1. Council met pursuant to adjournment. The President (The Hon. R. P. Wortley) took the Chair. The President read prayers. The President also acknowledged Aboriginal and Torres Strait Islander peoples as the traditional owners of this country.

2. A Messenger from the Governor having been announced by Black Rod, the following Message was received and read:

   The Governor informs the Legislative Council that, in the name and on behalf of Her Majesty The Queen, the following Acts were assented to during the Second Session of the 53rd Parliament, viz.:
   No. 30 of 2016 - An Act to amend the Family Relationships Act 1975; and to make a related amendment to the Births, Deaths and Marriages Registration Act 1996.
   No. 31 of 2016 - An Act to amend the Rail Safety National Law (South Australia) Act 2012.
   No. 32 of 2016 - An Act to amend the Youth Court Act 1993 and the Young Offenders Act 1993; and to make related or consequential amendments to various other Acts.


3. The Minister for Employment (The Hon. K. J. Maher), by leave, without notice, moved - That the sitting of the Council be not suspended during the continuation of the Conference on the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill.

   Question put and passed.

4. The following Papers were laid upon the Table, viz.:

   By the President -
   Auditor-General Supplementary Reports, 2014-2015 -
   Department for Communities and Social Inclusion - Concessions: June 2016.
   Enterprise Patient Administration System: June 2016.

   By the Minister for Employment (The Hon. K. J. Maher) -
   Corporation By-laws -
   City of Campbelltown -
   No. 1 - Permits and Penalties.
   No. 2 - Moveable Signs.
   No. 3 - Roads.
No. 4 - Local Government Land.
No. 5 - Dogs.

District Council By-laws -

Robe -
No. 1 - Permits and Penalties.
No. 2 - Local Government Land.
No. 3 - Roads.
No. 4 - Moveable Signs.
No. 5 - Dogs.
No. 6 - Cats.

Port Pirie -
No. 1 - Permits and Penalties.
No. 2 - Moveable Signs.
No. 3 - Local Government Land.
No. 4 - Roads.
No. 5 - Dogs.
No. 6 - Cats.

Remuneration Tribunal Determination and Report No. 9 of 2016: Conveyance Allowance -
Judges, Court Officers and Statutory Officers.

Regulations under the following Acts -
Emergency Services Funding Act 1998 - Remissions Land Amendment.
Fees Regulation Act 1927 -
Incidental SAAS Services - Fees.
Public Trustee Administration - Fees.
Land Tax Act 1936 - Fees.
Local Government Act 1999 - Fees.
Mines and Works Inspection Act 1920 - Fees.
Mining Act 1971 - Fees.
Opal Mining Act 1995 - Fees.
Petroleum Products Regulation Act 1995 - Fees.

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

Regulations under the following Acts -
Adoption Act 1988 - Fees.
Aquaculture Act 2001 - Fees.
Botanic Gardens and State Herbarium Act 1978 - Fees.
Children’s Protection Act 1993 - Miscellaneous Amendment.
Children’s Protection Act 1993 - Fees.
Crown Land Management Act 2009 - Fees.
Environment Protection Act 1993 - Fees.
Fisheries Management Act 2007 -
Demerit Point Amendment.
Fees No. 2.
Fees No. 3.
Miscellaneous Amendment.
Food Act 2001 - Fees.
Heritage Places Act 1993 - Fees.
Historic Shipwrecks Act 1981 - Fees.
Housing Improvement Act 1940 - Fees.
Livestock Act 1997 - Fees.
Marine Parks Act 2007 - Fees.
National Parks and Wildlife Act 1972 -
Hunting - Fees.
Protected Animals - Marine Mammals - Fees.
Wildlife.
Native Vegetation Act 1991 - Fees.
Natural Resources Management Act 2004 -
Fees.
Financial Provisions - Fees.
Pastoral Land Management And Conservation Act 1989 - Fees.
Plant Health Act 2009 - Fees.
Primary Produce (Food Safety Schemes) Act 2004 -
Citrus Industry - Fees.
Eggs - Fees.
Meat Industry - Fees.
Plant Products - Fees.
Seafood - Fees.
Radiation Protection and Control Act 1982 - Fees.
Retirement Villages Act 1987 - Fees.
South Australian Public Health Act 2001 -
Legionella - Fees.
Wastewater - Fees.
By the Minister for Water and the River Murray (The Hon. I. K. Hunter) -
Regulations under the following Act -
Water Industry Act 2012 - Fees.
By the Minister for Police (The Hon. P. B. Malinauskas) -
Regulations under the following Acts -
Associations Incorporation Act 1985 - Fees.
Bills of Sale Act 1886 - Fees.
Births, Deaths and Marriages Registration Act 1996 - Fees.
Burial and Cremation Act 2013 - Fees.
Community Titles Act 1996 - Fees.
Controlled Substances Act 1984 - Fees.
Conveyancers Act 1994 - Fees.
Co-operatives National Law (South Australia) Act 2013 - Fees.
Coroners Act 2003 - Fees.
Criminal Law (Sentencing) Act 2013 - Fees.
Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007 - Fees.
Dangerous Substances Act 1979 -
Dangerous Goods Transport - Fees.
Fees.
Development Act 1993 -
Fees.
Open Space Contribution Scheme.
Renewal of Social Housing.
Disability Services Act 1993 -
Assessment of Relevant History Amendment.
Fees.
District Court Act 1991 - Fees.
Electronic Conveyancing National Law (South Australia) Act 2013 - General.
Employment Agents Registration Act 1993 - Fees.
Environment, Resources and Development Court Act 1993 - Fees.
Evidence Act 1929 - Fees.
Expiation of Offences Act 1996 -
Fees.
Reminder and Enforcement Warning Notices - Fees.
Explosives Act 1936 -
Fees.
Fireworks - Fees.
Security Sensitive Substances.
Firearms Act 1977 - Fees.
Gaming Machines Act 1992 - Fees.
Harbors and Navigation Act 1993 - Fees.
Heavy Vehicle National Law (South Australia) Act 2013 -
Expiation Fees - Amendment No. 2.
Fees.
Hydroponics Industry Control Act 2009 - Fees.
General.
Liquor Licensing Act 1994 - Fees.
Lottery and Gaming Act 1936 - Fees.
Magistrates Court Act 1991 - Fees.
Motor Vehicles Act 1959 -
Accident Towing Roster Scheme - Fees.
Expiation Fees.
Partnership Act 1891 - Fees.
Passenger Transport Act 1994 -
Miscellaneous.
Taxi Fares.
Police Act 1998 - Fees.
Private Parking Areas Act 1986 - Fees.
Public Trustee Act 1995 - Fees.
Rail Safety National Law (South Australia) Act 2012 - Fees.
Real Property Act 1886 -
Fees.
General.
Registration of Deeds Act 1935 - Fees.
Road Traffic Act 1961 -
Expiation Fees.
Miscellaneous - Fees.
Sexual Reassignment Act 1988 - Fees.
Sheriff’s Act 1978 - Fees.
South Australian Civil and Administrative Tribunal Act 2013 - Fees.
State Records Act 1997 - Fees.
Strata Titles Act 1988 -
Fees.
Record Keeping.
Summary Offences Act 1953 -
General
Weapons - Fees.
Supreme Court Act 1935 - Fees.
Tobacco Products Regulation Act 1997 - Fees.
Valuation of Land Act 1971 - Fees.
Worker’s Liens Act 1893 -
Fees.
Miscellaneous.
Work Health and Safety Act 2012 - Fees.
Youth Court Act 1993 - Fees.
5. The Hon. G. A. Kandelaars brought up the Report, 2015, of the Legislative Review Committee.
Ordered - That the Report be printed. (Paper No. 264)


Ordered - That the Report be printed. (Paper No. 265)

8. The Minister for Sustainability, Environment and Conservation tabled a copy of a Ministerial Statement made by the Minister for Communities and Social Inclusion (The Hon. Z. L. Bettison, M.P.) concerning the Auditor-General’s Report - Concessions Review.

9. The Minister for Sustainability, Environment and Conservation, without notice, moved - That the Standing Orders be so far suspended as to enable Question Time to be extended to enable the Hon. A. L. McLachlan to ask a question of the Minister for Employment and for him to complete his reply.
Question put and passed, without a dissentient voice, there being present an absolute majority of the whole number of Members of the Council.


11. The Council, according to order, resolved itself into a Committee of the Whole for the consideration of Message No. 124 from the House of Assembly relating to the Dog and Cat Management (Miscellaneous) Amendment Bill.

**In the Committee**

Resolved - That the disagreement to the amendment be insisted on.

The President resumed the Chair and reported accordingly; whereupon the Council adopted such report.

The Minister for Sustainability, Environment and Conservation moved - That a Message be sent to the House of Assembly requesting a Conference be granted to the Council respecting certain amendments in the Dog and Cat Management (Miscellaneous) Amendment Bill and that the House of Assembly be informed that, in the event of a Conference being agreed to, the Council will be represented at such Conference by five Managers and that the Hon. T. A. Franks, the Hon. G. E. Gago, the Hon. J. M. A. Lensink, the Hon. A. L. McLachlan and the mover be the Managers on the part of the Legislative Council.
Question put and passed.

13. The Council, according to order, resolved itself into a Committee of the Whole for the consideration of the Statutes Amendment (Gender Identity and Equity) Bill.

In the Committee

Clause No. 1 read.
To report progress and ask leave to sit again.

The President resumed the Chair and reported progress and obtained for the Committee leave to sit again on next day of sitting.


15. The Council, according to order, resolved itself into a Committee of the Whole for the consideration of the Mental Health (Review) Amendment Bill.

In the Committee

Clauses No. 1 to No. 20 agreed to.
Clause No. 21 amended and agreed to.
Clauses No. 22 to No. 24 agreed to.
Clause No. 25 amended and agreed to.
Clauses No. 26 to No. 67 agreed to.
New Clause No. 67A inserted.
New Clause No. 67B inserted.
Clauses No. 68 to No. 82 agreed to.
Schedule agreed to.
Title agreed to.

The President resumed the Chair, and reported that the Committee had considered the Bill and had agreed to the same with amendments; whereupon the Council adopted such report.

The Minister for Police, pursuant to contingent notice, moved - That the Standing Orders be so far suspended as to enable the Bill to pass through its remaining stages without delay.
Question put and passed.
Bill read a third time.
Resolved - That this Bill do now pass.


17. On the Order of the Day being read for the adjourned debate on the question - That the Constitution (Appropriation and Supply) Amendment Bill be now read a second time:
Debate resumed.
Question put and negatived.
Second reading negatived.

18. Ordered - That Orders of the Day (Government Business) No. 1 to No. 3 be postponed and taken into consideration after Order of the Day (Government Business) No. 5.
19. On the Order of the Day being read for the adjourned debate on the question - That the Constitution (Deadlocks) Amendment Bill be now read a second time:

Debate resumed.
On motion of the Hon. D.G.E. Hood, the debate was adjourned and ordered to be resumed on motion.

20. The following Messages from the House of Assembly were received and read:

**Message No. 137**

MR. PRESIDENT - The House of Assembly has agreed to Amendments Nos. 1 and 3 to 7 made by the Legislative Council in the Summary Offences (Filming and Sexting Offences) Amendment Bill without any amendment and has disagreed to Amendment No. 2 as indicated in the annexed Schedule. The House of Assembly returns the Bill herewith and desires its reconsideration.

House of Assembly, 5 July 2016.

M. J. ATKINSON, Speaker.

**Schedule of the Amendments made by the Legislative Council to which the House of Assembly has disagreed**

Amendment No. 2—
Clause 6, page 3, after line 31—
Insert:

(2) Section 26B(9), definitions of broadcasting, media organisation and publish—
delete the definitions and substitute:

media organisation means an organisation whose activities consist of or include the collection, preparation for dissemination or dissemination of the following material for the purpose of making it available to the public:
(a) material having the character of news, current affairs, information or a documentary;
(b) material consisting of commentary or opinion on, or analysis of, news, current affairs, information or a documentary;

R. CRUMP, Clerk of the House of Assembly.

Ordered - That the Message be taken into consideration on next day of sitting.

**Message No. 138**

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to amend the Constitution Act 1934, to which it desires the concurrence of the Legislative Council.

House of Assembly, 5 July 2016.

M. J. ATKINSON, Speaker.

Bill read a first time.

Ordered - That the second reading be an Order of the Day for next day of sitting.

**Message No. 139**

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to amend the Legal Practitioners Act 1981, to which it desires the concurrence of the Legislative Council.

House of Assembly, 5 July 2016.

M. J. ATKINSON, Speaker.

Bill read a first time.

Ordered - That the second reading be an Order of the Day for next day of sitting.

**Message No. 140**

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to amend the Summary Offences Act 1953, to which it desires the concurrence of the Legislative Council.

House of Assembly, 5 July 2016.

M. J. ATKINSON, Speaker.

Bill read a first time.

Ordered - That the second reading be an Order of the Day for next day of sitting.
Message No. 141

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to amend the Intervention Orders (Prevention of Abuse) Act 2009, to which it desires the concurrence of the Legislative Council.


Bill read a first time.
Ordered - That the second reading be an Order of the Day for next day of sitting.

Message No. 142

MR. PRESIDENT - The House of Assembly informs the Legislative Council that it has appointed Ms. Cook to the Legislative Review Committee in place of Mrs. Digance.


Message No. 143

MR. PRESIDENT - The House of Assembly has, in reply to Message No. 108 from the Legislative Council, agreed to grant a Conference on the Dog and Cat Management (Miscellaneous) Amendment Bill. The House of Assembly has named the hour of 9.30 a.m. on Wednesday, 6 July, to receive the Managers on behalf of the Legislative Council at the King William Room.

The Minister for Sustainability, Environment and Conservation moved - That a Message be sent to the House of Assembly agreeing to the time and place appointed by that House for holding the Conference.

Question put and passed.

Message No. 144

MR. PRESIDENT - The House of Assembly has agreed to the amendments made by the Legislative Council in the Mental Health (Review) Amendment Bill, without amendment.


Constitution (Deadlocks) Amendment Bill.

21. Ordered - That the adjourned debate on the question - That the Constitution (Deadlocks) Amendment Bill be now read a second time - be now resumed.
Debate resumed.
Question put and negatived.
Second reading negatived.

Postponement of Business.


Notaries Public Bill.

23. On the Order of the Day being read for the adjourned debate on the question - That the Notaries Public Bill be now read a second time:
Debate resumed.
On motion of the Hon. T. J. Stephens, the debate was adjourned until next day of sitting.

Postponement of Business.

24. Ordered - That Orders of the Day (Government Business) No. 1 to No. 3, No. 6 to No. 8, No. 11, No. 13 and No. 15 to No. 18 be postponed and taken into consideration after Order of the Day (Government Business) No. 20.

Justices of the Peace (Miscellaneous) Amendment Bill.

25. The Minister for Employment, according to order, moved - That the Justices of the Peace (Miscellaneous) Amendment Bill be now read a second time.

On motion of the Hon. D. W. Ridgway, the debate was adjourned until next day of sitting.

Summary Procedure (Abolition of Complaints) Amendment Bill.

26. The Minister for Employment, according to order, moved - That the Summary Procedure (Abolition of Complaints) Amendment Bill be now read a second time.

On motion of the Hon. T. J. Stephens, the debate was adjourned until next day of sitting.

Postponement of Business.

27. Ordered - That all remaining Orders of the Day (Government Business) be Orders of the Day for next day of sitting.
28. Council adjourned at one minute to six o’clock until tomorrow at fifteen minutes past two o’clock.

Members present during any part of the sitting:

The Hon. R. L. Brokenshire  The Hon. J. S. L. Dawkins  The Hon. T. T. Ngo
The Hon. T. A. Franks  The Hon. G. E. Gago  The Hon. J. S. Lee
The Hon. G. E. Gago  The Hon. J. M. Gazzola  The Hon. J. M. A. Lensink
The Hon. I. K. Hunter  The Hon. G. A. Kandelaars  The Hon. P. B. Malinauskas
The Hon. G. A. Kandelaars  The Hon. J. S. Lee  The Hon. A. L. McLachlan
The Hon. J. S. Lee  The Hon. J. M. A. Lensink  The Hon. T. T. Ngo
The Hon. J. M. A. Lensink  The Hon. R. I. Lucas  The Hon. M. C. Parnell
The Hon. K. J. Maher  The Hon. P. B. Malinauskas  The Hon. T. J. Stephens
The Hon. P. B. Malinauskas  The Hon. A. L. McLachlan  The Hon. K. L. Vincent
The Hon. A. L. McLachlan  The Hon. T. T. Ngo  The Hon. S. G. Wade
NOTICES AND ORDERS OF THE DAY

WEDNESDAY 6 JULY 2016

Notices of Motion: Private Business -


2. The Hon. G. A. Kandelaars to move - That the Report of the Natural Resources Committee on the Pinery Fire Regional Fact-Finding Trip, be noted.

3. The Hon. J. M. Gazzola to move - That the Report of the Statutory Authorities Review Committee on its Inquiry into the Motor Accident Commission, be noted.

4. The Hon. T. T. Ngo to move - That this Council -
   I. Congratulates the AFL for establishing the National Women’s League;
   II. Wishes the players all the best for the inaugural 2017 season; and
   III. Recognises the important role that providing elite sporting pathways for women plays to encourage girls to participate in sport.

5. The Hon. D.G.E. Hood to move - That he have leave to introduce a Bill for an Act to amend the Summary Offences Act 1953.

Orders of the Day: Private Business -

1. Select Committee on Statutory Child Protection and Care in South Australia: Report to be brought up.

2. Select Committee on State Government Owned Land at Gillman: Report to be brought up.

3. Select Committee on Electoral Matters in South Australia: Report to be brought up.

4. Budget and Finance Committee: Report to be brought up.

5. Select Committee on Emergency Services Reform: Report to be brought up.

6. Select Committee on Skills for All Program: Report to be brought up.

7. Select Committee on Access to the South Australian Education System for Students with Disabilities: Report to be brought up.

8. Select Committee on State Government’s O-Bahn Access Project: Report to be brought up.

9. Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade: Report to be brought up.

10. Statutes Amendment (Decriminalisation of Sex Work) Bill (No. 44): Report of Select Committee to be brought up.

11. Select Committee on Transforming Health: Report to be brought up.

12. Select Committee on Chemotherapy Dosing Errors: Report to be brought up.

13. The Hon. S. G. Wade to move - That the Third Interim Report of the Select Committee on Transforming Health, be noted.
14. Adjourned debate on motion of the Hon. G. A. Kandelaars - That this Council -
   I. Expresses its heartfelt condolences to the families and friends of the victims of the recent
      horrific mass shooting in Orlando, Florida; and
   II. Stands together with the LGBTIQ community around the world to condemn such a senseless
      act of violence and denounce all forms of discrimination that may contribute to such hatred
      - (June 22) - (The Hon. J.S.L. Dawkins).

15. The Hon. G. E. Gago to move - That this Council congratulates Jared Tallent on rightfully being
    awarded a gold medal for the 50 km Walk from the 2012 London Olympics.

16. Steel Industry Protection Bill (No. 135): adjourned debate on second reading - (June 22) - (The
    Hon. J. M. Gazzola)\textsuperscript{6}.

17. Natural Resources Management (Transparency of Ministers Directions) Amendment Bill (No. 136):
    adjourned debate on second reading - (June 22) - (The Hon. G. A. Kandelaars)\textsuperscript{1}.

18. The Hon. D.G.E. Hood to move - That he have leave to introduce a Bill for an Act to amend the
    Children’s Protection Act 1993.

19. The Hon. T. T. Ngo to move - That this Council wishes all Australian athletes every success in
    competing in the Olympic and Paralympic Games in Rio, and in particular, the South Australian
    athletes.

20. The Hon. K. L. Vincent to move - That this Council -
   I. Notes that following the introduction of regulations allowing cycling on footpaths for all
      bicycle users on 25 October 2015, some sectors in the community, particularly people with
      vision impairment and blindness, feel vulnerable as they go about their daily routine;
   II. Notes that people with low vision or blindness, or who are hard of hearing or deaf, may be
      particularly at risk of injury and accident as they may not see nor hear cyclists approaching,
      especially if cyclists are doing so in an unsafe manner;
   III. Notes that while statistics do not currently support the assertion that pedestrians on footpaths
      are at higher risk of injury following the change in regulations, the significant divide in
      community attitude towards these new regulations could see them fail without proper
      leadership from Government;
   IV. Calls on the State Government to fund a more comprehensive education campaign about the
      changes to cycling regulations and includes information on sharing the road, shared
      pathways and footpaths, including recognition of commuters who are at higher risk, including
      people using mobility aids, people with sensory disabilities, elderly people, young
      children and those who may be distracted while using technology;
   V. Calls for this campaign to include education of drivers, cyclists and pedestrians,
      acknowledging that we are all human beings and that we all have rights and responsibilities
      to our fellow citizens as we proceed about our daily lives;
   VI. Calls on all local, State and Federal Government funded road safety initiatives and bodies
      in South Australia to include education about the new cycling regulations and the diversity
      of the community using our roads and footpaths; and
   VII. Calls on creators to ensure any education campaigns are provided in accessible formats
      including, but not limited to, audio description, captioning, AUSLAN interpretation and
      Easy English.

    Committee on Natural Resources South Australia Business Plans and Regional Levies, 2016-2017,
    be noted - (June 8, 22) - (The Hon. D. W. Ridgway).

22. Health Care (Privacy and Confidentiality) Amendment Bill (No. 131): adjourned debate on second
    reading - (June 8) - (The Hon. T. A. Franks)\textsuperscript{12}.

23. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Congratulates the Parliament of Victoria on its formal apology for previous laws against
      homosexual acts made on 24 May 2016; and
II. Calls on the South Australian Government to formally apologise for laws that criminalised homosexuality in the State, acknowledging these laws validated hateful views, ruined people’s lives and forced South Australians to suffer in fear, silence and isolation - (June 8) - (The Hon. T. J. Stephens).

24. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Congratulates Diamond House Clubhouse for celebrating its 20th Birthday in May 2016;
   II. Recognises the significant work of Diamond House Clubhouse in supporting people who have lived experience of mental illness; and
   III. Recognises the important role of Diamond House Clubhouse as a safe place to belong, work and return and the important work it has achieved in providing programs and services in our community for the past 20 years - (June 8) - (The Hon. S. G. Wade).

25. Adjourned debate on motion of the Hon. T. A. Franks -
   I. That a Select Committee of the Legislative Council be established to inquire into -
      (a) The potential impacts on injured workers and their families as a result of changes to the Return to Work Act including tightening of the eligibility criteria for entry into the Return to Work Scheme;
      (b) Alternatives to the overly restrictive 30% WPI threshold for ongoing entitlements to weekly payments;
      (c) The current restrictions on medical entitlements for injured workers;
      (d) Potentially adverse impacts of the current two year entitlements to weekly payments;
      (e) The restriction on accessing common law remedies for injured workers with a less than 30% WPI;
      (f) Matters relating to and the impacts of assessing accumulative injuries;
      (g) The obligations on employers to provide suitable alternative employment for injured workers
      (h) The impact of transitional provisions under the Return to Work Act 2014;
      (i) Workers compensation in other Australian jurisdictions which may be relevant to the inquiry, including examination of the thresholds imposed in other states
      (j) The adverse impacts of the injury scale value; and
      (k) Any other relevant matters.
   II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
   III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.
   IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating - (May 25) - (The Hon. J. M. Gazzola).


27. Water Industry (Compensation for Loss or Damage) Amendment Bill (No. 126): adjourned debate on second reading - (May 2, June 22) - (The Hon. G. A. Kandelaars).

28. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Notes the February 2016 passage of the federal Narcotic Drugs Amendment Bill 2016 enabling a national licensing scheme for the controlled cultivation across Australia of cannabis for medicinal and scientific purposes;
   II. Notes the April 2016 passage of the Access to Medicinal Cannabis Bill 2015 through the Victorian Parliament which will establish an Office of Medicinal Cannabis and give patients in that state legal, safe and secure access to medical cannabis to those in need;
   III. Notes medical cannabis law reform could offer both local job opportunities and would ensure that South Australians are no longer forced to choose between suffering needlessly and breaking the law to access medicinal cannabis; and
IV. Calls on the South Australian Government to take action on medical cannabis to allow for the production and supply from the farm to the pharmacy - (May 18) - (The Hon. T. J. Stephens).

29. Adjourned debate on motion of the Hon. M. C. Parnell - That the Regulations under the Development Act 1993 concerning SA Motorsport Park, made on 28 April 2016 and laid on the Table of this Council on 17 May 2016, be disallowed - (June 8) - (The Hon. D. W. Ridgway).

30. Adjourned debate on motion of the Hon. M. C. Parnell - That the Regulations under the Native Vegetation Act 1991 concerning SA Motorsport Park, made on 28 April 2016 and laid on the Table of this Council on 17 May 2016, be disallowed - (June 8) - (The Hon. T. J. Stephens).


35. Adjourned debate on motion of the Hon. J. S. Lee - That this Council -
   I. Congratulates the Chinese Welfare Services of South Australia Inc. for celebrating its 25th anniversary in 2016;
   II. Acknowledges the work and commitment of the committee, staff and volunteers of Chinese Welfare Services for delivering important services to its members and the broader Chinese community of South Australia; and
   III. Recognises the importance of their contributions in developing tailored programs and strategic partnerships that are socially inclusive and beneficial to members of the diverse Chinese community residing in South Australia - (June 8, 22) - (The Hon. J.S.L. Dawkins).

36. Adjourned debate on motion of the Hon. J. S. Lee - That this Council -
   I. Congratulates Flinders University for celebrating its 50th Anniversary in 2016;
   II. Highlights the contributions made by Flinders University and its alumni throughout its 50-year history; and
   III. Acknowledges the significant establishment and achievements of the University in South Australia, nationally and on the global stage - (May 25) - (The Hon. G. A. Kandelaars).

37. Adjourned debate on motion of the Hon. K. L. Vincent - That this Council -
   I. Notes the passing on 6 April 2016 of child protection advocate, Emeritus Professor Dr. Freda Briggs, AO;
   II. Recognises the extraordinary body of work Dr. Briggs undertook to become an expert in the field of child protection;
   III. Recognises the role Dr. Briggs played into her 86th year of life working towards the welfare and safety of children; and
   IV. Calls on the South Australian Government to establish a research scholarship in Freda Briggs’ name at the Australian Centre for Child Protection to honour her name and her dedication to this work - (May 18) - (The Hon. T. T. Ngo).

38. The Hon. J. S. Lee to move - That this Council -
   I. Acknowledges that Australia is ready for pulses to take centre stage in 2016 in the United Nations declared International Year of Pulses;
   II. Recognises that Australia is now a major player in the global pulse market and one of the world’s largest exporters of pulses;
   III. Highlights the importance of pulses within the South Australia’s agricultural industry; and
IV. Raises public awareness of the nutritional benefits of pulses as part of sustainable food production aimed towards food security and nutrition.

39. The Hon. J. S. Lee to move - That this Council -
   I. Congratulates the Indian Australia Association of South Australia for celebrating its 50th anniversary;
   II. Acknowledges the commitment of the Association’s committee and volunteers, past and present, for continuously showcasing the vibrant Indian culture in South Australia;
   III. Recognises the importance of its establishment and achievements over the last 50 years in the promotion and preservation of Indian heritage and for enriching the multicultural landscape of South Australia; and
   IV. Acknowledges the economic, social and cultural contributions by the Indian community in South Australia.


42. The Hon. J. S. Lee to move - That this Council -
   I. Congratulates the University of South Australia for celebrating its 25th Anniversary in 2016;
   II. Acknowledges the significant contribution made by the University of South Australia throughout its 25 year history; and
   III. Highlights the remarkable achievements and significant impact the University of South Australia has made for South Australia, both nationally and internationally.

43. Births, Deaths and Marriages Registration (Recognition of Same Sex Marital Status) Amendment Bill (No. 110): adjourned debate on second reading - (March 9) - (The Hon. G. A. Kandelaars).


46. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Notes that an open letter dated 27 January 2016 from the Mental Health Coalition of South Australia addressed to the Premier and signed by 21 not-for-profit organisations and service providers outlines three urgent mental health priorities for South Australia;
   II. Supports, in particular, the sector’s call for the South Australian Government to “urgently redress the human rights deficit” for people with Borderline Personality Disorder (BPD) by implementing the recommendations outlined in the SA Department of Health and Ageing’s Report on BPD, published in June 2014; and
   III. Calls on the Weatherill Labor Government to urgently act on the priorities for mental health cited in the letter - (February 24) - (The Hon. T. J. Stephens).

47. Adjourned debate on motion of the Hon. T. J. Stephens - That this Council -
   I. Celebrates the outstanding 25 year career of South Australian international cricket umpire Steve Davis, upon his retirement in June;
   II. Acknowledges Steve Davis’s commitment to cricket in which he umpired 57 Test Matches, 137 One Day Internationals and 26 T20 Internationals; and
   III. Recognises the important role played by umpires, officials and volunteers in grassroots, State, National and International sport - (April 13) - (The Hon. S. G. Wade).

48. Adjourned debate on motion of the Hon. T. J. Stephens - That this Council -
   I. Congratulates the Socceroos on their 2015 Asian Cup title victory; and
II. Urges the State Government to make a concerted effort to host Asian Cup matches in South Australia when the tournament is next played in Australia - (May 25) - (The Hon. J.S.L. Dawkins).

49. Residential Tenancies (Databases) Amendment Bill (No. 97): adjourned debate on second reading - (December 9) - (The Hon. J. M. Gazzola)³.

50. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council -
   I. Congratulates Solar Citizens on its campaign to protect households with solar panels from discriminatory pricing structures sought to be imposed by power utilities; and
   II. Calls on the State Government to ensure that South Australians who embrace solar power will not be unfairly treated for doing their bit to protect the Earth’s climate - (December 9, March 23) - (The Hon. T. T. Ngo).

51. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council urges the State Government to support the Mount Lofty Ranges Working Agricultural Landscape World Heritage Bid spanning the world-renowned food, wine and tourism regions of the Barossa Valley, Adelaide Hills, McLaren Vale and Fleurieu Peninsula - (December 9) - (The Hon. M. C. Parnell).

52. Criminal Law Consolidation (Supervision Requirements) Amendment Bill (No. 98): adjourned debate on second reading - (December 9) - (The Hon. J. A. Darley)⁹.

53. Controlled Substances (Mandatory Treatment Orders) Amendment Bill (No. 99): adjourned debate on second reading - (December 9) - (The Hon. J. A. Darley)⁹.

54. Adjourned debate on motion of the Hon. S. G. Wade - That the Interim Report of the Select Committee on Transforming Health be noted - (December 2) - (The Hon. T. A. Franks).

55. Adjourned debate on motion of the Hon. J.M.A. Lensink - That this Council urges the Attorney-General to -
   I. Refer the death of Graziella Dailler, who died on or about 15 May 2014, to the Coroner for a Coronial Inquest; and
   II. Request an inquiry into all the circumstances leading up to Graziella Dailler’s death, including but not limited to -
      (a) ascertaining the actual date of death;
      (b) identifying the cause of death;
      (c) identifying the circumstances of the alleged killing by Don Muir and his death;
      (d) identification and assessment of the involvement of agencies, including SA Police, prior to the deaths;
      (e) identification and assessment of the response of agencies, including SA Police, after receiving notification that Graziella Dailler was missing and at risk of harm; and
      (f) any other circumstance that contributed to the death of Graziella Dailler - (October 14) - (The Hon. J. M. Gazzola).

56. Adjourned debate on motion of the Hon. S. G. Wade - That the Interim Report of the Select Committee on Statutory Child Protection and Care in South Australia, be noted - (October 28) - (The Hon. K. L. Vincent).

57. Criminal Law Consolidation (Protection for Assistance Animals) Amendment Bill (No. 69): adjourned debate on second reading - (October 14) - (The Hon. J.S.L. Dawkins)³.

58. Adjourned debate on motion of the Hon. J.M.A. Lensink - That this Council -
   I. Commends the work of No FGM Australia in raising the awareness of the health and other risks to Australian women and girls of the illegal practice of female genital mutilation and its concerns that -
      (a) there is a lack of awareness among Australian health and child protection professionals about FGM;
      (b) no data is collected about prevalence of FGM in South Australian residents; and
(c) girls most at risk of FGM are those who come from FGM affected communities and that in Australia, three girls a day are in the high risk category;

II. Notes that the World Health Organisation has described FGM as a violation of the human rights of girls and women and constitutes an extreme form of discrimination against women;

III. Notes that FGM has no health benefits and can cause severe urinary, fertility and childbirth complications;

IV. Notes the Review and Recommendations of the Australian Government’s 2013 Review of Australia’s Female Genital Mutilation Legal Framework Final Report; and

V. Notes that Australia’s first FGM prosecution is taking place in New South Wales for alleged offences on two young girls who were at the time aged only seven years old - (October 14, December 9) - (The Hon. J.S.L. Dawkins).

59. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Recognises that the first week of October each year has been declared as the Borderline Personality Disorder Awareness Week; and
   II. Acknowledges that the Australian Borderline Personality Disorder Foundation, through ongoing advocacy from Ms. Janne McMahon, OAM, Dr. Martha Kent and Associate Professor Andrew Chanen, has been fundamental in promoting understanding of the disorder in the community and working towards better treatment options and quality of life for those affected by the disorder - (October 14, December 9) - (The Hon. G. A. Kandelaars).

60. Statutes Amendment (Public Sector Audit) Bill (No. 59): adjourned debate on second reading - (September 23, March 9) - (The Hon. G. A. Kandelaars)

61. Eggs (Display for Retail Sale) Bill (No. 60): adjourned debate on second reading - (September 23, April 13) - (The Hon. D. W. Ridgway)

62. Electoral (Legislative Council) (Optional Preferential Voting) Amendment Bill (No. 61): adjourned debate on second reading - (September 23) - (The Hon. M. C. Parnell)


64. Adjourned debate on motion of the Hon. M. C. Parnell -
   I. That this Council notes -
      (a) The ongoing international concern over the destruction of 90% of Sarawak’s primary rainforest over the last three decades in what former United Kingdom Prime Minister, Gordon Brown, described as “probably the biggest environmental crime of our times”;
      (b) The central role of the Governor and former Chief Minister of Sarawak, Taib Mahmud, in that destruction;
      (c) The links between Taib Mahmud and South Australia, including -
         (i) the awarding to him of an honorary doctorate by the University of Adelaide and naming part of the University’s North Terrace campus in his honour as the “Taib Mahmud, Chief Minister of Sarawak Court” in response to significant donations to the University;
         (ii) the ownership of the Adelaide Hilton Hotel by members of Taib Mahmud’s family;
   II. That this Council calls on the South Australian Government to -
      (a) investigate alleged money laundering activity in South Australia as identified in the Report entitled “THE ADELAIDE HILTON CASE: How a Malaysian politician’s family laundered $30 million in South Australia” produced by Swiss-based environmental organisation, the Bruno Manser Fund, and launched in Adelaide on 9 September 2015;
      (b) freeze all assets owned by Taib family members in South Australia, consistent with South Australia’s unexplained wealth legislation, where no credible explanation for the lawful origin of that wealth can be given, with a view to providing restitution to the people of Sarawak;
      (c) refer this matter to appropriate Federal Government and law enforcement agencies; and
   III. That this Council calls on the University of Adelaide to -
(a) fully disclose all donations received from Taib Mahmud or his family and all contractual obligations arising from those donations;
(b) rename the ‘Taib Mahmud, Chief Minister of Sarawak Court’ and bestow naming honours on a more appropriate and worthy University alumnus - (September 9) - (The Hon. T. T. Ngo).

65. Fisheries Management (Fish Processors) Amendment Bill (No. 50): adjourned debate on second reading - (September 9) - (The Hon. J.S.L. Dawkins)².

66. Adjourned debate on motion of the Hon. R. L. Brokenshire - That the Budget and Finance Committee, as a matter of priority -
I. Calls as witnesses the Chief Executive Officers of major Government Departments and seeks information as to why Government Departments owe business $1 billion in unpaid accounts; and
II. Ascertains whether such non-payment is Government policy or results from mismanagement, incompetence or budget reductions - (September 9) - (The Hon. G. A. Kandelaars).

67. Adjourned debate on motion of the Hon. G. A. Kandelaars - That the Report of the Crime and Public Integrity Policy Committee on its Annual Review into Public Integrity and the Independent Commissioner Against Corruption, be noted - (July 1, October 14) - (The Hon. J.S.L. Dawkins).

68. Adjourned debate on motion of the Hon. D. W. Ridgway -
I. That a Select Committee of the Legislative Council be established to investigate wind farm developments in South Australia, with the following terms of reference -
(a) Separation distances between wind turbines and residences or communities;
(b) The social, health and economic impacts of wind generators on individual landholders, communities and the State;
(c) The need for a peer-reviewed, independent academic study on the social, health and economic impacts of wind generators;
(d) The capacity of existing infrastructure to cope with increased wind power;
(e) The costs and benefits of wind power in South Australia;
(f) The environmental impacts of wind generators and wind power generally;
(g) The siting of wind generators in South Australia;
(h) The approval process of wind farms in South Australia;
(i) The preparation of the State Wind Farm DPA;
(j) An assessment of the impact of wind farm developments on property values; and
(k) Any other matter the Committee deems relevant.
II. That the Committee consist of three Members and that the quorum of Members necessary to be present at all meetings of the Committee be fixed at two Members and that Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.
IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.
V. That the evidence and submissions given to the previous Legislative Council Select Committee on Wind Farm Developments in South Australia be tabbed and referred to the Select Committee - (July 1, December 9) - (The Hon. J.S.L. Dawkins).

69. The Hon. M. C. Parnell to move - That the Regulations under the Primary Produce (Food Safety Schemes) Act 2004 concerning the Dairy Industry, made on 23 April 2015 and laid on the Table of this Council on 5 May 2015, be disallowed.

70. The Hon. D.G.E. Hood to move - That this Council -
I. Notes that paying for sex is now a criminal act under the newly enacted Human Trafficking and Exploitation Act 2015 in Northern Ireland; and
II. Congratulates the Parliament of Northern Ireland on advancing this private member’s bill in an effort to combat human trafficking and act as a deterrent for would be traffickers.

71. Adjourned debate on motion of the Hon. J.M.A. Lensink - That the Legislative Council requests the Environment, Resources and Development Committee to inquire into and report on waste management policies in South Australia, with particular reference to -
   I. The efficacy of the solid waste levy in providing equitable encouragement of resource recovery compared to landfiling or stockpiling of materials;
   II. The adequacy of regulatory and legislative powers within the Environment Protection Act 1993 to manage the waste sector, including licence enforcement and current penalties;
   III. Best practice methods in the resource recovery and waste sectors;
   IV. Minimisation of hazardous risks in the resource recovery and waste sectors;
   V. Relevant themes from the 2015 EPA/ZWSA Waste Summit which will inform this inquiry; and
   VI. Any other matter - (June 3) - (The Hon. J. M. Gazzola).

72. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Supports marriage equality; and
   II. Calls on the Parliament of the Commonwealth of Australia to amend the Marriage Act 1961 (Cth) to provide for marriage equality - (June 17) - (The Hon. J. S. Lee).

73. Local Government (Elections) (Disclosure of Political Affiliation) Amendment Bill (No. 36): adjourned debate on second reading - (June 3) - (The Hon. G. A. Kandelaars)².

74. Right to Farm Bill (No.89): in Committee².

75. Motor Vehicles (Demerit Points for Disability Parking Area Offence) Amendment Bill (No. 28): adjourned debate on second reading - (May 6) - (The Hon. J. M. Gazzola)⁴.


77. Liquor Licensing (Entertainment) Amendment Bill (No. 20): adjourned debate on second reading - (March 25) - (The Hon. J.S.L. Dawkins)³.


79. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Acknowledges the extraordinary work of The Jam, The Mix, The Gig (The JMG) - a longstanding and successful community arts mental health program;
   II. Notes The JMG’s previous shared funding arrangement via the SA Mental Health and Substance Abuse program and Arts SA’s Arts Organisations (Disability) Program;
   III. Notes with concern that The JMG’s application for funding through Arts SA has not been renewed; and
   IV. Calls on the Government to work with stakeholders including Arts SA to explore alternative funding pathways to ensure that The Jam, The Mix, The Gig (The JMG) can continue this important program - (March 18, December 9) - (The Hon. J.S.L. Dawkins).


82. Animal Welfare (Companion Animals) Amendment Bill (No. 1): in Committee¹.
Orders of the Day: Government Business -


*7. Statutes Amendment (Gender Identity and Equity) Bill (No. 111): in Committee - clause 1 - (July 5).


*10. Notaries Public Bill (No. 130): adjourned debate on second reading - (June 9, July 5) - (The Hon. T. J. Stephens).

*11. ASER (Restructure) (Facilitation of Riverbank Development) Amendment Bill (No. 132): adjourned debate on second reading - (June 23) - (The Hon. T. J. Stephens).

*12. Statutes Amendment (Electricity and Gas) Bill (No. 133): adjourned debate on second reading - (June 23) - (The Hon. T. J. Stephens).


*17. Summary Offences (Filming and Sexting Offences) Amendment Bill (No. 123A): consideration in Committee of Message No. 137 from the House of Assembly.


*19. Legal Practitioners (Miscellaneous) Amendment Bill (No. 141): second reading.


WEDNESDAY 21 SEPTEMBER 2016

Notice of Motion: Government Business -

1. The Minister for Sustainability, Environment and Conservation to move - That this Council requests His Excellency The Governor to make a proclamation under section 27(3) of the National Parks and Wildlife Act 1972 excluding Allotment 63 in approved plan No. D93043, Out of Hundreds (Parachilna), from the Ikara-Flinders Ranges National Park.

Contingent Notice of Motion -

1. Contingently, on the second reading of any Bill being moved, or on any Bill being reported, the Minister for Employment, Higher Education and Skills to move - That the Standing Orders be so far suspended as to enable the Bill to pass through the remaining stages without delay.

J. M. DAVIS,
Clerk of the Legislative Council.

†Restored to the Notice Paper pursuant to section 57 of the Constitution Act 1934.
††Restored to the Notice Paper in House of Assembly.
*Received from House of Assembly.

Member in charge of Bill -

1 Hon. J.M.A. Lensink
2 Hon. J.S.L. Dawkins
3 Hon. D.G.E. Hood
4 Hon. K. L. Vincent
5 Hon. T. A. Franks
6 Hon. M. C. Parnell
7 Hon. R. L. Brokenshire
8 Hon. D. W. Ridgway
9 Hon. J. A. Darley
10 Hon. A. L. McLachlan
11 Hon. J. S. Lee
12 Hon. S. G. Wade