SOUTH AUSTRALIA]

No. 137

MINUTES OF THE PROCEEDINGS
OF THE

LEGISLATIVE COUNCIL

WEDNESDAY 27 SEPTEMBER 2017

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. The Minister for Health (The Hon. P. B. Malinauskas), by leave, without notice, moved - That the sitting of the Council be not suspended during the continuation of the Conference on the Public Interest Disclosure Bill.
   Question put and passed.

3. The following Papers were laid upon the Table, viz.:
   Forestry (Forest Reserve and Native Forest Reserve - Northern Forest District) Variation Proclamation 2017.


5. The Minister for Employment tabled a copy of a Ministerial Statement made by the Premier (The Hon. J. W. Weatherill, M.P.) concerning Royal Commission Now Required.


7. In accordance with Standing Orders, the President called on Members to make Statements on Matters of Interest.

8. The Hon. G. E. Gago, pursuant to notice, moved - That the Report of the Social Development Committee on an Inquiry into Regional Health Services, be noted.
   On motion of the Hon. J. E. Hanson, the debate was adjourned until Wednesday, 18 October 2017.
   Question put and passed.
   Bill introduced and read a first time.
   The Hon. D.G.E. Hood then moved - That the Bill be now read a second time.
   On motion of the Hon. G. E. Gago, the debate was adjourned until Wednesday, 18 October 2017.

10. Ordered - That Notice of Motion (Private Business) No. 3 be an Order of the Day for Wednesday, 18 October 2017.

11. The Hon. J. A. Darley, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Public Sector Act 2009.
   Question put and passed.
   Bill introduced and read a first time.
   The Hon. J. A. Darley then moved - That the Bill be now read a second time.
   On motion of the Hon. D.G.E. Hood, the debate was adjourned until Wednesday, 18 October 2017.

12. The Hon. J. A. Darley, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Victims of Crime Act 2001.
   Question put and passed.
   Bill introduced and read a first time.
   The Hon. J. A. Darley then moved - That the Bill be now read a second time.
   On motion of the Hon. D.G.E. Hood, the debate was adjourned until Wednesday, 18 October 2017.

13. The Hon. J. A. Darley, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Valuation of Land Act 1971.
   Question put and passed.
   Bill introduced and read a first time.
   The Hon. J. A. Darley then moved - That the Bill be now read a second time.
   On motion of the Hon. D.G.E. Hood, the debate was adjourned until Wednesday, 18 October 2017.

14. The Hon. R. L. Brokenshire, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Fire and Emergency Services Act 2005.
   Question put and passed.
   Bill introduced and read a first time.
   The Hon. R. L. Brokenshire then moved - That the Bill be now read a second time.
   On motion of the Hon. J. A. Darley, the debate was adjourned until Wednesday, 18 October 2017.

15. The Hon. R. L. Brokenshire, pursuant to notice, moved - That it be an Instruction to the Select Committee on Transforming Health that in considering the health impact of Transforming Health, the Committee considers quality and safety issues arising from the relocation of the Royal Adelaide Hospital.
   Debate ensued.
   Question put and passed.

16. The Hon. J. M. Gazzola, pursuant to notice, moved - That the Report of the Natural Resources Committee, 2016-2017, be noted.
   Debate ensued.
   Question put and passed.

18. On the Order of the Day being read for the adjourned debate on the motion of the Hon. J.S.L. Dawkins - That the Report of the Natural Resources Committee on Fleurieu and Kangaroo Island Regional Fact-Finding Visit, be noted:
   Question put and passed.


20. On the Order of the Day being read for the adjourned debate on the motion of the Hon. M. C. Parnell - That this Council -
   I. Notes with concern the fact that the land formerly occupied by Le Cornu in O'Connell Street, North Adelaide has been vacant for over 25 years, despite numerous development authorisations being granted; and
   II. Calls on the State Government to intervene to ensure that the land can be used for public purposes until a final development approval is secured and building work commences.
   Debate resumed.
   The Minister for Sustainability, Environment and Conservation moved to amend the motion by leaving out paragraph II and inserting new paragraph II as follows:
   II. Notes that the land formerly occupied by Le Cornu on O'Connell Street, North Adelaide is privately owned and is not under the control of the State Government.
   Question - That the amendment moved by the Minister for Sustainability, Environment and Conservation, be agreed to - put and passed.
   Question - That the motion moved by the Hon. M. C. Parnell, and as amended by the Minister for Sustainability, Environment and Conservation - put and passed.


23. On the Order of the Day being read for the adjourned debate on the motion of the Hon. K. L. Vincent - That this Council notes the contribution to the South Australian community of Maurice Corcoran, AM, and:
   I. Acknowledges the ongoing commitment of Mr Corcoran to ensuring that public transport is accessible to all; and
   II. Congratulates Maurice Corcoran on being given the Lesley Hall Leadership Award at the 10th National Disability Awards:
   Debate resumed.
   Question put and passed.

24. At five minutes to six o’clock the sitting was suspended until the ringing of the bells.
   At fifteen minutes to eight o’clock the sitting was resumed.

25. On the Order of the Day being read for the adjourned debate on the question - That the Work Health and Safety (Representative Assistance) Amendment Bill be now read a second time:
   Debate resumed.
   During debate the Hon. T. A. Franks, by leave, tabled a copy of a letter addressed to Mr. Aaron Cartledge, State Secretary, Construction, Forestry, Mining and Energy Union, dated 1 August 2017, signed by Mr. Cliff Pettit, Deputy Commissioner, Australian Building and Construction Commission.
   Question put.
Council divided:

Ayes, 9

The Hon. J. A. Darley
The Hon. G. E. Gago
The Hon. J. M. Gazzola
The Hon. J. E. Hanson
The Hon. I. K. Hunter
The Hon. K. J. Maher
The Hon. M. C. Parnell
The Hon. K. L. Vincent
The Hon. T. A. Franks (Teller)

Noes, 8

The Hon. R. L. Brokenshire
The Hon. J. S. L. Dawkins
The Hon. D. G. E. Hood
The Hon. J. M. A. Lensink
The Hon. A. L. McLachlan
The Hon. D. W. Ridgway
The Hon. S. G. Wade
The Hon. R. I. Lucas (Teller)

So it was resolved in the affirmative.

Bill read a second time.

The President then left the Chair, and the Council resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee

Clauses No. 1 to No. 3 agreed to.
Clause No. 4 amended and 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 an amendment; whereupon the Council adopted such report.

The Minister for Sustainability, Environment and Conservation, 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.
The Hon. T. A. Franks then moved - That this Bill be now read a third time.
Question put.

Council divided:

Ayes, 9

The Hon. J. A. Darley
The Hon. J. M. Gazzola
The Hon. J. E. Hanson
The Hon. I. K. Hunter
The Hon. P. B. Malinauskas
The Hon. T. T. Ngo
The Hon. M. C. Parnell
The Hon. K. L. Vincent
The Hon. T. A. Franks (Teller)

Noes, 8

The Hon. R. L. Brokenshire
The Hon. J. S. L. Dawkins
The Hon. D. G. E. Hood
The Hon. J. M. A. Lensink
The Hon. A. L. McLachlan
The Hon. D. W. Ridgway
The Hon. S. G. Wade
The Hon. R. I. Lucas (Teller)

So it was resolved in the affirmative.

Bill read a third time.

Resolved - That this Bill do now pass.

Postponement of Business.


180th Anniversary of the Proclamation of South Australia.

27. On the Order of the Day being read for the adjourned debate on the motion of the Hon. J. S. Lee - That this Council -

I. Acknowledges the historical significance of the 180th Anniversary of the Proclamation of South Australia; and
II. Highlights the major political, social, and cultural milestones which have been achieved in South Australia over the last 180 years.

Debate resumed.

Question put and passed.
28. On the Order of the Day being read for the adjourned debate on the motion of the Hon. J. S. Lee - That this Council -
   I. Acknowledges the 25th Anniversary of the Australian Chinese Medical Association of SA (ACMA-SA);
   II. Pays tribute to Past and Present Presidents and Committee Members of ACMA-SA for their leadership and long term commitment to support charitable causes, community programs and health care services for the South Australian community; and
   III. Highlights the achievements and contributions of ACMA-SA and the Australian-Chinese medical professionals made to Australia and South Australia:
   Debate resumed.
   Question put and passed.

29. Ordered - That Orders of the Day (Private Business) No. 37 to No. 48 and No. 50 to No. 75 be Orders of the Day for Wednesday, 18 October 2017.

30. On the Order of the Day being read for the adjourned debate on the 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.
   Debate resumed.
   Question put and passed.


32. The Minister for Sustainability, Environment and Conservation, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Linear Parks Act 2006.
   Question put and passed.
   Bill introduced and read a first time.
   The Minister for Sustainability, Environment and Conservation then moved - That the Bill be now read a second time.
   On motion of the Hon. J.M.A. Lensink, the debate was adjourned until next day of sitting.

33. The Minister for Health, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the South Australian Public Health Act 2011.
   Question put and passed.
   Bill introduced and read a first time.
   Ordered - That the second reading be an Order of the Day for next day of sitting.

34. Ordered - That Orders of the Day (Government Business) be Orders of the Day for next day of sitting.

35. The following Messages from the House of Assembly were received and read: Message No. 265

     MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to provide for the licensing and regulation of persons who provide labour hire services; and for other purposes, to which it desires the concurrence of the Legislative Council.
     House of Assembly, 26 September 2017.
     Bill read a first time.
     Ordered - That the second reading be an Order of the Day for next day of sitting.
MR. PRESIDENT - The House of Assembly has agreed to the amendment made by the Legislative Council in the Summary Offences (Interviewing Vulnerable Witnesses) Amendment Bill without amendment.

House of Assembly, 26 September 2017.  
M. J. ATKINSON, Speaker.

Message No. 267

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to provide for the recovery of expiation fees, fines and other pecuniary sums; to allow for the recovery of civil debt owed to public authorities; to continue the office of Fines Enforcement and Recovery Officer as the Chief Recovery Officer; to set out the functions and powers of the Chief Recovery Officer; to make related amendments to the Cross-border Justice Act 2009, the Expiation of Offences Act 1996, the Magistrates Court Act 1991, the Motor Vehicles Act 1959, the Summary Procedure Act 1921 and the Victims of Crime Act 2001; and for other purposes, to which it desires the concurrence of the Legislative Council.

House of Assembly, 26 September 2017.  
M. J. ATKINSON, Speaker.

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

Message No. 268

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to amend various Acts within the portfolio of the Attorney-General, to which it desires the concurrence of the Legislative Council.

House of Assembly, 26 September 2017.  
M. J. ATKINSON, Speaker.

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

Message No. 269

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled a Bill for an Act to amend the Bail Act 1985; the Correctional Services Act 1982; the Criminal Law (High Risk Offenders) Act 2015; and the Police Act 1998, to which it desires the concurrence of the Legislative Council.

House of Assembly, 26 September 2017.  
M. J. ATKINSON, Speaker.

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

Adjournment.

36. Council adjourned at three minutes past ten o’clock until tomorrow at fifteen minutes past two o’clock.

Members present during any part of the sitting:

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

THURSDAY 28 SEPTEMBER 2017

Notice of Motion: Government Business -

1. The Minister for Health to move - That he have leave to introduce a Bill for an Act to promote the full inclusion in the community of people with disability; to assist people with disability to achieve their full potential as equal citizens; to promote improved access to mainstream supports and services by people with disability; to provide for the screening of persons who want to work or volunteer with people with disability and to prohibit those who pose an unacceptable risk to people with disability from working or volunteering with them; to provide for a community visitor scheme; to provide for responsibilities of the State during and following the transition to the National Disability Insurance Scheme; and for other purposes.

Orders of the Day: Government Business -


*3. Statutes Amendment (Universities) Bill (No. 201): in Committee.


*7. Industry Advocate Bill (No. 220): adjourned debate on second reading - (July 4, August 10, September 26) - (The Hon. J. E. Hanson).


*10. Appropriation Bill (No. 228): adjourned debate on second reading - (August 9) - (The Hon. D.W. Ridgway).


*13. Statutes Amendment (SACAT No. 2) Bill (No. 231): second reading.

15. Linear Parks (Miscellaneous) Amendment Bill (No. 238): adjourned debate on second reading - (September 27) - (The Hon. J.M.A. Lensink).


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WEDNESDAY 18 OCTOBER 2017

Orders of the Day: Private Business -

1. Adjourned debate of motion of the Hon. G. E. Gago - That the Report of the Social Development Committee on an Inquiry into Regional Health Services, be noted - (September 27) - (The Hon. J. E. Hanson).

2. Statutes Amendment (Bullying) Bill (No. 233): adjourned debate on second reading - (September 27) - (The Hon. G. E. Gago) 3.

3. The Hon. M. C. Parnell to move - That he have leave to introduce a Bill for an Act to postpone the expiry of the Genetically Modified Crops Management (Designation of Areas) Regulations 2004.

4. Public Sector (Functions and Resources Audit) Amendment Bill (No 234): adjourned debate on second reading - (September 27) - (The Hon. D.G.E. Hood) 9.


10. Adjourned debate of motion of the Hon. J.M.A. Lensink - That the Report of the Select Committee on Skills for All Program, be noted - (August 9) - (The Hon. T. T. Ngo).


12. Adjourned debate of motion of the Hon R. I. Lucas - That this Council notes with concern the actions taken by Labor MPs and statements made by Labor MPs both inside and outside the Parliament - (August 9) - (The Hon. T. J. Stephens).

14. Parliamentary Committees (Public Assets Committee) Amendment Bill (No. 221): adjourned debate on second reading - (July 5) - (The Hon. J. E. Hanson)7.

15. Local Nuisance and Litter Control (Illegal Dumping on Construction Sites) Amendment Bill (No. 222): adjourned debate on second reading - (July 5) - (The Hon. J. E. Hanson)7.


17. Adjourned debate on motion of the Hon. J. A. Darley - That the Report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade, be noted - (June 21) - (The Hon. T. J. Stephens).

18. Adjourned debate on motion of the Hon. S. G. Wade - That the Fifth Interim Report of the Select Committee on Transforming Health, be noted - (June 21) - (The Hon. S. G. Wade).


22. The Hon. M. C. Parnell to move - That this Council -
   I. Notes that the Point to Point Transport Service Transaction Levy came into effect on 1 May 2017 and that the passengers of taxi, Uber and chauffeur services are now being charged an additional $1 per trip in Metropolitan Adelaide;
   II. Notes that the primary purpose of the Levy was to raise money to compensate the taxi industry following the commencement of new ride-sharing services;
   III. Notes that the amount of money required to compensate the taxi industry will have been collected within 6 years (including administrative and compliance costs), yet the levy is ongoing with no end date specified;
   IV. Notes that an ongoing discriminatory tax on those who do not choose or are unable to drive a private vehicle is unfair, inefficient and has numerous adverse consequences; and
   V. Calls on the Government and all political parties to support measures which bring the Point to Point Transport Service Transaction Levy to an end by 1 May 2023.


27. Adjourned debate on the motion of the Hon. S. G. Wade -
   I. That a Select Committee of the Legislative Council be established to inquire into and report on matters relating to the management of the care of residents of the Older Persons Mental Health Service at Oakden since December 2007, with a particular focus on:
      (a) the experience of residents and/or their families and carers as they raised concerns about the quality and safety of the care provided at Oakden;
      (b) the effectiveness of statutory officers and other government employees appointed, in part or in whole, to monitor the quality and safety of care provided at Oakden, including:
         (i) the Office of the Chief Psychiatrist,
         (ii) the Office of the Public Advocate,
         (iii) the Office of the Principal Community Visitor,
         (iv) the Health and Community Services Complaints Commissioner, and
         (v) the Mental Health Commissioner;
      (c) the policy and practice of SA Health and the Northern Adelaide Local Health Network in responding to concerns raised about Oakden;
      (d) the identification of any legislative or regulatory deficiencies in the oversight arrangements for Oakden that may have contributed to systemic problems at Oakden not being identified and addressed earlier;
      (e) the identification of any deficiencies in culture, governance, staff recruitment and training, and management which may have contributed to lower quality and less safe older persons mental health services; and
      (f) 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 17) - (The Hon. J. M. Gazzola).

28. The Hon. R. L. Brokenshire to move - That he have leave to introduce a Bill for an Act to amend the Electoral Act 1985; and to make a related amendment to the Constitution Act 1934.

29. Adjourned debate on motion of the Hon. S. G. Wade -
   I. That it be an Instruction to the Joint Committee on Matters Relating to Elder Abuse in South Australia that its terms of reference be amended by leaving out at the end of paragraph (j) the word “and” and paragraph (k) and inserting the following new paragraphs - “(k) occurrences of elder abuse at the Oakden Older Persons Mental Health Service;
   (l) the effectiveness and accountability of the management of the Oakden Older Persons Mental Health Service, including the management of Northern Adelaide Local Health Network, SA Health, Parliamentary Secretaries and Ministers, in the prevention of and responding to elder abuse;
   (m) the effectiveness of the Principal Community Visitor, the Chief Psychiatrist, the Public Advocate, the Coroner’s Court, the Mental Health Commissioner and the Health and Community Services Complaints Commissioner in highlighting and responding to issues in relation to the Oakden Older Persons Mental Health Service and policy and practice of SA Health and the Northern Adelaide Local Health Network in responding to concerns raised;
   (n) the policy, practice, and training on the reporting of elder abuse in the Northern Adelaide Local Health Network and SA Health and its relationship to the Safety Learning System, reporting of possible criminal acts to police and protocols of alerts to the Minister;
   (o) the policy, practice, training and reporting of elder abuse and the effectiveness of responses to elder abuse in the Oakden Older Persons Mental Health Service; and
   (p) any other related matter.”
II. That a Message be sent to the House of Assembly transmitting the foregoing and requesting its concurrence thereto - (May 10) - (The Hon. J. A. Darley).
30. Adjourned debate on motion of the Hon. T. A. Franks - That the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation inquire into and report on SafeWork SA prosecutions into South Australian workplace fatalities since 2010 with particular reference to the death of Jorge Castillo-Riffo - (April 12) - (The Hon. S. G. Wade).

31. Adjourned debate on motion of the Hon. T. A. Franks - That this Council supports the 10th International Record Store Day of 22 April 2017 and notes Record Store Day highlights the ongoing cultural and economic importance of record stores in an era of online shopping, file sharing and downloads - (April 12) - (The Hon. S. G. Wade).

32. Adjourned debate on motion of the Hon. D. W. Ridgway - That this Council -
   I. Condemns the State Government for voting against the Farm Debt Mediation Bill 2015; and
   II. Recognises that in doing so, the State Government has denied South Australian farmers the same protections enjoyed by primary producers in Queensland, New South Wales and Victoria - (March 29) - (The Hon. D. W. Ridgway).


34. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council -
   I. Notes that the Law Council of Australia’s biennial National Access to Justice and Pro Bono Conference was held in Adelaide on 23 and 24 March in conjunction with the Law Society of South Australia and the Australian Pro Bono Centre;
   II. Notes the Productivity Commission’s 2014 Access to Justice Arrangements Inquiry Report which called for a substantial increase in legal aid funding which it noted would help prevent legal problems from escalating and reduce costs to the justice system and to the community;
   III. Notes that legal and consumer bodies from around Australia are supporting a National “Legal Aid Matters” campaign to stem the legal aid funding crisis; and
   IV. Calls on the State and Federal Governments to urgently increase funding to the Legal Service Commission, Community Legal Centres and other services that help South Australians in their dealings with both the criminal and civil justice systems - (March 29, May 10) - (The Hon. T. T. Ngo).

35. The Hon. J. S. Lee to move - That this Council -
   I. Acknowledges that 2017 marks the 45th Anniversary celebration of the Molinara Sports and Social Club in South Australia;
   II. Pays tribute to community leaders and volunteers of the Club for their long term commitment to support the Italian migrants’ community residing in South Australia; and
   III. Highlights the history, achievements and contributions of the Molinara Sports and Social Club.

36. The Hon. J. S. Lee to move - That this Council -
   I. Acknowledges the Australian Sikh Games reaching a special milestone of the 30th Anniversary in 2017;
   II. Notes the Australian Sikh Games are the premier sporting and cultural event for the Australian Sikh community; and
   III. Recognises the achievements made by community leaders and volunteers at various Sikh community associations based in South Australia.

37. Crown Land Management (Life Lease Sites) Amendment Bill (No. 186): adjourned debate on second reading - (March 1) - (The Hon. J. M. Gazzola)1.


39. The Hon. J. S. Lee to move - That this Council -
   I. Congratulates the Filipino Settlement Coordinating Council of South Australia (FSCCSA) on their work and contribution to the Filipino community of South Australia;
   II. Pays tribute to the achievements made by the various Filipino community associations and community leaders based in South Australia; and
III. Acknowledges 120 years of Filipino Settlement in Australia and the 70th Anniversary of diplomatic relations between Australia and the Philippines.

40. The Hon. M.C. Parnell to move - That he have leave to introduce a Bill for an Act to amend the Petroleum and Geothermal Act 2000.


42. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council -
   I. Notes the importance of significant trees to our urban environment and amenity;
   II. Notes that over 1100 South Australian citizens have signed a petition calling on the State Government to change the law to prevent the unnecessary destruction of significant trees and force property developers to incorporate important vegetation into their projects for the benefit of the environment and the wider community, and
   III. Calls on the State Government to take action now to protect more of the significant and regulated trees on the former Glenside Hospital site - (February 15, August 2) - (The Hon. T. J. Stephens).

43. The Hon. T. A. Franks to move - That this Council -
   I. Notes with regards to the Tattoo Industry Control Act 2015 that
      (a) No consultation was held with Industry;
      (b) As a consequence the implementation of a negative licensing scheme has placed undue regulatory burden on legitimate businesses; and
      (c) The adverse impact on tourism, industry and employment in our State; and
   II. Calls for respectful and appropriate consultation with Industry and timely amendment of the Act to ensure tourism, jobs, legitimate business and workers in the Tattoo Industry are not further harmed.

44. Adjourned debate on motion of the Hon. R. I. Lucas - That this Council notes costs incurred by the State Government in opposing decisions and policies of the Federal Government - (December 7) - (The Hon R. I. Lucas).

45. The Hon. T. A. Franks to move - That this Council notes:
   I. The Parliament as a working environment needs rules to function democratically and effectively and those rules should provide for all Members to fully participate; and
   II. That ensuring this workplace adopts “family friendly” culture and practice would entail changes to hours of operation, facilities, standing orders and procedures.

46. Adjourned debate on motion of the Hon. S. G. Wade - That the Fourth Interim Report of the Select Committee on Transforming Health, be noted - (November 30) - (The Hon. J. M. Gazzola).


48. Adjourned debate on motion of the Hon. K. L. Vincent - That this Council notes the contribution to dementia awareness of Kate Swaffer and:
   I. Congratulates Kate Swaffer on being named as South Australia’s Australian of the year;
   II. Recognises Ms Swaffer’s role as Chairwoman, Chief Executive and Co-Founder of Dementia Alliance International; and
   III. Acknowledges Ms Swaffer’s role as a local, national and international advocate for dementia patients - (August 9) - (The Hon. T. T. Ngo).

49. Adjourned debate on motion of the Hon. K. L. Vincent - That this Council notes the work of Peter Wilson and the Determined2 team and:
   I. Acknowledges the benefits of the Immersion Therapy Program developed and delivered in South Australia and
II. Congratulates Peter Wilson on being the joint winner of the Excellence in Inclusive Service Delivery Award at the 10th National Disability Awards - (November 30, March 1) - (The Hon T. J. Stephens).

50. Adjourned debate on motion of the Hon. K. L. Vincent - That this Council notes the contribution to the mental health sector of Robert Burke and:
   I. Congratulates Robert Burke on being joint winner of the Dr Margaret Tobin Award in the South Australian Mental Health Excellence Awards;
   II. Acknowledges the ongoing leadership and commitment of Mr. Burke and Mrs. Judy Burke to promoting the role of family carers in mental health; and
   III. The ongoing difficulties faced by families of people with borderline personality disorder and the role of community based support groups - (August 9) - (The Hon. J. E. Hanson).

51. Adjourned debate on motion of the Hon. A. L. McLachlan - That the Report of the Legislative Review Committee on its Inquiry into an Amendment to the Births, Deaths and Marriages Registration Regulations 2011 to enable the Recognition of De Facto Relationships on the Register Recording the Death of a Person (Death Certificate), be noted - (November 2) - (The Hon. J. A. Darley).


53. The Hon. J. A. Darley to move - That he have leave to introduce a Bill for an Act to amend the Criminal Law Consolidation Act 1935.

54. Adjourned debate on motion of the Hon. R. I. Lucas - That this Council notes the level of total State debt in South Australia since the early 1990s and the factors that have influenced that level of State debt - (May 17, 31) - (The Hon. T. J. Stephens).

55. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council
   I. Notes the National Day of Action Against Nuclear Waste Dumps held on 15 October 2016; and
   II. Acknowledges the opposition expressed by thousands of South Australians to proposals to create high, intermediate and low level nuclear waste dumps in South Australia - (October 19) - (The Hon. J. M. Gazzola).

56. Adjourned debate on motion of the Hon. T. A. Franks - That this Council
   I. Expresses its support for the State Library and notes the unique cultural, historical, educational and social benefits the State Library brings to the State of South Australia; and
   II. Notes that the proposed Weatherill Labor Government cuts to the funding of the State Library of South Australia will result in job losses and the diminution of access to a diverse range of communities - (September 21) - (The Hon. T. J. Stephens).

57. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council calls on the Government to follow the lead of their counterparts in Queensland and ban the practice of Underground Coal Gasification in South Australia - (July 27) - (The Hon. M. C. Parnell).

58. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council
   I. Notes the recent decision of the University of Adelaide to rename part of its North Terrace Campus from the “Taib Mahmud, Chief Minister of Sarawak Court” to the “Columbo Plan Alumni Court”; and
   II. Calls on the University of Adelaide to fully disclose all donations received from Taib Mahmud or his family - (July 27) - (The Hon. T. J. Stephens).


62. Summary Offences (Disrespectful Conduct in Court Proceedings) Amendment Bill (No. 144): adjourned debate on second reading - (July 6) - (The Hon. J. S. Lee)3.

63. The Hon. S. G. Wade to move - That the Third Interim Report of the Select Committee on Transforming Health, be noted.

64. 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, July 6) - (The Hon. G. E. Gago).

65. Adjourned debate on motion of the Hon. G. E. Gago - That this Council congratulates Jared Tallent on rightfully being awarded a gold medal for the 50 km Walk from the 2012 London Olympics - (September 21) - (The Hon. J.S.L. Dawkins).

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

67. 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.

68. 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.

69. Health Care (Privacy and Confidentiality) Amendment Bill (No. 131): adjourned debate on second reading - (June 8) - (The Hon. T. A. Franks)12.
70. 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).

71. 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).

72. 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).

73. 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).

74. Animal Welfare (Miscellaneous) Amendment Bill (No. 124): adjourned debate on second reading -
    (May 18) - (The Hon. T. J. Stephens)².

75. Adjourned debate on motion of the Hon. G. A. Kandelaars - That the Report of the Legislative
    Review Committee into the Sexual Reassignment Repeal Bill 2014, be noted - (April 13) - (The Hon.
    A. L. McLachlan).

76. Adjourned debate on motion of the Hon. G. E. Gago - That the Report of the Social Development
    Committee into Domestic and Family Violence, be noted - (April 13, May 18) - (The Hon.
    T. T. Ngo).

77. Adjourned debate on motion of the Hon. S. G. Wade - That the Second Interim Report of the Select
    Committee on Transforming Health be noted - (May 25) - (The Hon. J.S.L. Dawkins).

78. Adjourned debate on motion of the Hon. G. A. Kandelaars - That the Interim Report of the Legislative
    Review Committee on the Review of the Report of the Committee into the Partial Defence of
    Provocation, be noted - (March 9) - (The Hon. J. M. Gazzola).

79. 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)².

    Review Committee on its Inquiry into the Environment Protection Authority’s Management of
    Contamination at Clovelly Park and Mitchell Park, be noted - (February 24) - (The Hon.
    T. J. Stephens).

81. Criminal Law Consolidation (Assaults Causing Death) Amendment Bill (No. 101): adjourned
    debate on second reading - (February 24) - (The Hon. J. A. Darley)².
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).

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

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).

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).

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

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

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).

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).

Criminal Law Consolidation (Protection for Assistance Animals) Amendment Bill (No. 69): adjourned debate on second reading - (October 14) - (The Hon. J.S.L. Dawkins)9.

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

Eggs (Display for Retail Sale) Bill (No. 60): adjourned debate on second reading - (September 23, April 13) - (The Hon. D. W. Ridgway)9.

Electoral (Legislative Council) (Optional Preferential Voting) Amendment Bill (No. 61): adjourned debate on second reading - (September 23) - (The Hon. M. C. Parnell)9.

Adjourned debate on motion of the Hon. M. C. Parnell - 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).

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

96. 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).9

97. 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).

98. 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.

99. 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.

100. Local Government (Elections) (Disclosure of Political Affiliation) Amendment Bill (No. 36): adjourned debate on second reading - (June 3) - (The Hon. G. A. Kandelaars).7

101. Right to Farm Bill (No. 89): in Committee7.


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

105. Electoral (Legislative Council Voting Thresholds) Amendment Bill (No. 10): adjourned debate on second reading - (February 25) - (The Hon. J.M.A. Lensink)§.

*106. Joint Committee on Matters Relating to Elder Abuse in South Australia: consideration of Message No. 222 from the House of Assembly.

WEDNESDAY 29 NOVEMBER 2017

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

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

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

8. Select Committee on State-wide Electricity Blackout and Subsequent Power Outages: Report to be brought up.

9. Select Committee on Administration of South Australia’s Prisons: Report to be brought up.
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 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
13 Hon. T. T. Ngo