a more personal level.

The bill allows for regional boards, which I understand will be established based on water resources. The bill also establishes a Green Adelaide board for the metropolitan area in recognition that the natural resources demands of rural and outback areas will differ greatly to those in the metropolitan area. Green Adelaide's board will be entirely appointed by the minister and will have different priorities, such as guiding nature education in schools.

The government has also introduced a cap on NRM levies through the bill. I am sure I am not the only member who has been lobbied by the Local Government Association to have the bill amended so that councils are no longer forced to collect this levy on behalf of the state government. They have advised that annually there are approximately $700,000 in outstanding levies which have to be covered by councils, as they are not reimbursed by the government.

I understand that, at the time of introduction, the government did not have any mechanism for collecting the levy and so the impost was placed with councils to collect it in conjunction with their rates. However, the government can now apply an emergency services levy to all properties in the state; this could be a mechanism by which the government could collect the levy directly rather than engaging local councils, although it will require significant amendment.

The minister has indicated that no changes to the parts of the act which relate to water have been made, as such changes are complex and would require further consideration and consultation. I know there are stakeholders who are eager to see change in this area and trust that the government will consult widely and listen to those directly affected on how the system can be improved. I support the second reading of the bill.

The Hon. K.J. MAHER (Leader of the Opposition) (11:49): I move:

That the debate be adjourned.

The council divided on the motion:

Ayes.....8
Noes 9
Majority 1

AYES

Bourke, E.S.	Franks, T.A.	Hanson, J.E.
Hunter, I.K.	Maher, K.J. (teller)	Parnell, M.C.
Pnevmatikos, I.	Scriven, C.M.	

NOES

Darley, J.A.	Dawkins, J.S.L.	Hood, D.G.E.
Lee, J.S.	Lensink, J.M.A.	Lucas, R.I. (teller)
Pangallo, F.	Ridgway, D.W.	Wade, S.G.

PAIRS

Ngo, T.T.	Bonaros, C.	Wortley, R.P.
Stephens, T.J.		

Motion thus negatived.

The PRESIDENT: We are still on the Landscape South Australia Bill. The adjournment failed. Does the leader wish to have the call?

The Hon. K.J. Maher: No, I do not wish to have the call.

The Hon. M.C. PARNELL (11:54): Before I commence my remarks on the landscape bill, I would just add my frustration to those expressed by the Leader of the Opposition. We do our best in this place to follow the order of service. When an item is marked as having a number of speakers and an arrow indicating that it will go through all remaining stages, and as the first priority for the day and the reason that we have actually sat on a Thursday morning, then the expectation is that we would have seen that through and that other items would have been reached in due course. Having said that, I was certainly aware that I had put myself down to speak to this bill; I just had not expected it to be at this stage before higher orders of priority had been reached.

Having said that, let me commence my remarks on this legislation by noting that when the government rewrites a major piece of controlling legislation, especially one that dictates how natural resources are managed, it is quite reasonable for us to think in terms of fundamental questions. The first question that arises is whether such a bill is in fact real and genuine reform or whether it is just a new government changing the name, redesigning the logo and applying a fresh lick of paint to give the impression of change whereas, in reality, business goes on as normal.

That is the first question: is this genuine reform and does it target the main issues that are pressing for South Australia? That is a very legitimate question, given that the act that this bill seeks to replace is now getting old and we have seen major changes in our understanding of the natural environment in the last decade or more. For example, a question that the Greens will ask when looking through this bill is whether it recognises the global twin challenges of climate change and species extinction—the climate emergency and the biodiversity emergency as well. Does this bill become part of the solution, is it part of the problem, or is it neutral?

Another question that we would ask is whether the bill recognises properly the challenges that are faced by landholders in managing pest plants and animals. There is a second side to that, because species that might be problematic in an agricultural environment may not be the same species that are a problem in the natural environment. We need to make sure that the focus of legislation is on both and not simply focused on species that farmers have difficulty in managing.

We also need to ask ourselves whether this new bill provides a fairer regime for the management of finite or even renewable natural resources. Lastly, we need to ask whether it provides for genuine opportunities for community engagement, including the ability of citizens and civil society groups to hold the executive to account for their actions and, more importantly in this space, their inactions.

Overlaying all of these fundamental questions is the fact that when reform is delivered by a more conservative government, there is always the suspicion that the new regime represents a diminution of public responsibility over natural resources. When push comes to shove, this government believes in less state intervention and not more. It believes in smaller government and that means less capacity for the state to step in and protect our common heritage, which, in this case,

includes our diminishing water resources, our fertile and healthy soils, and our abundant and diverse biodiversity.

As I have said, we need to reduce the threats that are posed by climate change, by pest plants and animals in an agricultural setting and species that are causing harm to the natural environment as well. We do need to pay close attention to the decision-making structures that are set out in this legislation and we have to pay even closer attention to the funding arrangements.

The questions we pose are: Who pays? How do they pay? Do they pay enough? Who decides how the money is spent? Is there sufficient accountability built into the system? Are levies truly hypothecated or are they a back-door method of general taxation? These are all questions that we will explore in some great detail, I suspect, when this bill gets to the committee stage.

The bill consists of 246 clauses, plus another 138 clauses in the five schedules. Debate in the lower house takes up 90 pages of *Hansard* and I expect that the debate will be just as long, or longer, in this chamber. The main emphasis, I think, in this house of review will be on amendments to the bill.

The Greens are continuing to consult with stakeholders, and I expect to have many amendments filed by the time we debate this bill in committee, perhaps commencing in August. I certainly suspect we will still be going after the winter break. Consequently, I do not propose to go into a lot of detail today, other than to say that our treatment of this bill in committee will be detailed and forensic.

The Hon. R.I. Lucas: Hear! Hear!

The Hon. M.C. PARNELL: As the honourable Treasurer interjects, he would expect nothing less. I might also add that it is bills like this—complex, detailed bills like this—that invariably show up the shortcomings of our antiquated parliamentary system, whereby a minister who does not have direct responsibility for the portfolio must do their best, with the aid of a single adviser, to answer our questions and to explain a highly technical administrative bill.

With no disrespect to the ministers in this place who have carriage of other ministers' bills, it is not the best way to elicit information, to identify shortcomings or unintended consequences, or to consider appropriate amendments. I have always maintained that a scrutiny of bills committee process, comprising relevant and interchangeable members of both houses, with the ability to directly interrogate the minister, senior officials and key external stakeholders, would be a far more effective and efficient way to manage legislation such as this. Such a system need not infringe on the principles of Westminster accountability. The buck certainly stops with us, but such a mechanism would provide for a better shared information base and, I believe, better legislation. It would certainly save time in this chamber.

I want to make a couple more observations in relation to the natural resource management regime, if we can call it that. Members may recall that the NRM system has taken a real hiding in debate in this chamber over many years. In fact, if we took literally some of the complaints that have been made by some members in the past, you would think that the natural resource management regime was akin to jackbooted stormtroopers whose only delight was to invade properties in the Mount Lofty Ranges and throw their weight around.

It is interesting that this bill does not appear to change any of the powers of authorised officers, yet that was one of the main complaints of, certainly, the then opposition, now government, but probably also, if I am going to be fair, the former Family First members and the Hon. Ann Bressington, former member of this place. We had an almost daily diet of their complaints about the heavy-handed nature of the inspection and enforcement regime under the NRM system. It is interesting that people who were on that bandwagon a few years ago now see no need to change any of those powers.

The second thing that I would note in relation to that is that one of the great complaints—I think a piece of misinformation—that was out there over many, many years was the role of the state in relation to rainwater. People would come and they would complain and say, 'If rainwater falls on your property, you can't do anything with it. You are not allowed to touch it. It's not yours.'

I think that was disingenuous, because certainly any civilised system of catchment management says that the person upstream is not allowed to capture every drop of water, otherwise there is nothing in the stream and it does not go down to anyone further down. I do not know anyone who would seriously suggest that we revert to a system where you have complete control over every drop of water that might fall on a property that you own.

I did notice that in last Thursday's *Government Gazette* there are many pages devoted to the topic of rainfall on houses, sheds and other buildings, in not just the Mount Lofty Ranges but other parts of South Australia, and clarifying that rain that falls on your roof and flows into your rainwater tank is in fact water that you can use. The suggestion that was out there was that that was somehow the state's water and you were not allowed to do anything with it. I think that is a load of rubbish. I would be interested in a response from the minister, eventually. Is that a clarification, or is it in fact an admission that the regulations were not up to scratch in relation to rain falling on buildings and running into private rainwater tanks in the Mount Lofty Ranges and in other parts of South Australia?

I do not propose to put a lot of detailed questions on the record at the second reading but, as I said, when we get to these nearly 500 clauses, or whatever it is—it is over 400 clauses but less than 500—we will be asking lots of questions at that stage. What I would like to ask now is: in relation to the collection of the levy under this new regime, why does the government not take full responsibility for collecting that itself? It has its own taxation database. Why does it not do that rather than rely on councils, who tell me that they tend to bear the wrath of their ratepayers when a range of state government levies accompany a council rate notice and appear to come from the council, even though a closer reading would indicate that it is not all money going to the council? I pose the question: why does the government not collect the money itself?

I would also like the government to clarify the employment status of people who are going to work in the new regime. My initial analysis of the bill indicates that employees of the Green Adelaide organisation will be public servants, but it is very unclear whether people employed by other boards will be regarded as public servants and therefore be entitled to the same wages and conditions set out in the enterprise agreement.

Also, I would like the government to provide us with a document that I know exists and which I do not think is particularly controversial. It is actually a table showing which provisions have been translated across, unamended, from the Natural Resources Management Act into the new landscapes act. Certainly, we could sit down with both very large pieces of legislation and do that exercise for ourselves. We know the government has done it, so could they share it with us?

It is not to say that just because something is translated across directly we are not going to challenge it or seek to amend it, because that is the nature of legislation like this: when you open up an entire regime with a brand-new bill, we obviously reserve the right to challenge even longstanding provisions that have been there. It would be very helpful if the government could provide that information, otherwise a very likely question during the committee stage, as we get to each section, would be, 'Is this the same as what was in the previous act?', and that would become very tedious in the extreme.

With those brief words, the Greens are very much looking forward to the detailed committee stage of this debate. Like I say, we think there are better ways for future parliaments to deal with complex legislation like this, but we will work with the tools that we have, and the Greens will be going through these hundreds of pages clause by clause. We look forward to the final outcome being a piece of legislation that could truly be regarded as a vehicle for sustainability in South Australia.

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

CRIMINAL LAW CONSOLIDATION (ASSAULTS ON PRESCRIBED EMERGENCY WORKERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. R.I. LUCAS (Treasurer) (12:09): I thank honourable members for their contributions to the second reading. I would like to say that I had indicated to the Hon. Ms Franks,

and one or two others, that I had a meeting at 11.30 with the chief executive officer of one of the major national financial institutions, which was important for me to attend as Treasurer. That was the reason why I sought the adjournment for 30 minutes, to 12 o'clock.

I think I indicated that soon after 12, I proposed to recommence debate on this. I noticed the Hon. Mr Parnell indicated the normal practice is to proceed as per the batting order, and that is correct, but there are sometimes occasions when other engagements require a reorganisation. As I said, I did speak to his colleague the Hon. Ms Franks—

The Hon. K.J. Maher: Why didn't your whip reflect that on the paper, then? If you said everyone knew yesterday, why did you pretend that—

The Hon. R.I. LUCAS: I did not say yesterday. I spoke to you and I spoke to the Hon. Ms Franks.

The Hon. K.J. Maher: No, you didn't.

The Hon. R.I. LUCAS: Yes, I did. I came across the chamber and spoke to you, then I spoke to Tammy. Anyway, Mr President, that debate—

The PRESIDENT: Is not one I want to hear.

The Hon. R.I. LUCAS: Exactly. I cancelled the meeting halfway through and rejoined. I thank honourable members for their contribution to this particular piece of legislation. From the very start, the government has involved all stakeholders to provide a well-rounded, necessary and carefully considered law. The unusual aspect of this bill is that the police commissioner supports the government's efforts and reforms, with the Police Association continuing to push for further standalone offences to distinguish themselves from others.

Some have argued there are already a multitude of laws which are not being prosecuted or sentenced to community expectations, and this is a matter which must be dealt with both from a court sentencing perspective, from the charges which are being laid by officers, and also from the prosecuting work of the police prosecutors and the DPP. In weighing up these aspects, the government has considered all front-line emergency workers and considered the criminal law as it currently stands. The Law Society specifically mentions this in their submission to the government, noting the overlap and rehashing of laws which already exist. Specifically, the Law Society say, and I quote:

> The Society does not condone assaults on police officers and/or other frontline and emergency workers. These people play an important role in our community and it is understood their occupations place them in a position of vulnerability. As such, this is reflected in the criminal law in South Australia under a number of existing provisions. While the [Law] Society appreciates the need to deter this type of behaviour, it considers that the legislative mechanisms to deal with these types of offences are already in place.

I reiterate the Attorney's sentiments in the other place in the media throughout this process. It must be made absolutely clear that the criminal law is not deficient in terms of what offences are available to be charged and prosecuted. Despite this, a clear message must be sent to both offenders and the courts as to what is an appropriate sentence for someone who harms our front-line emergency services workers. This has been actioned through increased penalties aligning with the position in New South Wales, as requested by the Police Association and the commissioner, and also through secondary sentencing considerations.

The creation of a new offence and increased maxima will better protect police and other emergency services workers while complementing existing laws capturing offences against police and broader assault laws, including: shoot at police, with a maximum penalty of 10 years in gaol; shoot at police and causing serious harm to an officer, with a maximum penalty of 25 years in gaol; acts endangering the life of another, with a maximum penalty of 18 years, as an aggravated offence when against a police officer; and acts endangering the life of another, with a maximum penalty of 18 years.

The government listened, acted and expanded the bill through consultation with the Australian Medical Association, the Public Service Association, the Australian Nursing and Midwifery Federation and the SES, CFS and MFS. I am sure all members would like to see a situation where police assaults are not common occurrences; however, the way this occurs is a matter of contention.

I repeat on behalf of the government that in no circumstance are offences against police and emergency services workers appropriate or condoned. They are an absolute blight on our community and those who protect and care for us. With that, I thank members for their indication to support the second reading.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: My question to the minister is: has the government conducted any further consultation since the debate in the House of Assembly on the bill.

The Hon. R.I. LUCAS: My advice is that there has been some further consultation with the PSA, the nurses' federation and the AMA in relation to some of the aspects of the regulation-making powers, I assume as it might relate to members of theirs. Yes, my assumption is correct: as it would relate to members of the PSA, the nurses' federation and the AMA, so regulations that might relate to their membership.

The Hon. K.J. MAHER: Is the government able to provide copies of any new submissions from the groups outlined? If I heard correctly, it was the PSA, the ANMF and the AMA. I just want to check that the ambulance union did not provide any further submissions; is that what the Treasurer would have us believe?

The Hon. R.I. LUCAS: I do not have copies of any submissions. If there were any submissions, it may well have been verbal consultation, I am not sure. So I am not in a position to provide copies of submissions. My advice was those three organisations to which I have responded to the honourable member's first question.

The Hon. K.J. MAHER: I thank the Treasurer for letting us know that the ambulance union did not have any consultation since it has gone through the House of Assembly. I understand the Treasurer said he does not have copies of any submissions with him. Will he undertake to provide them to the chamber at a later date when he does seem more organised and has these things with him?

The Hon. R.I. LUCAS: I will put aside the gratuitous insult from the Leader of the Opposition, Mr Chair. I will refer the honourable member's question to the minister responsible, the Attorney-General, to see, firstly, whether there were any submissions and, secondly, whether she is prepared to provide copies. But I do not have copies of any submissions, if they existed, or indeed notes of discussions that might have been conducted between government officers and representatives of those three organisations.

The Hon. K.J. MAHER: Again noting that he does not have any of the details with him or is not able to ascertain the details, can the Treasurer inform the chamber of whether any of the groups that he has mentioned expressed concern or were unhappy with the scope or content of the bill as it stands and as it passed the House of Assembly?

The Hon. R.I. LUCAS: I am advised that the Attorney-General did not receive any submission opposed to the principles of the bill from the PSA, the nurses federation and the AMA at any stage, not just since the passage in the assembly. I am advised that that covers the period since the bill passed the House of Assembly and prior to coming before the Legislative Council.

The Hon. K.J. MAHER: Just to be clear, is the Treasurer informing the chamber that the Australian Nursing and Midwifery Federation of South Australia have not expressed at any stage—not just since the passage in the House of Assembly but at any stage—any concern with the scope or content of the bill?

The Hon. R.I. LUCAS: That was the advice I was just given. My advice is that the nurses federation originally wrote asking for—

The Hon. K.J. Maher: Okay; so it has changed now, has it?

The CHAIR: Leader of the Opposition, just let him answer the question.

The Hon. K.J. Maher: Well, he's—

The CHAIR: Let him answer the question. I am really on a short fuse. I am sick of your commentary. I have had to put up with it all morning. You need to reflect on your professionalism. I am not going to tolerate it any more today. Ask your question; let him respond. Treasurer.

The Hon. R.I. LUCAS: I am advised that the nurses federation in particular, in response to the original bill, because the bill did not cover nurses in certain circumstances, asked for an extension of the bill to cover nurses in certain circumstances. Subsequent to that, there has been no further submissions, I am advised. The advice in relation to the PSA and the AMA is the same as I shared with the leader in response to his earlier question.

The Hon. K.J. MAHER: How does the Treasurer reconcile his comment only five minutes ago that there was, at no stage, correspondence from the nurses federation with the comment he just made to the chamber that there was correspondence with the nurses federation? Which are we supposed to believe?

The Hon. R.I. LUCAS: I did not refer to correspondence. I think the question was in relation to submissions. All I can share with the Leader of the Opposition, in a genuine endeavour to conduct the committee stage in an adult fashion, is that the information I am provided with as the minister handling the bill in this chamber I share accurately and faithfully. I would hope that we can continue the committee stage in an adult fashion rather than the fashion the Leader of the Opposition would appear intent on pursuing.

The Hon. K.J. MAHER: Has the minister had a briefing on this bill prior to handling it in this chamber?

The Hon. R.I. LUCAS: With all bills I have a general briefing.

The Hon. K.J. MAHER: The minister raised in his second reading speech on this bill that he was not in the chamber earlier because he had a meeting. Can the minister inform the chamber, given that he raised this in the second reading summary, when this meeting was scheduled? When was this meeting originally put in his diary?

The Hon. R.I. LUCAS: I do not think it has anything to do with the bill, but I do not know when it went into my diary.

The Hon. K.J. MAHER: It may not be to do with the content of this bill; it is to do with how this bill has proceeded through this chamber. It is the case that the minister raised it as part of his second reading summary. The reason I ask is that our *Notice Paper* says that this bill was due to go through all stages as the first order of business today. For the *Notice Paper* to reflect that, the only conclusion one can draw is that this was a meeting that was very, very hastily arranged—so that it happened after the *Notice Paper* was put together. Can the minister tell us whether that is the case or not?

The Hon. R.I. LUCAS: It has nothing to do with the passage of this particular bill.

The Hon. K.J. MAHER: I will ask the question again. The Treasurer himself was the one who raised this as part of his own second reading summary. Can the Treasurer, who saw fit to think it was important enough to raise in the second reading, please inform the chamber whether his meeting was scheduled before the *Notice Paper* was put together?

The Hon. R.I. LUCAS: I have nothing further to add.

The Hon. K.J. MAHER: Will the Treasurer inform the chamber whether the bill was delayed because of the presence of people who represent emergency services workers in the gallery today?

The Hon. R.I. LUCAS: I have nothing further to add, Mr Chairman.

The Hon. K.J. MAHER: The Treasurer has seen fit to ask others to reflect on how they conduct themselves. The Treasurer is going to have to have relationships with important members of the community, those who represent those who protect us in EB negotiations and in other respects.

I think the Treasurer owes them the courtesy of explaining why this bill did not proceed when it was supposed to.

The Hon. R.I. LUCAS: Mr Chairman, I have nothing further to add.

The Hon. K.J. MAHER: Is the minister aware of any ongoing criticism of the bill, and how would the minister address the accusation that the bill is weak and not fit for purpose?

The Hon. R.I. LUCAS: I do not think one has to be a Rhodes scholar to know that there is continuing opposition. I am surprised the Leader of the Opposition would need to ask that particular question. The very capable Police Association of South Australia have expressed publicly—and I am surprised they have not expressed the view privately to the Leader of the Opposition—their views in relation to the legislation.

We are about to go through a committee stage, once we get beyond these particular questions, where a series of amendments are going to be moved and, on my understanding, supported by a majority of members in this council. So I think the Leader of the Opposition knows the answer to that particular question. Yes, there is opposition from the Police Association in relation to some aspects of the government's legislation.

The Hon. K.J. MAHER: What is the government's response to the particular concern that the bill is weak and not fit for purpose?

The Hon. R.I. LUCAS: I put the government's position, as provided to me by the Attorney-General and her advisers, in the closing of the second reading. I refer the honourable member to the closing speech of the second reading debate.

Clause passed.

Clause 2.

The Hon. K.J. MAHER: Is the minister able to inform the chamber of the process of this bill coming to the parliament; that is, when were concerns first raised that these laws were needed by the Police Association?

The Hon. R.I. LUCAS: I am advised that the Attorney-General had a meeting with Mr Carroll from the Police Association in October of last year, and then in January of this year received a written submission from Mr Carroll on behalf of the Police Association in relation to potential solutions to the issues he had referred to in their earlier verbal meeting.

The Hon. K.J. MAHER: If the matters were first raised in October of last year, what has taken so long for this to come before the parliament?

The Hon. R.I. LUCAS: My advice is that in the meeting in October, which I understand may well have canvassed a range of issues, no particular solutions were sought at that stage, that is, as to detail, as I understood it. That was, I am advised, in October. What happened was that in January a submission in relation to potential solutions, as I understand it, was provided to the Attorney from the Police Association, and it has obviously moved ahead apace from that particular period.

I am sure the Leader of the Opposition, if he can remember his days in government, from the day of initial suggestion in terms of legislation to the time that parliament first considers it, this particular time period probably would be at one of the shorter ends of the continuum (other than emergency legislation, which might have to occur as a result of a particular court case that has a particular time line). Certainly from my experience, both recent and past, it is not an uncommon length of time from when a submission has been made to when parliament ultimately considers the legislation.

The Hon. K.J. MAHER: To clarify that, is the Treasurer suggesting that in October there was not a specific suggestion or request for laws to be changed?

The Hon. R.I. LUCAS: No, I didn't say that.

The Hon. K.J. MAHER: So in October was there a specific suggestion or request that laws be changed?

The Hon. R.I. LUCAS: I was not there at the meeting, but my advice is that there was a general discussion where the problem was raised, but the specific solutions, as suggested by the Police Association, were confirmed in the letter of January. Not having been privy to the convivial meeting between the Attorney-General and the head of the Police Association in October, I can offer no better advice or information other than what I have placed on the public record.

Clause passed.

Clause 3 passed.

Clause 4.

The Hon. K.J. MAHER: Given the inclusion of community corrections officers in this clause, presumably because of their roles visiting houses and public places, conducting checks on dangerous people and serving papers, has the government done any work on further classes of people who may be called upon to do similar work?

The Hon. R.I. LUCAS: My advice is that a number of occupations were canvassed by the Attorney in either her second reading or in the committee stage debate. I think they include bailiffs and court sheriffs as two potential occupations where there is some ongoing consideration as to whether or not, at some stage, these regulation-making powers might be utilised to bring those particular occupations into play.

The provision does not restrict what other occupations might be considered at some future stage but, as I understand it, the Attorney-General has referred to those two particular occupations as ones that there has been some discussion or debate about at this stage. My advice is there is no concluded view from the government in relation to that.

The Hon. K.J. MAHER: I think that raises what I was going to go on to next. For example, sheriff's officers are not included in the definition; clearly, in drafting the bill, the mind was turned towards whether community corrections officers were. What distinguishes, in the government's view, sheriff's officers from community corrections officers, such that community corrections officers should be in legislation whereas sheriff's officers are merely a group who may be considered later on, possibly in regulations?

The Hon. R.I. LUCAS: I think this canvasses the general issue as to where you eventually draw the line when you proceed down the path of legislation of this particular nature. Ultimately, the government and the parliament will have to determine where it wants to draw the line. My advice is the legislation refers to prison officers and community corrections officers were seen to be analogous to prison officers. That is what has governed the government's current thinking. There is now the discussion that, if that is the case, do bailiffs and sheriffs also get included or not? That is the current debate.

That is why there is the regulation-making power eventually—because a regulation can be disallowed by either house of parliament—to seek to extend the occupation to include further occupations that perhaps are not strictly or technically a prison officer but maybe the nature of their work is significantly similar to the work of a prison officer. There may well be arguments for and against that.

Clearly, before any regulation is brought down by any government, there will be a period of consultation. Then, ultimately, the parliament retains the right to disallow a regulation if the parliament takes the view that the government is seeking to extend the regulation beyond what the intent of the legislation was.

The Hon. K.J. MAHER: I thank the Treasurer for his response and the discussion about why some are in and some are out, in terms of the different classes of workers. Can the Treasurer outline which medical practitioners and professionals and allied medical people are covered by the regime outlined in this bill?

The Hon. R.I. LUCAS: My advice is that under paragraph (g) of the definition clause:

a medical practitioner or other health practitioner (both within the meaning of the Health Practitioner Regulation National Law (South Australia)), attending an out of hours or unscheduled callout—

Sorry, it is the definition within the meaning of the Health Practitioner Regulation National Law (South Australia), so I cannot offer the honourable member any greater clarity. As the member, I hope, would understand, in terms of medical practitioners, I will not say a thousand but there are a lot of different categories of medical practitioners encapsulated and I presume they are more clearly and definitively outlined in that health practitioner national law.

The Hon. K.J. MAHER: Did I hear the Treasurer correctly when as part of his response he said it will cover medical practitioners who are—I cannot remember the words that were used. He might put them specifically. Was it 'out of hours calls' or what was the wording the Treasurer used?

The Hon. R.I. LUCAS: I am just referring to paragraph (g). I refer the honourable member to page 5 of the bill, paragraph (g). It is just that the second part of that, I think, was not actually relating to the question that the member was asking me. He was asking about the medical practitioner, but the rest of the paragraph refers to 'attending an out of hours or unscheduled callout, or assessing, stabilising or treating a person at the scene of an accident or other emergency', etc.

The Hon. K.J. MAHER: I note the Treasurer trailed off when he said 'etc.' The whole of paragraph (g), does that only apply to these things occurring in a rural area?

The Hon. R.I. LUCAS: My advice is yes.

The Hon. K.J. MAHER: Does this bill seek to cover medical practitioners working in emergency departments of hospitals?

The Hon. R.I. LUCAS: My advice is yes, because there is another provision that picks up occupations in the Criminal Law Consolidation (General) Regulations 2006—Prescribed occupations and employment, which is employment as a medical practitioner in a hospital.

The Hon. K.J. MAHER: Just to be very clear, it covers medical practitioners in any part of a hospital, not just an emergency department? Is that what the Treasurer is assuring the chamber of?

The Hon. R.I. LUCAS: I am just reading from the particular provision, which is clause 3A(1) of the Criminal Law Consolidation (General) Regulations. I am just reading from it. I will read it again: 'employment as a medical practitioner in a hospital'.

The Hon. K.J. MAHER: For the purposes of this bill, just to be clear, what the Treasurer is stating is that it relates to medical practitioners in the whole of the hospital, not just in the emergency department?

The Hon. R.I. LUCAS: I can only repeat what I have just been advised, that that is the definition.

The Hon. K.J. MAHER: I think this is important. I just want to check, because medical practitioners, I think, will be keen to know that that is the case. Just to be clear, if you are working in a non-emergency part of a hospital, this regime will cover you as a medical practitioner in a hospital? I just want to be absolutely certain that we are getting this right.

The Hon. R.I. LUCAS: My advice, I can only repeat, is yes.

The Hon. K.J. MAHER: Going back to the definition under paragraph (g) of the definitions section, where it refers to 'in a rural area', the Treasurer has previously assured the chamber that, for that clause, all the aspects of paragraph (g) only apply in a rural area. Is there any way that this regime applies to a medical practitioner or other health professional attending an out-of-hours or unscheduled call in a non-rural area?

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

The Hon. K.J. MAHER: Can the Treasurer explain, for the purposes of this bill, what is defined as a rural area? If someone were to be charged with a contravention of this act, where are the lines drawn to know whether this act applies to them? Is it on one side of the road or the other that you get the protection afforded in this act?

The Hon. R.I. LUCAS: My advice is that it is any area not in the metropolitan area as designated in the Development Act.

The Hon. K.J. MAHER: Does that include Gawler, for example?

The Hon. R.I. LUCAS: It is pretty hard to tell from the map that is in the Development Act, but it looks like Gawler is in the metropolitan area in the Development Act.

The Hon. K.J. MAHER: In terms of the actions that this act seeks to make offences or increase penalties for, from the reading of the Development Act (noting that the map is not as clear as it might be) the protections afforded in this act would not apply if a medical practitioner or a health practitioner were attending an unscheduled call out in Gawler, but they would apply in areas further north of Gawler, such as in areas of the Barossa.

The Hon. R.I. LUCAS: The member has asked about the Barossa but, because this map is very imprecise, it is hard to tell from the map where the delineation is between what looks to be Gawler in the metropolitan area and what looks to be outside of it. It would appear that the Barossa is outside of it. Not that I am an expert—the Hon. Mr Parnell would probably be able to assist us in relation to the planning and development act—but my recollection is that probably the Barossa is outside the—

The Hon. J.S.L. Dawkins: It is.

The Hon. R.I. LUCAS: 'It is,' says my learned colleague, the Hon. Mr Dawkins, who knows that area better than I do. If that is the case, my advice is that the answer to the member's question is that that is correct. Gawler is in the metropolitan area and the Barossa is in the rural area, therefore there are different provisions that apply.

The Hon. K.J. MAHER: Can I ask the government what the rationale was, when they drafted this legislation, in applying different provisions to a rural area and to a non-rural area in terms of unscheduled call outs? What is it about? If we are reading the maps right, a call out in the Barossa means that the protections ought to be afforded but a callout in Gawler means that they ought not to be afforded.

The Hon. R.I. LUCAS: I am not really in a position to give the honourable member a definitive reply in relation to what the delineating factors were in relation to both when this legislation was originally drafted. The broad advice that is available to me at the moment is that it is a question of isolation; that is, in rural areas you are generally more isolated, while in the metropolitan area you have the capacity for slightly greater support or protection.

Clearly, when you get to the dividing line in the Adelaide Hills—wherever the line is and I do not know where it is, but I know in shop trading legislation there is a different law for Stirling and Mount Barker—wherever the line is drawn, that particular argument will be a less significant factor as opposed to the metropolitan area versus the Murray Mallee, or the metropolitan area versus the Eyre Peninsula or the Yorke Peninsula.

Wherever the line is drawn, those communities that are just in and those communities that are just out may well argue that they ought to be treated in the same way but eventually, assuming you have to draw the line somewhere, where do you draw the line? There will always be the argument from those who are just in and those who are just out. I am not in a position to give a definitive response to the member's question in relation to when it was originally drafted with parliamentary counsel and others as to what drove them. I can only give you that general response based on the advice I have just received.

The Hon. K.J. MAHER: I understand that there will always be a line, and there will be one side of the line and another side of the line, but my question really went to, 'Why are we choosing to draw a line at all? Why is it that we think only in rural areas? Why have that qualification in that clause?' I take the point that the Treasurer makes that he is not sure of why things were in there when they were drafted.

I think it does go to a point I made earlier about whether he had been sufficiently briefed on this bill to understand what he is telling the chamber, and those of us who have to make decisions, and whether attending meetings when he is supposed to be doing this, lessens his ability to concentrate and understand this. Perhaps I will restate the question: why choose to have a line at all? Why not just leave out 'in a rural area'?

The Hon. R.I. LUCAS: I cannot add anything further than the advice I have shared with the Leader of the Opposition.

Clause passed.

Clauses 5 and 6 passed.

Clause 7.

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

Amendment No 1 [Maher–1]—

Page 4, line 3 to page 5, line 35 [clause 7, inserted section 20AA]—Delete inserted section 20AA and substitute:

20AA—Causing harm to, or assaulting, certain emergency workers etc

(1) A person who causes harm to a prescribed emergency worker acting in the course of official duties, intending to cause harm, is guilty of an offence.

Maximum penalty: Imprisonment for 15 years.

(2) A person who causes harm to a prescribed emergency worker acting in the course of official duties, and is reckless in doing so, is guilty of an offence.

Maximum penalty: Imprisonment for 10 years.

(3) A person who assaults a prescribed emergency worker acting in the course of official duties is guilty of an offence.

Maximum penalty: Imprisonment for 5 years.

(4) A person who hinders or resists a police officer acting in the course of official duties, and, in so doing, causes harm to the officer, is guilty of an offence.

Maximum penalty: Imprisonment for 10 years.

(5) In proceedings for an offence against this section, it is a defence for the defendant to prove that the defendant did not know, and could not reasonably have been expected to know, that the victim was a prescribed emergency worker, or police officer, (as the case requires) acting in the course of official duties.

(6) Without limiting the ways in which a person can cause harm to a prescribed emergency worker, harm can be caused by causing human biological material to come into contact with a prescribed emergency worker.

(7) For the purposes of this section, a person causes human biological material to come into contact with a victim if the person performs any act (including, without limiting the generality of this subsection, by spitting or throwing human biological material at the victim, or deliberately applying human biological material to their person knowing that the victim is likely to come into physical contact with the person in the course of their duties) intended or likely to cause human biological material to come into contact with the victim.

(8) This section does not apply to conduct occurring before the commencement of this section.

(9) In this section—

assault means an assault within the meaning of section 20(1) and includes, to avoid doubt, an act consisting of intentionally causing human biological material to come into contact with a victim, or threatening to do so;

harm has the same meaning as in Division 7A;

human biological material means blood, saliva, semen, faeces, urine or vomit;

prescribed emergency worker means—

(a) a police officer; or

(b) a prison officer; or

(c) a community corrections officer or community youth justice officer; or

(d) an employee in a training centre (within the meaning of the *Youth Justice Administration Act 2016*); or

(e) a person (whether a medical practitioner, nurse, security officer or otherwise) performing duties in a hospital; or

(f) a person (whether a medical practitioner, nurse, pilot or otherwise) performing duties in the course of retrieval medicine; or

(g) a medical practitioner or other health practitioner (both within the meaning of the *Health Practitioner Regulation National Law (South Australia)*) attending an out of hours or unscheduled callout, or assessing, stabilising or treating a person at the scene of an accident or other emergency, in a rural area; or

(h) a member of the SA Ambulance Service Inc; or

(i) a member of SAMFS, SACFS or SASES; or

(j) a law enforcement officer; or

(k) any other person engaged in an occupation or employment prescribed by the regulations for the purposes of section 5AA(1)(ka); or

(l) any other person prescribed by the regulations for the purposes of this paragraph,

whether acting in a paid or voluntary capacity, but does not include a person, or person of a class, declared by the regulations to be excluded from the ambit of this definition.

We think these are important amendments. The opposition has not opposed the previous clauses in this bill, even though we think they do not do very much at all. They slightly change the definition of 'worker' as captured by the act which, as the contributions made by the Treasurer have demonstrated, have not been particularly well thought out.

The government themselves do not understand the rationale behind the reasons they are making some of these, and they increase very slightly penalties for some offences. We have not interfered with those earlier provisions although I note that this provision will substantially make those provisions not redundant but actually give effect to what the government ought to have been doing in this area.

This amendment to clause 7 creates specific offences around the assault and injury of police, ambulance officers and emergency workers. The creation of a specific offence, as opposed to a simple aggravation, is yet another signal of the seriousness of these types of offences and a recognition that they do constitute a different type of assault with harm; that is, that people assaulted as part of their duty may necessarily go into a potentially dangerous situation in order to help others, to administer treatment, to protect life or property or the community generally.

It is another signal to the courts, in conjunction with the sensible changes to the Sentencing Act, that these offences should be punished appropriately. The offences themselves amended in this section are as follows: causing harm to a prescribed emergency worker acting in the course of their official duties, or intending to cause harm, a maximum penalty of 15 years; and it cascades down to causing harm to a prescribed emergency worker acting in the course of their duties through a reckless act, 10 years; and assaulting a prescribed emergency worker acting in the course of their official duties, with a maximum of five years.

It should also be noted that the provisions in the Criminal Law Consolidation Act around serious harm, where there is a maximum penalty of 25 years, will not be changed by this section. The amendment also incorporates a clarification that throwing or using biological material to assault and/or injure a prescribed emergency worker constitutes an assault and/or harm within the meaning of the Criminal Law Consolidation Act.

On this side of the chamber, we are listening to the concerns of those who willingly put themselves in harm's way to protect the public. That is why this amendment clarifies some of these things. It goes a step further than the government has been prepared to do and includes a wider range of people to afford these protections. I commend the amendments to clause 7 to the chamber.

Progress reported; committee to sit again.

STATUTES AMENDMENT (MINERAL RESOURCES) BILL

Introduction and First Reading

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

Sitting suspended from 12:58 to 14:15.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

By the Minister for Trade, Tourism and Investment (Hon. D.W. Ridgway), for the Minister for Human Services (Hon. J.M.A. Lensink)—

Children and Young People in State Care in South Australian Government Schools, Report for the period 2008-18.

ANSWERS TABLED

The PRESIDENT: I direct that the written answer to a question be distributed and printed in *Hansard*.

Question Time

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:16): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding Brand SA.

Leave granted.

The Hon. K.J. MAHER: When the minister was previously asked whether he was aware of a letter from the Premier cutting funding for Brand SA prior to question time on 16 May this year, the minister's answer was an emphatic and simple no. The opposition is now in receipt, through the freedom of information process, of certain documents, particularly an email from the Premier's office that attaches the letter in question that has previously been tabled by the Hon. Emily Bourke.

That email attaching the letter was sent to Mr Peter Joy at 12.15pm on Thursday 16 May, some two hours before question time. What is now revealed through the FOI process is that that particular email wasn't just sent to Mr Peter Joy, it was also sent to the Minister for Trade, Tourism and Investment and to the Treasurer. The letter informing of a cut—I will read out directly from the email, it says:

> Dear Mr Joy,
>
> Thank you for your recent emails.
>
> Please find attached a…letter in response from the Premier, the Hon Steven Marshall MP.
>
> The hard copy will be posted today.
>
> Yours sincerely,
>
> Office of the Premier

That email was also sent to the Treasurer and minister Ridgway. Can the minister explain how he did not know about this decision to cut Brand SA funding when in fact he received an email some two hours before he made that claim in this chamber?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:18): I thank the honourable member for his ongoing interest in Brand SA. I think it was sometime about 2.15 or 2.20 that day we were receiving questions. I had not seen that email or read that email prior to being here in question time.

The Hon. E.S. Bourke: Is that because you don't have a good relationship with the Premier?

The Hon. D.W. RIDGWAY: No, I was actually probably down here doing my job and representing the people of South Australia. The members opposite might monitor their emails by the millisecond. At the time of giving the answer, I had not seen that email.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:18): Supplementary arising from the answer: with such an important matter, why was the minister not made aware of it?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:18): I was made aware of it, but of course after question time. I made it very clear to the honourable Leader of the Opposition.

The Hon. E.S. Bourke interjecting:

The Hon. D.W. RIDGWAY: Mr President, they can't help themselves. If they are not going to be quiet, I will just sit down. As I tried to explain earlier, that email was received, I suspect, in my office while I was here. I did not see the email until after question time that day. That's why at the time I said I wasn't aware of the funding being cut.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:19): A further supplementary arising from the original answer: has the minister any explanation as to why the Treasurer, whom he sits next to in this chamber and who also received this email at 12.15, saw fit not to inform him of its contents?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:19): I suspect for the same reason that I didn't know: he hadn't actually read it between 12.15 and 2.15. I know that the members opposite are not very busy and they have plenty of idle time to look at their emails. We are busy. I am sure that if information had been available in time we would have known about it, but I didn't read the email and that's why I was unable to confirm anything in question time on that day.

BRAND SOUTH AUSTRALIA

The Hon. I.K. HUNTER (14:20): Supplementary question: the minister said that he didn't read the email or see the contents of the email until after question time on that day—those were his words. What time on that day were you apprised of the contents of that email?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:20): I haven't got an accurate minute by minute diary recall in my head. But, clearly, I think that we all became aware of the issue after the opposition started asking questions, which I suspect was a result of a screenshot being provided to the opposition from the office of Brand SA.

The PRESIDENT: Leader of the Opposition, a further supplementary.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): When did the minister become aware that his office was emailed at 12.15 on Thursday 16 May?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:20): As I said, I don't have those sort of minute-by-minute details. I will check the records—if there is a record—of the exact timing of that coming. Obviously, the former minister, the Leader of the Opposition, opposite is talking about it being sent to my office at 12.15 or thereabouts on that particular day. I will have a look, Mr President.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): A further supplementary: am I understanding correctly that up until question time today the minister was unaware that the email was actually sent to him as well?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:21): No. I said I became aware after question time on that day.

The Hon. K.J. Maher: Of the email.

The Hon. D.W. RIDGWAY: Of the email. Clearly, the issue was well ventilated via the media and the opposition in both chambers on that particular day. You would have to be living under a rock not to know that that issue was well ventilated. But, as I said before, emails come into ministerial offices. The members opposite have been ministers; they know the volume that comes in. They are not looked at on a millisecond-by-millisecond basis. I looked—

Members interjecting:

The Hon. D.W. RIDGWAY: I won't respond to that, Mr President. I will make the comment that it has always been a matter for the Premier. Brand SA has always been funded by the Premier out of the Premier's promotion fund or a fund of the Premier. It has never been funded out of my department and, of course, won't be funded out of my department.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Supplementary, and for clarity because I think the minister is attempting not to answer it.

The PRESIDENT: Okay; sit down! I am not going to have that sort of crap injected into supplementaries. Do I make myself very clear? The standing orders are clear. I have been more than kind and generous to the opposition, allowing them almost unlimited supplementaries only governed by time to allow the crossbench to ask their questions. If you are going to ask supplementaries, comply with the standing orders: ask a crisp question and don't inject inferences, otherwise I will reappraise the supplementary situation going forward. Next question, the Hon. Ms Scriven.

REGIONAL TOURISM

The Hon. C.M. SCRIVEN (14:23): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment about regional tourism.

Leave granted.

The Hon. C.M. SCRIVEN: During question time yesterday, the minister responded to questions regarding the future of two important regional tourism programs. He told the council that there are 'no plans to cut' (that's the quote) these programs. These are important programs that deserve a concrete commitment. My question to the minister is: does the current budget allocate funding to either the regional tourism organisation funding program or the regional consumer collaborative marketing fund for the 2020-21 financial year?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:24): Clearly, the honourable member was not listening yesterday. We are dealing with the current budget, the 2019-20 budget, and those programs are funded across that budget period. Beyond that is known as the forward estimates. It is my understanding that those programs will be funded across the forward estimates and we don't plan to cut them. But things could change; I don't think they will. They are good programs. We enjoy supporting them. The $47,000 each region gets is well spent. I am very confident they will continue to be funded, but we delivered the budget for this financial year and across the forward estimates I expect those programs to continue to be funded.

REGIONAL TOURISM

The Hon. C.M. SCRIVEN (14:24): Supplementary: can the minister explain then why he provided an estimates omnibus response last year that showed funding had not been allocated in 2020-21 for either the regional tourism organisation funding program or the regional consumer collaborative marketing fund?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:25): They are an ongoing discussion when we are formulating the budgets each year. Two of the members opposite who have been ministers know that the budget process is always quite complicated and can be quite challenging. We funded it for this year and it is the intention for me as minister to continue to fund it over the forward estimates. I believe it is the intention of, and I am advised that it is the intention of, the Tourism Commission to continue to seek funding over the forward estimates. So,

irrespective of an answer that was provided in last year's budget, nearly 12 months ago, the intention is to fund both programs going forward.

REGIONAL TOURISM

The Hon. C.M. SCRIVEN (14:25): Further supplementary: will the minister guarantee that the funds will continue to receive funding at at least the same rate?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:26): I thank the honourable for her supplementary. I think I have been very clear that they are funded this year. It is my intention to continue funding it. As I said, my understanding is the Tourism Commission sees value in those programs, and we will continue to fund them.

REGIONAL TOURISM

The Hon. C.M. SCRIVEN (14:26): Further supplementary: has the minister informed the regional tourism organisations that these programs either will continue or will not continue?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:26): Both programs are continuing. I know what the opposition did: they quickly emailed a response around to the tourism organisations before I corrected the record. I suspect they didn't actually forward the correction. They are just trying to play little games. We know how the games they play go. The programs are not being cut, so the regional organisations can be guaranteed that they will be getting the money this year.

REGIONAL TOURISM

The Hon. C.M. SCRIVEN (14:27): Further supplementary: is the minister aware whether the Treasurer intends that these programs should be cut?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:27): The Treasurer—I don't often speak on his behalf, but I know he loves the tourism sector. That is why we have been able to invest $43 million in tourism over the next four years. We value tourism, we know the contribution it makes to regional South Australia, and we are continuing to fund them.

MINISTER FOR TRADE, TOURISM AND INVESTMENT, CHIEF OF STAFF

The Hon. E.S. BOURKE (14:27): My question is to the Minister for Trade, Tourism and Investment. Has the minister finalised selection of a new chief of staff, and, if so, who has been selected? Will the minister confirm that his new chief of staff will commence at the end of July?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:27): It is interesting, Mr President; I don't think I am really responsible to the house for my chief of staff. They are an important part of the minister's team, so I will provide some information. Yes, I have chosen the new chief of staff, an exceptional candidate, and they will be starting at the end of July.

The PRESIDENT: The Hon. Ms Bourke, a further supplementary?

MINISTER FOR TRADE, TOURISM AND INVESTMENT, CHIEF OF STAFF

The Hon. E.S. BOURKE (14:28): Yes. Can the minister confirm: was Georgina Downer due to commence as the minister's new chief of staff?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:28): I thank the honourable member for her question. I couldn't think of a better candidate—a spectacular woman, a great asset to have Georgina back in South Australia. I found it a bit confusing: we want great young South Australians to come back to our great state—to go away and learn and come back and raise their family. Sadly, unfortunately, the people of Mayo didn't see it that way and didn't support Georgina.

The Hon. K.J. MAHER: Point of order: on relevance. It was a very succinct and to the point supplementary, as you have previously asked for, and it goes nothing to address it.

The PRESIDENT: No; my point—my point—

Members interjecting:

The PRESIDENT: Sit down. My point was the way you crafted your question. You injected into it—

The Hon. K.J. Maher interjecting:

The PRESIDENT: No. No; I'm speaking. It is not a debate. When I speak, you stay quiet. That is how it works. You have been here long enough, right? The supplementary, unlike most of yours, was crafted well and was clear. The minister has leeway, the same leeway the previous President gave to you as a minister. If he strays on too long, if it is completely off point, I will step in. Minister, get on with it.

The Hon. D.W. RIDGWAY: Thank you, Mr President: I got a bit distracted because I do rate Georgina Downer particularly highly. But I can inform the honourable member—

The PRESIDENT: Do not go down that line; answer the question.

The Hon. D.W. RIDGWAY: Georgina Downer is not going to be my new chief of staff.

MINISTER FOR TRADE, TOURISM AND INVESTMENT, CHIEF OF STAFF

The Hon. E.S. BOURKE (14:29): Supplementary: did Ms Georgina Downer decline the position when it was offered to her?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:30): I did not ever formally offer Georgina Downer, or anybody else, that position in the early days.

MINISTER FOR TRADE, TOURISM AND INVESTMENT, CHIEF OF STAFF

The Hon. E.S. BOURKE (14:30): Supplementary: did you offer that position to her in the older days? Did you offer that position to Ms Georgina Downer at all?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:30): I think after the election Georgina Downer was looking for some options. I am not sure that she really ever wanted to be tangled up in this hurly-burly mess that we call the state parliament, especially with this lot opposite here. If Georgina Downer had been wanting a career in my office, I am sure I would have been able to make that available to her, but I have chosen a new chief of staff, an excellent candidate, who knows exactly the sort of people we are dealing with when it comes to the people opposite.

SA WATER

The Hon. T.J. STEPHENS (14:30): My question is to the Treasurer. Can the Treasurer update the house on proposals by the former Labor government to privatise SA Water?

The Hon. R.I. LUCAS (Treasurer) (14:31): Very good question, and I thank the Hon. Mr Stephens for it. The issue was raised yesterday, and I had the ability to canvass various pieces of information in the subsequent 24-hour period. The period to which I want to refer is the period from 2012 through to the period 2018, and the key players during that period where the former Treasurer, Jack Snelling, the former Treasurer and now member for West Torrens, Mr Koutsantonis (a former minister), the Hon. Ian Hunter, as the minister for water, and the former premier, Jay Weatherill.

In 2012, the former Labor cabinet commissioned a secret report from KPMG for which they paid $110,000, which looked at options for the sale of parts of the assets of SA Water. There were various options canvassed in relation to which particular elements would be sold off, and in particular they considered the option of selling off the wastewater plant provisions and associated pipe infrastructure in relation to it. They decided to leave for a later date consideration of the sale of the desalination plant.

The rough order of magnitude of the estimated value of proceeds was $3 billion to $4 billion that they were looking at in that period. That was 2012-13. Interestingly, during that particular period the Hon. Tung Ngo was a senior adviser to Jack Snelling. He was subsequently followed by the Hon. Clare Scriven a couple of years later during that particular period, and towards the end of that period, in 2017-18, the Hon. Emily Bourke was a senior adviser to the premier.

Soon after the appointment to the water portfolio of the Hon. Ian Hunter, whilst he was there a decision was taken by the former government to, in essence, prevent the disclosure—under the contracts and disclosures provisions the government was required to release the details of the KPMG expenditure. Whilst the former minister Hunter (the Hon. Mr Hunter now) was the water minister, his government took the decision to prevent the disclosure of the KPMG scoping study report by a provision of advisory services by approving an exemption from PCO27, the disclosure of government contracts and tenders on that website. That decision was taken whilst the Hon. Mr Hunter was the minister for water.

Whilst the Hon. Mr Hunter was the minister for water, subsequently in 2014-15 the government then secretly commissioned further work through SA Water in relation to further privatisation options of SA Water.

So whilst the Hon. Mr Hunter was the minister for water, the SA Water board was doing secret work on the sale and divestment options of SA Water, under the former government. All during that period, the Hon. Mr Hunter enjoyed the very strong support of the former premier, the Hon. Jay Weatherill. The only reason the Hon. Mr Hunter became a minister was through his friendship and support of the Hon. Mr Weatherill. There was a very close link between the Hon. Mr Weatherill and the Hon. Mr Hunter and, as I said, he was appointed to the water portfolio. Whilst he was actually the minister, he was responsible for an agency that was secretly looking at the privatisation of SA Water.

If I can conclude, because I have a lot more information that I will put on the public record at a later stage, the sticky fingers of the Hon. Mr Hunter, the Hon. Tung Ngo, a senior adviser to the Treasurer, the Hon. Clare Scriven, the Hon. Emily Bourke—the whole lot of them were caught out, secretly trying to privatise SA Water.

PRIVATISATION

The Hon. K.J. MAHER (Leader of the Opposition) (14:36): Supplementary arising from the original answer in relation to privatisation: can the Treasurer explain why the head of his Department of Treasury refused to rule out the privatisation of building assets at Golden Grove High School?

The Hon. R.I. LUCAS (Treasurer) (14:36): It has nothing to do with the question of SA Water and the plans of the former Labor government.

The PRESIDENT: There's your answer.

Members interjecting:

The PRESIDENT: Can we have some respect for the Hon. Mr Parnell, or are we going to insult the crossbench? Is there a further supplementary? Do you want a supplementary?

The Hon. K.J. MAHER: Well, yes, sir. Arising from the—

The PRESIDENT: I don't know, I can't read your mind. You were sitting down.

The Hon. K.J. MAHER: Further supplementary arising—

The PRESIDENT: The last one wasn't arising out of the original answer, since it had to do with water.

The Hon. K.J. MAHER: If that is your ruling, that it has to do with water and not privatisations, I won't ask it.

The PRESIDENT: If you want to, have a go.

The Hon. K.J. Maher: No, that's fine, Mr President.

The PRESIDENT: I might have been in a mind to allow it. Anyway, the Hon Mr Parnell.

The Hon. K.J. Maher: You ruled that it had to be about water.

The PRESIDENT: No, I did not.

The Hon. K.J. Maher: You said that.

The PRESIDENT: I am giving you guidance. If you don't want to take the guidance, it is a matter for you.

AFFORDABLE HOUSING

The Hon. M.C. PARNELL (14:37): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Minister for Human Services, a question about affordable housing.

Leave granted.

The Hon. M.C. PARNELL: The government is currently developing a new housing and homelessness strategy for South Australia, with a draft expected later this year. In the meantime, we have an existing affordable housing policy, which includes the requirement for all new significant developments to include 15 per cent of dwellings to be offered as affordable housing. The main delivery mechanism for that obligation appears to be the use of land management agreements (LMAs) in which the developers commit to meeting their affordable housing targets.

My questions of the minister are: firstly, is the government confident that developers are not avoiding their obligations to provide affordable housing? Secondly, will the minister publish a list of developments subject to the affordable housing obligation and the contents of all relevant land management agreements?

The Hon. R.I. LUCAS (Treasurer) (14:38): On behalf of the minister, I will take the question on notice and bring back a reply.

TRADE, TOURISM AND INVESTMENT DEPARTMENT

The Hon. J.E. HANSON (14:38): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding departmental staff.

Leave granted.

The Hon. J.E. HANSON: In recent media, there was a somewhat disastrous assessment by former departmental employees of how the current department is running, with some employees making comments such as, 'Morale, I would have to say, is the worst I've experienced in my years in government,' 'The new government doesn’t appear to have a clear agenda or strategy for their trade and investment area,' and, 'This government doesn't yet appear to have any idea.' My question is: has the minister put any measures in place to improve morale in his agencies?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:39): I thank the member for his ongoing interest in the trade, tourism and investment portfolio. It was disappointing to see that article yesterday that I don't think accurately represents the great working team that we have in the department. As I said yesterday, I am disappointed that members opposite want to continue to talk it down and to try to find fault instead of trying to talk it up. I used to think that the Hon. Gail Gago, when she called the former opposition 'a lazy, whingeing, whining opposition', was perhaps going on a bit much, but I can see where she gets that from. I can see now that we have the same sort of response.

The honourable member talked about quoting somebody on what our agenda was. We have a growth agenda and we have selected now our nine sector plans that are being developed in consultation with industry. This is something different from the former government; these will be industry led. Industry will own these.

The Hon. J.E. HANSON: Point of order, Mr President. I understand that he wants to talk about his agenda, and that's great, but my question was actually very specific, which was: what measures have been put in place to improve morale in his agencies?

The PRESIDENT: The Hon. Mr Ridgway, just keep it on point and get on with it.

The Hon. D.W. RIDGWAY: We will talk about morale, Mr President. We are constantly looking at the ways that we can continue. It is really an operational matter for the chief executive and acting chief executive at the moment, of course, because we have that wonderful news, which has been welcomed globally, about Ms Leone Muldoon coming to head up the organisation. That in itself, I think, will give a significant boost to morale.

Some of the actions of the government, to know that we are getting on with things, include today's announcement of MIT coming to Adelaide, the world's number one university. My department is the one that did the negotiations to bring them here. It was as a result of 2½-year, well before government, approach. MIT is coming. The department is excited that they have a government that want to get off their backsides and do things. The morale itself will continue to grow and continue to improve, because we have a Marshall-led government with a strong plan for growing South Australia.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

The Hon. J.E. HANSON (14:42): Supplementary: the minister mentioned specifically the attraction of MIT. I am just wondering, in addition to attracting MIT, which in itself is a great thing, if it will cause our postgraduate market to in any way be diverted to that American university, and what steps has he put in place to make sure that doesn't happen?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:42): I am delighted that the honourable member has asked me for some more details on MIT. MIT is coming to open up one of its Living Labs in South Australia. It is not as if we are going to have students from South Australia going to the US, although I expect there will be some opportunities for exchange and sharing of knowledge and ideas.

This is a fabulous partnership between MIT, the South Australian government, BankSA and Optus. I can inform the chamber that this is something that happened in March 2017. I flew to Washington as an opposition member and met with MIT and did a deal. I built a relationship, as we talked about a few weeks ago; I built a relationship with MIT. I built a relationship with them and they then came.

I didn't want to get it tangled up in an election campaign, so it wasn't an election commitment. I built the relationship, and today Professor Sandy Pentland came here to Adelaide to celebrate the opening and the launch of MIT's Living Lab. They have them in New York, Beijing and now Adelaide. It is a wonderful coup—the world's number one university.

When I met with that representative in Washington, he said, 'You're not an academic. Why would we want to do this? Why are you here?' I said, 'That's because I love my state. I know that we can do a lot better, and if we can attract people like you and your organisation here, both you and South Australia will benefit.' Bringing MIT to Adelaide is, I suspect, the only thing I did in 16 years of opposition that will have a long-lasting effect and impact.

Members interjecting:

The Hon. D.W. RIDGWAY: The members laugh, Mr President. They get sidetracked, interjecting, cracking jokes, tearing up paper, speeding around. We all love that, but out there in bogan land nobody notices. This will be the one thing I can say that I did in my 16 years in opposition that will have a lasting benefit for the people of South Australia. All the stuff you do in here—the giggles and the laughs—make no difference to the people of South Australia.

The PRESIDENT: Alright, the Hon. Mr Ridgway, we are off track now. The Hon. Mr Hanson.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

The Hon. J.E. HANSON (14:44): Further supplementary: just to refine the point, because I understand that the minister, when he was the leader and shadow minister, went over and did a deal. Firstly, can he provide the context of that deal that he did and, secondly, can he outline whether or not, going back to my original question, any aspects of that deal are in place to prevent the intellectual drain of postgraduates from South Australia going to MIT and us subsequently losing them? What protections has he put in place?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:45): I thank the honourable member for his question. Can I deal with the deal first. The deal was that I went to MIT and I met with representatives in Washington. The deal was that they said, 'You're a good bloke; that sounds like a great place and we actually want to come.' It has not cost the taxpayers a cent. It's funded by BankSA and Optus, so it's a partnership.

Members interjecting:

The Hon. D.W. RIDGWAY: It is a valued relationship. The members opposite can't grasp that you can actually go to the other side of the world, meet somebody and develop a relationship and a friendship and that, at the end of the day, South Australia benefits from that great work.

Members interjecting:

The Hon. D.W. RIDGWAY: Mr President, they are a joke and that's why they will remain a joke. Because the Living Lab is a global, number one university in the world, what we are going to see is students and graduates coming to Adelaide to immerse themselves in the data science and the data analytics that are all around MIT. This is a coup for Adelaide. I know Melbourne and Sydney had spent about a decade trying to lure MIT to their cities and to their universities. We were able to go there, as I said, and build a relationship, make some friends and showcase South Australia and Adelaide, and today they have come here. I think it will be a catalyst to bring more students, more activity, more smart people and more young people to South Australia.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

The Hon. T.T. NGO (14:46): Supplementary: what incentive did the government provide to MIT to come here?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:46): Again, a wonderful question from the honourable member. What we provided was an exciting, visionary ecosystem. It's called Lot Fourteen; it's called a great Premier who has a vision for this state. We have a much greater ambition for South Australia than the former government ever had. We actually haven't given them anything. I said that before. We did not give them any money. BankSA are the funding partners and supporters, and Optus is a supporter.

MIT has come, and they are going to be domiciled at Lot Fourteen. They are coming here, they have developed a business model and they are going to take up some space there. There have been no inducements given to MIT, as far as I am aware. My department has been negotiating the arrangements with MIT and there could be some small amount of office rent but, when you are talking about a multimillion dollar deal over a number of years, it's insignificant if there is any office rent supplied.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

The Hon. I.K. HUNTER (14:47): Supplementary arising from the answer: in relation to the deal the minister mentioned in his answer, is there any written documentation associated with that deal?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:47): Of course there is. I thank the honourable member for his ongoing interest. I think the members opposite would surely be well served to take a strong interest in this Living Lab. Of course there is an arrangement between BankSA, Optus, the government and MIT. Of course there is a written agreement.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

The Hon. I.K. HUNTER (14:48): Supplementary: with respect, that wasn't the deal that the minister referred to in his answer nor was it the deal that I referred to my supplementary. The minister referred to a deal that he did, when he was in opposition, with these representatives of the company in Washington in 2017. That's the deal that I am asking a question about. Is there any written documentation in support of that deal?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:48): As I tried to explain, I think these members opposite struggle to grasp that you can travel to the other side of the world, make an appointment to see somebody and say, 'I would like you to bring your Living Lab to Adelaide.'

Members interjecting:

The Hon. D.W. RIDGWAY: Well, I was in opposition. I went and asked. I said, 'Can you bring one of your Living Labs to Adelaide?'

The Hon. K.J. Maher: Did you call yourself a minister then?

The Hon. D.W. RIDGWAY: I think they could tell by my passion for my state that I was soon to be a minister. I am certain I had a vision for the state—

The Hon. K.J. Maher: Because you had a card saying it, did you, Ridgy?

The Hon. D.W. RIDGWAY: No, not at all. I wouldn't want to falsely represent my standing in the parliament, unlike perhaps some others in this parliament. There isn't a written deal. This was a relationship, and then, after the election, MIT visited here and that's when negotiations started. This was about building some understanding. Professor Pentland arrived today; he has never been to Adelaide but he has been to Melbourne and Sydney. This deal, and the negotiations since the election, have been done with MIT and the department, BankSA and Optus. It has been quite a long time. It is now nearly 470 or 480 days since the election, so it has been a long process, but as far as the deal, honourable members opposite have to—

The Hon. I.K. Hunter: It was your word, David. It was your language.

The Hon. D.W. RIDGWAY: Yes, a deal. It was a handshake. It was, 'You sound like you've got a great place,' and I said I did a deal. That is the trouble: they have spent so long with their heads in the bureaucratic weeds they think you can't actually go and have a handshake and say, 'I think that sounds like a great idea. We are going to come to the election.'

The Hon. I.K. Hunter: You said, 'I did a deal.'

The Hon. D.W. RIDGWAY: Yes, a deal and a handshake.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

The Hon. E.S. BOURKE (14:50): Supplementary: can the minister confirm who else was present in the room while you did this deal by handshake?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:50): I can't recall the name of the restaurant where I bought—

Members interjecting:

The Hon. D.W. RIDGWAY: Mr President, this is where this lot don't get it. You want to go to the other side of the world, you make an appointment to see somebody, and I said, 'I want to have a talk to you about it.' He had just flown in from another part of the US, so we met in a restaurant, had lunch and, over the next two days, when I was at the World Blockchain Summit, which, for members opposite, a blockchain would be something you would pull a truck out of a bog with—they wouldn't actually understand.

When I was at that summit, I interacted with him a couple more times. At the end of the summit he said, 'We're coming to South Australia.' There wasn't anybody else in it. It was about going to the other side of the world, using our friends and networks. Of course, the members opposite have no friends, they have no network, they have none. They just simply don't understand that how we grow this state is actually by selling our state to the world and by—

The Hon. K.J. Maher: Take it on notice, Ridgy, please. Sit down, Ridgy. Ridgy, seriously, sit down, please.

The Hon. D.W. RIDGWAY: Why should I sit down when you ask me to sit down? It is about building relationships and growing our state, and today—

Members interjecting:

The Hon. D.W. RIDGWAY: This lot laugh at the world's best, number one university and you want to laugh at it. You are a disgrace. You are a disgrace. You are a disgrace. I cannot believe that they think that this is a joke for bringing the number one university in the world to Adelaide. Clearly, they don't understand and they deserve to spend a long, long, long time in opposition.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

The Hon. F. PANGALLO (14:52): Can the minister clarify for us, because he has mentioned it so many times in this debate, that MIT is the number one university in the world, when in actual

fact Harvard and Stanford are considered one and two? Just for the record, because you keep saying it is the number one university in the world when clearly it isn't.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:52): I suspect it depends on your perspective and with which measure you look at it. At the press conference this morning, Professor Sandy Pentland and others referred to it being the number one university in the world. If it is one, two or three, it is probably a bit—

Members interjecting:

The Hon. D.W. RIDGWAY: Again, they belittle one of the world's great research institutions. They laugh at it; they simply do not understand. They are a disgrace that they would think this is a joke. This is a wonderful day for South Australia. It is a wonderful day for South Australia.

The PRESIDENT: The Hon. Mr Hanson, a supplementary.

MINISTER FOR TRADE, TOURISM AND INVESTMENT

The Hon. J.E. HANSON (14:53): Can the minister outline, other than things he has admitted he did before he became a minister, what strategies and measures he has put in place to improve morale in his agencies, give a clear agenda and strategy for trade and investment in his area, and also give credence to his department that they feel like they know what he is doing?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:53): I thank the honourable member for his question. He talked about putting strategies in place. If you like, I can go and talk about our growth agenda and all the strategies about growing the state's economy because he talked about what strategies are in place to grow trade and investment. Clearly, as a government we implemented and commissioned the Joyce review. We are now implementing that and that is almost complete, so there is a clear direction now with the government.

We have appointed a new chief executive—the one I mentioned yesterday—who has global recognition so that people all over the world are saying, 'Well done, great appointment,' and they are very keen to start. Under that leadership, and with all of the things like MIT and the other great initiatives that this government is doing, morale will continue to grow because they will be certain that this government has a clear agenda to grow the South Australian economy, to grow jobs, and grow the population to make South Australia an even better place to live.

The PRESIDENT: No, I think we have run our distance on this. The Hon. Mr Hood.

PUBLIC SECTOR EXPENDITURE

The Hon. D.G.E. HOOD (14:54): My question is for the Treasurer. Can the Treasurer outline to the chamber the concerns expressed by the Ombudsman today about public expenditure on meals, alcohol and entertainment by public officers and our FOI laws, and what is the government's response to the Ombudsman's concerns and recommendations?

The Hon. R.I. LUCAS (Treasurer) (14:54): I thank the honourable member for his question. The Ombudsman's two reports today bear very close consideration, I think, by all members in this particular chamber, and I would advise members to have a good hard look at either their former behaviour or perhaps the behaviour that is required by an Ombudsman of public officers.

There is a very significant criticism laced throughout the report of damning misuse of public funding or public expenditure on meals, alcohol, entertainment and hospitality under the former government. I don't have the time today to go through all of the detail, but at some subsequent stage I probably will take the opportunity of putting on the public record some of the very significant concerns.

Mr Michael Deegan, who I think everyone acknowledged was a fellow traveller of the Labor Party nationally, a former chief of staff to two Labor ministers in New South Wales, was subsequently appointed, through an unusual process here, as the chief executive of the Department of Planning, Transport and Infrastructure. He has been found guilty of misconduct; that is, Mr Michael Deegan committed misconduct in public administration by determining an internal review under the Freedom of Information Act in respect of a request for information concerning his own meals, entertainment and purchase card expenditure.

The former department, of which he was the CEO, was found guilty of maladministration in public administration in relation to the use of public funds in this particular area. More about that on a subsequent time, but there are in particular some extremely concerning observations from the Ombudsman in relation to some of the expenditure. He highlighted $1,190.50 being spent by Mr Deegan on a meal, including an astonishing $664 being spent on alcohol.

He was also very critical of spending on restaurant meals between Mr Deegan as the CEO and his own minister, who of course is the current shadow treasurer, the member for Lee, Mr Mullighan. Let me quote specifically what the Ombudsman says in relation to this:

> I am all the more concerned by DPTI's practice of funding restaurant meals between the Chief Executive and other public officers. I note, in particular, that DPTI appears to have funded at least two CBD restaurant meals between Mr Deegan and the Minister responsible for this department—at least one meeting of which involved the purchase of alcohol using departmental funds.

On a number of occasions the Ombudsman's report now refers to Mr Deegan paying for a lunch with minister Mullighan and his chief of staff, $374 at Peel Street, so just for the three of them; and for a meal with Mr Mullighan, just the two of them, at Press Food and Wine, $247.40.

There are a number of other examples, one of which relates to the Ombudsman referring to a meal paid for by Mr Deegan at The Barn Steakhouse, a very find establishment that the Leader of the Opposition would be familiar with, at a country cabinet meeting or a community cabinet meeting. The explanation for that was that Mr Deegan spent $860.50 on that meal because the minister or ministers attending had left their credits in their rooms. If anyone knows The Barn Steakhouse, it is not too far from the Steakhouse to your room to get your credit card. It would be interesting to find out which ministers, and we will pursue that at a later stage as to which ministers—indeed, there are a couple in this particular chamber to whom those questions may well be directed in a future question time.

He is quite critical of all of that. What the member for Lee now needs to explain is why he needed to meet his own chief executive at restaurants in the Adelaide CBD rather than saving taxpayers considerable funds by actually having the meeting with his own CEO in his own office in the government building. Mr Mullighan really has to explain not only that but also whether or not any officers within his office, or indeed himself, had any discussion at all with Mr Deegan and his office in relation to what was ultimately a successful ploy in refusing to release the details of the invoices until after the March 2018 election.

This particular inquiry was the result of an FOI first lodged by me in late 2016. As the opposition, having previously embarrassed ministers over their credit card expenses for meals and alcohol—and the former minister for tourism is an obvious highlight there—we were advised as an opposition that ministers were getting around that particular potential embarrassment by getting their chiefs of staff to pay. The Hon. Mr Ngo would know a little bit about this—I am not suggesting he was a chief of staff, but he was a former adviser to a former treasurer. Ministers were getting around this embarrassment by getting their chiefs of staff or their CEOs to pay for the meals, alcohol and hospitality.

The FOI was lodged in late 2016, and the CEO, with or without assistance from others, managed to successfully refuse to provide those invoices to the Ombudsman's inquiry and prevent the release of that information until after the March 2018 election. In fact, the information has only just come to light as a result of these two reports.

There are significant other elements of these two particular reports which appertain to not only the use of public funds but also the way FOI laws have been subverted in the past, which governments will need to have a look at. The Ombudsman makes a number of recommendations, one of which relates to me on behalf of the government, that is, to develop a suitable whole-of-government policy in relation to the use of credit cards by senior public officers.

I have indicated publicly on behalf of the government that we the government will look at the Ombudsman's recommendation in relation to this and see whether or not we can develop a suitable policy which is workable. We accept the fact that there needs to be certain expenditure by public officers; nevertheless, there need to be some controls and restrictions on excesses or outrageous uses of public funds in relation to alcohol, meals, entertainment and hospitality.

HOSPITAL PARKING FEES

The Hon. J.A. DARLEY (15:02): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about increases to hospital parking fees for staff.

Leave granted.

The Hon. J.A. DARLEY: I understand that staff at public hospitals have the option of paying for parking. At the moment, this is at a cost of $21.59 per fortnight. However, I understand that this will increase to $49.50 per fortnight as of next year. Hospitals run 24/7 and therefore need to be staffed as such. Most staff work in shifts, which often means that people are either starting work or finishing work in the middle of the night or in the very early hours of the morning. Parking is often not a luxury but rather a necessity, given there is rarely public transport services available in the middle of the night.

This increase of 130 per cent is not a cost that can be easily absorbed by all, and there is concern that some may forgo this service because of the increase. This is particularly concerning because safety issues surrounding off-site parking have already been raised at a number of locations, and it is likely the number of people who are forced to park off-site will increase as a result of the government's increase. My questions to the minister are:

1. What considerations have been given to the safety of staff who will be forced to park off site due to the unaffordability of the increase?

2. Will safety and security measures be increased?

3. Will public transport services be increased, particularly for graveyard shift workers, to cater for those who cannot afford to drive into work and who will not take a risk on their safety?

4. Can the minister advise whether this increase in fees could be introduced incrementally over several years to lessen the impact on these workers?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:04): I thank the honourable member for his question. The state government and the state Treasurer had serious decisions that had to be made in the context of significant loss in GST revenue. In that context, the health department obviously needed to look at how we could make our contribution to making sure that our services are sustainable going forward. In the context of hospital car parking, I highlight that there has been no increase in car park costs at metropolitan hospitals since they were set in 2011, except for the Women's and Children's. So, fundamentally, in relation to costs of public car parks, the cumulative approved annual indexation in government fees and charges since 2011 has been applied.

In relation to staff in particular, I would just like to challenge the observation that the honourable member makes. He suggests it was a 130 per cent increase. The fact of the matter is that there were quite inequitable rates being charged by the former government. For example, there will actually be no increase at the Women's and Children's Hospital because they were already paying more than the fee that will be applied as a result of the recent budget. The Royal Adelaide Hospital, likewise: it's a much smaller increase than the honourable member was referring to. Staff rates are being linked to public transport charges. Staff are basically paying half the rate of public hospital car parks. It is also worth remembering that some staff are able to salary sacrifice.

I certainly appreciate the point the honourable member is making in the second question about safety and security, but I would make the point that charging is a blunt instrument to provide access to people who might need increased security. We add the security element through permits. For example, the Royal Adelaide Hospital has 6½ thousand staff members and more than half of those have staff car park permits. In relation to eligibility for those permits, priority is given to staff who are put in a situation where security could be an issue. For example, those on permanent night duty or permanent rotating shifts are eligible, as are people on on-call rosters and people with permanent or temporary disability.

In terms of the point the honourable member made in relation to public transport, of course this government will continue to improve to provide better services, and that includes public transport. In relation to the Royal Adelaide, to use that as an example, I just make the point that the new Royal

Adelaide Hospital is better placed in terms of the public transport network. In the context of the member's last question, which was in relation to 'Wouldn't it be more sensible to make these charges incrementally?', I would like to ask that of the Labor treasurers in 2011, 2012, 2013, 2014, 2015, 2016 and 2017. We need to make sure that we maintain our revenue base. It was because of Labor's mismanagement of not only the hospitals of this state but also the finances that we now need to do this catch up.

KANGAROO ISLAND VISITOR CENTRE

The Hon. T.T. NGO (15:08): I seek leave to make a brief explanation before asking a question of the Treasurer about tourism funding.

Leave granted.

The Hon. T.T. NGO: Yesterday, the Minister for Trade, Tourism and Investment was asked questions about the Kangaroo Island Visitor Centre, which has been closed since 19 May 2019. The minister has consistently refused to reopen the visitor centre. My question is to the Treasurer: why won't the Treasurer allocate funding to reopen the Kangaroo Island Visitor Centre?

An honourable member interjecting:

The Hon. T.T. NGO: The cheque's in the mail. And since being in parliament has the Treasurer ever visited Kangaroo Island to understand how important this tourism destination is?

The Hon. R.I. LUCAS (Treasurer) (15:09): What an excellent question from a former senior adviser to a treasurer, as I alluded to earlier, Mr President. I have every confidence in my outstanding tourism minister colleague, the Hon. Mr Ridgway. Whatever budget he is allocated, he will make sure that it is spent and gets the best bang for the buck in relation to that budget.

As he has highlighted, there has been in the marketing area a very significant increase. But there are always difficult and challenging decisions, as I am sure the former senior adviser to a former treasurer—

The Hon. T.T. NGO: Underpaid.

The Hon. R.I. LUCAS: 'Underpaid', he says—will understand. But we leave that sort of detailed decision-making to my outstanding colleagues and, in this case, my outstanding colleague the Minister for Tourism, the Hon. Mr Ridgway.

KANGAROO ISLAND

The Hon. T.T. NGO (15:10): A supplementary to follow up the question asked: has the Treasurer been to Kangaroo Island previously?

The Hon. R.I. LUCAS (Treasurer) (15:10): Yes, I have been previously, but if the import of the question is: have I been since this last budget or indeed since the election? No, I have not. But I understand seven or eight of my outstanding ministerial colleagues—if I read an answer to a particular question previously—

The Hon. J.A. Darley: I'm waiting for Frank's bridge.

The Hon. R.I. LUCAS: Well, that's right, if there's a bridge, the Hon. Mr Pangallo bridge, it will be much easier for everybody. But, no, I have not had the opportunity. At some stage I am sure I would be delighted to get there, but seven or eight of my colleagues, I understand, including the Minister for Tourism, have been there—

The Hon. D.W. Ridgway: Absolutely, several times.

The Hon. R.I. LUCAS: He's been there several times and others have been there. So Kangaroo Island can rest assured that it has a full court press, if I can use a basketball phrase, from the Marshall Liberal government in terms of attention to the particular needs of the Kangaroo Island community.

The PRESIDENT: The Hon. Mr Ngo, do you have a further supplementary?

KANGAROO ISLAND

The Hon. T.T. NGO (15:11): I was just wondering: has he been to Kangaroo Island since he became a member of parliament?

The Hon. R.I. LUCAS (Treasurer) (15:11): The Hon. Mr Ngo will be delighted to know the answer to that question is yes.

RENAL DIALYSIS SERVICES

The Hon. J.S.L. DAWKINS (15:11): My question will be directed to the Minister for Health and Wellbeing. Will the minister update the council on the government's support for renal dialysis?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:11): I thank the honourable member for his question. Renal disease is a significant public health challenge. Data from 2016 indicates that 1.7 million Australians are living with kidney disease. Some live with the disease for years. To put a human face to the statistics, about a month ago I had the privilege of meeting Sue Williams, a South Australian who has lived with kidney failure and consequent dialysis for 50 years, a length of time which we understand is a world record.

Susan Williams began dialysis on 27 May 1969 at The Queen Elizabeth Hospital and has been on haemodialysis ever since. I am in awe of Susan. The willpower and resilience she has shown living with a chronic condition and intensive regular treatment for five decades speaks of her passion for life and those she loves.

The Queen Elizabeth Hospital and the Central Adelaide Local Health Network have long been recognised as leaders in the treatment of kidney disease, and Susan's story is a testament to how this dedication to excellence can have a positive and lasting impact on the lives of their patients. This is a partnership: Susan's commitment and the care of generations of health professionals.

Mrs Williams was also one of the first South Australians to receive dialysis at TQEH and went on to benefit from their provision of dialysis services in the home, a demonstration of the successes that can be achieved in the provision of care in the community. Mrs Williams' record-setting 50 years in dialysis is almost a history lesson in the rapid progress of medical science in the 20th century. Fifty years ago she had a 14-hour long dialysis session twice weekly. Now she has four-hour sessions thrice weekly. Therefore, in the past she was facing dialysis for 28 hours per week and, with the advance of medical technology, that has come down to 12.

Mrs Williams provides hope to South Australians living with kidney disease and undergoing dialysis treatment, and her passion for life is simply infectious. The Marshall Liberal government is working to improve access to renal dialysis services in South Australia, particularly in rural and regional areas of the state.

We are investing in supporting renal dialysis in the APY lands and in Mount Gambier and working with the commonwealth government in Victor Harbor. Just this week, I was able to celebrate the first patient receiving dialysis treatment at the Mount Barker hospital, following the Marshall Liberal government's investment of $800,000 to establish a haemodialysis unit at the hospital. This investment has provided three haemodialysis chairs, which will support up to 12 patients each week to receive dialysis.

Patients in the past from Mount Barker and the region have needed to head either west to Adelaide or east to Murray Bridge. Now they can get the care they need in their own community. As Mrs Williams' story shows, this makes a real difference in the lives of South Australians. Particularly in rural and regional areas, the provision of dialysis units closer to home can help avoid long trips to the city for treatment and significant disruption to the lives of the patients and their families.

The Marshall Liberal government is committed to supporting the delivery of quality services to all South Australians, including South Australians in country South Australia, and we are delivering on that commitment. I congratulate Mrs Williams on her world record achievement of 50 years of dialysis, as well as the clinicians who have provided and continue to provide care to her and thousands of other South Australians over the years, and I wish them all the best in the future.

LAND TAX

The Hon. F. PANGALLO (15:15): I seek leave to make a brief explanation before asking the Treasurer a question about land tax.

Leave granted.

The Hon. F. PANGALLO: *The Advertiser* reported today that some of the state's most influential property developers and industry groups will meet the Treasurer tomorrow to strongly reinforce their views that the government's proposed increases to land tax, already the highest in the land, could bring South Australia to a crisis point. There are widespread industry fears that this will lead to an increase in property prices as home building companies, already feeling the pinch with up to eight going bust already, could either walk away from projects and/or pass on those costs to new home owners.

Just to remind the Hon. David Ridgway, after his subtle dig at the election of the popular member for Mayo, SA-Best's Centre Alliance colleagues in federal parliament have today played an integral role in passing the Coalition's full $158 billion tax package, which will provide a significant boost to the state's economy by giving more than 700,000 South Australians a windfall—a $1,080 windfall.

Members interjecting:

The PRESIDENT: Don't respond to them, the Hon. Mr Pangallo. Through me: complete the question and ignore their jibes.

The Hon. F. PANGALLO: My question to the Treasurer is:

1. Can he advise which industry groups he is meeting tomorrow, and whether he called the meeting or those attending did?

2. Can he reveal which modelling he is using for his new land tax slug?

3. Can he also explain what modelling his department used to come up with the figure that the new taxes will generate about $40 million a year, a figure the industry believes is significantly underestimated?

4. Can he explain how such moves will not impact on housing affordability, and not drive investment and jobs interstate?

5. Is he open to renegotiating and lowering his land tax rate to an acceptable national average?

The Hon. R.I. LUCAS (Treasurer) (15:19): I am not sure if I can remember all of the questions. I made an open invitation to anyone who wanted to meet with me—as always, my door is always open, my telephone is always available for people to speak to me—and the UDIA, I believe, took up the opportunity to request a meeting and I readily agreed to that as quickly as possible. Given the degree of interest in this particular issue and other issues, such as other issues in the budget, there have been a range of groups who have asked to see me or meet with me in relation to land tax. The UDI is but one and I am meeting them—they requested the meeting.

In relation to the estimates, certainly some within the property industry are claiming that the government and Treasury in particular have underestimated that we will really collect $300 million from the proposed changes. As I have said to these particular individuals, that is highly implausible, given that our total collections from the private sector are about $380 million to $390 million or something. The estimates that are in the budget are the best estimates that the Treasury can put together in relation to the potential impact of the land tax proposed changes.

In relation to reducing the rate of land tax, I am not sure whether the honourable member was here last year for the budget; if he was, then he would have voted for a budget change. That is already legislated to reduce the top rate of land tax for properties between $1.2 million, as it was then, up to $5 million from 3.7 per cent down to 2.9 per cent. This particular proposition has a seven-year further reduction for property values above $5 million which remain at 3.7 per cent to come down to 2.9 per cent.

I have said to the industry generally, the Press Club and indeed to many others who have spoken to us that if either (a) financial circumstances change—in particular, that is obviously the GST—or, more particularly, (b) in further modelling, either from the Treasury or indeed from anyone else who wants to model the proposed changes, we are convinced that we will collect more than $40 million, the government's intention in all of this is to see a reduction in the total land tax collections from our land tax reform provisions, which is currently the case in the proposed package.

If we are convinced that we will collect more than $40 million, we will hasten the speed of the reduction of the 3.7 per cent down to 2.9 per cent; that is, instead of seven years, we might be able to do it in three years, or perhaps even more quickly than that. I have made that quite clear in relation to the government's position on it.

In terms of the national average, the national average is changing pretty quickly. In response to the same problems that we confronted—the GST—Queensland have significantly increased their top rate of land tax and they have now gone to 2.75 per cent. Queensland, because of the cut in the GST, have gone the other way: they have actually increased the top rate of land tax to 2.75 per cent, so they are getting much closer to the 2.9 per cent. We are still higher than New South Wales and Victoria, which is the point that people in the industry have raised.

I think that is the bulk of the handful of questions that the honourable member raised. If not, I am happy for him to buttonhole me after question time and I am happy to answer any remaining questions that I didn't.

Bills

CRIMINAL LAW CONSOLIDATION (ASSAULTS ON PRESCRIBED EMERGENCY WORKERS) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

Clause 7.

The Hon. R.I. LUCAS: When we reported progress just prior to the lunch break, the Leader of the Opposition had moved his amendment and I think concluded his explanation. I propose to respond with the government's position on that amendment and, when called upon by you as Chair of the committee, I will formally move the government's amendment and speak briefly to that. At the outset, I propose to respond on behalf of the government to the Leader of the Opposition's amendment.

I thank the honourable member for his interest in the bill and the amendment that he has moved, but indicate that the government opposes the amendment he has moved for the reason that a substantially similar amendment was opposed when unsuccessfully moved by the opposition in the House of Assembly. While this amendment adopts part of the government's new biological materials offence, its main purpose is to introduce new provisions for offences against prescribed emergency workers despite the Criminal Law Consolidation Act already providing such protections for police and emergency services workers throughout.

Save for one small departure, the honourable member's definition of prescribed emergency worker is the same as the government's, except that the honourable member's definition would apply to a doctor, nurse, security officer and other worker in a hospital workplace, whereas the government's definition would apply when these workers are assaulted in an accident or emergency department of a hospital. These are clearly areas of greater risk than a hospital's general wards and are in line with the government's commitment to protect front-line emergency workers.

I would like to reiterate that the honourable member's amendment does not create new offences or substantially increase penalties, and in that regard is unnecessary. There are already offences in the statute books for intentionally or recklessly causing harm to a police officer and a broad range of other emergency services workers, and there are existing offences for assaulting police. The Law Society, when commenting on the government's bill, noted the following:

The Society does not condone assaults on police officers and/or other frontline and emergency workers. These people play an important role in our community and it is understood their occupations place them in a position

of vulnerability. As such, this is reflected in the criminal law in South Australia under a number of existing provisions. While the Society appreciates the need to deter the type of behaviour, it considers that the legislative mechanisms to deal with these types of offences are already in place.

The same conclusion can be drawn from the amendments proposed by the opposition, especially in that there is no creation of new offences, simply the shifting and reiteration of laws which currently exist. For example, section 20 of the Criminal Law Consolidation Act contains an offence of assault. In this bill, the government would increase the maximum penalty where a police or other emergency services worker is assaulted to five years' imprisonment, which is the same as the honourable member's proposed maximum penalty for this offence. Where such a worker is harmed as a result of the assault, the maximum penalty in the bill is seven years' imprisonment.

There are also offences in sections 23 and 24 of the Criminal Law Consolidation Act where harm or serious harm is caused to a person. Where a police officer or an emergency services worker is harmed or seriously harmed, there are already significant penalties. The maximum penalty for recklessly causing harm or serious harm to such workers is currently seven years' and 19 years' imprisonment respectively. This bill will increase the penalty for recklessly causing harm to such workers from seven years to eight years. The honourable member's proposed maximum penalty for recklessly causing harm to these workers, or doing so while resisting or hindering police, is 10 years' imprisonment.

The existing penalties for intentionally causing harm or serious harm where the victim is a police officer or emergency services worker are 13 years and 25 years respectively. The honourable member's proposed maximum penalty for intentionally causing harm to these workers is 15 years. This is only an example of the existing offences that a person can be charged with where the victim is a police officer or emergency services worker, or in fact any other person in the community.

Other offences include conduct such as making unlawful threats or engaging in acts likely to cause harm or endanger life. Where the victim is a police officer or other emergency services worker, it is an aggravating circumstance and the offender, if convicted, already faces significantly greater penalties than if any other person in the community were the victim.

The government believes the member's amendment is deficient in that, unlike the government's bill, it does not contain definitions of retrieval medicine or rural area. Due to the uncertainty surrounding these terms, the lack of definition in the amendment may cause difficulties for prosecutors and see the throwing out of charges on the grounds that the court is not satisfied that a relevant alleged victim was performing duties in retrieval medicine or was in a rural area at the time.

It is for those reasons that the government opposes the amendment, but I am advised that there is a majority of members in this chamber who are likely, when they speak, to support the Labor Party's (the opposition) amendment. If indeed that is the case, I will not be proposing to divide the council on the issue.

The Hon. K.J. MAHER: I seek leave to withdraw my amendment and then to re-move it in an amended form that incorporates the Hon. Frank Pangallo's amendment.

Leave granted; amendment withdrawn.

The Hon. R.I. Lucas: Can we get a copy of what you are doing?

The Hon. K.J. MAHER: I will explain it very clearly. You will have it all in front of you. What I am doing, Mr Chairman, is moving the amendment standing in my name, amendment No. 1 [Maher-1], but inserting into subclause (9), after paragraph (j), a paragraph (ja) to provide 'an inspector within the meaning of the Animal Welfare Act 1985; or'. So, in effect, I am moving the same amendment as it stands, but with the incorporation of the Hon. Frank Pangallo's amendment, which is amendment No. 1 [Pangallo–1], into the list in my amendment. Accordingly, I now move my amendment in the amended form as follows:

Amendment No 1 [Maher–1]—

Page 4, line 3 to page 5, line 35 [clause 7, inserted section 20AA]—Delete inserted section 20AA and substitute:

20AA—Causing harm to, or assaulting, certain emergency workers etc

(1) A person who causes harm to a prescribed emergency worker acting in the course of official duties, intending to cause harm, is guilty of an offence.

Maximum penalty: Imprisonment for 15 years.

(2) A person who causes harm to a prescribed emergency worker acting in the course of official duties, and is reckless in doing so, is guilty of an offence.

Maximum penalty: Imprisonment for 10 years.

(3) A person who assaults a prescribed emergency worker acting in the course of official duties is guilty of an offence.

Maximum penalty: Imprisonment for 5 years.

(4) A person who hinders or resists a police officer acting in the course of official duties, and, in so doing, causes harm to the officer, is guilty of an offence.

Maximum penalty: Imprisonment for 10 years.

(5) In proceedings for an offence against this section, it is a defence for the defendant to prove that the defendant did not know, and could not reasonably have been expected to know, that the victim was a prescribed emergency worker, or police officer, (as the case requires) acting in the course of official duties.

(6) Without limiting the ways in which a person can cause harm to a prescribed emergency worker, harm can be caused by causing human biological material to come into contact with a prescribed emergency worker.

(7) For the purposes of this section, a person causes human biological material to come into contact with a victim if the person performs any act (including, without limiting the generality of this subsection, by spitting or throwing human biological material at the victim, or deliberately applying human biological material to their person knowing that the victim is likely to come into physical contact with the person in the course of their duties) intended or likely to cause human biological material to come into contact with the victim.

(8) This section does not apply to conduct occurring before the commencement of this section.

(9) In this section—

assault means an assault within the meaning of section 20(1) and includes, to avoid doubt, an act consisting of intentionally causing human biological material to come into contact with a victim, or threatening to do so;

harm has the same meaning as in Division 7A;

human biological material means blood, saliva, semen, faeces, urine or vomit;

prescribed emergency worker means—

(a) a police officer; or

(b) a prison officer; or

(c) a community corrections officer or community youth justice officer; or

(d) an employee in a training centre (within the meaning of the *Youth Justice Administration Act 2016*); or

(e) a person (whether a medical practitioner, nurse, security officer or otherwise) performing duties in a hospital; or

(f) a person (whether a medical practitioner, nurse, pilot or otherwise) performing duties in the course of retrieval medicine; or

(g) a medical practitioner or other health practitioner (both within the meaning of the *Health Practitioner Regulation National Law (South Australia)*) attending an out of hours or unscheduled callout, or assessing, stabilising or treating a person at the scene of an accident or other emergency, in a rural area; or

(h) a member of the SA Ambulance Service Inc; or

(i) a member of SAMFS, SACFS or SASES; or

(j) a law enforcement officer; or

(ja) an inspector within the meaning of the *Animal Welfare Act 1985*; or

(k) any other person engaged in an occupation or employment prescribed by the regulations for the purposes of section 5AA(1)(ka); or

(l) any other person prescribed by the regulations for the purposes of this paragraph,

whether acting in a paid or voluntary capacity, but does not include a person, or person of a class, declared by the regulations to be excluded from the ambit of this definition.

The CHAIR: The committee has given leave. Treasurer, it's technically tidier. I assume the Hon. Mr Pangallo is happy with that?

The Hon. F. PANGALLO: Yes, I am; thank you, Chair.

The CHAIR: Even although the Leader of the Opposition is incorporating your amendment into his amendment, do you wish to speak, for the benefit of the council, on your reasons behind wanting to incorporate the Animal Welfare Act.

The Hon. F. PANGALLO: Only that we feel it is important to include inspectors who are with the RSPCA. They are considered law enforcement officers and could also encounter situations that could be confronting for them, so we are of the belief that they should be included in that list.

The Hon. T.A. FRANKS: I rise on behalf of the Greens to support the opposition's amendment, as amended on the floor. It will come as no surprise to members of this council, and indeed to the original mover of the suggestion, that the Greens will strongly support the inclusion of the RSPCA inspectors, because it is also in the contents of a private members' bill that I have before this place.

I did so at the behest of my consultations with the RSPCA. Their inspectors, who are charged with police-like responsibilities of enforcing and protecting animals in this state under the Animal Welfare Act, are confronted with some very dangerous situations in which they are not possibly but absolutely subjected to violence, harassment and intimidation. They should be afforded the very protections that we are now extending to other similar workers, that is, those who protect us and those who work in situations that are very stressful but where they go in when others leave. That includes, of course, the CFS, the MFS and the SES, many of whom are volunteers and should be afforded these protections. On that, the Greens will be supporting the opposition's new amendment.

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

Amendment No 1 [Treasurer–1]—

Page 4, line 40 and 41 [clause 7, inserted section 20AA(5), definition of *human biological material*]—Delete 'means blood, saliva, semen, faeces, urine or vomit' and substitute:

means—

(a) blood, saliva, semen, faeces, urine or vomit; or

(b) any other material prescribed by the regulations;

This first and second amendments in this set are functionally identical. I take the opportunity to speak to them together. This amendment allows the definition of 'human biological material' to be expanded by regulations. It applies to the offence against prescribed emergency workers. By definition, the bill encompasses all biological materials that can be currently anticipated as being used in these types of assaults. This amendment will allow the government to act quickly by regulation, should it become necessary in the future to extend the definition to biological materials that cannot be presently anticipated.

The CHAIR: The question I am going to put is that all words down to but excluding 'human biological material' on page 4 stand as printed. If you support the Leader of the Opposition, you vote no; if you support the Treasurer, you vote yes. Does any honourable member require any clarity?

The Hon. K.J. MAHER: Yes. Just for the sake of clarity, when you say 'Leader of the Opposition', do you mean that that is the Leader of the Opposition's amendment with the Pangallo amendment incorporated?

The CHAIR: Yes, but you are the mover of the motion. You own the motion; it is yours.

Question resolved in the negative.

The CHAIR: I now have to put a similar question on all the words down to 'human biological material', for the sake of completeness. I put the question that all the remaining words inserted by section 20AA stand as printed. Again, if you voted one particular way last time, I would be fairly confident you will be voting the same way again, so I put that question.

Question resolved in the negative.

The CHAIR: In essence, we have removed all that clause. Now I have to put the question that the amendment moved by the Hon. K.J. Maher to insert new section 20AA be agreed to. Does any honourable member require clarity?

The Hon. R.I. LUCAS: I understand that particular provision, but my understanding, on advice from the Attorney-General's office, was that the amendment on human biological material was likely to be supported by members of the crossbench, and I am not sure about the Labor Party. We are about to vote and we accept the majority are going to support the amended motion from the Hon. Mr Maher, but I am assuming the way that this has now been constructed, unless I either seek leave to recommit—or, assuming my understanding of the crossbenchers' position was correct, either recommit or I can move to amend once this—

The CHAIR: I think we are past that point. We have to recommit.

The Hon. R.I. LUCAS: It might be worthwhile for members of the crossbench: I have been advised by the Attorney-General's advisers that the amendment that we have for the definition of human biological material allows, as I said when I spoke to the amendment, other as yet unknown biological material to be prescribed by regulation in the future, and the members of the crossbench at the very least were supporting that. If that is the case, then I will propose we recommit at the end of the committee stage to allow what is about to happen to be further amended to include that new definition. But it would be worthwhile if the advice I have is either confirmed by the Hon. Mr Pangallo and the Hon. Ms Franks, if that is a correct reflection of their views or not.

The Hon. T.A. FRANKS: The Greens do support a more flexible interpretation of human biological material into the future under regulation in this act, should it pass today or this week, and so certainly will support that recommittal.

The Hon. K.J. MAHER: I rise to say that, even though we are not on that clause and we have passed that, we will not object to the recommittal and will not stand in the way of that and, in fact, support that.

The CHAIR: I am in the hands of the committee but a course of action could be that I put the motion that the new 20AA is inserted and then, if you wish, I could report progress and then come back straight down into committee.

The Hon. R.I. LUCAS: I am happy to recommit at the end. You do not believe, Mr Chairman, on your advice that, once this has passed, I can further amend it from the floor?

The CHAIR: No, I have clarified that, and no.

The Hon. R.I. LUCAS: Alright, well I will recommit at the end of the committee.

The CHAIR: I put the question that amendment No. 1 [Maher-1] as amended on the floor be agreed to.

The Hon. K.J. Maher's amendment as amended carried.

The CHAIR: We are still on clause 7 and we come to amendment No. 2 [Treasurer-1], which is identical to the similar provision.

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

Amendment No 2 [Treasurer–1]—

Page 6, line 18 and 19 [clause 7, inserted section 20AB(4), definition of *human biological material*]—Delete 'means blood, saliva, semen, faeces, urine or vomit' and substitute:

means—

(a) blood, saliva, semen, faeces, urine or vomit; or

(b) any other material prescribed by the regulations.

As I indicated when I moved amendment No.1, there were two amendments which do basically the same thing. We are going to recommit the first one because we have an indication that everyone supports amendment No. 1. I may as well move amendment No. 2 standing in my name for exactly the same reason as I indicated before.

Amendment carried; clause as amended passed.

Clauses 8 and 9 passed.

Schedule.

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

Amendment No 2 [Maher–1]—

Page 7, line 16 [Schedule 1, Part 1, clause 1, inserted paragraph (ab)]—After '1935' insert:

where harm is caused to a prescribed emergency worker

This amends schedule 1 to place in, after 'an offence against section 20AA of the Criminal Law Consolidation Act 1935', 'where harm is caused to a prescribed emergency worker'. Of course, that will be prescribed. It allows offences to be classed as prescribed serious offences as part of the Criminal Law (Forensic Procedures) Act to allow blood to be taken.

The Hon. R.I. LUCAS: The government sees this as consequential on an earlier vote that we lost and we do not propose to reprosecute the case.

The Hon. T.A. FRANKS: Can the opposition explain for what purposes this amendment is required?

The Hon. K.J. MAHER: In widening the provisions of the previous amendment that was successful, it allows blood to be taken for everything that is included in that provision and not just what was in the previous provision, so I agree with the Treasurer that it is in effect consequential because we have widened the provisions in the previous amendment.

The Hon. T.A. FRANKS: For what purposes is the blood being taken?

The Hon. K.J. MAHER: For the provisions, as I understand it, to be applied from the successful passage of the previous amendment, so everything that was included in there.

The Hon. T.A. FRANKS: On this, we are curious in this state, in that we have public health awareness of how HIV is transmitted in this state, but in certain instances we treat particular instances as possible to transmit HIV when they are simply not, and those include the saliva provisions where then testing is undertaken for HIV. Can both the government and opposition please clarify their positions on whether or not they support continued misinformation on public health, with specific regard to the transmission of HIV/AIDS?

The Hon. K.J. MAHER: The opposition does not support misinformation on public health.

Amendment carried.

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

Amendment No 3 [Maher–1]—

Page 7, lines 20 to 25 [Schedule 1, Part 2, clause 2, inserted paragraph (da)]—Delete inserted paragraph (da) and substitute:

(da) to deter the defendant and others in the community from harming or assaulting prescribed emergency workers (within the meaning of section 20AA of the *Criminal Law Consolidation Act 1935*) acting in the course of official duties;

This amendment is related to but not consequential, as the health minister might say, to the successful passage of the first amendment. It would not have been moved if the first amendment

was not successful. This amendment amends the government's provision about making deterrence a secondary sentencing purpose so that it applies specifically to the offences in the provisions created by the first amendment.

The Hon. R.I. LUCAS: On behalf of the government, the government agrees. We do not see this as directly consequential, but I am ever the pragmatist and I know it is highly unlikely that I have got the numbers, so I do not intend to pursue opposition to it.

Amendment carried.

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

Amendment No 4 [Maher–1]—

Page 7, after line 25—Insert:

2A—Amendment of section 96—Suspension of imprisonment on defendant entering into bond

Section 96(9), definition of *designated offence*—after paragraph (g) insert:

(ga) an offence against section 20AA(1), (2) or (4);

I think this amendment is probably closer to consequential than the last one and very similar to the first one. Again, it is contingent on the passage of the first amendment that was moved. It relates to the definition of a 'designated offence' against section 20AA of the Criminal Law Consolidation Act.

The Hon. R.I. LUCAS: The government agrees that it is consequential on an earlier vote that the government lost.

Amendment carried; schedule as amended passed.

Title passed.

Bill recommitted.

Clause 7.

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

Amendment No 1 [Treasurer–1]—

Page 4, line 40 and 41 [clause 7, inserted section 20AA(5), definition of *human biological material*]—Delete 'means blood, saliva, semen, faeces, urine or vomit' and substitute:

means—

(a) blood, saliva, semen, faeces, urine or vomit; or

(b) any other material prescribed by the regulations;

Amendment carried; clause as further amended passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (15:48): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (SACAT) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. R.I. LUCAS (Treasurer) (15:49): I thank honourable members for their wholehearted support for the second reading of the legislation. I think, for the reasons that have been outlined, it is important, if possible, for the legislation to go through today. I am advised there is no opposition to the bill, and I look forward to its speedy passage.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 160 passed.

Clause 161.

The Hon. K.J. MAHER: I will speak very briefly. There is no amendment, but I indicate that the opposition will be opposing clause 161. It is not a very technical clause. At the moment, the appointment of assessors for SACAT is done through a cabinet process; that is, a submission needs to be lodged. The general process is that submission is then seen throughout government by other departments and chief executives. It is a collective decision taken by cabinet about who the assessors are. Then a recommendation is made to Executive Council, and the Governor signs off on the recommendations of assessors.

What this clause seeks to do is change that so it is just the Attorney-General who is the ultimate decision-maker about assessors. Regularly, we think these decisions are best made collectively. It gives all of government, as a general proposition, the chance to have a look, and if there are questions about the suitability of any particular assessor, or if there are more suitable assessors, it allows a much greater pool of people to make that judgement rather than just the Attorney-General.

For those reasons, we will be opposing clause 161 so that the current process, where the decisions are made by cabinet and signed off by the Governor, continues. We think that has the potential to lead to better decisions.

The Hon. R.I. LUCAS: The government opposes—well, it supports the clause, is the simplest way of putting it. My advice is that SACAT has raised this particular issue. They say there have been circumstances under the current arrangements where if there is an urgent need for the appointment of an assessor—they have either run out or people have been conflicted in various areas of assessment—the current process is cumbersome in that you have to go back through the cabinet process. That, in broad terms, is 10 days notice to get to cabinet, then cabinet consideration, then Executive Council, and then sign-off before someone is actually appointed.

SACAT, as I said, have had these problems in the past. They have raised the issue with the government and the Attorney-General. Certainly, it should not be characterised as an attempt by the Attorney-General to grab powers to herself, as it is at the moment.

The Hon. K.J. Maher interjecting:

The Hon. R.I. LUCAS: Well, I think that might be the inference in relation to this in some way, that the view of the cabinet would overpower the individual view of the Attorney-General, as it goes in this particular case in relation to assessors. But let me read formally the advice I have been given.

Various acts being transferred to SACAT's jurisdiction will require the appointment of assessors to sit as members of SACAT on an as-needs basis to assist SACAT with subject matter expertise, most commonly for disciplinary review proceedings, and I am advised that might be in the area of health, builders, land agents, vets. So it is assessors with particular expertise. They are not judicial officers or anything like that, they are assessors with professional expertise in the particular area that requires assessment.

Each conferring act that requires the use of assessors requires that a panel of assessors be appointed. Furthermore, many acts that require the use of assessors in the District Court, Administrative and Disciplinary Division, which will be transferred to SACAT, currently provide that assessors are appointed by the minister responsible for that act. So we have a circumstance where for the District Court Administrative and Disciplinary Division, which is going across to SACAT in this legislation, the Attorney-General or the minister responsible for the act already has the power to provide the assessors; it is not going through the cabinet process.

As I read this, we would be winding that particular circumstance back, that is, an existing arrangement which has evidently worked pretty well under Labor attorneys-general, I assume, with

no-one rising up in uproar that attorney-general Rau or Atkinson or someone has abused the process. It has essentially worked pretty efficiently and we would be winding that process back.

For efficiency and to preserve the status quo, clause 161 of the bill provides that assessors be appointed by the minister or the Attorney-General on recommendation of the SACAT president. So there would be a recommendation from the SACAT president to the Attorney-General, rather than by the Governor on recommendation of the Attorney-General as is the current process, thereby removing the need to go through the cabinet process.

The government thinks this is just a sensible process. SACAT is supporting it. In part, it already exists under some of the jurisdictions which are being transferred. I can assure the committee it is not a power-hungry grab for power by the Attorney-General in relation to this issue. It just seems to be a sensible proposed change, and we would urge members to support the clause and not oppose the new provision.

The Hon. J.A. DARLEY: Can I ask the Leader of the Government: on how many occasions has this problem occurred in the past, and what is the time lapse if we remove this clause?

The Hon. R.I. LUCAS: I can think of two issues here: one is that the Attorney-General already has the power to appoint assessors in some jurisdictions—the District Court Administrative and Disciplinary Division. What is being proposed here already occurs with some proposals. If we move to the position the Leader of the Opposition is suggesting, we will be winding that back. We will be requiring in those circumstances, where there has not been a complaint about the process, for them to go through the cabinet process.

The cabinet process, as former ministers will know, essentially is 10 days' notice, and prior to the 10 days' notice you obviously get the approval of your department, your Attorney-General (or whoever the minister happens to be), you lodge it with the Cabinet Office and you have 10 days before it is considered. Something as simple as this would generally go through on the first occasion—it would not be delayed, although technically it could be—and then it would go to Executive Council, either the following Thursday or the Thursday afterwards. It might be two to three weeks, or whatever it might have to be. It could be a little bit longer, but that would be the general average in terms of the sort of process. The issue already exists with some of the jurisdictions that have been transferred across. SACAT has obviously been comfortable with that.

As to the other part of the question of how many occasions, I cannot give you that answer as I do not know. SACAT is actually recommending this; this is not the Attorney-General trying to drive an unpopular process through the SACAT. There is the protection that the assessor would be on the recommendation of the SACAT president. So he currently (but he or she) would make the recommendation in terms of the assessor and the Attorney-General would process it. Essentially, that is what is being suggested. It already works in some of the areas and we and the SACAT president are suggesting that it should be extended. We think it is a sensible proposition and it is nothing more or less than what it appears on the surface.

The Hon. M.C. PARNELL: The Greens' position in matters such as this is that we would normally support a more rigorous, rather than a less rigorous, process for appointment to important jobs, especially quasi-judicial jobs. However, now that the Leader of the Government has explained that this is a particular request of SACAT, and the material that he read out referred to situations of urgency and perhaps situations of conflicts of interest, it is certainly foreseeable in relation to some of these jurisdictions, where we have relatively small professions that will be regulated or disputes resolved by SACAT where practically everyone knows everyone else, it is quite easy to imagine that finding an appropriate independent person to be the assessor might be difficult.

I am aware that the cabinet process is slow, not just the time lines the minister outlined, but when you superimpose on that human frailty, people leaving things to the last minute—I am personally aware of situations where people have finished work on a Friday not knowing whether they still have their job on the Monday because somewhere along the line someone has failed to get the paperwork in time for the cabinet submission for Executive Council and everything that flows from that.

I think in the circumstances, whilst normally the Greens would vote for more scrutiny and more rigor, given that this has come from SACAT itself we are inclined to support clause 161 as it stands, so not support the removal of that clause, and we will be voting accordingly.

The Hon. F. PANGALLO: SA-Best will support retention of the clause.

The Hon. J.A. DARLEY: I will be supporting the clause as it stands.

Clause passed.

Remaining clauses (162 to 203) and title passed.

Bill reported without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:05): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LANDSCAPE SOUTH AUSTRALIA BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. K.J. MAHER (Leader of the Opposition) (16:07): I rise to indicate that I am the lead speaker for the opposition on the bill. The Landscape South Australia Bill implements the government's election commitment to repeal and replace the Natural Resources Management Act 2004, although I note that the scale of the reform is limited and this bill replicates very much what is in the current act.

I note the bill has already passed the House of Assembly with some amendments successfully moved by the shadow minister for environment and water, the member for Port Adelaide, Dr Susan Close, and that the government has subsequently agreed to support several other opposition amendments. I would like to put on record my thanks to the minister's office for facilitating a number of briefings for the opposition on the bill, including for myself and my office.

The bill has several differences to the Natural Resources Management Act, which it seeks to replace, that I will address in this second reading speech. In relation to landscape regions, most notably, the bill provides for the abolition of the NRM regions established under the act and the winding up of the NRM boards that administer each of these regions. In place of those eight NRM boards will be eight regional landscape boards as well as an additional and differently constituted board to be called Green Adelaide. The biggest changes will happen outside this parliament and outside this act in the proposed changes to the boundaries of the regions.

The landscape regions are to be established by the minister, in line with the procedure outlined in the bill. Whilst certain elements of this process remain similar to those in the NRM Act, such as consideration of the nature and form of the natural environment, local government boundaries and other factors, it is worth noting that the consideration of the water catchment areas was purposely removed from this bill. This issue was canvassed by the shadow minister, Dr Susan Close, during the committee stage in the House of Assembly, and I flag my intention to pursue the issue further during the consideration of the bill in this place.

Water management is of huge importance for our state and of particular concern to the many South Australians in regional areas who will engage closely with the Landscape SA system. It remains of concern to the opposition that water catchment areas are not being considered at a level as fundamental as the establishment of regions and the boards. This may have flow-on effects to other areas of the Landscape SA framework.

The minister and his department have already published a map of the proposed Landscape South Australia regions. I also flag my intention to ask questions of the minister during the committee stage about those boundaries, as I understand some concerns have been raised in consultation on the bill, particularly by local councils.

I also note that the current Adelaide and Mount Lofty Ranges NRM region has been substantially reduced in size and, under the proposed boundary, is to become the Green Adelaide region described in the bill. The bill also provides a separate list of legislated priorities for this region to other landscape regions, as well as a different board composition, which I will come to a bit later in my contribution.

In relation to decentralisation and direct election, the Minister for Environment and Water has stated that one of his key objectives in this process will be the decentralisation of the natural resource management system. The discussion paper released as part of the consultation process leading up to the bill's introduction states:

> While the NRM Act brought positive change and benefits, the passage of time and gradual centralisation mean the current system of natural resources management is not delivering what it should.

However, the opposition is concerned that many of the proposed changes stated as mechanisms to achieve this outcome are largely cosmetic. This begins at the similar structure of Landscape SA to the current NRM system: both have a system of regions overseen by boards; both have a range of planning, grant allocation and front-line service functions; and the two have near identical function with respect to water resource management.

The headline reform proposed as part of this push for decentralisation is the direct election of landscape board members. It is worth noting, however, that only three of these board members are to be directly elected, with the majority, including the chairperson, to be directly appointed by the minister. The minister also retains the power to appoint the entirety of any board if he believes there is a reason to do so. Additionally, the entire Green Adelaide board will be appointed by the minister. These examples illustrate that the minister's headline reforms are in many ways merely cosmetic.

In relation to biodiversity and ecosystem health, we are in turn concerned that in the minister's push for decentralisation, in, as I think he called it, a back to basics approach, he has cut out provisions to conserve and enhance the state's vital natural environment. Fundamental to the NRM system, and now the landscape system, there is a need to strive to support ecosystems across the state, maintain biodiversity and strive for a healthy natural environment. This is essential, not just for the sake of having a thriving natural environment, which in itself is important, but there is also economic benefit to this. Achieving these outcomes helps improve the productivity of land for primary industry, a key stakeholder in the NRM system.

Other industries, particularly in tourism and recreation, rely on our world-renowned natural environment to drive economic activity, and we owe it to future generations of South Australians to maintain the health of our environment so that they too can enjoy these benefits. The bill as it stands does not prioritise these issues. The impression given by the minister's approach to these challenges is that they are an optional extra rather than an integral part of any system designed to manage our state's natural resources.

In the other chamber, the shadow minister for environment and water, Dr Susan Close, has pursued these issues both in lines of questioning and in moving amendments to the bill. While some of these amendments were either supported by the government or have been the subject of discussion with the government, the progress made does not adequately address our concerns as an opposition. Importantly, these concerns have been raised numerous times in consultation and stakeholder feedback.

While the opposition welcomes that the bill makes greater reference to climate change than the 15-year-old act it seeks to replace, we still do not believe the bill reflects a government that takes seriously the need to take action on climate change. The issues of biodiversity and ecosystem health are also critical to addressing climate change, as are other amendments not supported by the government in the other place that sought to prioritise climate science, among other issues.

The opposition intends to file further amendments to the bill to ensure environmental outcomes, biodiversity and an ecosystem approach are enshrined in our natural resources management legislation, and I look forward to further exploring these in the committee stage of the debate.

Returning to the issue of the composition of boards and Aboriginal partnerships, I would like to make some comments regarding provisions in the bill that seek to guide the minister's appointment to regional landscape boards and to the Green Adelaide board.

Currently, the act prescribes a range of areas of knowledge, skill and experience that the minister must take into consideration when appointing an NRM board. These criteria reflect the wide range of activities undertaken through the NRM program, including primary production, soil conservation and land management, conservation and biodiversity management, business management and Aboriginal interest and heritage. This stands in stark contrast to the provisions of the bill, which do not prescribe any such criteria.

As the shadow minister for Aboriginal affairs and reconciliation, I have particular concerns regarding the lack of provision to ensure Aboriginal expertise and interests are represented on regional landscape boards. For tens of thousands of years Aboriginal people have been custodians of our land and have managed it very successfully. We are concerned that this experience, over thousands of generations, is not adequately reflected in the make-up of the board as it stands.

Similarly, provisions to ensure landscape boards work in partnership with the traditional owners of the land they seek to manage appear to be lacking in this bill. While some do exist, such as clause 23(4)(b) of the bill, they are not requirements. Rather than stating that the boards must work collaboratively with Aboriginal people, that particular clause states that they should seek to do so. At this early stage in the debate I would like to place on the record a number of questions for the minister to address in his second reading sum up:

1. What consultation was undertaken with Aboriginal communities and stakeholders in the drafting of this bill?

2. Why were references to Aboriginal interest in land and water and Aboriginal heritage removed as a legislated requirement for the minister to consider when making board appointments?

3. How does the government intend to guarantee Aboriginal representation on regional landscape boards if that is not a legislated requirement?

4. How does the government intend to guarantee meaningful partnerships with Aboriginal people and communities if they are not legislated?

I would be grateful if the minister could bring back a response to these questions when we resume debate in the future.

In relation to levies and funds, this bill provides for two main levy funds: a grassroots grants program to be allocated and approved by individual landscape boards; and the landscape priorities fund, with grants to be signed off by the minister directly. I signal that the opposition will have questions about the standards and guidelines to be followed in allocating grants from both funds. The bill also carries over many of the provisions from the NRM Act with respect to NRM levies. Levies are a significant point of discussion in the community, including during the consultation process on the bill.

The bill implements the government's pre-election commitment to cap levy increases to CPI; however, the bill also contains a mechanism for the minister to override this cap. In line with current practice under the NRM Act, the bill provides that local councils are required to pay applicable levies, which they are then able to implement as a levy to landholders. I understand that the Hon. Frank Pangallo has filed an amendment to the bill that seeks to allow councils to apply for a refund of a levy amount if unpaid levies from landholders become written-off debts, in accordance with the Local Government Act.

As I have done previously, I would like to ask the minister two questions to be addressed in the second reading sum up by the minister. Firstly, how much money do local councils currently spend on NRM levies that they are currently unable to recover and, secondly, has this issue been raised by local government during consultation on the bill?

As I said from the outset, the opposition supports the passage of this bill; however, we continue to have key concerns which have not yet been addressed. We will be filing amendments in the coming days and weeks to attempt to remedy some of these issues. We are keen to see a strong

system put in place to manage our state's natural resources, to protect and sustain our natural resources and to adequately address the threat of climate change. We acknowledge the huge importance of getting this right for the many landholders and primary producers who will engage closely with this framework once it is in place. With that in mind, I commend the bill to the chamber and look forward to the committee stage.

Debate adjourned on motion of Hon. J.S. Lee.

At 16:23 the council adjourned until Tuesday 23 July 2019 at 14:15.

Answers to Questions

CITY OF BURNSIDE

In reply to **the Hon. J.A. DARLEY** (18 June 2019).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

Mr MacPherson's provisional draft report (the report) concerning the City of Burnside remains the subject of a suppression order made by a judge of the Supreme Court. The suppression order forbids the publication of any part of the report, or any account or report of the report.