

SOUTH AUSTRALIA]

No. 104

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

TUESDAY 14 FEBRUARY 2017

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

2. The following Papers were laid upon the Table, viz.: Papers.
 By the President -
 Reports, 2015-2016 -
 Corporations -
 Adelaide.
 Burnside.
 Holdfast Bay.
 Marion.
 Norwood Payneham and St Peters.
 Playford.
 Prospect.
 Salisbury.
 Unley.
 Whyalla.
 District Councils -
 Adelaide Hills.
 Alexandrina.
 Coorong.
 Copper Coast.
 Gawler.
 Karoonda East Murray.
 Kingston.
 Light.
 Lower Eyre Peninsula.
 Loxton Waikerie.
 Mallala.
 Mid Murray.
 Peterborough.
 Port Pirie.
 Renmark Paringa.

Roxby Downs.
 Tumby Bay.
 Wattle Range.
 Yankalilla.

By the Minister for Employment (The Hon. K. J. Maher) -

Corporation By-laws -

Rural City of Murray Bridge-

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

Municipal Council By-laws -

Roxby Downs -

No. 8 - Interim Cats.

Regulations under the following Acts -

Electricity Act 1996 - Miscellaneous.
 Gas Act 1997 - Miscellaneous.
 Mining Act 1997 - Miscellaneous.

Study Adelaide Charter.

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

Regulations under the following Acts -

Animal welfare Act 1985 -

Companion Animals.

Miscellaneous Amendment No. 2.

Fisheries Management Act 2007 -

Abalone Fisheries.

Demerit Points - Pippi.

Demerit Points - Vongole.

Fish Processors - Vongole.

General - Vongole.

Lakes and Coorong Fishery - Vongole.

Marine Scalefish Fisheries - Pippi.

Marine Scalefish Fisheries - Vongole.

Rock Lobster Fisheries - Vongole.

Vessel Monitoring Scheme.

Green Industries SA Act 2004 - Revocation of Zero Waste.

Health Care Act 2008 - Reporting of Cancer.

Local Nuisance and Litter Act 2016 -

Amendment of Act Schedule 1.

General.

Natural Resources Management Act 2004 - Financial Provisions Amendment.

Wilderness Protection Act 1992 - Nullarbor Wilderness Protection Area.

TAFE SA Ministerial Charter.

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

Reports, 2015-2016 -

Courts Administration Authority.

Independent Gambling Authority.

Legal Practitioners Disciplinary Tribunal.

Legal Profession Conduct Commissioner.

Listening and Surveillance Devices Act 1972.

South Australian Civil and Administrative Tribunal.

State Coroner.

Dangerous Area Declarations under the Summary Offences Act 1953 for the period
 1 October 2016 to 31 December 2016.

Managing Risks in Stevedoring Code of Practice dated December 2016.

New Route Service Licence - Adelaide - Port Augusta - Adelaide

Road Blocks Declaration under the Summary Offences Act 1953 for the period 1 October
 2016 to 31 December 2016.

Regulations under the following Acts -

Criminal Law (Forensic Procedures) Act 2007 - Blood Testing for Diseases.

Cross-border Justice Act 2009 - Young Offenders.

Development Act 1993 -

Low Impact Entertainment.

Miscellaneous No 2.

Residential Code.

District Court Act 1991 - Fees No. 3.

Justices of the Peace Act 2005 - Youth Court.

Magistrates Court Act 1991 - Fees No. 3.

Motor Vehicles Act 1959 - Miscellaneous No 3.

Recreation Grounds (Regulations) Act 1931 - Central Oval.

Return to Work Act 2014 - Guarantee.

Road Traffic Act 1961 -

Ancillary and Miscellaneous Provisions No. 3.

Ancillary and Miscellaneous Provisions No. 4.

Miscellaneous Amendment No. 2.

Miscellaneous Amendment No. 3.

Supreme Court Act 1935 - Fees No. 3.

Victims of Crime Act 2001 -

Revocation of Criminal Injuries Compensation Regulations.

Transitional.

Work Health and Safety Act 2012 - Miscellaneous Amendment.

Rules of Court -

South Australian Civil and Administrative Tribunal - South Australian Civil and Administrative Tribunal Act 2013 - Amendment No. 2.

Youth Court - Youth Court Act 1993 -

Children's Protection.

General.

Young Offenders.

Rules under Acts -

Road Traffic Act 1961 -

Australian Road Rules.

Light Vehicle Standards Amendment.

By the Minister for Correctional Services (The Hon. P. B. Malinauskas) -

Parole Board of South Australia - Report, 2015-2016.

3. The Hon. D.G.E. Hood brought up the Report, 2015-2016, of the Crime and Public Integrity Policy Committee on its Review of Public Integrity and the Independent Commissioner Against Corruption.
Ordered - That the Report be printed. (Paper No. 290)

Crime and Public Integrity Policy Committee - Report, 2015-2016, on Review of Public Integrity and the Independent Commissioner Against Corruption.
4. 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. G. A. Kandelaars to ask a question of The Minister for Police 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.

Suspension of Standing Orders.
5. Ordered - That Orders of the Day (Government Business) No. 1 to No. 8 be postponed and taken into consideration after Order of the Day (Government Business) No. 9.

Postponement of Business.

Statutes Amendment
(Planning,
Development and
Infrastructure) Bill.

6. On the Order of the Day being read for the adjourned debate on the question - That the Statutes Amendment (Planning, Development and Infrastructure) Bill be now read a second time:
Debate resumed.
Question put and passed.
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. 6 agreed to.
The Hon. M. C. Parnell moved on page 7, after line 10, to insert new clauses No. 6A and No. 6B as follows:

6A—Amendment of section 61—Adaptive re-use

Section 61—delete "The Minister" and substitute:
The Commission

6B—Amendment of section 62—Climate change policy

Section 62—delete "The Minister" and substitute:
The Commission

Question - That new clauses 6A and 6B, as proposed to be inserted, be so inserted - put and negatived.

Clauses No. 7 to No. 9 agreed to.
Clause No. 10 amended and agreed to.
Clauses No. 11 to No. 85 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.

Postponement
of Business.

7. Ordered - That Orders of the Day (Government Business) No. 1 to No. 8 and No. 10 to No. 12 be postponed and taken into consideration after Order of the Day (Government Business) No. 13.

Road Traffic
(Roadworks)
Amendment Bill.

8. On the Order of the Day being read for the adjourned debate on the question - That the Road Traffic (Roadworks) Amendment Bill be now read a second time:
Debate resumed.
On motion of the Hon. J.M.A. Lensink, the debate was adjourned until next day of sitting.

Postponement
of Business.

9. Ordered - That Orders of the Day (Government Business) No. 1 to No. 8 and No. 10 to No. 12 be postponed and taken into consideration after Order of the Day (Government Business) No. 14.

National Parks and
Wildlife (Co-
managed Parks)
Amendment Bill.

10. On the Order of the Day being read for the adjourned debate on the question - That the National Parks and Wildlife (Co-managed Parks) Amendment Bill be now read a second time:
Debate resumed.
On motion of the Hon. G. E. Gago, the debate was adjourned until next day of sitting.

Ministerial
Statement
Tabled.

11. The Minister for Police, by leave, tabled a copy of a Ministerial Statement made by the Attorney-General (The Hon. J. R. Rau M.P.) concerning the Children and Young People (Safety) Bill 2016.

Ministerial
Statement
Tabled.

12. The Minister for Police, by leave, tabled a copy of a Ministerial Statement made by the Minister for Transport and Infrastructure (The Hon. S. C. Mullighan, M.P.) concerning the South Road Tram Overpass.

13. Ordered - That Orders of the Day (Government Business) No. 1 to No. 8, No. 10 to No. 12, No. 15 and No. 16 be postponed and taken into consideration after Order of the Day (Government Business) No. 17. Postponement of Business.
14. On the Order of the Day being read for the adjourned debate on the question - That the Electoral (Legislative Council Voting) (Voter Choice) Amendment Bill be now read a second time: Electoral (Legislative Council Voting) (Voter Choice) Amendment Bill.
 Debate resumed.
 On motion of The Hon. T. T. Ngo, the debate was adjourned until next day of sitting.
15. Ordered - That all remaining Orders of the Day (Government Business) be Orders of the Day for next day of sitting. Postponement of Business.
16. Ordered - That the Council, at its rising, do adjourn until tomorrow at eleven o'clock a.m. Next Day of Sitting.
17. Council adjourned at twenty-two minutes to five o'clock until tomorrow at eleven o'clock a.m. Adjournment.

Members present during any part of the sitting:

The Hon. R. L. Brokenshire	The Hon. I. K. Hunter	The Hon. T. T. Ngo
The Hon. J. A. Darley	The Hon. G. A. Kandelaars	The Hon. M. C. Parnell
The Hon. J.S.L. Dawkins	The Hon. J. S. Lee	The Hon. D. W. Ridgway
The Hon. T. A. Franks	The Hon. J.M.A. Lensink	The Hon. T. J. Stephens
The Hon. G. E. Gago	The Hon. R. I. Lucas	The Hon. K. L. Vincent
The Hon. J. M. Gazzola	The Hon. P. B. Malinauskas	The Hon. S. G. Wade
The Hon. D.G.E. Hood	The Hon. A. L. McLachlan	

NOTICES AND ORDERS OF THE DAY

WEDNESDAY 15 FEBRUARY 2017

Council meets at 11am

Notices of Motion: Private Business -

1. The Hon. G. A. Kandelaars to move - That the Legislative Council be informed of his future intentions as regards his membership of the Legislative Council.
2. 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.
3. The Hon. D.G.E. Hood to move - That the Report of the Crime and Public Integrity Policy Committee on its Annual Review into Public Integrity and the Independent Commissioner Against Corruption 2015-16, be noted.
4. The Hon. M. C. Parnell to move - 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.
5. The Hon. M. C. Parnell to move - That it be an Instruction to the Select Committee on the State-wide Electricity Blackout and Subsequent Power Outages that its terms of reference be amended by leaving out -
 “and
 (f) Any other relevant matters.”
 And inserting -
 - “(f) Power outages subsequent to 28 September 2016 including on 27 and 28 December 2016 and 8 February 2017;
 - (g) The role of power companies, state and national regulators and the State and Commonwealth Governments in the National Electricity Markets;
 - (h) Reforms that would improve electricity reliability and affordability in South Australia whilst reducing carbon emissions; and
 - (i) Any other relevant matters.”
6. The Hon. T. A. Franks to move - That this Council -
 - I. Notes with regard 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.

Orders of the Day: Private Business -

1. Adjourned debate on the 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).

2. The Hon. A. L. McLachlan to move - That Regulations made under the Primary Industry Funding Schemes Act 1998 concerning Adelaide Hills Wine Industry Fund, made on 25 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
3. The Hon. A. L. McLachlan to move - That Regulations made under the Primary Industry Funding Schemes Act 1998 concerning Barossa Wine Industry Fund, made on 25 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
4. The Hon. A. L. McLachlan to move - That Regulations made under the Primary Industry Funding Schemes Act 1998 concerning Clare Valley Wine Industry Fund, made on 25 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
5. The Hon. A. L. McLachlan to move - That Regulations made under the Primary Industry Funding Schemes Act 1998 concerning McLaren Vale Wine Industry Fund, made on 25 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
6. The Hon. A. L. McLachlan to move - That Regulations made under the Primary Industry Funding Schemes Act 1998 concerning SA Grape Growers Wine Industry Fund, made on 25 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
7. The Hon. A. L. McLachlan to move - That Regulations made under the Tobacco Products Regulation Act 1997 concerning Smoking Bans in Public Areas - Henley Square, made on 25 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
8. The Hon. A. L. McLachlan to move - That Regulations made under the Criminal Injuries Compensation Act 1978 concerning Scale of Costs, made on 8 September 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
9. The Hon. A. L. McLachlan to move - That By-law No. 2 of the District Council of Alexandrina concerning Local Government Land made on 1 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
10. The Hon. A. L. McLachlan to move - That By-law No. 3 of the District Council of Alexandrina concerning Roads made on 1 August 2016 and laid on the Table of this Council on 20 September 2016, be disallowed.
11. 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.
12. Adjourned debate on the motion of the Hon. R. L. Brokenshire - That the Report of the Select Committee on Emergency Services Reform, be noted - (November 30) - (The Hon. T. J. Stephens).
13. Adjourned debate on the motion of the Hon. J.S.L. Dawkins - That the Report of the Natural Resources Committee on the Inquiry into Unconventional Gas (Fracking) in the South East of South Australia, be noted - (November 30) - (The Hon. J. S. Lee).
14. Industrial Hemp Bill (No. 179): adjourned debate on second reading - (November 30) - (The Hon. T. J. Stephens)⁵.
15. Adjourned debate on the 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).
16. Petroleum and Geothermal Energy (Underground Coal Gasification) Amendment Bill (No. 170): adjourned debate on second reading - (November 30) - (Hon T. J. Stephens)⁶.

17. The Hon. K. L. Vincent to move - 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.
18. Adjourned debate on the 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) - (Hon T. J. Stephens).
19. The Hon. K. L. Vincent to move - 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.
20. 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 - (November 30) - (Hon T. J. Stephens).
21. 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).
22. Adjourned debate on motion of the Hon. J.M.A. Lensink - That the Environment Protection (Air Quality) Policy 2016 pursuant to Section 28 of the Environment Protection Act 1993, made on 21 July 2016 and laid on the Table of this Council on 26 July 2016, be disallowed - (November 2) - (The Hon. J.M.A. Lensink).
23. 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.
24. The Hon. R. I. Lucas to move - That this Council notes the level of total State debt in South Australia since the early 1990's and the factors that have influenced that level of State debt.
25. 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) - (Hon J. M. Gazzola).
26. The Hon. J. S. Lee to move - That this Council -
 - I. Congratulates the Hong Kong Australia Business Association – SA Chapter (HKABA-SA) for achieving 15 successful years in its Business Awards program;

- II. Acknowledges the wonderful work of current and past committee members in the development of strong economic and cultural ties with Hong Kong/China;
 - III. Recognises the economic and social contributions made by HKABA-SA to South Australian business and multicultural community; and
 - IV. Highlights the entrepreneurship and success stories of past award recipients and shines the spotlight on South Australian companies and organisations that are successfully trading in Hong Kong and China.
27. The Hon. J. S. Lee to move - That this Council -
- I. Congratulates the Overseas Chinese Association of South Australia Inc for celebrating its 35th anniversary in 2016;
 - II. Acknowledges the work and commitment of the past and present committee, staff and volunteers of Overseas Chinese Association for delivering educational programs and important services to its members and the broader multicultural community of South Australia; and
 - III. Recognises the wonderful contribution of the Chinese community in South Australia and OCA's achievements in promoting Chinese language and cultures to enrich South Australia as a multicultural State.
28. Adjourned debate on motion of the Hon. J. S. Lee - That this Council -
- I. Recognises that 2016 marks the 30th anniversary of the Polish Dożynki Harvest Festival, and 160 years of Polish Settlement in Australia;
 - II. Acknowledges the wonderful work that the organizing committee has done over the years in the promotion of Polish culture, food, language and activities of Australian-Polish community in South Australia; and
 - III. Pays tribute to the social, cultural and economic achievements of the Australian-Polish community to South Australia, including the contributions of many Polish clubs and associations, - (November 30) - (The Hon. J. M. Gazzola).
29. 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 wide collection of services to a diverse range of communities - (September 21) - (The Hon. T. J. Stephens).
30. 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).
31. 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).
32. Liquor Licensing (Small Venue Licence) Amendment Bill (No. 150): adjourned debate on second reading - (July 27) - (The Hon. T. J. Stephens).⁵
33. Adjourned debate on motion of the Hon. G. A. Kandelaars - That the Report of the Legislative Review Committee, 2015, be noted - (July 6) - (The Hon. J. M. Gazzola).
34. Adjourned debate on motion of the Hon. J. M. Gazzola - That the Report of the Statutory Authorities Review Committee on its Inquiry into the Motor Accident Commission, be noted - (July 6) - (The Hon. G. A. Kandelaars).
35. Adjourned debate on motion of the Hon. T. T. Ngo - 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 - (September 28, October 19) - (The Hon. J.S.L. Dawkins).
36. Summary Offences (Disrespectful Conduct in Court Proceedings) Amendment Bill (No. 144): adjourned debate on second reading - (July 6) - (The Hon. J. S. Lee)³.
37. The Hon. S. G. Wade to move - That the Third Interim Report of the Select Committee on Transforming Health, be noted.
38. 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).
39. Adjourned debate on the 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).
40. Natural Resources Management (Transparency of Ministers Directions) Amendment Bill (No. 136): adjourned debate on second reading - (June 22) - (The Hon. G. A. Kandelaars)¹.
41. 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.
42. 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.
43. Health Care (Privacy and Confidentiality) Amendment Bill (No. 131): adjourned debate on second reading - (June 8) - (The Hon. T. A. Franks)¹²
44. 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).
45. 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).
46. 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).
47. 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).
48. Animal Welfare (Miscellaneous) Amendment Bill (No. 124): adjourned debate on second reading - (May 18) - (The Hon. T. J. Stephens)⁵.
49. 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).
50. 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).
51. 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).
52. 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).
53. 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).
54. 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)⁵.

55. Adjourned debate on motion of the Hon. J. M. Gazzola - That the Report of the Statutory Authorities 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).
56. Criminal Law Consolidation (Assaults Causing Death) Amendment Bill (No. 101): adjourned debate on second reading - (February 24) - (The Hon. J. A. Darley)⁷.
57. 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).
58. Residential Tenancies (Databases) Amendment Bill (No. 97): adjourned debate on second reading - (December 9) - (The Hon. J. M. Gazzola)³.
59. 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).
60. 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).
61. Criminal Law Consolidation (Supervision Requirements) Amendment Bill (No. 98): adjourned debate on second reading - (December 9) - (The Hon. J. A. Darley)⁹.
62. Controlled Substances (Mandatory Treatment Orders) Amendment Bill (No. 99): adjourned debate on second reading - (December 9) - (The Hon. J. A. Darley)⁹.
63. 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).
64. 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).

65. 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).
66. 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.
67. 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).
68. Statutes Amendment (Public Sector Audit) Bill (No. 59): adjourned debate on second reading - (September 23, March 9) - (The Hon. G. A. Kandelaars)⁹.
69. Eggs (Display for Retail Sale) Bill (No. 60): adjourned debate on second reading - (September 23, April 13) - (The Hon. D. W. Ridgway)⁵.
70. Electoral (Legislative Council) (Optional Preferential Voting) Amendment Bill (No. 61): adjourned debate on second reading - (September 23) - (The Hon. M. C. Parnell)⁶.
71. 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).
72. Fisheries Management (Fish Processors) Amendment Bill (No. 50): adjourned debate on second reading - (September 9) - (The Hon. J.S.L. Dawkins)⁹.
73. 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).
74. 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).
75. 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 Select 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 tabled and referred to the Select Committee - (July 1, December 9) - (The Hon. J.S.L. Dawkins).
76. 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.

77. 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.
78. 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 landfilling 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).
79. 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).
80. Local Government (Elections) (Disclosure of Political Affiliation) Amendment Bill (No. 36): adjourned debate on second reading - (June 3) - (The Hon. G. A. Kandelaars)⁷.
81. Right to Farm Bill (No. 89): in Committee⁷.
82. 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.
83. Animal Welfare (Jumps Racing) Amendment Bill (No. 19): adjourned debate on second reading - (March 25) - (The Hon. J. A. Darley)⁵.
84. Liquor Licensing (Entertainment) Amendment Bill (No. 20): adjourned debate on second reading - (March 25) - (The Hon. J.S.L. Dawkins)⁵.
85. Electoral (Legislative Council Voting Thresholds) Amendment Bill (No. 10): adjourned debate on second reading - (February 25) - (The Hon. J.M.A. Lensink)³.
86. Animal Welfare (Greyhound Training) Amendment Bill (No. 11): adjourned debate on second reading - (February 25) - (The Hon. T. J. Stephens)¹.

Orders of the Day: Government Business -

- ††*1. Parliamentary Committees (Electoral Laws and Practices Committee) Amendment Bill (No. 14): consideration in Committee of Message No. 7 from the House of Assembly.
- *2. Southern State Superannuation (Parental Leave) Amendment Bill (No. 104): in Committee - clause 1 - (March 22).
- *3. Statutes Amendment (Electricity and Gas) Bill (No. 133): in Committee.
- *4. Summary Offences (Declared Public Precincts) Amendment Bill (No. 142): in Committee.
- *5. Intervention Orders (Prevention of Abuse) (Recognition of National Domestic Violence Orders) Amendment Bill (No. 143): adjourned debate on second reading - (July 6, 26, November 29) - (The Hon. T. J. Stephens).

6. 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.
- *7. Criminal Law Consolidation (Mental Impairment) Amendment Bill (No. 156): in Committee.
- *8. Public Interest Disclosure Bill (No. 161): adjourned debate on second reading - (October 18, November 17) - (The Hon. T. T. Ngo).
- *9. Statutes Amendment (Judicial Registrars) Bill (No. 167): adjourned debate on second reading - (November 3) - (The Hon. D. W. Ridgway).
- *10. Local Government (Mobile Food Vendors) Amendment Bill (No. 168): adjourned debate on second reading - (November 15, December 1) - (The Hon. S. G. Wade).
- *11. Gene Technology (Miscellaneous) Amendment Bill (No. 176): adjourned debate on second reading - (November 30) - (The Hon. J.S.L. Dawkins).
- *12. Road Traffic (Roadworks) Amendment Bill (No. 177): adjourned debate on second reading - (November 30, February 14) - (The Hon. JMA Lensink).
- *13. National Parks and Wildlife (Co-managed Parks) Amendment Bill (No. 178): adjourned debate on second reading - (November 30, February 14) - (The Hon. G. E. Gago).
- *14. Statutes Amendment and Repeal (Simplify) Bill (No. 180): adjourned debate on second reading - (December 6) - (The Hon J.S.L. Dawkins).
- *15. Electoral (Miscellaneous) Amendment Bill (No. 181): adjourned debate on second reading - (December 6) - (The Hon J.S.L. Dawkins).
- *16. Electoral (Legislative Council Voting) (Voter Choice) Amendment Bill (No. 182): adjourned debate on second reading - (December 6, February 14) - (The Hon. T. T. Ngo).

WEDNESDAY 9 AUGUST 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 Skills for All Program: Report to be brought up.
6. Select Committee on Access to the South Australian Education System for Students with Disabilities: Report to be brought up.
7. Select Committee on State Government's O-Bahn Access Project: Report to be brought up.

8. Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade: Report to be brought up.
9. Statutes Amendment (Decriminalisation of Sex Work) Bill (No. 44): Report of Select Committee to be brought up.
10. Select Committee on Transforming Health: Report to be brought up.
11. Select Committee on Chemotherapy Dosing Errors: Report to be brought up.
12. Select Committee on State-wide Electricity Blackout and Subsequent Power Outages: Report to be brought up.
13. 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, 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 -

¹Hon. J.M.A. Lensink

²Hon. J.S.L. Dawkins

³Hon. D.G.E. Hood

⁴Hon. K. L. Vincent

⁵Hon. T. A. Franks

⁶Hon. M. C. Parnell

⁷Hon. R. L. Brokenshire

⁸Hon. D. W. Ridgway

⁹Hon. J. A. Darley

¹⁰Hon. A. L. McLachlan

¹¹Hon. J. S. Lee

¹²Hon. S. G. Wade