

## HOUSE OF ASSEMBLY

Wednesday, 20 June 2018

The **SPEAKER (Hon. V.A. Tarzia)** took the chair at 10:30 and read prayers.

**The SPEAKER:** Honourable members, I respectfully acknowledge the traditional owners of this land upon which this parliament is assembled and the custodians of the sacred lands of our state.

*Matter of Privilege*

### LOCAL HEALTH NETWORKS

**Mr PICTON (Kaurna) (10:31):** I rise on a matter of privilege. On 16 June 2018, the government published an advertisement in *The Advertiser*, titled 'Governing board chairs sought for South Australia's public health system local health networks'. The advertisement also appeared in the Adelaide Hills *Herald*, Barossa and Light Herald, *Border Chronicle*, *The Border Times*, *The Bunyip*, *Coastal Leader*, *The Courier*, *Eyre Peninsula Tribune*, *The Flinders News*, *The Islander*, *The Leader*, *The Murray Pioneer*, *The Murray Valley Standard*, *Naracoorte Herald*, *Northern Argus*, *The Penola Pennant*, *Plains Producer*, *Port Lincoln Times*, *The Recorder*, *The Southern Argus*, *Victor Harbor Times*, *The Transcontinental*, *West Coast Sentinel*, *Whyalla News*, and the *Yorke Peninsula Country Times*. The advertisement said:

- One Statewide, three Metropolitan and six Regional Boards
- Opportunity for high calibre, strategic and experienced board directors to closely engage with and guide South Australia's Local Health Networks
- Governing Board Chair remuneration—up to \$70,758 per annum

The South Australian Government is implementing reforms to the governance of the South Australian public health system that will result in the introduction of new Local Health Network governing boards, which will be fully operational from 1 July 2019.

Expressions of Interest are sought for Chairs of the ten new governing boards. Governing board Chairs commence from 31 July 2018, serving initially in an advisory capacity during the transitioning period and operating in the full capacity as Chairs of the governing boards from 1 July 2019.

Mr Speaker, there is a precedent of such an advertisement being ruled by one of your predecessors as Speaker as a matter that should be investigated as a matter of privilege by a privileges committee.

In 2004, there was a precedent where, in this house, a similar instance of an advertisement was raised by the then member for Stuart. In this precedent, it was determined by the then Speaker to be a prima facie matter of privilege. This related to advertising for positions for the as then unestablished natural resources management boards, as published in *The Advertiser* on 7 February 2004 and the *City Messenger* on 11 February 2004. The then Speaker explained to parliament on 26 February 2004, and he ruled on the basis:

...where the privileges of the parliament, without fear or prejudice being imposed on it as an institution or any member of it, can proceed to determine what change, if any, to law should be made.

A committee motion was then moved with precedence by the Hon. Dean Brown, former premier of South Australia. In that instance, the house accepted the explanation of the minister, largely on the basis that the advertisement said:

Once enacted, the Natural Resource Management Act will establish regional boards. Roles, terms and conditions are subject to the passage of the Bill through the South Australian Parliament.

Therefore, in that instance, the primacy of parliament to consider and pass, amend or reject the bill was maintained. In this instance of the advertisements for the local health network governing boards, no such acknowledgement of parliament's role exists. Applicants are only informed that the reforms will result in the new boards and that they will be fully operational by 1 July 2019. The roles,

requirements, payments, network structure and responsibilities are all predicated on the passage of a bill that has not been introduced in this house of parliament.

I believe it is imperative for the primacy of parliament's role to be maintained by the executive government of the day, and for the community not to be misled about what the house has deliberated. In this instance, I believe the actions of the government directly or indirectly impede the house in the performance of its functions. I ask you to give consideration of this matter of privilege, as per the precedent, and rule if a motion to establish a house privileges committee should be given precedence over other business in the House of Assembly.

**The SPEAKER:** I thank the member for Kaurana and respectfully ask the member to provide me with all relevant documents on which he is relying. I understand the matter raised by the honourable member and I will defer my decision and report back to the house at the first opportunity on whether I consider this matter to be prima facie a matter of privilege.

### *Bills*

## **ROYAL COMMISSIONS (EXTRATERRITORIAL APPLICATION) AMENDMENT BILL**

### *Introduction and First Reading*

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (10:36):** Obtained leave and introduced a bill for an act to amend the Royal Commissions Act 1917. Read a first time.

### *Second Reading*

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (10:36):** I move:

That this bill be now read a second time.

I am introducing this bill, which seeks to make an amendment to the Royal Commissions Act 1917. The opposition has sought to urgently introduce this bill following the commonwealth government and the Murray-Darling Basin Authority both seeking an injunction to prevent commonwealth officials from having to appear before the South Australian royal commission. The news that the Liberal-National commonwealth government will be seeking an injunction to the High Court of Australia to prevent a royal commission from looking into serious allegations of water theft and potential corruption is deeply disappointing to South Australians.

It is deeply disappointing because South Australians understand the importance of the River Murray, the importance of it as a natural asset as well as it being an important source for meeting our critical water needs, particularly for farmers and businesses. It was the former Labor government that took the fight to save the River Murray to the Eastern States and the commonwealth following the devastating Millennium Drought, a drought that took our city to the brink of running out of drinking water for our community.

That is why, after fighting so hard to ensure a Murray-Darling Basin Plan was put in place, the reports aired on 24 July 2017 of alleged water theft and corruption were so galling. The ABC's *Four Corners* program—an excellent program from an excellent and unbiased institution—aired disturbing allegations about serious and systemic water theft, corruption and maladministration involving water in the Murray-Darling Basin. The allegations involved the use of hundreds of millions of dollars of taxpayers' money to buy water that was meant to be returned to the River Murray for its sustainability.

The program raised serious questions about where that money has gone, allegations about National Party donors benefiting, allegations about secret phone calls and the release of documents, all with a single purpose of undermining the basin plan that South Australians had fought so hard to achieve. In the days, weeks and months after *Four Corners*, further allegations of water theft and corruption were coming to light, and it became clear that there was little appetite at the federal level or from the New South Wales Liberal-National government to investigate the allegations.

Instead, a series of piecemeal reviews were announced with narrow terms of reference and no powers to actually compel people to give evidence or to hand over documentation to adequately look into the depth and breadth of the allegations undermining the basin plan that is so important to our nation's future. Frankly, that was not good enough. Instead, Labor advocated for a royal

commission, and we were not alone. Crossbenchers from across the political spectrum, from the Greens to the Australian Conservatives, stood with Labor as we called on the Liberal National federal government to launch a proper investigation into the allegations of water theft and corruption—but those calls fell on deaf ears.

After months of inaction by Mr Joyce and the commonwealth government, the former Labor government took the extraordinary step of convening a royal commission to look into these serious allegations. We did this because we must hold these people to account and we must have faith in the institutions trusted to deliver the Murray-Darling Basin Plan and ensure that we have a sustainable river for future generations.

This week, to learn that the commonwealth government are now seeking to block the royal commission from having access to public officials to investigate theft and corruption almost beggars belief. What do the commonwealth government, the ministers or former ministers, have to hide by preventing the royal commission from doing their job? Why seek an injunction to the High Court of Australia, wasting time and taxpayers' money to prevent transparency in this investigation?

We on this side of the house want this investigation to proceed and to proceed unfettered. The royal commission needs to be able to properly examine the allegations of water theft and corruption. It needs to be able to examine where billions of dollars have gone and allegations about chief executives convening secret phone hook-ups offering confidential de-badged documents to third-parties to undermine the basin plan. The program has raised serious questions about where that money has gone, about National Party donors. We need the release of these documents, and we need to have commonwealth officials present at the royal commission to give evidence.

We are therefore introducing this bill to seek to make explicit in legislation that the powers of South Australia's royal commission apply outside South Australia to the full extent of the extraterritorial legislative power of this parliament. I note that the commissioner has stated that the effect of the Royal Commissions Act 1917 and the Service and Execution of Process Act 1992, the first being a South Australian act and the second a commonwealth act, permit the current royal commission to obtain evidence for the royal commission. This legislation seeks to make it abundantly clear for anyone who may seek to prevent the royal commission from properly investigating allegations of water theft and corruption that you cannot duck and you cannot hide from this royal commission.

The South Australian royal commission must have the power to compel witnesses to produce documents and to demonstrate that no-one is above the law. I commend the bill to the house and I hope to have the support of all members.

Debate adjourned on motion of Mr Pederick.

## **CRIMINAL LAW CONSOLIDATION (THROWING OBJECTS AT VEHICLES) AMENDMENT BILL**

### *Introduction and First Reading*

**Mr ODENWALDER (Elizabeth) (10:43):** Obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935. Read a first time.

### *Second Reading*

**Mr ODENWALDER (Elizabeth) (10:43):** I move:

That this bill be now read a second time.

This bill makes a very simple change to the CLCA—indeed, it changes two words in the CLCA—but it is an important change that reflects, I think, community expectations regarding recent events on the Southern Expressway. This bill, simply put, seeks to increase the maximum penalty for throwing rocks and other missiles at vehicles on a roadway from five to 10 years.

Members will remember that two weeks ago the leader of Her Majesty's Opposition, the member for Croydon, released his six-point immediate action to combat the rock-throwing epidemic on the Southern Expressway. Over the course of this year and particularly in the last month or so, driving along the Southern Expressway has become a frightening experience for too many motorists,

who have seen regular reports of rocks being thrown and dropped from bridges and rocks and other missiles being hurled from the roadside.

We have seen near misses and we have seen direct hits. It is incredibly fortunate that the recent attacks have not resulted in a serious injury or worse. We on this side believe that we must do everything we can to prevent the next attack and to make sure that punishments for this behaviour reflect its seriousness. The government has been slow to act. These people, put simply, are thugs and criminals and they need to feel the full force of the law. We also need to send a very clear signal to the community and to the perpetrators that this parliament takes these offences extremely seriously.

The police, of course, are taking this seriously. They have acted entirely appropriately. I welcome the implementation of Operation Watercolour along the Southern Expressway, which involves the use of mounted police, dog units, bicycle police, motorcycle officers and patrols. Assistant Commissioner Paul Dickson is quoted as saying:

The focus of this operation is to prevent further incidents and identify suspects relating to any of the offences reported to police or people who may attempt this dangerous and irresponsible act.

The behaviour of those linked with these incidents is appalling and extremely dangerous. It is highly likely that their activities will cause either serious injury or death.

Assistant Commissioner Dickson went on to observe that police have already identified a group of individuals, mostly young people, whom police are keeping a very close eye on. It is worth noting that six people, sadly mostly very young people, have either been arrested or reported so far this year. These people need to clearly understand that their behaviour is reprehensible and this parliament will not tolerate it. As I said, the opposition has put forward its six-point immediate action plan for sensible, effective measures that can be implemented immediately. Those measures are:

- declare the Southern Expressway a protective security area so that protective security officers can be deployed at the commissioner's discretion;
- install temporary cyclone fencing at vulnerable areas;
- install high-powered lighting in low-lit areas;
- remove built-up vegetation;
- increase rewards to \$50,000 for the arrest and conviction of offenders; and
- the bill we have before us today doubles the maximum penalty for rock throwers to 10 years' imprisonment.

I will leave those first five measures for today. Those debates will go on, but I refer members to this final measure. This is a simple amendment to the CLCA that increases the penalty for dropping or throwing a rock on or at a vehicle on a roadway from five to 10 years. While the government have not seen fit to implement the other measures outlined in our plan, I would be astounded if those opposite did not support this simple but powerful measure.

Make no mistake: anyone who uses the Southern Expressway on a daily basis—and I know that includes members of this chamber—does so knowing that at any moment they could be hit by a falling rock, causing a serious accident or worse. This has to stop, and this parliament has a role in stopping this. We as a parliament need to do everything we can. Increasing the maximum penalty for this stupid criminal behaviour will send a message to the crooks and to the community that this parliament believes that these are serious offences and need to be treated as such. I commend the bill to the house.

Debate adjourned on motion of Mr Pederick.

## **TOBACCO PRODUCTS REGULATION (E-CIGARETTE REGULATION) AMENDMENT BILL**

### *Introduction and First Reading*

**Mr PICTON (Kaurua) (10:48):** Obtained leave and introduced a bill for an act to amend the Tobacco Products Regulation Act 1997. Read a first time.

*Second Reading*

**Mr PICTON (Kurna) (10:48):** I move:

That this bill be now read a second time.

This bill seeks to establish a regulatory scheme for the sale, supply and use of e-cigarettes, an industry that is currently unregulated in South Australia. The bill is a reproduction of legislation that the former Labor government introduced last year, which unfortunately did not make it through that session of parliament prior to the election.

We all know the dangers of smoking. We know the benefit that regulation has had in reducing smoking rates. It is very pleasing to note that tobacco smoking rates amongst our entire population, including younger people, have fallen dramatically in recent decades. In 2007, 23 per cent of people aged 15 to 29 were smokers. In 2016, that figure had reduced to 12.3 per cent, so it had almost halved. The government's target for youth smoking in the South Australian Tobacco Control Strategy 2011-2016 was achieved two years ahead of time. However, we know that the use of e-cigarettes is on the rise and that there is currently no regulation of these products.

The former Labor government introduced this bill off the back of the 2016 World Health Organization report that concluded that there was not sufficient evidence that e-cigarettes were safe or that there were no risks arising from exposure to e-cigarette vapour, either directly or passively. We know that there are risks of children using e-cigarettes or vaping and that there are inherent risks of those products becoming a gateway to smoking.

This bill seeks to amend the Tobacco Products Regulation Act 1997 to introduce a range of measures to regulate the sale, supply and use of e-cigarettes. The bill prohibits the sale of e-cigarettes to children; the retail sale of e-cigarette products without a licence; the indirect sale of e-cigarettes, such as internet sales; the sale of e-cigarettes from temporary outlets, sales trays and vending machines; the use of e-cigarettes in areas that are smoke free under the act currently; advertising, promotion, specials and pricing promotions for e-cigarettes; and retail point of sale displays for e-cigarettes.

The bill also arose out of the 20 recommendations of the parliamentary select committee investigating e-cigarettes, which was chaired by the former member for Elder during the last parliamentary session and included me; your good self, Mr Speaker; the member for Hurtle Vale and the Minister for Environment. That was a unanimous report from the committee recommending those 20 recommendations. The bill does not ban e-cigarettes outright, nor will it allow a free-for-all approach. It is a sensible first regulatory step that acknowledges the risks of these products balanced against the rights of adults.

Currently in South Australia, e-cigarettes can be sold to anyone regardless of their age, meaning that they can be sold to children. They can also be freely advertised and people can vape in enclosed public areas that are currently banned for smoking. Other jurisdictions across Australia have moved to regulate this potentially harmful industry and it is time that we now do the same.

I note that when we previously introduced this bill, the then opposition and now government—I believe it was yourself then, Mr Speaker—expressed their intention to support the bill. I had hoped that following the election the government would pick up this bill, run with it and reintroduce it in the parliament, and I wrote to the Minister for Health over a month ago suggesting that he do so. A number of health spokespeople have also raised that with him and with me as well; however, we have received no response to those calls. We did not see a bill introduced before the parliament and hence it has fallen to the Labor Party again to act. I hope that the government will now support this bill and ensure that we have sensible regulation in this area in South Australia.

Debate adjourned on motion of Mr Pederick.

**ROAD TRAFFIC (DRUG TESTING) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 6 June 2018.)

**Mr TEAGUE (Heysen) (10:53):** I rise to speak in relation to the bill. I am mindful of the remarks of the Attorney in recent days. I will make some brief remarks now, the upshot of which is that the government is going about an orderly process of considering reform in relation to the Road Traffic Act with a view to comprehensive, rather than piecemeal, reform. It will do so in line with the nature and character of this new Marshall Liberal government—in an orderly, timely and comprehensive way.

Anyone under the influence of drugs has no place on our roads. Police already have powers to get individuals who are driving under the influence of drugs. Police have powers to stop drug driving to ensure other road users are kept safe. Police officers already have a series of powers, and they include the power to issue an immediate suspension or disqualification of a driver's licence in order to ensure an offender or suspected offender is immediately off the road.

Police further have power to impound a vehicle, and the power is there for practical purposes, to ensure that a vehicle is off the road and to prevent it from being driven again. Importantly, police further have power to direct a driver of a vehicle to undertake a drug test, and if a person fails to do so, that constitutes an offence. This power exists to make sure that suspects do not try to avoid drug tests.

Further, a power exists to direct a driver of a vehicle to provide their name, date of birth, address and business address, and if they fail or refuse to do that, that also constitutes an offence. There is a range of further powers. It is not my objective to list them all categorically but to make the point that these powers exist to keep our community and our roads safe. We on this side of the house will continue to back our police to keep our roads and all South Australians safe.

As I noted at the outset, the new Marshall Liberal government is looking to reform the Road Traffic Act with comprehensive rather than piecemeal reform, which is the subject of this bill. The current bill from the opposition, as honourable members would be aware, had its genesis in a bill that did not pass the parliament while they were in government. The Marshall Liberal government is commencing a review into the Road Traffic Act generally. As part of that review and typical of our approach, I might say, in relation to reform generally, we are going about the process of engaging stakeholders.

The government is also looking into establishing a working group to consider these areas of reform. There is no time limit for this government proposal. We are looking at the matter carefully, seriously and diligently, and we are consulting about a number of matters in particular. They include, first, the matter of relevant forensic procedures for when police undertake a roadside drug test; secondly, the on-the-spot measures that are available to reduce red tape and increase efficiency; and thirdly, other amendments that may be desirable in that space.

In conclusion, the government will come back to the house in due course with its own bill, and it will do so once that consultation process is concluded and comprehensive measures, the subject of that new government legislation, are ready to be presented to the house.

Debate adjourned on motion of Mr Pederick.

#### *Motions*

### **CROSS-BORDER COMMISSIONER**

**Mr BELL (Mount Gambier) (11:00):** I move:

That this house—

- (a) urges the state government to introduce a cross-border commissioner to advocate for and develop solutions to assist business and communities who are located on the state's borders;
- (b) acknowledges the benefits New South Wales has experienced in the appointment of a cross-border commissioner; and
- (c) urges the Minister for Regional Development to assist regional South Australia by the appointment of a cross-border commissioner.

There are a number of communities along the South Australian state borders that interact very closely with communities that exist just over the border. That invisible line that marks the moment when you

cross over from one state to the other should not be a barrier for business to trade and operate, for patients to seek treatment, or for children to receive education and transport, yet it does.

The role of a cross-border commissioner is to advocate for communities that are located near another state border for positive outcomes for that community, to build and strengthen the ties that exist between the communities and the two states. In South Australia, we have a number of seats that border a different state, and I hope that each and every one of those will be making a contribution to this. They are the seats of Flinders, Giles, Sturt, Chaffey, Hammond, MacKillop and, of course, Mount Gambier.

Different regulations and legislation exist between the states and territories of Australia, reflecting each state's unique lifestyles and communities that exist within that state. However, this then becomes challenging when people who are running businesses across a number of states are dealing with multiple licences required to operate in each state and ensuring compliance with the differing regulation and legislation that exist between each state.

Local businessman David Tye, from Tye's Plumbing in Mount Gambier, faces that exact challenge. For his business to complete work in Victoria, which is just 30 kilometres away, David is required to have dual licences, which of course means two lots of licence renewal fees and charges as well as differing installation and compliance regulations between the two states. Obviously, David needs to ensure that his employees are aware of those differences because they have insurance consequences if they are not installed to that state's specifications.

Business operators, no matter where they are, would like less red tape, yet on border communities, such as Mount Gambier, this seems to be the reverse when dealing with populations just over an imaginary line. When difficulties arise for a business owner, it is often difficult to know who to turn to. The establishment of an office will finally provide some place for the public to turn to for help. It will be an opportunity for the commissioner to present the views of the public to government agencies, in Victoria, South Australia, Northern Territory and Western Australia, to effect change for the benefit of South Australians, in particular those living near a border region.

The commissioner will be a voice for those communities to raise awareness and to effect change. It is quite a common topic of discussion, when you start talking to business owners, that simple changes to regulations that we could make in South Australia, in partnership with Victoria, would see something closer to a seamless approach to both states conducting business with each other.

We are not alone. This is not a new concept. In fact, New South Wales appointed a cross-border commissioner in March 2012. Steve Toms was the initial cross-border commissioner and held that position for over two years. The current commissioner is James McTavish, and, on my invitation and that of our Local Government Association, he attended Mount Gambier last month to outline the benefits of the establishment of a cross-border commissioner with businesses and government leaders and representatives. I thank the current minister for having a person in that meeting who was reporting back to him.

During his visit, James McTavish indicated that in his experience jurisdictions have not considered a regional approach in their strategies. Having a person who is responsible for identifying issues that are common or unique to border communities means that constituents can have their issues raised and dealt with in an accountable manner, obviously facilitating greater trade and economic benefit for the people in each state. A number of issues James McTavish indicated that benefited from stronger cross-border collaboration included child protection, regulations around the environment, access to vocational education and training, aligning biosecurity regulations and transport, just to name a few.

The New South Wales Cross Border Commission has developed a number of strategies. Some of these strategies include advocating for the inclusion of cross-border issues in government agency strategic and business plans, enhancing awareness of cross-border issues with government agencies through regular and targeted communication, representation of the state at cross-border forums, providing advice on complex and sensitive issues and providing a conduit for addressing cross-border issues that arise. He indicated that these issues normally arise at a council level but do not seem to make it to the state government's agenda.

Strategies also include developing and implementing systems to better identify, analyse and resolve cross-border issues. He has given lots of transport examples between Queensland and New South Wales, particularly around schoolchildren and their ability to move between the two states to access a school. This is quite relevant to Mount Gambier. Students from Dartmoor, just over the Victorian border, nearly always access schools in Mount Gambier, yet the bus cannot go the five kilometres to pick them up. These types of issues are identified and addressed through a cross-border commissioner.

Other issues addressed include utilising joint organisations and regional organisations of councils to identify, analyse, consider and resolve appropriate local and regional issues that assist local government collaboration—basically, getting the local councils and government associations to work closer together. Also included are enhancing government regional leadership, senior management and local government networks to consider and resolve appropriate cross-border issues, and developing and co-ordinating mechanisms for information flow between jurisdictions to business and communities.

Also identified was providing recommendations to government about prioritised cross-border issues, advocating for innovation in service delivery to more effectively and efficiently support cross-border areas, monitoring and providing input where appropriate into commonwealth and state government reviews and inquiries, developing and implementing a program of regular face-to-face and electronic consultation with local, regional and state business representatives, and identifying key barriers and enablers for economic development in cross-border areas.

Tourism is one of the main areas where I see South Australia benefiting, and, in our case, Victoria also benefiting. We are always thinking about trying to get visitors to the Great Ocean Road to continue on to Mount Gambier. However, it can be a two-way street, with us promoting visitors or tourists from Adelaide to continue into Victoria along the Great Ocean Road for a reciprocal tourism co-operation. Other strategies include advocating for the attraction, development and retention of a skilled workforce in cross-border communities; advocating for a simplified regulatory environment for businesses; and advocating for a reduction in regulatory duplication in cross-border areas.

It is pleasing that both the Liberal and Labor parties of Victoria have not only indicated strong support for a cross-border commissioner but have actually pledged money to it. The Victorian Coalition has pledged \$4 million over four years for a cross-border commissioner, to be located at Mildura. The Andrews Labor government indicated in their 2018 budget paper, as part of their commitment to regional Victoria, \$760,000 to establish a cross-border commissioner for 18 months to streamline regulatory and licensing requirements and to reduce barriers to service for Victoria's border communities.

My office regularly has constituents requesting assistance to deal with anomalies that exist between Victoria and South Australia. Only last week, I had a farmer visit my office regarding the regulations surrounding the storage of a firearm. This farmer's principal place of residence is in Mount Gambier, yet his farm is located in Victoria, just 28 kilometres away. For the last 30 years, he has stored his firearm in a locked safe in a farm shed at his property in Victoria. The property has a residential home on it, in which his brother lives, and the shed is located behind his brother's house.

This week, he has been notified that it is a legislative requirement to store the firearm at his principal place of residence at Mount Gambier. This would now mean that the farmer is required to remove his guns daily from storage at Mount Gambier and drive with them, once they have been appropriately stored in his motor vehicle, to his farm in Victoria on the off chance that he may be required to use a gun at his farming property.

Another example is recent correspondence I received from Mayor Anita Rank of the Glenelg shire. The Glenelg shire is located just over the border, in the south-west corner of Victoria, and includes the towns of Portland, Nelson, Casterton, Dartmoor and Heywood, just to name a few. In the shire's letter, the mayor indicated their strong support for the Victorian state government's implementation of prescription-monitoring legislation through parliament. The legislation will enable real-time monitoring of prescription medication and track patients' prescription history. The mayor goes on to say, 'Council seeks your support in advocating for the introduction of a real-time monitoring system,' to prevent patients, particularly those living in border communities, engaging in cross-border prescription shopping and to help save lives.



The Limestone Coast Local Government Association have recognised the value of the appointment of a cross-border commissioner, and at their meeting last Friday, they moved a recommendation to:

Support the member for Mount Gambier Mr Troy Bell MP in his calls for the South Australian Government to introduce a Cross Border Commissioner to advocate for and develop solutions to assist businesses and communities who are located on the State's borders.

This recommendation was supported. I call on the state Liberal government to appoint a cross-border commissioner who can liaise with people within the communities that live near the border and the growing number of other states that are appointing a cross-border commissioner—to be able to liaise with those cross-border commissioners—about the issues that affect the everyday lives of people living near a border and bring to the attention of the government those issues affecting them. This is a chance to remove barriers that currently exist.

I urge the Minister for Regional Development to advocate, lobby for and appoint a cross-border commissioner who can identify and resolve issues that communities experience living in close proximity to a neighbouring state border. I encourage him, as the Minister for Regional Development, to assist those communities in regional South Australia by providing them with a tool in cross-border areas to promote strategic growth and economic development. I commend this motion to the house.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (11:14):** I rise today to speak on the member for Mount Gambier's motion regarding a cross-border commissioner for South Australia. The member for Mount Gambier has brought a number of ideas and motions into this house, and I commend him for that. The cross-border commissioner is a concept that appears to have had some positive benefits in New South Wales and Victoria. Victoria recently agreed to fund a cross-border commissioner, and I believe they will starting that within the next month.

In New South Wales, the Cross-Border Commissioner was first appointed in 2012. The role of the office of the Cross-Border Commissioner in New South Wales is to assist businesses, organisations and individuals who live, work and operate in cross-border areas of New South Wales by helping to connect them to the most appropriate agency to ensure that their issues are addressed. The 2018-19 Victorian state budget included the establishment of a cross-border commissioner, with a budget allocation of \$760,000 over two years. The decision to appoint a cross-border commissioner was informed by a business case announced almost a year ago.

Both New South Wales and Victoria are vastly different in size from South Australia, although we share a number of mutual issues. As the member for Mount Gambier pointed out, the New South Wales Cross-Border Commissioner was recently in his electorate for a meeting. Unfortunately, I was unable to attend but, as the member for Mount Gambier said, a representative from PIRSA did attend, as did the member for MacKillop. It was great to see that he was there trying to gain a better understanding of what the office of a cross-border commissioner would entail. Mostly, it was a listening post when the New South Wales commissioner came to Mount Gambier through an invitation from the member for Mount Gambier, as I understand it.

There is no doubt that there are ongoing opportunities for governments across Australia to continue working together, aligning activities and addressing cross-border issues. South Australia currently has a number of collaborative relationships with states across the nation. The South Australian government has undertaken collaborative work with the Northern Territory, including as a partner with the NT and Western Australian governments, in a Cross-Border Justice Scheme that enables enforcement agencies to deal with offences that may have occurred in another state or territory, meaning offenders cannot escape justice by going interstate.

In addition, South Australia and Victoria have a number of regulatory and administrative arrangements in place to manage cross-border issues, including an agreement on groundwater; the Green Triangle freight plan; the bushfire response, which is critically important to the South-East region, particularly with the Green Triangle; and the Murray-Darling Basin Plan. The cooperation between governments and the Murray-Darling Basin Authority is critical, and that is ongoing. Sadly, politics is playing a part there, and that is one example where cross-borders have a conflict. We have an agency that is stepping in to be the mediator in the Murray-Darling Basin Authority.

The advice I have received is that sufficient cross-border issues are in the main dealt with through existing intergovernmental forums. There are concerns that a cross-border commissioner in South Australia may duplicate and cut across existing longstanding arrangements at the ministerial, chief executive and senior official levels. I commend the member for Mount Gambier for bringing ideas such as this into the house, and I can assure him that I have looked closely into the suggestions he has put forward. Based on the advice I have received, the South Australian government is successfully working with other states to deal with cross-border issues that arise.

It is important to point out that cross-border areas in South Australia are all regional electorates. Under the new Marshall Liberal government, we recognise the importance of regional areas, including those with borders with New South Wales, Victoria, Western Australia and Northern Territory. In fact, my electorate of Chaffey is one where we are not far from Victoria, and I believe that our government will work constructively to address any cross-border issues that arise.

Many cross-border issues are discussed at a ministerial level through regular forums, such as the recent AGMIN and the Forestry Ministers Meetings, which I recently attended. They are good forums. They are forums where we share common interests and common issues. Those issues are put on a national agenda and we deal with them. There are many localised issues that I feel could be better dealt with through the local government agencies, through the Regional Development Australia agencies in those states' jurisdictions.

Again, I believe there is room for improvement in working with other states on issues of importance to South Australia. We may be able to look at ways to encourage greater cross-border engagement through local governments, as I have said, and the RDA boards meeting more regularly. This is something that I am happy to further explore, particularly having responsibility for regional development.

These cross-border issues are, in short, about how states can work more collaboratively and whether they can have a cluster approach. It is important to understand that we have a collaborative model and those imaginary lines, as the member for Mount Gambier so eloquently put it. They are imaginary lines in many instances, but in a lot of ways there are different laws and rules within states' jurisdictions.

What I can say is that the Marshall-led Liberal government in South Australia has put a greater focus on regional South Australia and allowed relevant ministers and their agencies to have what we call an open-door approach. It is not about disregarding the regional electorates or the regional people in South Australia. We have a new government in town, and that new government will put a focus on and work more collaboratively with our bordering states. It will work more collaboratively with governments of regional centres and make sure that those issues are dealt with.

We are not going to sweep it under the carpet. We are not going to ignore those issues. We are going to meet with stakeholders and we are going to meet with industry people, which sadly was lacking in a previous government. In conclusion, I believe that South Australia is working hard on addressing those cross-border issues that arise, and at this stage a cross-border commissioner is not required.

**Mr HUGHES (Giles) (11:21):** I rise to support the motion and commend the member for bringing it before the house, but I do so with some qualifications. The member for Chaffey raised some of the issues that came to my mind when I first saw this motion. It is my understanding that initially in the South-East a number of the mayors were not particularly supportive of going in this particular direction, but they did undergo a change of mind as a result of information presented and as a result of gaining a greater understanding about what was happening between New South Wales and Queensland.

I understand that on that basis they are now supportive. They do see that there are some opportunities. The thing that came to my mind when I saw the motion was that we already have organisations that are set up, some of which are funded at a local government, state and federal level, and we have the economic development boards down in the South-East and in Victoria. So the question that I would pose is: if they were operating effectively, especially in the economic sphere, would there be a need for a commissioner to undertake the level of work that is being proposed?

There is obviously scope for local government to work far more effectively together across borders. There are things in place, the performance of which could be enhanced. I do not reflect upon the performance of the Economic Development Board down in the South-East. I have not met them there at this stage. I do know there are one or two economic development boards in this state that I am quite sceptical about when it comes to how they perform and the nature of their standard of governance. Maybe on another occasion I might go into some detail about some of those—one board in particular—at some point in the future.

The electorate of Giles has two borders: the Western Australian border and the Northern Territory border. I think the point that was made in relation to New South Wales and Queensland is that it is a very different kettle of fish, given the intensity of the economic activity there, the demographics and the sheer size of the population moving backwards and forwards over those borders. Much of the Western Australian-South Australian border is incredibly sparsely populated. I do not see much scope for serious and constructive engagement.

The exception is in the far north-west of our state. The member for Chaffey has mentioned the collaboration when it comes to justice and legally related issues. Of course, to the people who live in the north-west of the state, the APY lands and the lands in the Northern Territory and Western Australia, borders do not mean anything. They mean absolutely nothing. As a result of that, from the ground up and from the state down and territory down, practices have been put in place to improve collaboration, both legally and in relation to some of the social and health issues that pertain to that part of the world. If you like, organically, without a commissioner, those practices have grown.

However, there might well be opportunities in the South-East for far more effective collaboration, and a commissioner might make a positive contribution. If we were to go in that direction, I am always mindful—and this might come as a surprise to some opposite—that we do not want to have layer upon layer of bureaucracy. If we were to go in the direction of having a cross-border commissioner, I think what the measure of success is going to be would have to be pretty tightly defined and you would have to have a look at it after having given it an opportunity to run for a few years to see what the real runs on the board are.

Sometimes there is this tendency, once something has been set up, for inertia to take over and you just end up with activity for activity's sake that is not going to generate any significant benefit. I think we should always be open to looking at different ways of doing things and we should always be willing to trial different approaches. The Queensland and New South Wales governments agreed to focus on a number of key areas when it came to collaboration and one of the big ones was regional economic development. There is intense economic activity in that part of the world and there is also the issue of aligning services, sharing information and addressing some of the local transport issues. They also talked about issues of national significance as well.

They set out a number of priority areas and the feedback seems to be that it is working in that part of northern New South Wales and southern Queensland. It might be working effectively because of the particular set of circumstances in that area. If we were to look at this in South Australia, I believe that the South-East might be a logical place to start almost on a trial basis, to give it a few years and establish very clear measures of success, and then do a rigorous review to see if it has delivered any beneficial results. I commend the member for his diligent advocacy on behalf of his electorate, coming to the house with a range of ideas to enhance in one way or another the wellbeing of the community that he represents.

**Mr PEDERICK (Hammond) (11:29):** I rise to make a few comments on the cross-border commissioner motion brought to us by the member for Mount Gambier. I note that New South Wales currently has a Cross-Border Commissioner and Victoria is in the process of appointing one. I note that in New South Wales the commissioner was first appointed in 2012 and, according to New South Wales, is to:

...assist businesses, organisations and individuals who live, work and operate in cross-border areas of New South Wales by helping to connect them to the most appropriate agency to ensure their issue is addressed.

In regard to Victoria, their 2018-19 state budget had a budget allocation of \$760,000 over two years for a cross-border commissioner, and the decision to appoint a Victorian cross-border commissioner was well informed by a business case announced almost a year ago.

I would like to talk about a few things that happen where I am. In the recent redistribution the Mallee came home; Pinnaroo and Lameroo came back to Hammond after being ably looked after by the member for Chaffey for four years. So, apart from the border districts that the member for Chaffey already has in the Riverland area, he looked after down around Pinnaroo for four years.

There are issues that arise. There are justice issues, and we have heard about those where there is collaboration across some borders on justice issues. That is very helpful, because otherwise we get situations where police may be pursuing an alleged criminal and they get to a state border and, hang on, they have to pull out because they do not have that cross-jurisdictional power. Obviously South Australia, being where it is in the centre of the country and the south of the country, has borders all around as well as the sea on one side, so cross-border jurisdictional issues regarding justice are principally being addressed.

With regard to education, I am well aware of what happens in the Mallee between the Lameroo Regional Community School and the Murrayville Primary School or the Pinnaroo Primary School. A range of issues come into play, and it is a known fact that whether it is in the meat industry or in the horticulture industry—and horticulture plays a very big part in the Mallee, with places like Parilla Premium Potatoes and others, the Dabinetts, a whole range of growers out there who produce 80 per cent of Australia's potatoes, apart from a range of other vegetables such as onions and carrots, to keep this great economy—

**The Hon. S.K. Knoll:** Parsnips?

**Mr PEDERICK:** They might grow parsnips, I am not sure. I would have to check on that, minister.

*Members interjecting:*

**Mr PEDERICK:** Yes, they do a great job. There is a lot of dryland cropping done in the Mallee as well, and some of the best merinos in the state are bred out there.

**An honourable member:** Are you sure about that?

**Mr PEDERICK:** I knew that would raise a debate. The merino is back, as we know, with the resurgence of wool prices—

**An honourable member:** Under a Liberal government.

**Mr PEDERICK:** Yes, under a Liberal government wool prices have surged. They have hit \$20 a kilo cleaned for prime wool. It is a great result for farmers who were resilient in cross-border areas and kept hold of their stock. As I said, it is a large cropping area as well, and I am a firm believer that mixed farmers should spread their risk, and they are finally getting the rewards after many years of prime lambs being the lead income earner on the sheep side of things. It is good to see that cattle are back in the mix as well, but they have dropped in price a little bit recently.

There are those issues and also issues with migrants who come into the regions because we cannot find enough workers. Thomas Foods will hopefully be operating again within the next couple of years after its rebuild, and they are heavily reliant on 457 visa holders. The new visa coming through is 482. As far as horticulture in the Mallee is concerned, there are a lot of migrant families, a lot of South African families and others who come to assist that industry. Some of them are a bit baffled by the different rules, but it is all about state boundaries. It is not as if we are going to align every piece of state legislation with Victoria just because the border is where it is.

There are certainly some issues, and I am looking at them. I am looking at education issues and different fee regimes in different states as those can affect where people live and where they educate their children. It certainly was an issue that Thomas Foods took into account when they were transferring workers through to Tamworth because of the fire on 3 January this year. I know that all the people involved in education in the area, whether it is at Murrayville, Pinnaroo or Lameroo, have plenty of communication working through issues as needed.

Health is brought up occasionally because of health issues and ambulance calls and that kind of thing. I wrote to federal minister Greg Hunt about this and he talked about the National Health Reform Agreement entered into by all states and territories and the Australian government agreeing to provide eligible persons with the choice to receive public hospital services as public patients free

of charge on the levels of clinical need and within the clinically appropriate period. States have also committed to have arrangements in place to ensure equitable access to such services for all eligible persons regardless of their geographic boundaries.

In a letter I received from the Minister for Health in Victoria, the Hon. Jill Hennessy MP, it mentioned ambulance calls. For calls generated in Victoria and processed in Victoria by the Emergency Services Telecommunication Authority (ESTA) and Ambulance Victoria, any cases within 25 kilometres of the South Australian border will generate an automatic dispatch of the closest Ambulance Victoria resource and an alert will be put out for an interstate resource—obviously South Australia. If there is a need and it is geographically closer, ESTA will contact the neighbouring state to see if there is a closer resource available. Those practices regarding health are in place as well.

The minister spoke about groundwater, and in the Mallee Wells area cross-border agreements are in place. The Murray-Darling Basin Plan has separate state legislation, but it is all coming together under federal legislation and it is working through that as well. In the main, we are pretty impressed with a lot of the cross-border liaison that goes on already. As a member in a bordering electorate, I understand the complexities and will work with all the authorities to get the job right.

**Mr BROCK (Frome) (11:39):** I also rise to speak on the motion put forward by the member for Mount Gambier. As you are aware, my electorate is nowhere near any borders. However, quite a few of my constituents—business constituents in particular—are looking to expand and sell to other states, so they have been carrying quite a few of the concerns that the member for Mount Gambier has highlighted.

We live in a big world, and at the moment our local businesses have to look outside the square in order to survive. Many of them conduct business interstate. In my electorate, engineering firms, planning firms and other operators trade with other states and also overseas, and they have to comply with state regulations. I understand from the member for Mount Gambier that New South Wales has had a similar operation since 2012 and that Victoria will consult with it as part of a business case. Unfortunately, each state has varying restrictions and regulations and this becomes very frustrating for businesses when they need to quote and tender for interstate business opportunities.

My office has heard from constituents requiring assistance to deal with the anomalies that exist between not only New South Wales and Victoria but also the Northern Territory. To help them understand where to go and how to get that information can sometimes be very confusing. As the member for Giles has indicated, even some members of the regional development association are not aware of where to go for this sort of stuff.

It is very interesting that the minister has indicated that a commissioner is not warranted at this particular point in time; nevertheless, I would encourage him to look very closely at this issue. We need to learn from what we have previously done and what has been done in other states, to understand how we can all work collaboratively to be able to get the best opportunities for our businesses. I think that would be the view of both sides of the chamber here in Parliament House.

Businesspeople need to know the variations in the regulations and the jurisdictional requirements relating to interstate policies. This is an issue that we need to look at collaboratively and work on very honestly and openly with everybody, including our interstate components. Perhaps all states need to look at the same regulations. We are a nation, but we are made up of various states and the Northern Territory.

Unfortunately, we have variations because of the different regulations and jurisdictions. Quite frankly, I find that very frustrating from the point of view of business. As I indicated earlier, businesses do not just trade within their own jurisdiction or with other states within Australia. They also export, and they must comply with the regulations of other countries. Another frustrating aspect is that we import a lot of farming equipment. When that equipment comes into South Australia, there are different regulations regarding width and so forth of that farming equipment, and permits must be obtained.

That is an issue I will be taking up, and I am gathering more information on that. If we are allowing that type of farming equipment to come in, we really need to make certain that they comply

with our regulations, or else change our regulations. If our regulations vary from the import regulations, yet we are still giving permits for people to travel with that equipment from Port Adelaide to the regional areas, then we need to change our regulations, and that is something I will be looking at further down the track.

I congratulate the minister on saying that he is not looking at appointing a commissioner at this particular point. I have great faith in the minister, and I believe that he will be able to look at the whole thing very openly and honestly. I urge this parliament to support this motion from the member for Mount Gambier, and I commend the motion to the house.

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (11:44):** I rise to make a brief contribution in relation to this motion. I certainly have sympathy for the member for Mount Gambier on this matter, and I had a brief chance to have a conversation with him about it recently. It speaks to something fundamental with regard to the issues about how this state is regulated and about what we can do to fix it.

The idea of a cross-border commissioner fixing the problem that a cross-border commissioner seeks to fix is very worthy of attention. It may just be that a cross-border commissioner is not necessarily the best way to go about it. The reason I say that is that we have something very similar to a cross-border commissioner in the Kangaroo Island commissioner, a position the former government put in place that we at the election put on the table to get rid of, and I am in the process of dealing with implementing that policy commitment imminently.

The fundamental principle in relation to how we make our Public Service and the regulations that our Public Service follow more efficient and more effective is by dealing with the fundamental root cause of the problems themselves. I found with the KI commissioner that certainly she has been able to identify—and she has done a fantastic job, and in discussions I have had with her she is a fierce advocate for getting things done—and made remarks about the difficulty she finds in navigating the bureaucracy to try to get things done.

The KI commissioner, in and of herself, does not have the power to do anything except hassle, harangue and encourage other government departments to do their job properly. The answer to fixing bureaucracy cannot be more bureaucracy. The answer to fixing bureaucracy is to change the culture and the way that the Public Service goes about doing things and the regulations that underpin them.

Where there is a need to change culture, where there is a need to change resource and where there is a need to change regulation, those are things we need to look at, but the answer to those things cannot be more regulation in and of itself. If there are people on this side of the border in their individual agencies or departments who need to be talking better with the people across the other side of the border, then let's fix that fundamental root cause, as opposed to adding another layer over the top of those things. It is the same with the Kangaroo Island commissioner.

Whether it be my department, the environment department or any state government agency with which the KI commissioner sought to interact, the KI commissioner would have had very little to do if the base agencies themselves did their work to their best extent and best endeavours. By extension, MPs would have very little to do if the bureaucracy did not break down. I certainly know that the vast majority of the letters I have signed to members of this house in relation to issues they have brought to my desk really relate to where there has been a breakdown and a failure of process. Again, we need to fix the fundamental root cause of the issues and do what we can to help the people whose job it is to do the jobs they need to do to do those jobs better.

In opposing this motion, I think we realise that there are improvements that need to be made, and that we should go about fixing those root causes so that we can have a more efficient and effective public sector that has regulation that is fit for purpose, permissive and deals with some of the cross-border issues that no doubt the member for Mount Gambier experiences on a daily basis, and does so in a way that does not perversely increase bureaucracy whilst seeking to manage it.

**Mr BELL (Mount Gambier) (11:48):** I appreciate the contributions from all members on this of motion. I will touch on a couple of points. The member for Schubert talked about more regulation. Again, that is not the intent of this motion. In fact, the role of a cross-border commissioner is to identify

and remove or suggest ways to remove regulation and red tape. I think he was slightly off task there, but I understood his point.

The role of the cross-border commissioner is really about collaboration between the states, and of course the Northern Territory, for mutual benefit. We have seen lots of examples where that would be advantageous. I am reminded that the then leader of the opposition, Steven Marshall, said when he was in opposition that to grow South Australia, to grow the revenue pie of South Australia, we need to look outside South Australia for revenue. He said that we are not going to grow the pie and become prosperous by selling coffees to ourselves. The whole point of the cross-border commissioner is: how can we facilitate better trade and better collaboration around tourism between states that is mutually beneficial?

Of course, I would like to see the cross-border commissioner located in Mount Gambier. The member for Giles made a very valuable contribution indicating a trial period or a trial position. I also take on board that perhaps there are other structures through the RDA that could have a focus on this. Victoria has 6.2 million people and South Australia has about 1.4 million people, so there is a large economic potential sitting over the South Australian border in Victoria and into New South Wales.

I acknowledge that trade continues at the moment, but what I am looking at is how we streamline that and make it as easy as possible to grow the South Australian revenue pie so that all South Australians benefit, so that we are not just selling coffees to each other but are selling coffees to Victoria, New South Wales, Northern Territory and Western Australia. With those final comments, I commend the motion to the house and I thank all those who made a contribution to it.

Motion negatived.

## DEFENCE WORKFORCE PLAN

**Ms LUETHEN (King) (11:52):** I move:

That this house—

- (a) acknowledges the state government's Defence Workforce Plan to ensure South Australia has the skilled workforce required to fully capitalise on the federal government's \$90 billion investment in naval shipbuilding;
- (b) recognises the confidence in the sector and the future potential of South Australia's shipbuilding industry, particularly in line with the recent success of Adelaide's MG Engineering and Whyalla's Ottoway Engineering being awarded contracts by the Fincantieri to build cruise ship blocks as part of their global supply chain; and
- (c) acknowledges the state government's commitment to training a skilled workforce in line with defence industry needs, including through apprenticeships, retraining initiatives and the Defence Industry Employment Program for ex-service personnel.

I proudly rise to move this motion today, as its objectives speak directly to the ambitions many of my residents and businesses in King told me were most important to them when I knocked on their door. When I asked, 'What is most important to you?', most people told me jobs, economic growth and cost of living. So many people told me that we need to keep our talented young people in South Australia and we need to create more job opportunities in South Australia. The Marshall Liberal state government is working hard every day to deliver real change in South Australia, change that creates more jobs, lower costs for families and businesses, and better government services.

We have created a strong foundation and will keep building on what we have started, delivering for individuals, for families and for the community. During my maiden speech, I shared important feedback that King community members told me mattered most to them. They told me that they had lost faith in the government when they observed the former government throw money around with promise after promise of how they were going to create jobs. One resident told me he had heard that the former government had a plan to grow a forest of money trees to deliver on their promises. Well, we are not dreaming: we have a plan, a long-term strategic plan.

Our plan to create jobs and a skilled workforce in South Australia is so important because, sadly, when I was campaigning across King, I met residents who had sold their homes to move interstate to find jobs as they had given up on jobs in South Australia. I spoke to a King resident who

has moved interstate for work. She has left behind two teenage children with their father so as not to disrupt their life in South Australia, where they would rather be living as a family, but there are not enough jobs for the whole family to do so. Too many people are having to look interstate for jobs. Too many young, talented South Australians have had to move away from our wonderful state, and it is a travesty.

I am proud to be part of this Marshall Liberal government, which will create jobs and economic growth in South Australia. This is important because unemployment affects more than just an individual's financial position. It impacts the ability to put food on the table for a family. It impacts self-confidence, self-belief and eventually our ability. It impacts people's chances of being the best they can be. It can be mentally exhausting to stay positive while searching continuously for work, application after application. With every application for employment, we open ourselves up for judgement and rejection.

Creating job opportunities and a skilled workforce is and will be an important determinant of South Australia's future living standards and wellbeing for all South Australians. South Australia has the opportunity to develop a world-class maritime industry base and a highly skilled workforce with expertise across all naval shipbuilding activities. We will continue to support local companies and workers to ensure they benefit from the offshore patrol vessel, future frigate and future submarine programs.

The Australian government is investing around \$90 billion in the continuous build of new submarines, major service combatants and minor vessels. We will support local industry participation in the global supply chain of naval shipbuilding projects and we will promote export readiness. We will provide support to the Australian government and key stakeholders to ensure expansion of the Osborne naval shipbuilding precinct is a success in South Australia. Our Marshall Liberal government will ensure South Australia has the skilled workforce required to fully capitalise on the federal government's \$90 billion investment in naval shipbuilding.

Our Marshall government will develop a comprehensive Defence Workforce Plan to review the existing skills base in local industry and forecast the type of qualifications and number of workers needed during the next 20 years. The size and specialist qualifications of the shipbuilding workforce in South Australia need to develop significantly to meet the requirements of the federal government's naval shipbuilding plan and reap the substantial rewards on offer for our state.

The South Australian government must adopt a proactive role in developing a local naval shipbuilding workforce to ensure South Australia's skilled workers can meet the future demands of the defence industry. The Defence Workforce Plan is critical to ensuring South Australia fully capitalises on this once in a generation opportunity in naval shipbuilding. Under the Defence Workforce Plan, our Marshall Liberal government will identify requisite qualifications for inclusion on the Subsidised Training List. It will support accredited registered training organisations to provide automotive workers with the formal recognition of prior learning, which can be used to gain new qualifications in relevant areas.

We will fund 1,200 apprenticeships within those qualifications over the next four years, and we will work with the new naval shipbuilding college being established in Adelaide to develop and obtain accreditation for a diploma of naval shipbuilding, enabling South Australians to develop skills needed to perform managerial and supervisory roles.

Our government's \$100 million investment over the next four years to deliver over 20,000 new apprenticeships and traineeships, with a further \$87 million so far successfully secured through the commonwealth government's Skilling Australians Fund, will help us meet the workforce needs of the defence sector. The Weatherill government had more than halved apprenticeship numbers over the last five years and were content to sit on their hands and watch a skills shortage develop. After 16 years of Labor neglect and complacency, we will take a strong action to take advantage of this opportunity and establish the capacity for a continuous naval shipbuilding program in our state.

South Australia's economic future will be significantly bolstered through this naval shipbuilding, and we need to maximise local employment opportunities. These commitments are part of our strong plan for real change to create more jobs, lower costs and provide better services. Our



Marshall Liberal government will ensure that we will make the most of this opportunity for all South Australians to benefit. I commend this motion to members of this house.

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (12:00):** I rise to support the member for King's motion in an amended way. I move amendments to the motion as follows:

Delete paragraph (a) and replace it with:

- (a) recognises the impact of the advocacy campaign Australian Made Defence that reversed the policy of four major defence procurements being sourced overseas in favour of developing a sovereign capability for future naval shipbuilding; and
- (b) urges the South Australian government to seek a commitment from the federal government that full-cycle docking maintenance of Collins class submarines be retained at ASC's Osborne shipyard along with the 700 jobs that support it;

I acknowledge the Liberal Party's 'better late than never' conversion to the concept of Australia having a sovereign naval shipbuilding capability. Maximising the economic impact of that industry, whilst ensuring it delivers the best possible capability for the Australian Navy, will require an attentive and steadfast state government. Let's be clear on the state government's record on the defence industry. The federal and state Liberal parties were ready to sink this industry and the thousands of jobs that went with it. Despite a 2013 election promise for a new fleet of Australian-built submarines to replace the Collins class, prime minister Tony Abbott and then defence minister David Johnston soon developed another idea.

In mid-2014, minister Johnston signed a defence pact with Japan and, as we know, negotiations started for Australia to buy its subs overseas. The Weatherill Labor government alerted South Australians to the plans when a delegation of Japanese submarine experts arrived at ASC's shipyards in Osborne. The federal member for Sturt sought to calm local concern when he told Sky News in October, to paraphrase, 'It's okay. We will still get the maintenance work.' Even a year later, on ABC Radio National's *Breakfast* program, the most senior Liberal in South Australia said:

Even if the submarines aren't built in Adelaide from the ground up, more than 50 per cent of the cost of submarines is maintenance and sustainment and that can...be done [here] in Adelaide.

Let's put that in perspective. Maintenance work on submarines sustains about 700 jobs at ASC in Adelaide. A continuous build Australian-made program sustains approximately 6,900 jobs. That is why the Australian Labor Party went into overdrive both locally and federally, in lock step with unions, defence industry and even some rebel and courageous Liberals, to ensure that the biggest defence procurement in Australian history was done in Australia by Australians for Australia.

The success of the Australian Made Defence campaign will deliver 6,900 jobs, which is around 10 times the number of jobs that the Liberal Party here in South Australia was happy to settle for. There is a temptation to say, 'Well done,' and pat ourselves on the back for winning that battle, but the challenge has only just begun. Just last month, defence minister Payne confirmed that her department was looking at options to move major maintenance work away from the Osborne shipyard to the Henderson yards in Western Australia.

Recently, Western Australian Liberal Senator Linda Reynolds made it clear that Western Australia wanted those South Australian maintenance jobs. In an interview with online news site Defence Connect, Senator Reynolds said that Western Australia was going ahead, with the federal government's assistance, with a master plan for the next 15 years for Henderson shipyards near Fremantle. Senator Reynolds said, 'If we get the infrastructure right, we can be a sustainment and maintenance hub for the next 50 years.'

Make absolutely no mistake, Western Australia want all the submarine sustainment work—work and skills that were developed here in South Australia. This is the essence of the battle: to make sure that the jobs promised to South Australians are delivered to South Australians and kept here in South Australia.

Local content in ship construction will be key to whether or not this hard fought victory for local jobs will be delivered. It will not take much for a frigate designer or a submarine designer to suggest that perhaps it is better to build major components in France, Italy or Spain. That is not because they are duplicitous. It is because they have a responsibility to their own shareholders and

workforce. It is why the Australian government must mandate local content benchmarks and rules on what local content means. A skilled workforce is critical to the successful delivery of a continuous build program and national sovereign capability. This industry will also generate thousands of additional jobs with suppliers.

The federal government announced in May 2017 that a naval shipbuilding college would commence operation in Adelaide on 1 January this year. That was the last we heard of it until after the state election when, lo and behold, it was confirmed in an announcement by minister Pyne on 2 April 2018. The college will start enrolments sometime after June, the minister's statement said. That is hardly a rock solid workforce plan.

What we need is a business plan showing how the Liberal governments, state and federal, will maximise Australian content on our shipbuilding projects, how and where the necessary skills will be developed and how the skills will be available in time for Australian industry and workers to take part in this once in a generation opportunity.

Our universities have been busy signing cooperation arrangements with shipbuilders and prime contract suppliers for education programs to deliver skilled workers for decades to come. The groundwork has been done. Through its sustained campaign from 2014 to 2017, the Labor Party showed Australia it will stand up for local workers, stand up for local industry and stand up for a local defence force capability. If the state government takes its eye off the ball, those gains will be eroded. It will not be enough to stand side by side with their Liberal mates for a photo opportunity. You have to actually stand up and fight for South Australia.

In May 2016, defence industry minister Pyne told Channel 9 News that less than a tenth of construction work on Australia's 12 submarines will be done outside the nation, yet in the two years since that has been watered down to what is called 'maximised local content'. The state government needs to define what that level is and hold the federal government to account, not just be a bunch of patsies. Failure to be strident in defence of local jobs will mean that you will lose those local jobs. The member for King might think it is just a case of saying, 'Thank you for the crumbs,' but South Australians remember how tough we had to fight for our shipbuilding industry and we know how tough it will be to keep it.

The motion acknowledges the recent success of Adelaide's MG Engineering and Whyalla's Ottoway Engineering in being awarded contracts by Italian shipbuilder Fincantieri to build cruise ship blocks as part of their global supply chain. MG Engineering is a story of persistence in the face of adversity. At the end of 2014, the Moorhouse Road business was in trouble. Construction of huge mast ship blocks for the air warfare destroyer program ended in late 2014. For the managing director and the 100 workers, the valley of death had arrived early.

For two years, the company was working month to month, just surviving. Engineering was one of the reasons Labor fought so hard for the shipbuilding industry. It is why the South Australian Labor government underpinned MG's bid for a prawn trawler contract with a \$2 million grant. It is why in 2017 the state Labor government agreed to a \$1.25 billion grant under the Future Jobs Fund program to upgrade MG Engineering's slipway and build a new workshop, creating an anticipated 64 jobs.

We on this side of the chamber, we in the Australian Labor Party, understand that governments have a responsibility to stand up and fight. It is not enough to sit back and take directions from the federal government for the sake of a photo opportunity. One has to do more than that. We will not stand silent and watch this state government relinquish 700 jobs for full cycle docking of the submarines in Adelaide to Western Australia. We will stand up and fight and we will make sure that South Australians' voices are heard to keep these jobs in South Australia where they belong.

**Mr DULUK (Waite) (12:11):** I congratulate the member for King again on being positive and thinking about South Australia's future. I love when the Leader of the Opposition comes in here and obviously has to show. He could not even get half of his shadow cabinet to come and listen to his contribution.

**Mr Malinauskas:** They're all working hard, mate. They're all working hard.

**Mr DULUK:** Martin Hamilton-Smith, the member for Waite, when he was part of the Labor government, claimed it was because of him that we have submarines in South Australia. He had never actually once met with defence minister Pyne or Payne. He had no seat at the table, and the Labor Party when they were in government had no credibility at this table.

In fact, they had so little credibility that during that whole term of Labor at a federal level when Kevin Rudd was the prime minister and then Julia Gillard was the prime minister and then Kevin Rudd became the prime minister again, not one single offshore patrol vessel was built, not one single submarine contract was entered into, or even designed or conceptualised.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr DULUK:** I would really like to know what conversations the member for Cheltenham when he was the premier, or the former member for Waite when he became the Liberal turncoat and supported the Labor government, had with the Rudd-Gillard administration about bringing jobs to South Australia. I will tell you: zero.

**An honourable member:** She ran the ASC.

**Mr DULUK:** She did run the ASC. Where was the federal member for Port Adelaide in fighting for when he was sitting around the federal cabinet table fighting for jobs in his own electorate? Nowhere—nowhere. What we get today from the Leader of the Opposition is nothing more than politics. He is a bit afraid at the moment.

The member for Lee yesterday in his contribution on the productivity commission spoke really well. He got up and spoke off the cuff with very few notes. I reckon he went on for close to two hours and almost took us to the dinner break. It was a very enjoyable contribution that raised a lot of good issues. He actually wants to be the leader of the Labor Party. The Leader of the Opposition comes in and cannot even stay for the rest of the contribution today. He reads off his clipboard notes. It was a very disappointing effort by the new Leader of the Opposition.

**Mr Pederick:** Or is he?

**Mr DULUK:** Or is he? Is he really or is it still the godfather himself, Don Farrell, pulling the pins? I don't know.

**The DEPUTY SPEAKER:** Member for Waite, I will bring you back to the motion, please.

**Mr DULUK:** Thank you, sir. This is about supporting the member for King's motion, which is absolutely on the ball. We are committed to defence investment in South Australia. That is what the Liberal government is doing. We are working—

**The Hon. A. Piccolo:** That's why Tony Abbott went to Japan.

**The DEPUTY SPEAKER:** Order, member for Light!

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! The member will be heard in silence. The member for Waite.

**Mr DULUK:** We are working collaboratively with the federal government for the benefit of South Australia and indeed the nation, because in defence you need a plan. You cannot just whip up a scare campaign as those opposite are trying to do. It is a pretty important industry. Congratulations to the member for King on talking about some really important issues. A lot of the work she has been doing as the member is looking at that whole skill and trade area.

The Marshall Liberal government is committed to supporting local participation in the global supply chains, which is so important in terms of the naval shipbuilding programs. Having government involvement is more than just having photo opportunities, as the former premier and the former minister for defence industries in the previous government used to do. We will provide support to the Australian government and key stakeholders to ensure the expansion of the Osborne Naval Shipbuilding Precinct is a success.

We are seeing the rollout of the offshore patrol vessels and the construction of those vessels in South Australia and the jobs that they will bring. The Leader of the Opposition mentioned the valley of death. We probably all have constituents in our electorates who have worked at ASC or do work at ASC and have been caught up in the valley of death. I have talked in this house a number of times about the importance of jobs and sensible planning.

It is not the blame game that is required, but there is no doubt that the lack of firm decision-making by previous federal government administrations has actually led to the valley of death. That is an indictment of those opposite who supported the former Rudd-Gillard-Rudd Labor administrations and their lack of decision-making and who were happy to see South Australian jobs go, in particular, to the socialist Kevin Andrews government in Victoria. That government was very keen to poach South Australian naval—

**Mr Brown:** Daniel Andrews. Kevin Andrews is one of yours.

**Mr DULUK:** Dan Andrews. I correct the record. If the member for Menzies ever knew that I called him a socialist he would be very upset—the Dan Andrews socialist government. They were hot to trot in that Rudd-Gillard period about taking jobs from South Australia. At that time, minister Combet, a Victorian, was really pushing that agenda. We will not be lectured in this state parliament by those opposite about what we apparently did or did not do in and around defence shipbuilding.

Naval Group Australia, which has been selected as the international design partner for the Future Submarine Program, estimates that 2,800 jobs will be created in South Australia: about 1,100 direct jobs on the build, about 1,700 supply chain jobs, and 270 Australian jobs will be created in the detail, design and production planning activities. Naval Group Australia currently employs approximately 80 staff in SA and aims to double this figure by the end of this year.

Osborne will also be the location for the creation of the Future Frigate Program, which will be a fleet of about nine vessels. Not one future frigate was designed in the Rudd-Gillard-Rudd era. Once again, this led to the valley of death. The supply chain needs time to build up. We are doing that. The Abbott-Turnbull governments have been doing that. The Turnbull government and minister Payne and minister Pyne are working with this Liberal government to ensure future jobs in South Australia in the naval shipbuilding sector.

These programs will transform the South Australian economy. It is expected that, by the mid-2020s, the naval shipbuilding workforce will reach 5,200 members—and that is a great thing. I would like to hear those opposite, including the member for Ramsay when she gets up to make her contribution, actually say that this is a fantastic thing that governments are delivering for the people of South Australia. There will be 1,400 people employed in the outfitting workforce, 1,000 people in the structural workforce, and 3,000 people in management roles.

We have a state defence workforce plan. We took that plan to the election. We are committed to developing a comprehensive defence workforce plan and consulting with industry and the federal government. We will develop this plan by reviewing the existing skills base and local industry. I commend the minister, the member for Unley, for his work in this area around skills and investing in TAFE and the skills industry and looking at the next five, 10, 15, 20 years as well, in that planning.

We will also support the existing WorkReady scheme to get the right skills required for this new industry and new work. We will fund registered training organisations to provide current and former automotive workers with a formal recognition of prior learning, which will allow the workers to gain new qualifications in the area as well. We are looking at what the skills shortages are at the moment in South Australia and working towards skilling these people up so they can work in this new, exciting defence manufacturing sector.

As part of our plan to create over 20,000 apprenticeships and traineeships in South Australia, 1,200 of those will be created over the next four years. They will be part of our defence industry partnerships. It is our priority to always ensure that we have the right skill mix for our industry. I once again commend the member the King for her contribution to this debate and know that she is serious in working with the government, both state and federal, and her community to deliver for the people of South Australia.

**Ms BETTISON (Ramsay) (12:19):** I rise to support the amended motion. This is a great opportunity for South Australia to continue its historical role in defence naval shipbuilding. Opportunities do not become a reality without dedication and focus. This is true for our defence and the commitment to a sovereign naval shipbuilding capacity. Only the Australian Labor Party went into overdrive locally and federally, in lock step with unions and the defence industry, to ensure that the biggest defence procurement in Australian history was by Australian for Australians.

I recognise that there is a defence work plan; however, I am concerned that there is a lack of targets, pathways and dedicated mentoring to harness the complete opportunity that is before us. Firstly, my interest is in regard to the continuation of the skills that we already have in the state and the long-term planning to enable a flexible, trained and educated workforce.

Secondly, my concern is around identifying what those skills will be. What are the skills we need to continue to be heavily involved in this work, and how is the government communicating to parents and to students the diversity of career opportunities? We know that workforce demand will peak in 2027 when the work on the future frigates, the future submarines and the Poseidon will be at its most significant.

When we look at the skills that will be required, what will be the types of jobs at this time? It is my understanding that three-quarters will be for a trade, with a trade qualification of certificate III or above and about 5 per cent each for professional management, semiprofessionals, technicals with certificate IV to advanced diplomas and semiprofessional business operations, certificate III to IV. The trade demand will most significantly be for fabrication.

At its peak, I understand there will be a need for more than 1,000 workers with this trade qualification, with electrical and metal fitters following in second and third place. While we know that it was the hard work of the previous government to make sure that we continue to have this work in South Australia, we cannot drop the ball now. We must continue when we see that there are other states constantly advocating for an increased share of this shipbuilding work.

I want to talk a little bit more about the skills and the training. I am particularly interested in the role of women in the Defence Workforce Plan. It looks like we have some visitors in the gallery who might support my interest. In Australia in 2015, less than 10 per cent of tradespeople were women. In the trade of electrician, only 1.3 per cent are women. My concern is if having a trade qualification is where the majority of the opportunity to work on this shipbuilding will be, how are we attracting, training and keeping women in these trades?

When I look at the research about why women do not take up a trade as a career, there is some historical context with quite strong divisions between what was considered a male occupation and more feminised work. Traditionally, women were teachers, nurses or in administration, whereas for men, trades have always been available. My father is a fitter and turner by trade. His father was also a fitter and turner, who worked in the railways for many years—in fact, his whole career. That was seen as a very solid opportunity to get ahead.

When we look at why women have not entered the trades, there are both practical and cultural barriers. Even though we know that women and girls can do anything, we must address that these are some of the concerns. We need to increase awareness and visibility of women in trades. In government, we promoted this in several ways. We supported the STEM Sisters program, which was a mentoring program often with girls who were in late high school who had expressed interest in doing an apprenticeship or a trade and they were matched with someone who was at university or in their first or second year of work.

We also had the STEM Selfie program, which increased the visibility of women in trades, particularly around science, technology, engineering and maths, and which indicated that these are the jobs of the future, and you need to start doing it through your whole education.

In terms of one of the things where I did some work, I encouraged the current minister for industry and trade to be in liaison with the office for the status of women. They have done quite a bit of work in this area. One of the concerning things is when girls and women drop out in terms of STEM. We know that girls in year five have consideration that is equal with boys in terms of their

confidence about maths, but by year 7, already they are feeling there are some differences between them and the boys. That is the first area—that we see girls drop out of STEM.

There are four other areas in people's careers. Going forward into high school, we see it in the subject choices made then. We also see it when students are looking at what degrees they might do at university or when they do not seek out a trade qualification. We also know that we have some cultural issues, because women also drop out of STEM careers and also if they have made it through to the trades. They need to be mentored and supported. These are the jobs of the future, whether they be trades that support science, technology, engineering and maths. But we need to know, if we are going to work for 50 years between the ages of 20 and 70, and if these are the jobs of the future: how are we going to support people to stay in these areas?

The South Australian Defence Workforce Plan must focus on enabling us to activate all of our workforce. South Australian women and girls need to be supported in order to understand the opportunities and recognise that trades are well paid, highly skilled jobs that should be under consideration.

While we do have this workforce plan which has been acknowledged today, my support for the amendment is around recognising how we even got to this position—realising that to maintain this position we must continue our advocacy about South Australia being the best place for shipbuilding and maintenance. My personal area of interest—and I will continue to look at this—is increasing the role of girls and of women in trades and STEM professions. I encourage you to support the amendment.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** Before I call the next speaker, I welcome today to the public gallery staff and students from St Joseph's Primary School Tranmere. Welcome to you all. You are guests of the member for Hartley. I hope you enjoy your visit.

#### *Motions*

#### **DEFENCE WORKFORCE PLAN**

Debate resumed.

**Mr PATTERSON (Morphett) (12:27):** I rise to support the motion by the member for King specifically acknowledging the state government's Defence Workforce Plan to ensure South Australia has the skilled workforce required to fully capitalise on the federal government's \$90 billion investment in naval shipbuilding.

Before discussing the other elements of the motion it is worth reflecting on the federal government's \$90 billion investment into naval shipbuilding in this state. It really stems from the three air warfare destroyers that are being built at the Osborne Naval Shipbuilding Precinct and are coming to a close there. While that is finalising, the federal government is centring its naval shipbuilding program in South Australia, with the construction of the first two offshore patrol vessels followed by the Future Frigate Program and the submarine program.

In terms of the offshore patrol vessels, construction is due to commence in quarter four of 2018 at the Osborne Naval Shipbuilding Precinct. These offshore patrol vessels, the two of them, will be constructed here by ASC Shipbuilding, and this is designed to overcome the valley of death that has been created by the Rudd-Gillard-Rudd federal administration taking no action on the shipbuilding program that was there previously—in terms of where we got to today. There have been attempts to place credit in the wrong places, I feel.

After these patrol vessels, there will be the Future Frigate shipbuilding program, which has been instituted by the Abbott-Turnbull government. The Future Frigate Program involves the construction of nine vessels, with that construction commencing in 2020 at the Osborne Naval Shipbuilding Precinct. So you can see that valley of death there, the two years of hiatus there, and the skills that would be lost without these two offshore patrol vessels being built there.

The Future Frigate Program has a total program value of \$35 billion, creating approximately 2,000 direct jobs, as well as the indirect jobs that come from that. By far the biggest program of the Abbott-Turnbull government's shipbuilding program is the Future Submarine Program, with construction to commence at the Osborne Naval Shipbuilding Precinct.

Naval Group Australia has been selected as the international design partner, with a total program value of \$50 billion. This represents the biggest single defence spend in the nation's history, a spend brought on by the Abbott-Turnbull government, and it is happening here in South Australia. As the Premier himself has stated in this house, this \$50 billion submarine program is also a big deal in France.

Naval Group Australia estimates that 2,800 jobs will be created in South Australia. Direct jobs from the build will be approximately 1,100, as well as 1,700 supply chain jobs. Currently, Naval Group Australia employs approximately 80 staff in South Australia and aims to double this figure by the end of 2018. Industry experts estimate that the indirect jobs impact of this could be as high as 3:1, so you can see it is very important to jobs here in South Australia.

The detailed design work on the future submarines will start moving from France to South Australia in 2022. For the detailed design and production planning activities, 270 Australian jobs will be created. Because of this big program on the books, the shipbuilding workforce will need to increase by some 3,600 staff from around 2021. Around 77 per cent of these will be tradespeople in fabrication and electrical and mechanical engineering.

In fact, the federal government's Naval Shipbuilding Plan states that the shipbuilding workforce in South Australia will need to increase by around two to three times from current employment levels, with demand for construction workers peaking at around 5,200 in 2026. By outlining the extent of the shipbuilding program that is to occur between now and 2030 in South Australia, it is clear that the size and skill levels of the naval shipbuilding workforce in South Australia will need to increase significantly to meet demands.

However, significant challenges exist in ensuring that a workforce with the required range of skills is available within that program's time lines. Shipbuilders and others in the naval shipbuilding and sustainment industry have reported difficulty in sourcing workers with the required skills and experience. This impending skills shortage has been recognised as one of the highest risk factors in the establishment of a continuous naval shipbuilding program.

As a government, we cannot sit back and allow this massive opportunity unfold around us. We need to plan for this and reap the substantial rewards on offer for our state. That is why the Marshall Liberal government is developing a comprehensive defence workforce plan in conjunction with both industry and the federal government. The plan includes reviewing the existing skills base in local industry; an industry-needs assessment, forecasting the types of qualifications and number of workers needed for the next 20 years and identifying current and former automotive sector workers who have the skills to fill identified defence jobs.

Under this Defence Workforce Plan, the Marshall Liberal government will identify requisite qualifications for inclusion on the subsidised training list under the existing WorkReady scheme. It will also support registered training organisations to provide automotive workers with formal recognition of prior learning, which can then be used to gain new qualifications in these relevant areas. Importantly, it will fund 1,200 apprenticeships in those qualifications over the next four years and work with the naval shipbuilding college that is being established in Adelaide to develop and obtain accreditation for a diploma of naval shipbuilding. This will enable South Australians to develop skills that are needed to perform managerial and supervisory roles.

As previously detailed, the Premier of South Australia; the Prime Minister, the Hon. Malcolm Turnbull; and the federal Minister for Defence Industry, the Hon. Christopher Pyne, have formally met to discuss the broad range of defence-related issues and opportunities in South Australia. This meeting with both the Prime Minister and the federal minister is another commitment met by this government as part of its 100-day plan. It really shows that we are trying to establish a grown-up relationship. Rather than fighting, we are looking to actually take a plan to the federal government. That is why the federal government can have confidence going forward: that there is a plan in place that is not haphazard.

We talked yesterday about productivity. To increase productivity, the state requires a plan, and that is what we are setting about doing. In particular, the 1,200 defence industry apprenticeships will be funded as part of our commitment to allocate \$100 million to secure the \$87 million funding from the federal government's Skilling Australians Fund and will support the creation of an additional 20,800 apprenticeships and traineeships in South Australia. I commend the member for Unley on his work in achieving that for this state.

Under the previous Labor government, we experienced a steady decline in the number of apprenticeships and traineeships in South Australia. That is why it is so important that this program has been set up. The Marshall Liberal government is committed to turning this around, as I have outlined previously, with regard to our apprenticeships so as to arrest any skills shortage that has been allowed to develop in the face of such a tremendous state building opportunity we have before us.

The government is putting in place the skills to establish the capacity for a continuous naval shipbuilding program in our state and ensure that these skills do not have to be imported from other states. We will provide support to the Australian government and key stakeholders to ensure the expansion of the Osborne Naval Shipbuilding Precinct is a success. We will also continue to support local companies and workers to ensure they benefit from the Offshore Patrol Vessel, Future Frigate and Future Submarine programs. An example of this is the recent success of Adelaide's MG Engineering and Whyalla's Ottoway Engineering being awarded contracts by Fincantieri to build cruise ships as part of their global supply chain.

Additionally, from a recent meeting I attended with the members for Waite and Davenport and staff at Flinders University, it is clear that the university itself is trying to develop relationships and cooperation agreements with each of the three tenderers for the Future Frigate Program. It is another example of how local organisations are seeking to ensure they benefit from the shipbuilding program. As stated earlier, the Marshall Liberal government has a commitment to training a skilled workforce in line with defence industry needs, including through apprenticeships, retraining initiatives and also the Defence Industry Employment Program for ex-service personnel.

South Australia's economic future will be significantly bolstered through naval shipbuilding, and we need to maximise local employment opportunities. The initiatives that I have spoken about highlight that the Marshall Liberal government is working hard to ensure that South Australia makes the most of the federal government's \$90 billion investment opportunity for all South Australians to benefit. These initiatives are part of our plan to create more jobs. I commend the motion to the house.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** Before I call the next speaker, I welcome to the public gallery what looks like the second group of primary school students from St Joseph's School Tranmere, who are guests of the member for Hartley. Welcome to you all. I hope you enjoy your visit.

#### *Motions*

#### **DEFENCE WORKFORCE PLAN**

Debate resumed.

**The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (12:37):** I stand here supporting the motion put before this house by the member for King, making it very clear that we do not support the stunt that has been attempted by the Leader of the Opposition today, which is based entirely on a fallacy. The Leader of the Opposition's amendment tries to claim credit for the work that ministers such as Christopher Pyne have done for South Australia in delivering this tremendous opportunity for careers and jobs and a boom in the South Australian economy that we are seeing with the defence industry in South Australia.

If we look at the claim made by the Leader of the Opposition, he suggests that the advocacy campaign was responsible for the defence projects coming to South Australia. The fact is that was not the case at all. The advocacy program was a diversion from the previous government's lack of progress and their lack of ability to deliver careers, jobs and skills in South Australia. It was an attempt



at an illusion that they were actually doing something when they were not. The evidence is in the figures.

What was happening when this so-called advocacy campaign was being run by the previous government using taxpayers' money? During the period March 2014 to March 2018, South Australia recorded the highest trend unemployment rate of all the states for 31 of those 48 months—about two-thirds of the time. This is the tactic of the previous government, looking for blame for their employment outcomes. In that same period, South Australia recorded the highest or the second-highest seasonally adjusted unemployment rate of all the states for 37 of the 48 months, which is about three-quarters of the time.

If we look at the trend unemployment rates, which are the more reliable rates, 80 per cent of that time between March 2014 and March 2018, we saw South Australia with the highest or second-highest unemployment rate in the country by trend. We heard the member for Ramsay telling this house that they were helping women to get into the trades. How on earth was that working for you, member for Ramsay, I ask?

In the last five years from 2012 to 2017, under that government, we saw training fall in apprenticeships and traineeships in South Australia by 22,000. That is a 60 per cent fall in apprenticeships and traineeships in that five-year period. I can well and truly guess that that included women being denied opportunities under the poor management of the previous Labor government.

We saw commencements fall by 16,900 or 66 per cent. That is 66 per cent fewer apprenticeship and traineeship starts in 2017 compared with 2012—another staggering figure. Completions have fallen by 57 per cent. What we have ended up with is a very difficult position for South Australia to take full advantage of the opportunities that have been given to this state by the Turnbull government's decision to have a continuous building program and a defence industry in South Australia.

We have \$90 billion locked into the budget for the next 50 years being spent on defence industries. I understand that it makes Australia the 11<sup>th</sup> largest purchaser of defence products in the world at the moment, an extraordinary achievement for a country of just 25 million people. It shows you how big this project is for South Australia.

The previous government was much more interested in playing politics and setting up a diversion for their failures in delivering opportunities for South Australians to participate in this project. We are focused on making sure South Australians have the skills that they need in order to participate in this massive project in South Australia. It will not just be this project. There will be spin-off industries that will come because of the technology and the skills that are needed in South Australia to deliver these projects.

I was at a manufacturing company down south. They started off as a company 20-odd years ago building outdoor furniture for local government. They then moved into sheet metal work and other work. They have apprentices, and now they are doing defence work. They are building a component that will end up as an anti-improvised device unit that is going to be fitted to armoured vehicles in Iraq. This company has moved into the defence space.

The skills that it has been using for general products for sale interstate and locally are now being used for international sales in the defence industry. This is a strategic foot in the door, and that foot in the door is the hardest thing to do when you are moving into something like the defence industry because about 40 per cent of the cost of manufacturing a defence product is in the paperwork. The paperwork must be compliant in order for the product to be certified.

The member for Ramsay would like to know what skills are needed in order for the defence industry to continue to grow here in South Australia. She does not need to worry, because that work is being done; the federal government is funding—\$2.5 million a year—a partnership between Huntington Ingalls and KBR. Huntington Ingalls, for those who do not know, is the largest shipbuilder in the United States of America. They have partnered up with engineering firm KBR to identify where those skills are needed and to match up those skills with the defence industry through the shipbuilding or naval college they are establishing at Osborne.

This is a significant aid to South Australians, through industries such as the industry I described earlier that had those skills that could be used in the defence industry. Of course we cannot forget the work that the Ai Group Defence Council is doing with the federal government, and again I have to congratulate the defence industry minister Christopher Pyne on the work he has done in ensuring that small and medium businesses are being hooked up to the defence work that has come into South Australia because of the Turnbull government decision to bring defence industries here to South Australia.

What the Leader of the Opposition has offered today is more politics, more of what we heard from Labor when they were in government. They have got out the red book, they have dusted off the formula on page 13 or whatever it is, saying, 'How can we cause a diversion from the fact that we are now irrelevant?' They are pulling out their old tricks again, the *Little Red Book*. South Australians will not stand for it. They voted for a change, and they know we have an agenda for jobs and careers for South Australians, making sure we get the best possible outcome from these contracts that come into our state.

We will deliver. We are putting money on the table—nearly \$200 million dollars of state and federal money—to train South Australians in apprenticeships and traineeships; real jobs, not mickey mouse training programs but real jobs, to deliver real careers for South Australians.

**Ms LUETHEN (King) (12:48):** I would like to thank the Minister for Industry and Skills, the member for Waite and the member for Morphett for their comments and for supporting skills and plans for jobs in South Australia in the defence and shipbuilding industries. The Marshall Liberal state government is working hard every single day to deliver real change in South Australia. Our change will create more jobs, lower costs for families and businesses, and better government services. Every day, we continue to create a strong foundation and will keep building on what we have started, delivering for every individual, for every family and every business in South Australia. Thank you for your support on this side of the house.

Amendment negated; motion carried.

### **BOWEL CANCER AWARENESS MONTH**

**Mr BROCK (Frome) (12:49):** I move:

That this house—

- (a) acknowledges that June is Bowel Cancer Awareness Month;
- (b) recognises the thousands of South Australians families impacted by this cancer;
- (c) urges the state government to continue to promote bowel cancer awareness to make South Australians aware of this illness and the symptoms that may lead to contracting this sickness; and
- (d) urges the state government to ensure that adequate measures are in place for the prevention and treatment of this disease.

There are numerous forms of cancer, but today I will focus on bowel cancer. The word 'cancer' can be very frightening and fearful not only for those who have been diagnosed but also for their families. There are four words that we do not expect to hear when we are young, let alone when we are getting on in years—those four words are, 'You have bowel cancer.'

Each year, over 2,000 young Australians hear these words. I will repeat that: over 2,000 young Australians hear these four terrifying words each year. It is a common misconception that bowel cancer is an old person's disease. The reality is that it affects both old and young. I will refer to an email that went to all House of Assembly members yesterday from a particular person, which states:

Unfortunately, one in 13 [people] will receive a bowel cancer diagnosis during [their] lifetime, and 80 people die every week from the disease. It is increasingly being diagnosed in people under 50.

This particular person's son was diagnosed at 22 and, unfortunately, died of bowel cancer at 25, so it does affect very young people.

Bowel cancer is the third most commonly diagnosed cancer in Australia and this is expected to continue, with the estimated risk of an individual being diagnosed with bowel cancer by their 85<sup>th</sup>

birthday being one in 11 males and one in 15 females. Many people, whether intentionally or just by overlooking the issue, do not have a medical examination. There are many reasons for a person to contract any form of cancer and I encourage everyone, particularly if you have a family member, including your parents, who has been diagnosed with bowel cancer, to have an examination.

Most cases of bowel cancer start as benign, non-threatening growths called polyps. However, if not treated they can become cancerous tumours. Some of the signs or symptoms may include:

- bleeding from the back passage or signs of blood after a bowel motion;
- a change in usual bowel habits, such as straining, constipation or loose motions;
- weight loss for no obvious reason;
- symptoms of unexplained tiredness, weakness or other bowel conditions;
- abdominal pain or bloating; and
- any concerns you may have about health issues.

I know that these things are not very attractive when speaking about them, but it is very important to note that any of these symptoms are not necessarily indicative of cancer. Other medical conditions, some foods and certain medications can also cause these changes. Pathology testing, physical examination and other diagnostic tools can help doctors determine the cause of any of the symptoms. Anyone experiencing symptoms such as those mentioned should consult a doctor. When diagnosed at the earliest stages, nearly 90 per cent of bowel cancer cases are treatable.

Symptoms suggestive of bowel cancer require timely investigation, such as having a colonoscopy, and this early attention may be the best thing you have done to save your life. The new government's policy coming into the last election that, within 12 months it would wipe out the overdue waiting list for a colonoscopy after a positive FOBT, is welcomed. I welcome and encourage that; however, I hope it can be achieved earlier than the 12 months.

Bowel cancer treatment can be different for different people as everyone reacts differently. Treatments can include surgery, chemotherapy, radiation or a combination of the last two. It was mentioned previously that bleeding may indicate bowel cancer; however, some bowel cancers may not bleed or bleed only every now and then. If there are any concerns whatsoever about any signs, please see your GP, who would be the best person to consult. If necessary, if you do not feel comfortable, get a referral to a specialist in the field.

Bowel cancer affecting men and women, young and old, can often develop without any warning signs. It is Australia's second biggest cancer killer, and it is estimated that 33,000 Australians will die from bowel cancer by 2025. Previous surveys indicate that almost half the number of respondents aged 50 and above were unaware of the recommended bowel cancer screening test, only 38 per cent of respondents knew how often the test should be undertaken, less than one-third of respondents knew the recommended minimum screening age and only 24 per cent of respondents correctly identified bowel cancer risk factors.

Mr Deputy Speaker and members in this house, if you know or hear of somebody who has bowel cancer please do not ignore them. Please talk to them, reassure them and guide them. If you have suffered a form of cancer, talk about it openly. I had prostate cancer. I have been through it, and I have heard those words, 'You have six months to live.' I have said this in this house previously, but I am one of the lucky ones. I came out with great results, and I am fully cleared.

Many of my friends have been through similar circumstances, and we openly talk about it. The issue is that sometimes we males do not talk about this issue, but it is something that we need to be really open and frank about. This allows others to ask questions and also encourages them to speak up and seek early medical advice. Again, please do not be afraid to talk openly about this disease. I commend the motion to the house.

**Mr DULUK (Waite) (12:56):** I rise to commend the member for Frome for this really important motion. It is one that needs to be supported to raise awareness on this issue that touches

the lives of so many. About 15,000 Australians are diagnosed with bowel cancer each year, and almost 80 Australians die each week from this disease. Not too many families are unaffected by this disease, including my own at the moment.

People need to know what the signs and symptoms of bowel cancer are. They need to look at those symptoms and be aware that if they have a thinner bowel movement, if there are changes in their bowel habits, or if they experience abdominal pain, bloating or cramping, it could be a sign of bowel cancer. They need to be aware of changes in their body and, as the member for Frome said, get it checked out. Do not be afraid, go see the doctor, take the test and really get involved and be proactive in your own health. People need to understand the risk factors and the stats that go with it.

I will just talk about the Liberal Party policy. At the last election, we knew of the importance of this issue and we took a bowel cancer prevention initiative to the state election. We understand that it is important for people to get colonoscopies, and that is why we are investing in a pathway to get rid of the colonoscopy backlog in our public health system. Providing funds and using facilities across southern Adelaide, especially the Repat as a potential site for this practice, will really help South Australians with their public health in dealing with this most important issue of bowel cancer awareness. I commend the member for Frome for moving this motion today.

**Mr PICTON (Kaurna) (12:58):** I congratulate the member for Frome on this very important motion. This is Red Apple Day, which is the highlight of Bowel Cancer Awareness Month. It is such an important issue for our community to be aware of. We need to do more research, we need to do more prevention and we need to increase the awareness of prevention measures, such as screening tests, and encourage people to take them up. Sadly, too many families across South Australia have been impacted, including mine, and we do not want to see any more people impacted by this horrible disease. This motion has the full support of the opposition.

**Mr BROCK (Frome) (12:58):** I thank everybody for speaking today, and I strongly urge this house to support the motion.

Motion carried.

*Sitting suspended from 12:59 to 14:00.*

*Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** I welcome to parliament today students from St Joseph's School, Tranmere, years 5 and 6, who are guests of mine. I also welcome to parliament, a very distinguished former member, the Hon. John Oswald, the former member for Morphett and also the former Speaker of the house.

#### **ANSWERS TABLED**

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

*Ministerial Statement*

#### **ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE**

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:02):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. R. SANDERSON:** On Thursday 14 June 2018, this government released its response to the final report of the commonwealth's Royal Commission into Institutional Responses to Child Sexual Abuse. The royal commission has importantly uncovered shocking cases of institutional abuse of children. The South Australian government is responsible for 104 recommendations out of the total of 189 in the 17-volume report; 22 of those 104 recommendations of the royal commission have been accepted, 44 accepted in principle, a further 37 are still being considered and one has not been accepted.

Each of the 104 recommendations has been allocated to a government agency. These agencies are responsible for implementing accepted recommendations and ensuring that the intent of each recommendation is met at a local level. I acknowledge the work of the Attorney-General's Department, the Department for Education, the Department for Health, the Department of Human Services and the Department for Child Protection for their work in the across-government response. One aspect of the royal commission recommends the involvement of each state in a national redress scheme, which the Premier and Attorney-General recently opted into.

Furthermore, as detailed in recent media, changes to the mandatory notification legislation have occurred, which are due to come into effect on 22 October 2018, which will require priests and ministers of religion to disclose information gained in the course of confession as part of their mandatory reporting requirements. This government encourages open and frank disclosure by ministers of religion both in and out of confession.

As a state, South Australia has and should continue to take the lead in sweeping reform of how we as a society protect our most vulnerable members from appalling abuse both inside institutions and out. The government will provide an updated response to the recommendations of the royal commission by the end of the year. The royal commission response can be accessed on the website at [childprotection.sa.gov.au](http://childprotection.sa.gov.au).

#### *Parliamentary Procedure*

#### **PAPERS**

The following papers were laid on the table:

By the Minister for Environment and Water (Hon. D.J. Speirs)—

Murray-Darling Basin Authority—Annual Report 2016-17

By the Minister for Transport, Infrastructure and Local Government (Hon. S.K. Knoll)—

Regulations made under the following Acts—

Rail Safety National Law (South Australia)—Fees

#### *Parliamentary Committees*

#### **ECONOMIC AND FINANCE COMMITTEE**

**Mr DULUK (Waite) (14:05):** I bring up the first report of the committee, entitled Emergency Services Levy 2018-19.

Report received and ordered to be published.

#### **LEGISLATIVE REVIEW COMMITTEE**

**Mr TEAGUE (Heysen) (14:06):** I bring up the second report of the committee, entitled Subordinate Legislation.

Report received.

**Mr TEAGUE:** I bring up the third report of the committee, entitled Subordinate Legislation.

Report received and read.

#### *Question Time*

#### **TELSTRA JOB LOSSES**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:07):** My question is to the Premier. When was the government first advised of the Telstra job losses?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08):** I had a conversation with Carmel Mulhern earlier today, but the first I knew about it was when it was carried in the media this morning.

### TELSTRA JOB LOSSES

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:08):** Of the 8,000 Telstra job losses, how many will be lost in South Australia?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08):** It's difficult to understand exactly and precisely how many of those job losses that have been announced by Telstra will occur here in South Australia and over what period of time. What we do know is that they are going to have a net reduction in their workforce across Australia of 8,000 people over the next three years. I have spoken with a senior member within Telstra and asked that we be kept abreast of plans and any impacts here in South Australia.

What I have been told is that the focus of these redundancies will be on senior management, management and back of office. I know that we have had some information on this, when Telstra previously indicated that they were going to lose people across Australia, that we have a disproportionately smaller component of those senior management and back-office employees here in this state. We are hoping that the job losses in South Australia are going to be at an absolute minimum.

### FAMILY BUSINESSES

**Mr McBride (MacKillop) (14:09):** My question is to the Premier. Can the Premier update the house on the contribution South Australian family-owned businesses are making to our economy and how government measures to reduce the cost of doing business in South Australia will help grow the economy and employ more people?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:09):** I am absolutely delighted to receive this question from the member for MacKillop, who himself comes from a very longstanding and distinguished family business. He operates from the Conmurra Station, 3,500 hectares, a predominantly wool-growing business. What generation are you up to now?

*Mr McBride interjecting:*

**The Hon. S.S. MARSHALL:** No, what generation?

**Mr McBride:** Third, probably.

**The Hon. S.S. MARSHALL:** Third generation, so he has still got a long way to go when we compare it with some of the other family businesses in South Australia. Some of them have been operating for five or six generations, and they make an enormous contribution to our state. We are very grateful for the contribution that they make. As you may be aware, sir, I come from a family business background myself. I worked alongside my father, my sisters and even occasionally my mother.

We all really enjoyed the benefit of working in a family business. So many families in South Australia decide to risk their family capital to create jobs in this state to provide employment for the future generation. We in the Liberal Party say thank you very much to this enormously important sector. In a previous life, I actually served as the state president of the SA branch of Family Business Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** That was the first time I actually got to meet the member for Schubert, who himself comes from a very distinguished family business in South Australia.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** Not only is he an excellent minister for planning, transport and infrastructure but he was also, in a former life, as you would be aware, sir—

*Members interjecting:*

**The SPEAKER:** Order, members on my right!

**The Hon. S.S. MARSHALL:** As you would be aware, sir—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, leader!

**The Hon. S.S. MARSHALL:** —not only is the member for Schubert an excellent minister for planning, transport and infrastructure in South Australia—

*Members interjecting:*

**The SPEAKER:** The Premier will be heard in silence.

**The Hon. S.S. MARSHALL:** —but he was also on the front cover of the White Pages, which recognises the important contribution that family business makes here in South Australia. Those opposite often come from a family business. It's the union movement. They give lots of jobs to their friends and family right across the trade union movement in South Australia, and so they should. It's always important to support family, and that's what we do on this side of the house. We like to support family business. When we look through some of the people who are serving on the board of Family Business Australia here in South Australia at the moment, it is literally a rollcall of some of our most iconic businesses in this state.

Detmold Packaging we know has made a great contribution to our state and so has Gerard McCabe Jewellers. We know that Alister Haigh has served as a longstanding member of Family Business Australia. He has been the state delegate to the national board for a long period of time. That is a fourth generation South Australian business. He runs it with his brother, Simon. They currently employ in excess of 550 people throughout their factories and administration and their 17 retail stores located across Australia. I know that one of their biggest fans, of course, is the member for Florey, who loves Haigh's Chocolates and is often seen handing them out.

Today, I visited Kilic Engineering, a second-generation South Australian engineering firm. We spoke there about our plan to reduce payroll tax here in South Australia. Jason Kilic, the managing director of that firm, says that this will have an impact of \$44,000 per year once it's implemented from 1 January 2019. It is a big benefit to the family business sector, to the small business sector in South Australia. They will reinvest that money to create more jobs in South Australia—

**The SPEAKER:** The Premier's time has expired.

**The Hon. S.S. MARSHALL:** —and to keep our young people here in our state.

**The SPEAKER:** Before I call the Leader of the Opposition, I call to order the following members: the member for Mawson, the member for West Torrens, the member for Playford, the Leader of the Opposition, the member for Lee, the member for Waite, the member for Hammond, the Minister for Industry and the Minister for Transport. I warn for a first time the member for Waite and the member for Hammond. If they continue, they will be departing under 137A. The Leader of the Opposition.

#### TELSTRA JOB LOSSES

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:14):** My question is to the Premier. Did the Premier ask Telstra how many jobs were likely to be impacted in South Australia?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14):** Yes.

#### TELSTRA JOB LOSSES

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:14):** My question is to the Premier. Has the government offered any support to the South Australian Telstra workers who are likely to be affected by today's announcement?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14):** No, we haven't offered any support at this stage.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The Premier will be heard in silence. It's your question time.

**The Hon. S.S. MARSHALL:** First of all, we have to determine what job losses could occur in South Australia. If those members opposite had been listening to my earlier answer, they would know that there is going to be a net loss of 8,000 jobs across Australia. We don't know how many of those are going to be in South Australia. We know that that is the net figure, which is made up of a gross figure. There will be some new jobs that are going to be in new areas of their business and we would like to try to make sure that as many of those come to South Australia as possible.

As I said in my previous answer, the focus of these is on senior management, management and back of house jobs, not a lot of which actually exist in South Australia. The company has confirmed that \$600 million has been provisioned for redundancy payments. Some of them are very generous redundancy payments where long-serving members are entitled, under their arrangements with the company, to receive up to 80 weeks in terms of their redundancy payouts and that will be fully—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** This is quite a serious issue.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** It's quite a serious issue.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We're talking about jobs.

*Members interjecting:*

**The SPEAKER:** The Premier is attempting to answer the question.

**The Hon. S.S. MARSHALL:** We're talking about jobs for South Australians—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** —and all those opposite can do is carp and complain. Why don't you just sit there and listen carefully because this affects the lives—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —of the people of South Australia? This affects people's livelihoods, and it's a pity those opposite, when they were in—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** —for 16 long years didn't do something—

**The SPEAKER:** There is a point of order. The Premier will be seated for one moment.

**The Hon. S.S. MARSHALL:** —to grow the size of South Australia and make it more resilient.

**The SPEAKER:** Point of order; let's hear it.

**Mr KOUTSANTONIS:** The Premier is debating, sir.



**The SPEAKER:** The member for West Torrens raises the point of order for debate. I say to the member for West Torrens that there were several interjections on the opposition's side. I ask that they cease.

**Mr Malinauskas:** And government side.

**The SPEAKER:** And government side, indeed. I ask members to cease interjecting so that I can listen to the Premier's answer in silence. Premier.

**The Hon. S.S. MARSHALL:** Thank you, sir. Moreover, I would report to this parliament that, in addition to the \$600 million that Telstra has provisioned for redundancy payments over the next three years to employees that are affected, they have created a new transitional fund of \$50 million to help people who are exiting the company. It is also available to people who are being retrained for other newer jobs within Telstra.

Let's find out exactly what the implications for South Australia are going to be. I have a commitment that I have received from Telstra that they will keep the South Australian government informed about the impacts here in South Australia: the number of people who will be affected, the jobs, the areas in which they will be and the time frame upon which they will be leaving that employment.

But I do say that this underscores the reason why we need to have a government in place that is going to grow the size of the South Australian economy because there are some industries that are going to be affected by the change in technology. This is natural. This is logical. This has occurred over a long period of time.

*Mr Koutsantonis interjecting:*

**The Hon. S.S. MARSHALL:** There are not that many people who are making saddles in South Australia anymore. Over time, technology affects the type of employment that we are in and that is why the people of South Australia want a government that is going to look towards the future—future industries in South Australia—preparing people—

*Mr Koutsantonis interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —jobseekers to make sure that they have the requisite skills for the jobs of the future, and that is exactly and precisely what we are doing on this side of the house. You will note that we have made an extraordinary order of magnitude investment in new apprenticeships and new traineeships in South Australia so that the young people in South Australia can access the jobs of the future.

*Members interjecting:*

**The SPEAKER:** I warn the member for West Torrens and the Minister for Transport. The Leader.

#### TELSTRA JOB LOSSES

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:19):** My question is to the Premier. Will the Premier follow the lead of the Victorian government and commit to providing support to the affected workers here in South Australia?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:19):** This is pretty much exactly the same question that I have been given several times—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and, as I have mentioned to the Leader of the Opposition, I think it's prudent, when you are committing any taxpayer dollars, to understand what you are actually committing to. This may be lost on those opposite—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** —and having a pretty close look at the books when I arrived in the Premier's office—

*Members interjecting:*

**The SPEAKER:** The leader is called to order.

**The Hon. S.S. MARSHALL:** —let me tell you, there wasn't too much prudent decision-making over the last 16 years in South Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** But there is a new government in town—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** —and we will be making sure that if we spend any taxpayer dollars that we are doing it very carefully and prudently. I think the prudent thing to do in this instance is to first of all understand what the job losses in South Australia are going to be, where they are going to occur and what support are they going to receive, in the first instance from their employer, Telstra, and then, if there is a requirement, from South Australia. That information is not available at this point in time.

#### **GRID SCALE STORAGE FUND**

**Dr HARVEY (Newland) (14:20):** My question is to the Minister for Energy and Mining. Will the minister update the house on the government's grid-scale storage fund policy?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:20):** Yes, sir, I certainly will.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** All members in this place, on both sides of the chamber, know that we must create less pollution through the generation of electricity. Where we differ, though, is that we don't want renewable energy asap at any cost, as we saw was the position of the former government, the Labor government, with regard to their energy policy, having been warned for years that, if they kept allowing more and more wind farms to come into South Australia, the grid would destabilise, prices would go up and South Australian consumers would be punished along the way.

They were warned by consultants, whom they paid to give them opinions, but they ignored those warnings. They were warned by other commentators. They were warned by the Premier. They were warned by people for years not to do this. They did it anyway. So we are going to take hold of this issue. We are going to fix this issue for the people of South Australia. Largely, fixing this issue includes the delivery of storage, of batteries, for South Australians.

Everybody in this place knows about our household storage system, supporting households to get batteries connected to their solar, which is a key plank of our policy. But we also have \$50 million set aside for grid-scale storage. To be very clear, grid-scale storage is not just about batteries, but it may be big batteries, like the one at Hornsdale, which the previous government implemented after years of being asked to do so by the opposition.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** They did finally get to do that. Mr Speaker, as you know, anybody can check the media records going back years and years and find members of the opposition saying to the government, 'This is exactly what you have to do.'

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** So finally they did that. Finally, they did that, and we are going to build on that with our grid-scale storage fund. We have \$50 million set aside. It might be towards large-scale batteries, it might be towards pumped hydro, it might be towards hydrogen and it might be towards more solar thermal. These are the things that we need to put in place so that the variability of renewable energy can be harnessed, so that electricity can be delivered on demand when consumers want it. Consumers are the ones that the previous Labor government forgot all about. There was nothing in their energy policy or what they did that had anything to do with consumers. It was all looking at the supply side.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. D.C. VAN HOLST PELLEKAAN:** But we are focused on consumers. We know that we need a good supply industry—a sustainable, long-term energy supply industry—so that consumers can be served. Consumers are the focus of our energy policy. We have this grid-scale storage policy so that, at the very large scale, we can store energy. We are very good in South Australia at making electricity from wind and sun. When it's windy and sunny, we have an overabundant supply of it, but when it's not windy and it's not sunny it obviously doesn't do a lot.

So this grid-scale storage system will go not just to paying for a project to happen, the way the previous government did at Hornsdale, but we will spend taxpayers' money to help projects which might not quite get over the line from the proponent's perspective but we can put in other benefits to the consumer that the company did not include in their cost-benefit analysis. We will use consumers' money for that to get projects over the line for the benefit of consumers. All South Australians will benefit from the Marshall Liberal government's energy solution.

*Members interjecting:*

**The SPEAKER:** The member for Lee is called to order.

#### TELSTRA JOB LOSSES

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:24):** My question is to the Premier. Has the Premier instructed any of his ministers or department officials to do anything to arrange any assistance to the affected Telstra workers in South Australia?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:25):** I have had a meeting with the Treasurer. We have discussed this issue. As I have already outlined to the house, we sought a meeting. We have received a meeting, a telephone meeting, with a senior representative from Telstra. We have sought additional information. As that information is received, we will assess the options.

We have taken swift action on this issue. I just note that this is an issue that has been floating around for a long period of time. In fact, we heard about these job losses that were going to be coming last year. When we arrived in government on 17 March, there were no detailed plans organised for any occurrence that may occur. As I said, this has been an issue where Telstra has been talking about changes in their workforce for some time. We were surprised when we came to government that work had not been done. We haven't missed a beat.

**Mr Malinauskas:** So have you done anything about it then?

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** What I'm saying is that when we came to government, there wasn't anything done by your lot when you were in government—

*Members interjecting:*

**The SPEAKER:** Order! Members on my left will cease interjecting. The leader is warned.

**The Hon. S.S. MARSHALL:** —even though you had known about it for a long period of time.

*Members interjecting:*

**The SPEAKER:** The leader is warned.

**The Hon. S.S. MARSHALL:** Very surprised.

*Members interjecting:*

**The SPEAKER:** The Minister for Police is called to order. Premier.

**The Hon. S.S. MARSHALL:** That is why every single day since we have been in government we have been doing everything we can to grow the economy and diversify the economy. Some of the things which were just left lying around, not addressed, issues like the falling number of people who are engaged in apprenticeships and traineeships, have been addressed by the new government.

I would like to congratulate the new Minister for Industry and Skills. He is focused on creating more jobs in South Australia. That is exactly and precisely what he is doing. He now leads an agency with a dedicated chief executive. Under the previous regime, that same chief executive reported to six separate ministers. He was getting his riding instructions from six separate ministers, and now of course he gets his excellent instructions from the Minister for Industry and Skills, the member for Unley, who by the way is doing an excellent job.

Every single day that we have been in government, we have been focused on growing the size of our economy. Today, as I was mentioning earlier, I was fortunate enough to visit Kilic Engineering. This was a company that was affected by the downturn in the automotive sector and the ultimate demise of Holden, because many of our engineering firms in South Australia did benefit from the broader focus of South Australia on the automotive sector, but that focus is no longer there. It is certainly not in its prior volume or size.

But these companies are adapting. One of the key things that Jason Kilic, the managing director of Kilic Engineering, said is that anything that a government can do to lower costs or reduce regulation or help to find people with the appropriate technical skills will help him to employ more people in the future. I was absolutely delighted to be there today to talk about our plans to reduce payroll tax; the implementation of the reduction in the emergency services levy, which those opposite would know and I'm sure they are applauding, which we will be reducing as of 1 July this year; and the massive \$187 million investment in new skills in South Australia.

That is what we are doing. We haven't missed a beat since we were elected. We want to grow our economy, we want to create jobs and we want to keep young people in South Australia.

#### **TELSTRA JOB LOSSES**

**Mr KOUTSANTONIS (West Torrens) (14:28):** My question is for the Minister for Industry and Skills. Has the minister instructed his agency to contact Telstra and offer assistance to affected South Australian workers?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:28):** As I made very clear in my answer, this is an issue which I have been taking the lead on. This is an issue where the Treasurer and I have already had a meeting.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** I do know that Telstra has spoken to some of our other ministers in the government, but we will be having a coordinated approach to managing this. I have already outlined to the house exactly what we are doing. We have sought information within hours of the announcement being made, not only with regard to the workforce here in South Australia but

also on some of the capital projects that Telstra had committed to in South Australia, especially around dealing with issues like mobile phone towers in regional South Australia. As you would be aware, sir—

*Mr Brown interjecting:*

**The Hon. S.S. MARSHALL:** It seems amazing, sir—

**The SPEAKER:** The member for Playford is warned.

**The Hon. S.S. MARSHALL:** —that those opposite aren't interested in people living in regional South Australia. We've got a big state—

**Mr Koutsantonis:** People are losing their jobs and you are waffling. You are waffling!

**The Hon. S.S. MARSHALL:** No, I'm sorry—

**The SPEAKER:** The member for West Torrens is now on two warnings. I ask the member for West Torrens to cease interjecting.

*Members interjecting:*

**The SPEAKER:** The Premier will be heard in silence, members on my right.

**The Hon. S.S. MARSHALL:** I think we have now just seen a very clear indication of just how narrow the focus of this opposition is in South Australia.

*The Hon. T.J. Whetstone interjecting:*

**The Hon. S.S. MARSHALL:** At every opportunity they want to go—

**The SPEAKER:** The Minister for Primary Industries is called to order.

**The Hon. S.S. MARSHALL:** —for the cheap, political—

*The Hon. T.J. Whetstone interjecting:*

**The SPEAKER:** The Minister for Primary Industries is warned.

**The Hon. S.S. MARSHALL:** The reality is that we are very concerned about the job losses that Telstra announced, and that's why we spoke to them straightaway. We are awaiting information on how this will be rolled out in South Australia. I took the opportunity to also speak to them about their commitment to increased mobile phone towers across South Australia because this could have been an issue that they considered within their restructuring.

I am very happy to report to the house—I certainly know that people on this side of the house will be concerned, and I'm sure there are some people (maybe not on the front bench but I'm sure there are some) on the other side of the parliament who are interested to know—that Telstra will meet all its obligations that it previously agreed to regarding telephone towers in regional South Australia. Mobile phone blackspots across regional South Australia are holding our state back. It's a safety issue, it's a productivity issue, it's a jobs issue here in South Australia.

When those opposite were in government for 16 years, what did they do to support the rollout of mobile phone towers and coverage across regional South Australia? This would be the subject of another answer which I might provide to the house tomorrow.

**Mr KOUTSANTONIS:** Point of order.

**The SPEAKER:** Point of order. The Premier will be seated.

**Mr KOUTSANTONIS:** This is not relevant to the question that was asked.

**The SPEAKER:** The question was about whether the minister has instructed members of his department in regard to the Telstra dilemma, and the question is about debate. Yes, I do ask the Premier to please return to the substance of the question.

**The Hon. S.S. MARSHALL:** Well, the substance of the question is the conversation that the government today had with Telstra executives, and those opposite are quite rightly concerned about potential job losses, as we are on this side of the house. That's why—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —we have had conversations and meetings between the Treasurer and myself to understand what the full implications are for South Australia. When we have more to report on this issue, those opposite can be assured that we will come back to this parliament and provide an update.

But there are other things other than job losses which we were very concerned about. Those opposite don't seem too concerned about it; maybe it's a lower level issue for them, but I know that this is of real concern for people in this house and people right across regional South Australia. Telstra had committed to a series of upgrades across regional South Australia, and I think it's the right thing to do: to ask questions about whether those projects previously committed to were in any danger of being cut. I am very happy to report to this house that they won't be cut, and in fact there are opportunities for us now to further negotiate with Telstra to make sure that we have the requisite coverage right across regional South Australia.

### TELSTRA JOB LOSSES

**Mr KOUTSANTONIS (West Torrens) (14:33):** My question is to the Minister for Industry and Skills. Can the minister inform the house what career transition services his agency is developing for South Australian Telstra employees who will lose their jobs?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:33):** This is an important—

**Mr Koutsantonis:** Let them eat cake.

**The SPEAKER:** Did the member for West Torrens say, 'Let them eat cake'?

**Mr Koutsantonis:** Yes, sir.

**The SPEAKER:** I ask you to depart under 137A for half an hour.

*The honourable member for West Torrens having withdrawn from the chamber:*

**The Hon. S.S. MARSHALL:** Sir, it's a pity the member has departed the house because I think it was an important question he asked about transitional arrangements. I have already updated the house. Maybe the member for West Torrens couldn't hear because sometimes he gets a bit excited.

**The SPEAKER:** Please do not respond to interjections, Premier.

**The Hon. S.S. MARSHALL:** He's thinking about his next interjection. But I'm not going to reflect on any interjections, sir: I am just going to talk to you about transitional arrangements. As I have stated already to the house, there are full entitlements that will be paid out to any employees who are affected by this arrangement. They are yet to be identified, but we do know that they are going to be in management and senior management positions.

As I pointed out, the company, Telstra, over and above the \$600 million worth of entitlements they have already identified and provided for, will provide a further \$50 million going into a transitional fund to help people who are leaving Telstra and also to help people who are identified that they are no longer required but could apply for new jobs within Telstra going forward. So we are yet to see the full detail of exactly what will be in that transition fund but I think it is important that we understand the details of that transition fund as soon as possible because 8,000 jobs across Australia is a very large number.

We know that in South Australia we have approximately 3,000 Telstra employees, both full-time and part-time, so there are a large number of people who could be affected. But as I have previously outlined to the house, the vast majority of the people who are employed in South Australia are not in senior management roles or back office roles, they are more front line, and so we are—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —hoping—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —that any job losses in South Australia will be kept to an absolute minimum and that the transitional arrangements which Telstra have put into place will be sufficient—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** —but if there is a requirement for the government to get involved, then we certainly will. These job losses that have been highlighted—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —will be rolled out over the next three years. They haven't occurred yet and we look forward to getting further updates from Telstra, and when we do, we will come back to this house.

#### *Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** Before I call the member for Finniss, I welcome to parliament today an exceptional question time performer, the Hon. Iain Evans, former minister in the Kerin and Olsen governments. Welcome.

#### *Question Time*

#### **BATTERY VALUE CHAIN**

**Mr BASHAM (Finniss) (14:36):** My question is to the Minister for Energy and Mining. Does the government's energy policy provide any opportunities in the battery value chain?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:36):** Thank you very much to the member for Finniss for this question. Yes, it does, member for Finniss. It provides some fantastic opportunities, and for those who have been listening to the Premier consistently talk about new job opportunities, consistently talk about moving into the future, consistently talking about creating a better future for all South Australians, the battery value chain is very much part of that.

We all know that on this side of the house we are going to harness our renewable energy with storage—large and small-scale storage—but we are not satisfied to stop there. We will deliver more affordable, more reliable, environmentally responsible electricity, but we want to create other economic benefits for South Australia as well. The value chain for batteries essentially incorporates exploration and mining, processing of minerals, processing key components, cell manufacturing, assembly, sales and service, and recycling.

We want South Australians to have the opportunity to participate in every one of those along the way. We will look into this issue very thoroughly to make sure that no opportunities are missed. We are already very much involved in the mining side of these products with regard to graphite, cobalt, nickel, iron and copper, but we are not going to stop there. We are going to try to harness not only the extra batteries which we will have installed in South Australia but also some broader international trends. Internationally, the electronic vehicle market is expected to grow very steadily—9.2 per cent by 2025—so huge demand for batteries there. The international battery market has entered a period of enormous growth with 10 to 25 per cent compounding year on year forecast through the 2020s.

We want to make sure that we get onto this wave and find every opportunity possible. It is a hallmark of the Marshall Liberal government to be looking for these opportunities, not just throwing

out media releases, not just throwing out policies and maybe implementing them or maybe not, not just looking after sectors of the community. We are looking to look after every part of the community by delivering cheaper batteries, cheaper electricity and more jobs.

We have the raw materials. We want to look at the extra processing, we want to look at assembly, potentially manufacturing as well, and we are looking at all parts of the state to do this. This is work that is done in other nations already. We want to make sure that South Australia gets the opportunity to do it here. Why should we miss out in South Australia on the opportunities that work all the way through this value chain? Batteries to harness renewable energy and to deliver other services, like transport in renewable ways for electronic vehicles and others, are going to be part of the future.

We need to get onto that future and get all the opportunities we possibly can. We want to deliver these green outcomes, we want to deliver cheaper electricity for the people of South Australia and we are determined to find every way possible to do it. Mr Speaker, you know that I generally like to choose my own words when I speak in this place—

*An honourable member interjecting:*

**The Hon. D.C. VAN HOLST PELLEKAAN:** I do, but on this occasion, Leader of the Opposition, I would like to share a quote with the chamber that was passed to me. I can't help myself, because it so aptly describes where we are at the moment: 'We're starting to see rays of sunshine in the dark skies left by [the failed energy policy of the former] Labor [government].' I thought that was a fantastic quote. It describes exactly what is happening—brighter skies. It is a fantastic quote and that is where we are going.

*Members interjecting:*

**The SPEAKER:** Leader of the Opposition, who will be heard in silence.

#### **TELSTRA JOB LOSSES**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:40):** Wise words from someone we don't know about.

**The SPEAKER:** Leader of the Opposition, the question please.

**Mr MALINAUSKAS:** My question is to the—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr MALINAUSKAS:** My question is to the Minister for Industry and Skills. In the face of these significant Telstra job losses in South Australia, will the minister reverse his cuts to Northern Futures Inc?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:41):** As I have indicated to the house, we will be doing everything we can to support job growth in South Australia. We are waiting at the moment to find out precisely if and what cuts there may be for Telstra employees in South Australia. We would like to know, if there are going to be cuts, where they are going to be located and what is the best way we can help them.

We are not waiting to do anything. What we are doing is working. We are not waiting; we are working. We are working every single second of every day we are given in this office to grow the size of our economy and create jobs and broaden our economy here in South Australia. Lowering payroll tax is just one of the things we are doing here in South Australia, and building long-range productive infrastructure is another one of our major areas of focus.

What we need to do is make sure that we are creating new jobs through the building of infrastructure, and I would like to commend the Minister for Planning, Transport and Infrastructure for the work he is doing at the moment. Let me tell you, he has a huge amount of work to do to actually bring the business case proposals—



**Dr CLOSE:** Point of order: 98, relevance. He was clearly asked a question about the program called Northern Futures.

**The SPEAKER:** Do you mean debate, 98?

**The Hon. J.A.W. GARDNER:** Point of order, sir.

**The SPEAKER:** A point of order on the point of order.

**The Hon. J.A.W. GARDNER:** The question was clearly in light of Telstra job losses—

*Members interjecting:*

**The SPEAKER:** Order! There is a—

*Members interjecting:*

**The SPEAKER:** Order, members on my left! Members are able to make points of order on points of order. Let's hear it.

**The Hon. J.A.W. GARDNER:** The member asked a question, in light of Telstra job losses, about whether the government would be taking an action. The Premier is clearly identifying other actions.

**The SPEAKER:** I will listen carefully. I have noted—

*Members interjecting:*

**The SPEAKER:** Order, members on my left! I have been writing down that during the Premier's answer he has been interjected on, and those interjections have been responded to, by the member for Reynell, the member for Lee and the deputy leader. So it is a bit rich for me to rule that the Premier is deliberately straying when there is a constant barrage of interjections. Premier, I do ask you to please stay on the substance of the question. I will be listening very carefully.

**The Hon. S.S. MARSHALL:** Thank you, sir. I'm so pleased that you are listening carefully. Not everybody in this chamber is listening carefully. The question is about a bright future for those people living and working in the northern part of metropolitan Adelaide, and what an incredibly important part of our state that is.

As you would be aware, sir, this area is doing it tough at the moment, there is no doubt about it. The failed policies that were put in place by the previous government have exacerbated the employment situation in the north, and that is why we are working very hard. One of the programs we are very keen to see occur there as quickly as possible is the completion of the Gawler line electrification. This was a—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** It is incredible to me, sir, that those opposite—

**The SPEAKER:** Please don't respond to interjections, Premier. Stick to the substance of the question.

**The Hon. S.S. MARSHALL:** No, I am just speaking to you casually, sir. It is incredible to me that not everybody in this chamber is interested in the Gawler line electrification.

*Members interjecting:*

**The SPEAKER:** Order! The Premier is answering the question.

**The Hon. S.S. MARSHALL:** To me, the Gawler line electrification, often promised by a former government that we won't refer to at the moment—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —would be a real fillip for the people living in the north of metropolitan Adelaide. I would have thought that members opposite would have been, I don't know, cheering, getting out their pompoms saying, 'Go for it. Let us know what we can do to support you in government to deliver this project. Yes, we didn't deliver it. Yes, we didn't get there, but we're glad that you guys are.'

**The SPEAKER:** The Premier has finished. Leader.

**Mr MALINAUSKAS:** Point of order regarding relevance.

**The SPEAKER:** The Premier has finished.

**Mr MALINAUSKAS:** The question was very specific—

**The SPEAKER:** The Premier has finished. Is there another question?

#### TELSTRA JOB LOSSES

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:45):** My question is to the Minister for Industry and Skills, if he exists. In the face of the Telstra job losses in South Australia—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** Point of order.

**The SPEAKER:** I don't understand how there can be a point of order when I haven't heard the entirety of the question.

**The Hon. J.A.W. GARDNER:** The member has a requirement to refer to members by their title. By saying 'if he exists', he is undermining his own role in question time and not referring to members by their title.

**The SPEAKER:** I will listen to the question. The leader.

**Mr MALINAUSKAS:** My question is to the Minister for Industry and Skills. Will the minister reverse his cuts to Career Partners Plus and WISE Employment in light of the impending job losses?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:45):** As you would be—

*Members interjecting:*

**The SPEAKER:** Allow the Premier to be heard in silence. Premier.

**The Hon. S.S. MARSHALL:** As you would be aware, sir, we have delayed the budget for the 2018-19 year to September. We are doing a lot of work. We are doing a huge amount of work at the moment to review programs that were offered by the previous government to make sure that we get value for money for the taxpayers in South Australia. This is the prudent thing to do. The delay of the budget has become mainstream, if you like, in recent years in South Australia after an election. As you would be aware, sir, budgets are handed down, usually in June prior to the beginning of a financial year, but after an election it has become the norm to delay the first budget after the election until September. At the moment, can I just say we are doing the work required—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —to bring down the very best budget that we can. There were plenty of cuts that were envisaged by the former government that we are now having to deal with, and can I just say this is tough going. There were plenty of programs which came to an end on 30 June which now won't be continuing, not through any fault of the new government but because of the discontinuation of funding which either occurred in the previous government in a previous budget—

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The Premier is attempting to answer the question.

**The Hon. S.S. MARSHALL:** I think there are plenty of examples.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** There are plenty of examples where the former government provided funding to a program, but it came to an end on 30 June this year.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** It is interesting that they are here bleating at the moment but they actually put out a campaign-costing document. They didn't have any continuation of these programs.

**An honourable member:** Three months ago.

**The Hon. S.S. MARSHALL:** Three months ago there was no mention that they were going to—

*Members interjecting:*

**The SPEAKER:** The Premier will be heard in silence.

**The Hon. S.S. MARSHALL:** I put this to you, sir: don't you think that if you had every intention of refunding something you might have put it in your campaign-costing document; you might have actually included it in your forward estimates? The only indication of what they were going to be funding of course came down in the Mid-Year Budget Review, and let me tell you what that contained: a massive efficiency dividend which is going to be inflicted upon every single government department. That is the efficiency dividend that was contained—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —in the Mid-Year Budget Review.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** When was that handed down? Was that handed down on a day where the entire press pack was there asking questions? No, they waited until most of the press pack had actually gone on their Christmas leave so that they could just sneak it out there—these vicious cuts that they were inflicting upon the people of South Australia. We don't apologise for taking our time to come up with the very best budget that we can, but let me tell you it has been a difficult situation. It's been a difficult task for us, but all will be revealed and there is not long to wait.

#### HERITAGE PROTECTION POLICY

**Mr ELLIS (Narungga) (14:48):** My question is to the Minister for Environment and Water. Will the minister outline to the house the government's commitment to improving built and natural heritage across the state, including in our regions?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:49):** I thank the member for Narungga for his question. Heritage is such an important part of South Australia's fabric. It helps shape the identity and the character of our state. In the lead-up to the election, the Liberal Party, when in opposition, outlined a really comprehensive heritage protection policy, probably the most comprehensive heritage protection policy that had been outlined in this state for several decades, putting heritage as a core role of my department and also having involvement of the transport and planning minister's department as well.

We know that heritage is such a significant drawcard for particularly tourism in the state. The incredible value that heritage can contribute to our visitor economy should not be underestimated. One of the great things about heritage in our state is that so much of it is found in regional South Australia. Often, those heritage assets in our regions draw people into the regions to stay that extra night while visiting them. We know that when it comes to the visitor economy, that extra night can contribute so much more in terms of the spending of those visitors.

Our heritage policy has a number of platforms within it. Central to that is a reinvigorated and renewed relationship with the National Trust of South Australia. That relationship, which I think had fallen into a state of very significant disrepair under the previous government, is integral to the delivery of heritage protection in the state. We know a not-for-profit organisation like the National Trust when involved in heritage protection can do so much to attract finance, support and human resources to look after heritage assets in this state. It has been very important for the new government to forge a very strong working relationship with the National Trust of South Australia, and we will be looking at ways to formalise that in the coming months.

Central to that is continuing with a body of work that was begun under the previous government, which is the transfer of the titles of many of the assets which the National Trust currently look after. Across particularly regional South Australia, we have sub-branches of the National Trust, and those branches are very keen to take full control in the form of the titles of buildings that they have been investing in and looking after for a long time.

The government is very keen to continue this partnership, so we will be looking across South Australia for where those buildings can be transferred to the National Trust and where they can be invested in, given that the National Trust has invested many millions of dollars across that portfolio of buildings they look after over an extended period of time.

The government is also going to provide a grant of \$500,000 towards restoration works at Ayers House, a real anchor heritage site on North Terrace, which has a huge amount of potential, particularly with the reinvigoration of the old Royal Adelaide Hospital site just across the road. We see real value in preserving that building and activating it in any way we can. We are also going to develop a heritage tourism strategy very closely linked with the nature-based tourism strategy, which is currently underway.

I mentioned earlier that there is such an important focus on getting people into our regions to spend that extra night. We know that heritage is a lever to enable them to do that. We have phenomenal heritage assets all across regional South Australia, such as the heritage-listed town of Burra in the state's Mid North. But there are many other less well-known sites, and that is why we need a robust heritage tourism strategy, to encourage tourists to visit heritage assets, not just in Adelaide but in our regions as well.

We want to reinstate the heritage grants cut under the previous government. Over the next two years we will be having \$500,000 for heritage grants to encourage not-for-profits and private property owners to invest in the upgrades and rejuvenation of the heritage assets that they have stewardship of. We see this as incredibly important not only to preserve these assets but also to develop a skills-based industry around the trades that are needed to look after heritage assets. Heritage means a lot to this government. We think it is a significant economic lever and, of course, contributes so much to the fabric and identity of South Australia.

#### **CAREER EMPLOYMENT SERVICES FUNDING**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:53):** My question is to the Minister for Industry and Skills. Did the minister visit Northern Futures or Career Partners Plus or WISE Employment before making a decision to cut their funding?

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The Minister for Industry—and he will be heard in silence.

**The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (14:54):** Thank you, sir. I think it's important to understand that the excitement we are hearing from those opposite is all in vain. The facts are that there is plenty of funding for career employment services like Northern

Futures. Go back to the federal budget. There is \$300 million in the federal budget, a massive increase in employment services in the federal budget. So we have a situation here, but this is, of course—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. D.G. PISONI:** —how the Labor Party in government ran their government. They cherrypicked where they wanted to assist with money so they could be in the photograph. It was all about promoting the Labor Party, an illusion of action because they weren't able to deliver the jobs and they weren't able to deliver training here in South Australia. We are focused on delivering job opportunities and making sure those South Australians are equipped to have those jobs.

*Ms Stinson interjecting:*

**The SPEAKER:** The member for Badcoe is called to order.

**The Hon. D.G. PISONI:** Let's look at some of the options that may be available for those Telstra workers. There is \$17.4 million over four years to establish Skills Checkpoint for Older Workers to support employees between the ages of 45 and 70 in the federal budget. Why would the state government fund programs that are funded by the federal government? But that is what Labor did.

**Mr PICTON:** Point of order.

**The SPEAKER:** Minister, please be seated for one moment. There is a point of order by the member for Kaurana.

**Mr PICTON:** Debate, Mr Speaker. There was a very specific question in regard to whether the minister has visited these places.

**The SPEAKER:** The question was about visiting certain companies and, allegedly, funding being cut. The minister is returning to the substance of the question. He is talking about funding avenues that are available to companies. I do not uphold that point of order, but I ask the minister—and I am sure he will—to keep to the substance of the question. Thank you.

**The Hon. D.G. PISONI:** Certainly, sir. Thank you very much. Of course, members would remember I was in the shadow portfolio in this area for many years when I was in the opposition.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! You have asked a question. Let the minister answer it.

**The Hon. D.G. PISONI:** I think I held the portfolio for close to seven years in opposition, and I met with training providers and employment career advisers on a regular basis, as well as industry. But what I have been focusing on—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** I have been focusing on meeting with employers in South Australia. They are those people who have put their hands in their pockets to employ South Australians. They are the people we are focusing on because we know that it is their direct input that is going to make a substantial benefit for job creation and careers here in South Australia. We saw what happened with apprenticeships and traineeships under that government: a 60 per cent decrease in commencements in South Australia over the last five years.

The Deputy Leader of the Opposition presided over a fall of 60 per cent, from 2012 to 2017, in commencements of apprentices and trainees, and then they have the nerve to suggest that we are making cuts. They are the ones who are making cuts to the opportunities to people here in South Australia. There is \$189.7 million in the federal budget over five years to support mature-age Australians to adapt to the transitioning economy, to develop the skills they need to remain in work.

So here you can see, Mr Speaker, that the state government has a role: we are providing the skills and the jobs for South Australians to participate in this enormous opportunity for South Australia in the defence industry. I had a visit from the welding organisation in South Australia just a week or so ago, and we are 1,200 welders short for our defence commitments here in South Australia all because of the work of these people across the chamber.

### **CAREER EMPLOYMENT SERVICES FUNDING**

**Ms BETTISON (Ramsay) (14:58):** My question is to the Minister for Industry and Skills. Does the minister stand by his statement this morning that he will cut \$1.9 million from career services providers?

**The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (14:58):** The government is delivering nearly \$200 million—\$50 million a year—into skills training here in South Australia, something that was completely neglected. This morning, the member for Ramsay gave a speech about how they had been supporting women apprentices. How? There was a 60 per cent drop in commencements. They are in fantasy land.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** What happens under the socialist system is that they like to control—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —people. They like to control people. Do you know how you control people? You hand out money, just enough to get them to their next meal, and then they need you again. We are about empowering people to live their own lives. That's why we are investing \$50 million a year—\$200 million over the next four years—to train South Australians to take full advantage of the gift that was given to this state by the federal government.

### **REGIONAL GROWTH FUND**

**Mr PEDERICK (Hammond) (15:00):** My question is to the Minister for Primary Industries and Regional Development. You are very popular. How will the Regional Growth Fund assist to grow the regional economy and create jobs?

*Members interjecting:*

**The SPEAKER:** Members on my left will not make audible exclamations about the minister or anything else.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:00):** It's a pity the opposition don't think more about the regions than they do about the member for Lee. I thank the member for Hammond.

*Members interjecting:*

**The SPEAKER:** Members on my left!

**The Hon. T.J. WHETSTONE:** He's a champion for the regions.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** He's one of the champions for regions here in South Australia. One of the key election commitments that this government made was that we were going to underpin regional development. We were going to give long-term certainty to the regions here in South Australia. Under a Marshall Liberal government, we are going to shine the spotlight on regional South Australia.

For many, many years—16 to be precise—the regions have been forgotten, but under a Marshall Liberal government we have made a long-term 10-year commitment of \$150 million that we would put in place as the Regional Growth Fund here in South Australia. The fund will support projects that unlock the economic activity in our regions and create jobs, building and strengthening regional communities. For far too long, a previous government was just handing out little pockets of cash. The member for Lee wouldn't understand what it's like for the regions to miss out when it comes to infrastructure and when it comes to growth. The regions do matter. The regions here in South Australia are critically important to our economic—

*Mr Bignell interjecting:*

**The SPEAKER:** The member for Mawson is warned.

**The Hon. T.J. WHETSTONE:** —prosperity.

**The Hon. S.K. Knoll:** And that was just your expenses bill.

**The SPEAKER:** The Minister for Transport is also warned.

**The Hon. T.J. WHETSTONE:** What I can tell you is that the Regional Growth Fund guidelines are part of our 100-day commitment, our 100-day election pledge to South Australians. The regions have long wanted a government that would actually put a spotlight on and support regional South Australia to grow jobs and build our economy, remembering that 28 per cent of South Australia's population generates over 50 per cent of South Australia's merchandise exports. It's a critical platform to growing our exports, growing our economy and driving those jobs.

Essentially, this Regional Growth Fund will provide funding that will be of benefit to regional centres and industry to build the commodity sector. It won't be there to pick winners and it won't be there to pick individual businesses over other businesses. It won't give one benefit of a business next door to another business. What it will do is develop and create opportunities for sectors—regional sectors, industry sectors and community sectors—that have long been forgotten by a previous government.

What is really important is that, through that consultation period, that 100-day commitment will be met in the coming days. This government will make an announcement on how that Regional Growth Fund will be rolled out and how South Australian regions will benefit from that \$15 million per year. It's also critically important to note that the RDA (Regional Development Australia) groups will be consulted, as will local government organisations and industry. We will consult far and wide to make sure that regional South Australia is given a fair share of taxpayer funds. It's also critically important to understand that the commitments for that Regional Growth Fund will be based on the following principles:

- support for a new economic activity that would not otherwise occur;
- the activity can be sustained without further intervention by government after the funding has been provided;
- the activity creates benefit for multiple entities, including entities not directly associated with the application;
- the activity contributes to the scale of an industry or sector; and
- the application has a connection to and has vested an interest in a specific regional community. This is a regional growth fund that has long been wanted. It's about supporting the regional sector. It's not about supporting individuals, it's not about putting one business over another business or one town over another town: it's about supporting regional South Australia because hashtag #regions matter.

#### **WORKER TRANSITIONING**

**Ms BETTISON (Ramsay) (15:04):** My question is to the Minister for Industry and Skills. Can the minister confirm that transitioning workers from other industries, such as the automotive sector, is one of six skills and employment focus areas in the development of South Australia's defence industry workforce? I seek leave to make an explanation.

Leave granted.

**Ms BETTISON:** An internal government document, titled SA Defence Industry Workforce Development, dated 9 May, states that transitioning workers from other industries, such as the automotive work sector, will be one of six skills and employment focus areas in the development of South Australia's defence industry workforce.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:05):** As you would be aware, as the Minister for Defence and Space Industries we are doing a huge amount of work at the moment to make sure that we have the requisite workforce in place to deliver on some of the most incredible contracts this state has ever seen. The reality is that we need to make a plan to determine what the total workforce requirement is going to be, the specific skills that are going to be required, and exactly and precisely when they are going to be needed.

One of the issues we have canvassed in question time over the course of this year is the issue around technical skills, in particular apprentices and trainees, because we have seen a major freefall in terms of the number of commencements in apprenticeships and traineeships in South Australia. This actually provides a very large problem for us, going forward. That's why in opposition we spoke extensively about the need for the development of a naval shipbuilding skills task force. This was rejected by the previous government.

That's why, in coming to government, we have done what we can to create a workforce plan. This is not something that the South Australian government can do in isolation. This is something we are working with the federal government on, to look at what the requirements are going to be. We are very concerned that if we don't get this right the implications for South Australia can actually be quite dire. I just present this to you as an example of our level of concern.

If we don't get the skills in the right quantities and the right skill levels in place to deliver on these major shipbuilding contracts that are coming to South Australia, there are two potential consequences. Firstly, we won't realise the full potential of the contracts which are coming to us from the commonwealth. This would be shameful. We need to get every single dollar we can into South Australia and keep it in South Australia, and this is why it's a critical issue.

The second consequence of not getting it right is that quite possibly the naval shipbuilding construction program will suck up the available technical skills that exist in South Australia and utilise them in that sector. This could have the perverse effect of actually removing these critical skills from other important sectors in our economy—agriculture, construction, mining and advanced manufacturing. These are our real concerns, and that is why we are doing everything we can to come up with a comprehensive plan. That is why we are considering what people from what sectors, which may be experiencing downturns or a changing arrangement in terms of their workforce, can be retrained to be useful and productive in defence jobs, going forward.

We are on the cusp of a major jobs boom in terms of defence jobs in South Australia. It has been a long time coming, and that is the consequence of the Rudd-Gillard-Rudd lack of decision in terms of shipbuilding. Since the Coalition came to power, we have seen the commissioning—

*Dr Close interjecting:*

**The Hon. S.S. MARSHALL:** Sorry?

**The SPEAKER:** Order! Please do not respond to interjections, sir.

**The Hon. S.S. MARSHALL:** It's almost impossible to believe that the member for Port Adelaide or any members would be having a go at the Coalition's performance in this area. Since the Coalition came to power—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Can I make the point that since the Coalition came to power they have commissioned 54 vessels for the Royal Australian Navy. Let me tell you how many were commissioned—

*Members interjecting:*



**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —under the former Labor government: zero, not one. Where were those opposite?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** They were as silent as church mice, absolutely hopeless, not standing up for South Australians.

#### *Grievance Debate*

### **INTERNATIONAL MEN'S HEALTH WEEK**

**The Hon. A. PICCOLO (Light) (15:09):** Today, I would like to talk about International Men's Health Week, which was actually celebrated last week. International Men's Health Week gives us an opportunity as a community to focus on the health and wellbeing of men and boys in our community.

The latest ABS data available for 2016 shows that, tragically, in that year 2,866 people died from intentional self-harm, which is obviously suicide, and that 75 per cent of those people were men and boys. It is not only the people who actually take their own life who are affected but also their family and friends. While we as governments are putting more money into that sort of work, I think more needs to be done because the figure is not slowing down.

What is really concerning is that for older men, the rate of suicide is actually increasing, particularly for men 85 years and above. When you look at people of Aboriginal and Torres Strait Islander descent, once again they are disproportionately represented in these figures regarding suicide. Commenting on these trends in 2016, the National Mental Health Commissioner, psychiatrist Professor Ian Hickie AM suggested that many Australian men now entering middle age have not addressed mental health concerns that manifested in their adolescence in the 1990s. You may recall that earlier figures indicated the higher suicide rate amongst younger people. Clearly, as those people get older, that problem of suicide is actually moving with that cohort of men in our community. Professor Hickie said:

Youth suicide hit its peak in the 1990s and men suffering from unaddressed depression and mental health problems then are having that exacerbated by problems they face as they enter middle age, leading some to suicide.

Professor Hickie also emphasised that many of the men have been employed in manufacturing, construction, farming and mining, areas which have declined over the past years and have experienced high levels of redundancies and uncertainty. He goes on to say:

Those with better employment prospects in these fields a decade ago are now experiencing a downturn, they often have families to support and mortgages to pay and they are then losing their jobs and losing their connection to friends and financial security.

Most importantly, they become disconnected from community. Professor Hickie also said:

Sometimes their families fall apart as a result and they find themselves going through a divorce and personal upheaval too.

Professor Hickie goes on to express concern that there were no strong mental health campaigns and services targeting middle-aged men, typically those employed in manual occupations. While technologically savvy people employed in secure and growing industries are more likely to reach out for help when they are depressed, Professor Hickie is reported as saying that men in more hands-on fields often felt they had nowhere to turn.

That leads me to two events I attended last week to mark International Men's Health Week in my community; one was held in Munno Para at the Playford Uniting Church. That event was sponsored by the Northern Men's Wellbeing Network. The Northern Men's Wellbeing Network is a group of men and women who are at the coalface delivering services to men and boys in the community.

They work with the most vulnerable men and boys in our community. Their role is to improve the wellbeing of men in the community and have not only better outcomes for those individuals

involved but also better outcomes for their families and their communities, because mentally and physically healthy men means we have healthy families and communities. The network event, which, as I said, was held at the Playford Uniting Church, was well attended and had a number of men who talked about their life experiences and also raised issues about delivering services for men.

The other event I attended was arranged by the Willo's Men's Shed in Gawler, which hosted a breakfast in the shed where they talked about issues confronting men. Also, at this time, I would like to acknowledge the work undertaken by Professor Gary Wittert at the Freemasons Foundation Centre for Men's Health for doing some cutting-edge and internationally acclaimed research to improve the quality of life for men in our community.

### CHRONIC FATIGUE SYNDROME

**Mr DULUK (Waite) (15:14):** I rise today to speak about the debilitating neuro-immune illness ME/CFS (myalgic encephalomyelitis), sometimes known as chronic fatigue syndrome, and to raise awareness of ME/CFS in this parliament. I welcome members of ME/CFS Australia (SA) who are in the gallery today. You are very welcome in this parliament. ME/CFS Awareness Week occurred between 11 and 17 May this year, and on 24 May I had the pleasure of joining volunteers at Mitcham shopping centre, who were collecting for their badge day appeal, together with year 9 students from Concordia College.

ME/CFS affects up to 240,000 Australians, with 11,000 South Australians living with ME/CFS. Symptoms related to this condition cause dysfunction to the brain, the gastrointestinal system, the immune system, and the endocrine and cardiac systems. The central feature of ME/CFS is that effort leads to a worsening of symptoms that leads to a reduction in functional ability. This effort might be physical, cognitive or emotional. Twenty-five per cent of those suffering chronic fatigue syndrome are house or bedbound.

The quality of life for people with severe ME/CFS has been compared with those suffering from cancer or the final stages of HIV/AIDS, with heart failure the most common cause of death for those living with ME/CFS. ME Australia reports that ME/CFS has about a negative \$4 billion effect on the Australian economy because so many of those suffering from this condition are unable to fully participate in the workforce and the broader community as well. That leads to a sense of isolation, which is one of the most devastating effects of this condition.

In my electorate of Waite, there is a family I have come to know who have a son suffering from this condition, and I thank the Resch family for allowing me share the story of Angus, who is 16 years old. Angus would be in year 11 this year; however, due to the severity of his chronic fatigue, Angus has been unable to continue his schooling. For any young person to not be able to continue schooling is such a big issue. Our society pretty much depends on people finishing school to participate in society fully as members of our community, and in the workforce going forward. To quote Angus's mum, Megan:

Angus was a good student who enjoyed learning, he found literacy particularly easy. These days he can barely write his name by hand, but luckily has great keyboard skills.

She continues:

We think it started when [Angus] was around 11 and, with hindsight, it explains the struggles he had all through year 7 and even late in yr 6 [at primary school]. It is likely Angus will not do High School at all. That's a big hole in his life.

I think that is something we should all be very mindful of. Angus's mum goes on to say:

The school had provided a fairly reasonable opportunity to access education, firstly with reduced lessons and then encouraging a term at Open Access College...

So in a nutshell, our biggest issue has been lack of understanding of ME, and specifically how impaired Angus is by it.

In the small opportunity I have today, having come across a wonderful group of volunteers a couple of weeks ago, I feel it incumbent on me to do my bit to raise awareness of this issue and then to see how the parliament and, more broadly, the new government can assist people.

The ME/CFS Australia (SA) organisation is run primarily by people with chronic fatigue, their parents, friends and spouses. This includes the management committee and other volunteers. Less than 15 per cent of people with ME/CFS are in the workforce, so most people are living on the poverty line. The organisation runs on the smell of an oily rag, but they need more help. They are looking at the moment for other support to raise awareness through web and DVD-based outreach to households, and the online and hard copy publication of materials for parents, schools and other service providers. This is an organisation most definitely in need of a bit of help from the community.

In the lead-up to the state election, the Liberal Party went with a Better Prevention for a Healthy South Australia policy as part of our strong plan. Prioritising the health and wellbeing of South Australians and investing in preventative health is a key way to make health funding more efficient. Every health dollar that is spent on promotion and prevention is a health dollar saved, in my view. I look forward to working with the government to use evidence-based strategies and monitoring research to ensure that people with ME/CFS and other medical conditions have improved and more effective services to address their needs. I thank the volunteers group for all they do to raise awareness on behalf of their small but very passionate and vocal community.

Time expired.

### ROAD UPGRADES

**Mr GEE (Taylor) (15:20):** I rise today to speak about another dangerous intersection in the Taylor electorate—a similar intersection to the Curtis Road-Heaslip Road intersection that I spoke about recently. This intersection is located on Womma Road where it intersects Stebonheath Road. This intersection marks the boundaries between Davoren Park, Edinburgh North, Eyre and Penfield. I have spent four years campaigning with our local community for a safer intersection, so I was pleased and encouraged that the upgrade of this intersection received broad cross-party support during the recent election campaign.

I will talk about all the Liberal Party election commitments made in my electorate at another time and people can make their own judgement about what candidates' pledges are worth, and of course it goes directly to the credibility of the candidate and their party. This intersection regularly sees crashes that cause injuries to members of our community. A crash last year nearly claimed the life of a child. One resident told *The Advertiser* following that crash, 'There are at least two crashes here per week.'

While data from Location SA shows that from 2011 to 2016 there were a total of 33 crashes at this intersection resulting in 24 casualties and one serious injury, these numbers do not include the unreported crashes. The frequency of crashes and the seriousness of injuries is increasing as the population rapidly expands. It is only a matter of time before we witness a fatality at this intersection, with the high likelihood that it will be a child given the large number of young families living in or moving into the area.

As I have just said, our local communities are seeing a rapid increase in population growth. We welcome the population growth, but one of the consequences of increased population is increased traffic. Surrounding infrastructure must be upgraded to cope with the extra vehicle and pedestrian traffic. The part of Womma Road from Main North Road until it hits the intersection with Stebonheath Road is a good, well-maintained road. However, the part between Stebonheath Road and the Northern Expressway needs work, and it really needs to be done now.

I conducted a postal survey several years back to which several hundred residents responded, with 95 per cent of people supporting a roundabout at this intersection and more than 50 per cent advising they had experienced either a collision or a near miss at this intersection. I have spoken with residents at shopping centres and street corner meetings, at sporting, social and business events in the area, and this intersection is raised consistently as a concern.

A new shopping centre recently opened on Stebonheath Road, bringing jobs and services to the area but also bringing more traffic. This intersection is a major topic of conversation when I am doorknocking in the adjacent areas of Andrews Farm, Davoren Park, Elizabeth North and Eyre. Residents thanked me for supporting improvements to road safety on voting day at the recent state

election, and these road safety concerns will no doubt be an issue for local people at the upcoming federal election.

In the past, I have written to ministers of the previous government and the City of Playford, and some progress has been achieved. Originally it was planned that the backers of the Eyre development adjacent to the intersection would fund the intersection upgrade once a trigger point for land sales was reached. We have now moved to the point where DPTI has prioritised the intersection for upgrade, and I was informed by the former minister for transport late last year that the plans had been developed for the intersection but I was unable to secure funding in the short time prior to the caretaker period.

I note that during the election campaign, the SA-Best candidate started a change.org petition, calling on the next government to fund a roundabout at this intersection as a matter of priority. The petition received 3,338 signatures and was also supported on social media by the Liberal candidate Sarika Sharma. I am requesting that the Marshall state government fund the installation of a roundabout and associated infrastructure such as lighting, drainage and footpaths at this intersection as a matter of priority.

Nearly half of all crashes at this intersection occur at night. Unfortunately, we cannot wait much longer. We need to act soon. The traffic on Womma Road is markedly increasing as vehicles, including many heavy vehicles, use Womma Road to avoid the congestion on Curtis Road. I spoke about this two weeks ago. While I am speaking about road safety I need to mention another dangerous intersection on Womma Road that is causing concern to my community, the intersection of Womma Road and Andrews Road. This is an intersection I will talk about at another time.

#### **KING ELECTORATE**

**Ms LUETHEN (King) (15:25):** I have been focused on discussing how I can best support the schools and the school communities in King. There is so much good news to share that I will continue to use this time in future to highlight our King schools' great outcomes.

A concern raised by independent schools has been fee remission, with more families struggling with the cost of living. Schools are now finding that they need more fundraising to support families struggling in these situations, to support individual students in their pursuits and to fund school-based trips. The Marshall Liberal government's focus on and delivery of more jobs and on lowering costs of living will help families who are feeling this pressure and enable them to continue to have the choice of where to send their children to school.

Across King, at public and private schools student wellbeing, mental health support and child protection issues have been raised with me. Salisbury East High School discussed with me their strong focus on wellbeing programs at their school. Examples of these include psychology programs for students, GP visits to see students, and counselling services available for students. They say these programs are working well. The school also has effective alternative learning programs, which include the SEAL program and a special support class.

I wish to commend Salisbury East High School star 10-pin bowler Josh Keen-Copland, who recently finished 19<sup>th</sup> overall while representing Team SA in an Australia-wide competition. Taking part in the State Shield in Frankston, our year 10 student did exceptionally well against the country's best bowlers. In addition, our highly talented year 9 specialist soccer boys from Salisbury East High School were successful in winning both divisions of the northern zone competition.

At the Golden Grove Primary School, which I visited with the federal education minister, we were told about the strong focus on improvements to literacy and numeracy, as well as a strong focus on stretch in learning across all ages and abilities. The school also believes in focusing on wellbeing for students and supporting students to make them aware and more resilient on issues including bullying, anxiety, mental health support and child protection.

The Golden Grove Primary School leadership and teaching team is very committed to effectively delivering the Keeping Safe: Child Protection Curriculum to help children and young people to, in an age-appropriate way, recognise abuse, tell a trusted adult, and learn strategies to keep themselves safe. The federal education minister and I were able to observe the delivery of a

topic from this curriculum to a class, and it was extremely interactive. Children were actively engaged in describing what it feels like to be safe and to be unsafe.

We were told that the children also have the opportunity to submit feedback to teachers in a more private way, such as submitting notes to teachers if they do not want to share their concerns or thoughts with the class. I thank Wendy Moore, principal of Golden Grove Primary School, for her years of ongoing dedication in leading the way on delivery of this important curriculum.

Student wellbeing has been a big growth area for Pedare Christian College recently, as well, around awareness and supporting peers. We were also fortunate to view a video walk-through at Pedare Christian College of the new premises, where they will have the junior campus co-located with the middle and senior campuses. This is delivery of their 'one college, one campus' vision.

The health and wellbeing of students is also really important to Tindale Christian School. The school has now hired two social workers and offers a separate counselling program. There are even two gorgeous dogs on the premises available for wellbeing uses for children. Last year, I attended the year 12 graduation ceremony for Tyndale. A special memory for me was hearing the students say that they are 'Tyndalians', a word which they fondly use and which reflects their pride in being part of this special community. I visited many schools, and I thank the Speaker, and will continue to share the good job that is happening in these communities.

#### **WORLD REFUGEE DAY**

**Ms HILDYARD (Reynell) (15:30):** I rise to speak about and mark the fact that today is World Refugee Day. The United Nations describes World Refugee Day as a day on which 'we commemorate the strength, courage and perseverance of millions of refugees'. That is exactly what I want to do today, together with others in this house. South Australia is deeply enriched by the diversity that many people who have sought asylum here and now call South Australia home bring to the fabric of every aspect of community life.

Every single minute, 20 people leave everything behind to escape war, persecution or terror. Refugees face circumstances that all of us in this chamber would struggle to imagine, circumstances that threaten every aspect of their life and wellbeing and that of their family. The depth of fear that many refugees experience in their home countries as a result of war and persecution can only be matched and fought through with the depth of their strength and courage to leave or far too often to flee. Their courage to leave their home, their community, many loved ones and everything they have ever known to find safety, to find opportunity and to find hope is truly remarkable.

While many of us may never fully understand exactly what refugees have been through, we can understand that they have experienced great loss and upheaval and need the support of our community so that they can start their new lives and thrive in a place they can now call home. We also know that we can show compassion and help in any way we can. We can deliberately take action to grow our understanding and to ensure that refugees in our community are welcomed and included.

I recently had the great pleasure of meeting with representatives from the Australian Refugee Association (ARA) to receive an update on their work with our refugee community. The work ARA do in our community is invaluable. They provide critical advice and advocacy to people newly arriving, as well as practical assistance and support. This support ranges from helping people with job applications, to visa assistance and settlement services. ARA also help people from a refugee background to raise awareness about domestic violence and to overcome relationship issues.

They have a fantastic long-term plan in which they hope to develop a culturally appropriate, early intervention program to work with men on addressing family violence issues, a youth-specific domestic violence program to enable young people experiencing violence to receive practical and emotional support and a refugee-specific women's group for those who have experienced domestic violence. They are building capacity and refugee communities to have community-led conversations about the need to work together to prevent domestic violence and to provide appropriate support to people experiencing it.

I am very pleased to know that ARA are addressing this issue as well as engaging in the many other activities they do. I look forward to continuing an ongoing relationship with ARA over

many years. It is so important that we welcome new members of our community and give them the opportunity to reach their full potential. How daunting it must be to leave so much and start from scratch. With our support and love, and the incredible support of organisations such as the Australian Refugee Association, Welcome to Australia, of which I am a very proud ambassador, and many others, refugees are able to live a good life here and are empowered to reach their potential.

On Monday, I was delighted to attend an event that spoke to what we can do here in South Australia as a community to build understanding about what refugees experience and to empower them to reach their potential. This event was the launch of SA Refugee Week and the Australian Migrant Resource Centre *2018 Youth Poster Exhibition*. Joining with hundreds of South Australians, mostly secondary students, to celebrate this week was an uplifting experience. I was enthralled by the way in which two secondary school young women spoke, one about her journey as a refugee to South Australia, a place she now calls home, and another who has not traversed that journey but who spoke passionately about the need for more compassion in our community.

I was also really happy to see the stunning posters created by young people that represented the need to create a place in which everyone belongs. This morning, our Labor leader attended the launch of World Refugee Day, and he tells me that it was an inspiring event, with so many across our refugee communities gathered to mark this very special day.

In closing, I say thank you to all the refugees who have settled in South Australia for your remarkable courage in the journey that has brought you to our state and the challenges you may continue to experience. I welcome you, honour you and appreciate all that you contribute in so many different ways to our state.

### **MORIALTA CITIZENSHIP AWARDS**

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:35):** It is my honour every year as the member of the Morialta to honour and recognise the significant work of so many young people in the Morialta electorate as a part of my Morialta Citizenship Awards. The citizenship awards are an offer I make every year to all schools in Morialta. The awards comprise a prize of \$100 per campus to a student identified by the school as demonstrating outstanding examples of citizenship and who is a role model for positive behaviours in the community and within the school, particularly for younger students. I give them a certificate at the end of the year. I mention their achievements in this speech every year so that their achievements can be recognised in the *Hansard* going forward.

The 2017 Morialta Citizenship Award winners we are honoured to talk about include, from Athelstone school, Jaxson Cools and Sofia Quaglia, two students who enjoy working as part of a team. They act as mentors for their younger peers in a year 6 and 7 class. From Basket Range Primary School, I honour Madeline Stephenson, who undertook to raise money to purchase robots for her class and did so by gaining sponsors for her participation in the City to Bay Fun Run, raising hundreds of dollars as part of her volunteer work for the school.

Birdwood High School nominated Eliza McCarthy, and we acknowledge her work. She is a student who has always participated in school and extra curricular activities and represents Birdwood High School in the community. Birdwood Primary School nominated Rebecca Holder, an outstanding student, a school leader and a leader in the school's peace team. She is a singer in the senior choir and a dancer, and she supports younger students in the school.

Charles Campbell College junior school nominated Luka Zollo, an exemplary student in all areas of social and academic learning. He is someone who not only seeks to better his own accomplishments but also supports others. Charles Campbell College middle school nominated Miel Ancheta, a student who excels in many areas academically and who takes time to help others in their learning. She is respectful, a support for new students and a volunteer buddy for other students and in extra curricular activities. The senior school at Charles Campbell College nominated Lachlan Wallace for the Morialta Citizenship Awards. He is an outstanding student who volunteers his time in the community and supports those around him.

Domino Servite College in Mount Torrens nominated Heidi Trinkle, a student who has provided service to the school community, support for other students and who has a positive attitude and is consistently respectful of all teachers and peers. Gumeracha Primary School nominated Liam

Edmunds, a conscientious student and a role model for others who displays good citizenship by assisting younger students and helping out with jobs around the school. Gumeracha Primary School also nominated Brayden Lee, a very confident and helpful member of the class who uses his skills in all areas of the curriculum. Brayden also participates in a range of community activities and the Christmas concert.

Highbury Primary School nominated Andrew Wong and Ashton Platt. Andrew Wong is a member of many of the school's committee groups and has collaborated with his peers. He is an ambassador for the school. Ashton Platt participates in many sporting activities and is a member of the senior band and school committees and volunteers his time to help others regularly. Lenswood Primary School nominated Hannah Coulter, whose achievements we acknowledge, including her leadership skills, organisation and planning and her ability to identify goals to support other students. She also conceptualised, negotiated, organised and delivered a dance club for younger students last year. She is a role model of excellence for students in the school.

From the Lobethal Lutheran School, we acknowledge Thomas Small, a responsible school citizen who respects the views of others and is inclusive of all classmates, regardless of differing views and opinions, in his role as a school leader. Lobethal Primary School nominated Shannon Haskett and Ashwyn North, students who have always helped younger students around the school. They are also involved in the Youth Environment Council. Ashwin helped organise an environmental project within the school grounds.

The Norwood Morialta High School nominee this year is Nahalina Yu, a very deserving winner in a long line of Morialta Citizenship Award winners from the school. The Norwood Morialta middle school winner of the award last year was Bisma Changez, a student significantly worthy for her support for others in the community. Paradise Primary School nominated Parniyan Mehranjani, a sports day captain, who helps organise and prepare school sports teams for events such as SAPSASA interschool sports. She has many achievements in the classroom and is a good role model for younger students. At Rostrevor College, the Speaker presented the award to Carter Smith, a worthy student and citizenship award winner.

Stradbroke School nominated Lauren Daly, Ebony Morton, Oliver Reilly and Charlie Haynes, all leaders in the school. They are on the senior executive team, are traffic monitors, canteen monitors and sports shed monitors. Thorndon Park Primary School nominated Thomas Tsouvalas, who has made a great contribution to the school as a whole. He is an ambassador, getting involved in special events at the school. He does his best to cooperate and collaborate with others and is a sports day leader.

Uraidla Primary School nominated Samuel Johansen, a student recognised for his contribution to the wider community through active involvement with the Uraidla Show. He spent days after school and around the show helping set up and helping other volunteers. All these young men and women in our schools in Morialta are deserving winners of the Morialta Citizenship Awards, and I am very pleased to give credit to them on this occasion.

#### *Bills*

### **INFRASTRUCTURE SA BILL**

#### *Introduction and First Reading*

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:40):** Obtained leave and introduced a bill for an act to promote the provision and management of infrastructure for the benefit of the South Australian community and economy, to establish Infrastructure SA and for other purposes. Read a first time.

#### *Second Reading*

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:41):** I move:

That this bill be now read a second time.

The Infrastructure SA Bill 2018 initiates a key economic reform, and its introduction fulfils another major commitment in the government's 100-day plan. The quality of a society's infrastructure is critical to its economic and social vitality. Sound investment in infrastructure can boost the productive

potential of the economy and the growth of exports. The key to achieving this is long-term infrastructure planning that is robust and transparent. Whether it is growing our economy, building our schools, hospitals and roads, protecting our environment or enhancing our cultural and sporting facilities, we must plan and provide for the longer term.

We have seen what happens when plans are short-sighted, ill-conceived, badly implemented and driven by short-term political motives rather than by what is in the best interests of all South Australian citizens and their future. South Australians have suffered because of this in recent years, with poor project selection and destructive politicking leading to delays in the delivery of key infrastructure that benefits our economy and society.

My government is acting to prevent this sort of destructive behaviour and to instead deliver positive outcomes for South Australians today and into the future. This bill will establish an independent body, to be called Infrastructure SA, that will develop a long-term state infrastructure strategy and ongoing infrastructure plans that prioritise major projects. It will ensure that infrastructure the state needs for continued long-term economic growth is clearly articulated and well justified.

A clear pipeline of well-justified major projects will provide more certainty to businesses and support their efficient delivery. A clear pipeline will also help the state to secure funding from the commonwealth for the projects that are most important for South Australia's development. The previous administration spent far too much time fighting straw men about infrastructure funding when they should have been doing the work to prepare and present the case for new projects and new funding. Infrastructure SA will undertake four key activities:

1. Developing a 20-year state infrastructure strategy for adoption by government using consistent and robust analysis from public sector agencies and from infrastructure providers. This plan will be renewed every five years and will set the long-term vision for South Australia's infrastructure.
2. Developing annual capital intention statements for adoption by government that will prioritise potential major projects for government decision-making over a five-year time horizon. This will be based on input from public sector agencies consistent with the state infrastructure strategy and sound business cases and will feed directly into the government's annual budget process.
3. Maintaining oversight of delivery and performance for all projects with a capital value of \$10 million and over, with a greater level of risk and performance reporting applied to major infrastructure projects valued at \$50 million and over, including an ex-post evaluation.
4. Providing policy advice relating to infrastructure planning, delivery and use. This will include advice on appropriate funding and financing models.

The establishment of Infrastructure SA is not meant to absolve ministers and their agencies of their obligations to plan, own, operate and deliver good infrastructure. Rather, it will provide an assurance role, ensuring that business cases for major infrastructure projects are sound and that they are considered in the context of an integrated long-term state infrastructure strategy. As part of its assurance role, Infrastructure SA will have the capacity to provide advice to government on unsolicited infrastructure proposals.

The bill reflects the fact that infrastructure provision is not the sole province of the state government. Significant railways, roads, ports, hospitals, schools and utilities are owned and operated by other tiers of government or the private sector. A 20-year state infrastructure strategy will need to reflect a whole of state perspective, rather than just that of the state government as an infrastructure provider. The bill therefore includes information-gathering powers modelled on the Essential Services Commission Act 2002. It is intended that these powers will be used sparingly by Infrastructure SA, if at all. Overwhelmingly, major infrastructure owners and users will want to support its work because it provides a clear road map for major projects over a 20-year horizon, producing better outcomes for all stakeholders.

Critical to the success of Infrastructure SA will be its ability to maintain its independence and ensure that we take the politics out of infrastructure planning and development. The bill proposes to appoint an independent Infrastructure SA board to oversee the development and implementation of



the state infrastructure strategy. The Infrastructure SA board will combine the expertise of the public and private sectors in developing our major infrastructure plans for the future. The board will be free to speak out when it disagrees with the infrastructure decisions made by the government.

The board will be led by a suitably eminent and experienced independent chair and three independent non-executive directors with industry experience and relevant qualifications. These members will be selected on the basis of experience, insight and good standing. The board will also include chief executives of core agencies—the Department of the Premier and Cabinet, the Department of Treasury and Finance and the current Department of Planning, Transport and Infrastructure—as *ex officio* members.

The weighting of private and public sector members is balanced to ensure that the objectivity and independence of the Infrastructure SA board is maintained, but that Infrastructure SA remains connected and relevant to government decisions. Infrastructure SA will be supported by a small team of permanent staff, supplemented with secondments and external support as required. I look forward to support in both places for an initiative that is critical to underpinning the state's future. I commend the bill to members and I seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

###### 3—Interpretation

This clause contains the definitions of words and phrases necessary for the interpretation of this measure. In particular, a *major infrastructure project* and *capital investment value* of a project are given defined meanings. A *major infrastructure project* is—

- a project to provide infrastructure that has a capital investment value of \$50 million or more or, if some other amount (whether greater or smaller) is prescribed by regulation for the purposes of this definition, that other amount; or
- a project, or a project of a class, to provide infrastructure that is determined by the Minister to be a project, or project of a class, requiring oversight or coordination by Infrastructure SA.

The *capital investment value* of a project includes all costs necessary to establish the project, including design, construction and land costs (but not including GST).

##### Part 2—Infrastructure SA

###### Division 1—Establishment

###### 4—Establishment of Infrastructure SA

This clause provides for the establishment of Infrastructure SA (*ISA*) as a body corporate.

###### 5—Objects and functions

This clause provides for the objects and functions of ISA. The objects of ISA are—

- to promote such efficient, effective and timely coordination, planning, prioritisation, delivery and operation of infrastructure as is necessary for the economic, social or environmental benefit of the State; and
- to promote the adoption and use of policies, practices, information and analysis to support sound decision-making in relation to infrastructure.

ISA is given the following functions to further its objects:

- (a) to provide the Minister with the strategies, statements and plans in accordance with Part 3 of this measure;
- (b) to review and evaluate proposals for major infrastructure projects by public sector agencies;

- (c) to assess the risks involved in planning, funding, delivering and managing infrastructure, and the management of those risks;
- (d) to monitor the delivery of—
  - major infrastructure projects and other infrastructure projects identified in strategies, statements or plans adopted by the Minister under Part 3 of this measure; and
  - any other infrastructure project at the request of the Minister;
- (e) to carry out reviews of—
  - completed major infrastructure projects; and
  - any other completed infrastructure project at the request of the Minister;
- (f) to provide advice to the Minister—
  - in respect of infrastructure submissions that may be made by the State and its agencies to the Commonwealth Government and other bodies; and
  - on appropriate funding and financing models for infrastructure; and
  - on economic or regulatory impediments to—(A)the efficient delivery of particular infrastructure projects or infrastructure projects of a particular class; or(B)the efficient use of infrastructure; and
  - on any other matter relating to infrastructure referred by the Minister;
- (g) to administer this measure;
- (h) to perform any other function conferred on ISA under this measure or an Act;
- (i) to do anything incidental to any of the preceding functions.

#### 6—Powers

This clause provides that ISA has all the powers of a natural person.

#### 7—Statement of Expectations

This clause provides that the Minister must, after consultation with ISA, prepare a statement setting out the Minister's expectations in relation to the operations and performance of ISA. Such a statement may be reviewed and amended at any time after consultation with ISA.

#### 8—Independence

This clause states that except as provided, ISA is not subject to Ministerial direction in the performance of its functions.

#### 9—Infrastructure SA may publish statements, reports and guidelines

This clause provides that ISA may publish statements, reports and guidelines relating to the performance of its functions.

#### Division 2—Board

##### 10—Board of Infrastructure SA

This clause provides for the establishment of a board of directors as the governing body of ISA.

The board will consist of 7 members, of whom 4 will be appointed by the Governor on the nomination of the Minister and the others who will be the Chief Executives ex officio—

- of the Department of the Premier and Cabinet;
- of the Department of Treasury and Finance;
- of the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the *Planning, Development and Infrastructure Act 2016*.

There is a requirement that the members of the board must, collectively, have the necessary qualifications, expertise and experience to carry out the functions of ISA.

##### 11—Conditions of membership

This clause provides that the appointed members will be appointed on conditions determined by the Governor for a term not exceeding 5 years specified in the instrument of appointment. The usual provisions relating to the removal of vacancy of membership apply.

## 12—Remuneration

This clause provides that an appointed member of the board will be entitled to remuneration, allowances and expenses determined by the Governor.

## 13—Meetings etc of board

This clause makes provision for the board's meetings, proceedings, quorum, etc, in the usual terms.

## 14—Validity of acts

This clause provides that an act or proceeding of the board is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

## Division 3—Related matters

## 15—Delegations

This clause sets out a power for ISA to delegate its functions or powers to a particular person or body, or to the person for the time being occupying a particular office or position, and makes provision for a delegation to be further delegated if the instrument of delegation so allows.

## 16—Staff

This clause facilitates arrangements for staffing of ISA by persons employed in the Public Service of the State and assigned to assist ISA and by persons appointed by ISA on terms and conditions determined by ISA.

## 17—Honesty and accountability

This clause provides that the appointed members of the board are to be senior officials for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

## 18—Accounts and audit

This clause sets out the requirement for ISA to maintain proper records of its accounts and provides for the auditing of ISA's accounts by the Auditor-General.

## 19—Annual report

This clause makes provision in relation to ISA's annual report.

## Part 3—Infrastructure planning

## Division 1—20-year State Infrastructure Strategy

## 20—Preparation

This clause provides that ISA must prepare a 20-year State Infrastructure Strategy and submit it to the Minister within such time as the Minister directs. The Strategy must be kept under review and revised at least once every 5 years.

## 21—20-year State Infrastructure Strategy

This clause provides that the 20-year State Infrastructure Strategy must—

- be consistent with Infrastructure SA's objects; and
- assess the State's existing infrastructure; and
- consider relevant current State Government strategies; and
- consider relevant information provided by the public, private and not-for-profit sectors; and
- consider trends in infrastructure provision; and
- assess the needs, strategic goals and priorities for infrastructure in the State for the next 20 years.

The Strategy may include—

- a statement of social, economic and environmental objectives with respect to infrastructure within the State; and
- an assessment of the options relating to planning, funding, delivering and managing infrastructure in the State to address the State's needs, strategic goals and priorities for infrastructure for the next 20 years; and
- the identification of action that would best address the State's needs, strategic goals and priorities for infrastructure for the next 20 years; and

- such recommendations as Infrastructure SA thinks fit.

#### 22—Adoption of 20-year State Infrastructure Strategy

This clause provides for the adoption of the 20-year State Infrastructure Strategy by the Minister, with or without amendments. The Minister may also refer the Strategy back to ISA for further consideration. If the Minister makes an amendment to the Strategy before adopting it, ISA may advise the Minister that it does not agree with the amendment and make that advice available to the public.

#### Division 2—Statement of Capital Intentions

##### 23—Preparation

ISA must prepare a Statement of Capital Intentions identifying the specific major infrastructure projects to be undertaken in the State as a priority within the next 5 years. The Statement must be prepared and submitted to the Minister within such time as the Minister directs and be kept under review and revised annually.

##### 24—Statement of Capital Intentions

This clause provides that a Statement of Capital Intentions may include the following in relation to the identified priority major infrastructure projects:

- the reasons for selecting the major infrastructure projects as priority projects;
- the estimated cost of the priority projects;
- the recommended funding and delivery arrangements for the priority projects;
- the estimated time-frame for the delivery of the priority projects.

In preparing the Statement, ISA must have regard to the following:

- the 20-year State Infrastructure Strategy adopted by the Minister;
- any proposal for a priority project provided to ISA by a public sector agency.

##### 25—Adoption of Statement of Capital Intentions

This clause provides for the adoption of the Statement of Capital Intentions by the Minister, with or without amendments. The Minister may also refer the Statement back to ISA for further consideration. If the Minister makes an amendment to the Statement before adopting it, ISA may advise the Minister that it does not agree with the amendment and make that advice available to the public.

#### Division 3—Preparation of additional infrastructure strategies, statements or plans

##### 26—Preparation

This clause provides that, in addition to the preparation of the 20-year State Infrastructure Strategy and the Statement of Capital Intentions, ISA—

- may, from time to time, on its own initiative; and
- must, on the request of the Minister,

prepare other strategies, statements or plans relating to infrastructure in the State.

##### 27—Adoption

This clause provides for the adoption of other strategies, statements or plans submitted by ISA by the Minister, with or without amendments. The Minister may also refer any such strategy, statement or plan back to ISA for further consideration. If the Minister makes an amendment to a strategy, statement or plan before adopting it, ISA may advise the Minister that it does not agree with the amendment and make that advice available to the public.

##### 28—Publication of additional infrastructure strategies and plans

This clause provides that ISA may publish a strategy, statement or plan prepared on its own initiative under this Division on its website.

#### Division 4—Collection and use of information

##### 29—Power to require information

This clause provides ISA with the power, by written notice served personally or by post, to require a person to provide ISA with such information and material as may be reasonably required for the purposes of assisting ISA in the performance of its functions under this measure. It is an offence for a person to fail to provide the information within the time (which must be reasonable) and in the manner specified by ISA. A person cannot be compelled to give information under this proposed section if the information might tend to incriminate the person of an offence or is privileged on the ground of legal professional privilege.

## 30—Obligation to preserve confidentiality

This clause provides that information gained under this proposed Part of the measure that could affect the competitive position of a person, or is commercially sensitive for some other reason, is to be considered to be confidential information and a person performing a function under this measure will be guilty of an offence if the person discloses such information otherwise than as authorised under proposed subsection (2). ISA may, however, disclose confidential information if of the opinion that the public benefit in making the disclosure outweighs any detriment that might be suffered by a person in consequence of the disclosure. Information classified by Infrastructure SA as being confidential under this proposed section is not liable to disclosure under the *Freedom of Information Act 1991*.

## 31—Statutory declarations

This clause provides that ISA may require a person who is required by or under this measure to give information to ISA to verify the information to be given by statutory declaration and, in that event, the person will not be taken to have given the information as required unless it has been verified in accordance with the requirements of ISA.

## Part 4—Miscellaneous

## 32—Service

This clause provides for service of documents under this measure in the usual terms.

## 33—Regulations

The proposed section facilitates the making of regulations by the Governor for the purposes of the scheme.

Debate adjourned on motion of Mr Odenwalder.

**PAYROLL TAX (EXEMPTION FOR SMALL BUSINESS) AMENDMENT BILL***Introduction and First Reading*

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:47):** Obtained leave and introduced a bill for an act to amend the Payroll Tax Act 2009. Read a first time.

*Second Reading*

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:48):** I move:

That this bill be now read a second time.

This bill, one of our many election commitments, proposes amendments to the Payroll Tax Act 2009 to scrap payroll tax for small businesses. The people of South Australia spoke at the 2018 election of their desire for change—change that will create more jobs and assist small businesses. Our policy platform was based on the mantra 'more jobs, lower costs and better services'. This bill certainly does that to reset the parameters.

With these amendments, from 1 January 2019, businesses with annual taxable wages of up to \$1.5 million will be exempt from payroll tax and those with wages between \$1.5 million and \$1.7 million will benefit from a reduced payroll tax rate. These changes are expected to benefit around 3,600 businesses, reducing the payroll tax they pay by an estimated \$44.5 million per annum. It is estimated that 3,200 of these businesses will be exempt from payroll tax and 400 will receive a reduction in their payroll tax liability.

Payroll tax is currently levied on taxable wages at the rate of 4.95 per cent above an annual tax-free threshold of \$600,000. The changes in this bill will mean that businesses with annual taxable payrolls below \$1.5 million will no longer be liable for payroll tax. Businesses with annual taxable wages above \$1.5 million will continue to receive a deduction of up to \$600,000 from their taxable wages, consistent with the existing tax-free threshold.

To smooth the transition to standard rates of payroll tax, businesses with taxable wages between \$1.5 million and \$1.7 million will pay a tax rate that increases proportionately from zero per cent at \$1.5 million to 4.95 per cent at \$1.7 million in taxable wages. Businesses with annual taxable wages above \$1.7 million will continue to pay a rate of 4.95 per cent. The bill will also amend the threshold for weekly wages at which businesses are required to register for payroll tax and the monthly payroll tax payments amounts, in line with the proposed changes.

These changes will remove a major disincentive to businesses, creating more jobs and employing more people, as well as making South Australia a much more attractive place to invest in

and grow businesses. Once again, this is an example of our government delivering for the people of South Australia. I commend the bill to members and I seek leave to insert the explanation of clauses into *Hansard*.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

This clause is formal.

###### 2—Commencement

Certain amendments are required to come into operation on 1 July 2018 in order to provide for the calculation of payroll tax liability for the 2018/19 financial year. Other amendments will come into operation on 1 July 2019.

###### 3—Amendment provisions

This clause is formal.

##### Part 2—Amendment of *Payroll Tax Act 2009*

###### 4—Amendment of section 3—Interpretation

A definition of *2018-19 financial year* is inserted.

###### 5—Amendment of section 8—Amount of payroll tax

Section 8 is consequentially amended to specify that Schedules 1A and 2 set out the amount of payroll tax payable for the 2018/19 financial year.

###### 6—Amendment of section 80—Designated group employers

This amendment is consequential.

###### 7—Amendment of section 82—Determination of correct amount of payroll tax

Section 82 is consequentially amended to provide that the *correct amount of payroll tax* payable by an employer in respect of the 2018-19 financial year is the amount determined in accordance with Schedule 1A.

###### 8—Amendment of section 86—Registration

This amendment is consequential.

###### 9—Amendment of Schedule 1—Calculation of payroll tax liability

Schedule 1 of the Act is amended to provide for the changes to the calculation of payroll tax liability from 1 July 2019 (Schedule 1A provides for the calculation of payroll tax liability for the period from 1 July 2018 to 30 June 2019).

###### 10—Insertion of Schedule 1A

New Schedule 1A is inserted:

###### Schedule 1A—Calculation of payroll tax liability—2018/19 financial year

Schedule 1A provides for the calculation of payroll tax liability for the 2018/19 financial year. The Schedule divides the year into 2 periods, the first period and the second period. This enables the changes to the calculation of payroll tax liability to take effect on 1 January 2019. Accordingly, Part 2 of Schedule 1A applies the current scheme for payroll tax liability for the first period (1 July 2018 to 31 December 2018) and Part 3 of Schedule 1A applies the changes to the calculation of payroll tax liability for the second period (1 January 2019 to 30 June 2019).

###### 11—Amendment of Schedule 2—South Australia specific provisions

Schedule 2 of the Act is amended to provide for the changes to the calculation of payroll tax liability (both for the 2018/19 financial year and thereafter).

Debate adjourned on motion of Mr Odenwalder.

**EDUCATION AND CHILDREN'S SERVICES BILL***Introduction and First Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:51):** Obtained leave and introduced a bill for an act to provide for preschool, primary and secondary education in this state, to provide for children's services, to constitute the teaching service in this state and for other purposes. Read a first time.

*Second Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:52):** I move:

That this bill be now read a second time.

The Education and Children's Services Bill 2018 will repeal and replace the Education Act 1972 and the Children's Services Act 1985, providing a contemporary framework for the delivery of high-quality children's services and compulsory education in this state. While the Education Act and the Children's Services Act have provided an adequate framework for education and early childhood services for many years, they no longer reflect the needs of our contemporary system, a system which we would like to see become the best in Australia.

Our children deserve access to the best schools, preschools and children's services, and this bill aims to establish the conditions necessary for teachers, parents, families and communities to work together to give our children the best start in life. The bill builds on the work undertaken by the previous government and adopts most of the provisions of the bill that was introduced into parliament last year but lapsed in the other place. I acknowledge the efforts of the former minister in respect of this work, and I look forward to working with her to ensure the passage of this important bill.

However, there are some significant changes to the bill previously brought forward by those opposite. This government's bill does not include, for example, Labor's central controls proposed for governing councils. We have removed provision for the minister to direct, suspend or dissolve a governing council in disciplinary circumstances. We have also introduced changes to ensure that parents and other persons responsible for children and students at schools, preschools and children's services will form the majority of members of the governing councils of those schools and services. The government strongly believes that by empowering school communities through greater autonomy and accountability we will deliver better student outcomes and have happier and more efficient school communities.

The government's bill includes provision for governing councils to access funds for independent legal advice when they are in dispute with the department. This was a specific recommendation of the Debelle royal commission. Under the bill, the Crown Solicitor, or a nominee of the Crown Solicitor, will make a decision as to whether a governing council's request meets the necessary requirements to be funded. The relevant funds will be administered by the Attorney-General's Department.

The bill removes the exclusive right of the Australian Education Union to nominate members of relevant committees formed under the bill, including selection committees for promotional level positions in the teaching service and review committees considering the amalgamation or closure of a school. The members of selection committees will now be appointed by the chief executive and at least one member will be a person elected from the teaching service to represent them on such committees. In lieu of an AEU nominee, review committees for the purposes of amalgamations and closures of schools will need to include a staff member of each school to which the review relates that has been nominated by the staff of the relevant school.

The bill retains the status quo in relation to opportunities for schools to participate in religious or cultural activities. It retains arrangements under which a parent can seek to have their child exempted from participation in such activities on conscientious grounds. A child who is exempted from such activities would be provided with an alternative activity related to the curriculum during the period in which the activities are conducted. Importantly, the act will make it clear that Christmas carols may be sung in South Australian government schools.

A good education is vital to the healthy development of a child. It allows them to grow, make friends and realise their career ambitions once they leave school. Central to a good education is attendance at school and while the vast majority of parents support their children to attend school, a few do not. We owe it to these children to take decisive action to ensure they attend.

Research suggests that even a small amount of unauthorised absence from school can negatively impact on a student's achievement. The impacts are most severe for the most vulnerable children. In addition, chronic non-attendance at school can lead to poor outcomes throughout a person's life, including, for example, negative impacts on health, employment, and potentially involvement with the justice system.

The government is implementing a number of measures to address chronic truancy and the bill supports that work. The bill includes increased penalties for the parents of children who are chronically absent from school and provides a broader range of measures to deal with cases of non-attendance, including, importantly, provision for family conferencing. In addition to these strengthened provisions, the government will be auditing attendance policies at all government schools, taking steps to ensure children in out-of-home care are engaged in mainstream education, and increasing the number of truancy officers employed in the department by 50 per cent.

The bill does not include provision for the issuing of expiation notices for non-attendance as proposed by the previous government when they introduced a similar bill. Issuing of expiation notices for these types of offences would undermine the benefits of early intervention through family support work and/or a family conference and diminish the impact of the strong deterrent of prosecution through the courts. Prosecution through courts may well be a last resort. The government fears that an expiation notice, as previously promoted by those opposite, would have been too often used as a first resort.

The bill carries over the provisions aimed at ensuring safe learning and working environments in schools, preschools and children's services. The government is supportive of strong measures to protect teachers and other staff acting in the course of their duties from offensive behaviour or the use of abusive, threatening or insulting language. These protections will apply in all schools in South Australia across government and non-government sectors.

Under the bill, offensive behaviour need not occur on school or preschool premises and would include, for example, the abuse of staff over the telephone. Other measures aimed at promoting safe environments include provision for:

- a person to be barred from any premises or place used or to be used by a school, preschool or children's service if that person has behaved in an offensive manner while on the premises, or threatened or insulted staff, or committed or threatened to commit any other offences on or in relation to the premises;
- dealing with trespass on all schools, preschools and children's service sites; and
- authorised persons to deal with people behaving in an unacceptable manner on premises.

The bill also brings together and improves employment provisions for teachers and support workers in government schools, preschools and children's services centres.

The bill includes a number of provisions to improve information sharing between government and non-government schools and preschools, children's services centres and the department, where necessary, to support the education, health, safety, welfare or wellbeing of a child.

Where a child is transferring between schools, in particular, the bill provides for the principal of the school in which the child is to be enrolled to request information from the child's previous school about the child's academic progress and any support the child might need to be successful in their education at the new school. I seek leave to have the explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.



## Part 1—Preliminary

## 1—Short title

## 2—Commencement

These clauses are formal.

## 3—Interpretation

This clause defines terms and phrases used in the measure.

## 4—Application of Act to non-Government schools

This clause sets out how the measure applies to non-Government schools, including by setting out the provisions that do not apply.

## 5—Interaction with other Acts

This clause clarifies that this measure does not derogate from other Acts.

## 6—Minister may acquire land

This clause authorises the Minister to acquire land for the purposes of this Act. By doing so, the measure becomes a special Act for the purposes of the *Land Acquisition Act 1969*, and the provisions of that Act will then apply to such acquisitions.

## Part 2—Objects and principles

## 7—Objects and principles

This clause sets out objects and principles informing the operation of the measure.

## Part 3—Administration

## 8—Functions of Chief Executive

This clause sets out the functions of the Chief Executive (formerly the Director-General, and combining the position of Director of Children's Services from the repealed *Children's Services Act 1985*).

## 9—Administrative instructions

This clause confers on the Chief Executive the power to issue binding administrative instructions to governing councils or affiliated committees of schools, stand-alone preschools and children's services centres.

## 10—Model constitutions

This clause requires the Minister to publish model constitutions of the kinds specified.

## 11—Advisory committees

This clause allows the Minister to appoint committees to advise the Minister or the Chief Executive on any matter related to the operation of this measure or the provision of education and children's services in this State.

## 12—Delegation

This clause is a standard power of delegation.

## 13—Chief Executive may require information from schools, preschools and children's services centres

This clause empowers the Chief Executive to require specified persons and bodies to provide information to the CE that the CE reasonably requires for purposes of this measure, with an offence created for non-compliance.

## 14—Sharing of information between certain persons and bodies

This clause enables the persons and bodies specified to provide certain information and documents to other such persons or bodies if the provision of the information or documents would assist the recipient to perform official functions or manage certain risks to children.

## 15—Report

This clause requires the Chief Executive to report to the Minister annually (in respect of calendar years) on the operation of the Department.

## Part 4—Preschools and children's services centres

## Division 1—School-based preschools

## 16—Minister may establish school-based preschools

This clause provides that the Minister may establish school-based preschools.

#### 17—Governing councils of school-based preschools

This clause provides that the governing council of a school in relation to which a school-based preschool is established is also the governing council of the preschool, and sets out requirements relating to the representation of the preschool on the council.

#### Division 2—Stand-alone preschools and children's services centres

#### 18—Minister may establish stand-alone preschools and children's services centres

This clause provides that the Minister may establish stand-alone preschools and children's services centres.

#### 19—Governing councils of stand-alone preschools and children's services centres

This clause provides that a governing council is to be established in respect of each stand-alone preschool and children's services centre, although the same council may be the council for multiple preschools and children's services centres. The clause also sets out the nature of a governing council and its governance arrangements.

#### 20—Composition of governing councils of stand-alone preschools and children's services centres

This clause sets out the composition of governing councils of stand-alone preschools and children's services centres, in particular requiring that a majority of appointees to the council be persons who are responsible for children attending, or who are to attend, the stand-alone preschool or children's services centre. The clause also makes procedural provision for where it is not possible for that majority to occur.

#### 21—Approval of constitutions by Minister

This clause allows the Minister to approve a constitution to be adopted by the governing council of a stand-alone preschool or children's services centre (that is, to be adopted in place of a model constitution). The clause also makes procedural provision in relation to approvals.

#### 22—Amendment of constitutions

This clause sets out circumstances in which the Minister may directly amend, or direct a governing council to amend, a constitution.

#### 23—Functions and powers of governing councils

This clause sets out the functions and powers of governing councils of stand-alone preschools and children's services centres.

#### 24—Limitations on powers of governing councils

This clause sets out limitations on the exercise of the functions and powers of governing councils of stand-alone preschools and children's services centres.

#### Division 3—Continuation of children's services centres registered under *Children's Services Act 1985*

#### 25—Application of Division

#### 26—Continuation of registered children's services centres

This Division continues registered children's services centres under the repealed *Children's Services Act 1985*, and makes transitional adjustments to the terms used under that Act to describe the centres etc to be consistent with the measure.

#### Division 4—Removal of members of governing councils etc

#### 27—Minister may remove member of governing council

This clause enables the Minister to remove a member of the governing council of a stand-alone preschool or children's services centre from office for the reasons specified.

#### 28—Minister may prohibit or limit performance of functions etc by governing council

This clause enables the Minister to prohibit or limit, in accordance with the regulations, the exercise of a power or function by the governing council of a stand-alone preschool or children's services centre.

#### Division 5—Closure of stand-alone preschools and children's services centres

#### 29—Closure of stand-alone preschools and children's services centres

This clause sets out the process for the closure of stand-alone preschools and children's services centres.

#### Division 6—Miscellaneous

#### 30—Conflict of interest

This clause is a standard provision relating to conflicts of interest in respect of members of the governing councils of stand-alone preschools and children's services centres.

## 31—Accounts may be audited

This clause provides that the accounts of stand-alone preschools and children's services centres may be audited at any time by the Chief Executive or the Auditor-General.

## 32—Corporal punishment prohibited

This clause prohibits corporal punishment from being imposed on children at Government preschools and children's services centres.

## Part 5—Government schools

## Division 1—Establishment of schools

## 33—Minister may establish schools

This clause provides that the Minister may establish schools.

## Division 2—Governing councils and affiliated committees

## Subdivision 1—Governing councils and affiliated committees

## 34—Governing councils of schools

This clause provides that a governing council is to be established in respect of each school established under the measure, although the same council may be the council for multiple schools. The clause also sets out the nature of a governing council and its governance arrangements.

## 35—Composition of governing councils of schools

This clause sets out the composition of governing councils of schools, in particular requiring that a majority of appointees to the council be persons who are responsible for students of the school. The clause also makes procedural provision for where it is not possible for that majority to occur.

## 36—Affiliated committees

This clause allows the Minister to authorise the establishment of affiliated committees, being a committee affiliated with the governing council of a school.

## 37—Conflict of interest

This clause is a standard provision relating to conflicts of interest in respect of members of the governing councils of schools as well as members of affiliated committees.

## 38—Accounts may be audited

This clause provides that the accounts of the governing council of a school or an affiliated committee may be audited at any time by the Chief Executive or the Auditor-General.

## Subdivision 2—Approval and amendment of constitutions

## 39—Approval of constitutions by Minister

This clause allows the Minister to approve a constitution to be adopted by the governing council of a school (that is, to be adopted in place of a model constitution). The clause also makes procedural provision in relation to such approvals.

## 40—Amendment of constitutions

This clause sets out circumstances in which the Minister may directly amend, or direct a governing council of a school to amend, a constitution.

## Subdivision 3—Functions and powers of governing councils and affiliated committees

## 41—Functions and powers of governing councils and affiliated committees

This clause sets out the functions and powers of governing councils of schools and affiliated committees.

## 42—Limitations on powers of governing councils and affiliated committees

This clause sets out limitations on the exercise of the functions and powers of governing councils of schools and affiliated committees.

## Subdivision 4—Arrangements on closure or amalgamation of school

## 43—Minister may make arrangements for governing councils etc on closure or amalgamation of school

This clause sets out the actions that may be taken by the Minister to deal with the governing council of a school, or an affiliated committee, on the amalgamation or closure of the school under the proposed Division.

## Subdivision 5—Removal of members of governing councils and affiliated committees etc

## 44—Minister may remove member of governing council or affiliated committee

This clause provides that the Minister may remove a member of the governing council of a school or an affiliated committee from office for the reasons specified in the clause.

## 45—Minister may prohibit or limit performance of functions etc by governing council or affiliated committee

This clause enables the Minister to prohibit or limit, in accordance with the regulations, the exercise of a power or function by the governing council of a school or an affiliated committee.

## Subdivision 6—Governing Councils Legal Fund

## 46—Interpretation

This clause contains the definitions relevant for the subdivision.

## 47—Governing Councils Legal Fund

This clause sets up the Governing Councils Legal Fund. It provides that money for the Fund is as provided for by Parliament or paid into it under this or any other Act. Any deficiency in the Fund will be met from the Consolidated Account.

## 48—Payments from Fund

This clause sets out the requirements in relation to payments from the Fund. A governing council of a school may apply to the Crown Solicitor for approval for payment from the Fund of the costs of independent legal advice incurred in relation to a dispute between the governing council and the Department. The Crown solicitor may refer the application for such an approval to another person (*a nominated person*) to determine. This may be necessary to avoid a conflict of interest in certain circumstances. Approval for payment must be granted if the Crown Solicitor (or the person to whom an application has been referred) is satisfied of the matters set out in subclause (6). The Crown Solicitor or a nominated person is independent of direction or control by the Crown or any Minister or officer of the Crown.

## 49—Accounts

This clause provides that the Minister must cause proper accounts to be kept of money paid into and payments made from the Fund.

## 50—Audit of Fund

Under this clause, the Auditor-General may at any time, and must at least once in each year, audit the accounts of the Fund.

## Division 3—Amalgamation and closure of schools

## 51—Amalgamation of schools

This clause provides that the Minister may amalgamate 2 or more Government schools, sets out the circumstances in which such an amalgamation can occur and makes procedural provision relating to notice.

## 52—Closure of schools

This clause sets out the process for the closure of Government schools. In particular, closures are to occur with the consent of students or persons responsible for them, or on the recommendation of a review committee following a review under proposed section 53.

## 53—Review of schools in a particular area

This clause allows the Minister to commission a review to determine whether each Government school within a particular area continue to be required and, if not, whether 1 or more of the schools should be amalgamated or closed. The clause also makes procedural provision in relation to such reviews.

## 54—Review committees

This clause sets out how a committee that is to conduct a review under proposed section 53 is to be constituted and how it is to function.

## 55—Minister to report to Parliament if recommendations of review committee not followed

This clause requires the Minister to report to Parliament where the Minister decides to amalgamate or close a school contrary to the recommendation of a review committee.

## Part 6—Special purpose schools

## 56—Minister may establish special purpose schools

This clause provides that the Minister may establish special purpose schools for the purposes specified in the clause.

57—Governing council and constitution

This clause sets out the governance arrangements for special purpose schools.

58—Closure of special purpose schools

This clause sets out the process for the closure of special purpose schools, namely that the Minister may close one for any reason the Minister thinks fit, and requires notice of closures to be given to the principal and persons responsible for students at the school.

59—Modification of operation of Act in relation to special purpose schools

This clause disapplies Part 5 of the measure in respect to special purpose schools, and confers a regulation-making power to modify the operation of the measure as it applies to special purpose schools.

Part 7—Provision of education in schools

Division 1—Enrolment

Subdivision 1—Compulsory enrolment in school or approved learning program

60—Children of compulsory school age must be enrolled in school

This clause requires children of compulsory school age to be enrolled in a school and replaces the applicable part of current section 75 of the *Education Act 1972*.

61—Children of compulsory education age must be enrolled in approved learning program

This clause requires children of compulsory education age to be enrolled in an approved learning program and replaces the applicable part of current section 75 of the *Education Act 1972*.

62—Chief Executive may direct that child be enrolled in particular school

This clause simply replaces section 75A of the *Education Act 1972*.

63—Chief Executive may direct that child be enrolled in another school if improperly enrolled

This clause allows the Chief Executive to direct that a specified child who is enrolled in a Government school (including a special school) be instead enrolled at another Government school if the Chief Executive is satisfied that the child was enrolled at the school on basis of false or misleading information (including false information about the residential address of the child).

Subdivision 2—Enrolment of adult students

64—Special provisions relating to enrolment of adult students

This clause makes provision about the enrolment of adult students in Government schools, incorporating the effects of the *Child Safety (Prohibited Persons) Act 2016*. In particular, adult students (other than those who become adults in the course of their secondary education) will need to have a current working with children check.

Subdivision 3—Information gathering

65—Certain information to be provided on enrolment

This clause requires a person who is responsible for a child who is to be enrolled in a school or an approved learning program to provide to the principal of the school or the head of the approved learning program the information specified in the clause. Failure to do so without a reasonable excuse is an offence.

66—Chief Executive may require further information relating to student

This clause enables the Chief Executive to require a person who is responsible for a child to provide to the CE specified information that is reasonably required in the administration, operation or enforcement of this Act. Failure to do so without a reasonable excuse is an offence.

67—Principal may require other principal to provide report in respect of specified child

This clause enables the principal of a school to require the principal of another school to provide specified information relating to the enrolment, academic achievement etc of a student in the other school. Failure to do so without a reasonable excuse is an offence.

Division 2—Attendance at school and participation in approved learning programs

Subdivision 1—Compulsory attendance at school and participation in approved learning program

68—Child of compulsory school age must attend school

This clause requires children of compulsory school age to attend the school at which they are enrolled and replaces the applicable part of current section 76 of the *Education Act 1972*.

69—Child of compulsory education age must participate in approved learning program

This clause requires children of compulsory education age to participate in the approved learning program in which they are enrolled and replaces the applicable part of current section 76 of the *Education Act 1972*.

Subdivision 2—Family conferences

70—Purpose of family conferences

This clause explains the purposes of family conferences under the proposed Subdivision, namely the making of voluntary arrangements to ensure the attendance of a student at the school, or the participation of the student in the approved learning program, in which they are enrolled but are failing to attend.

71—Chief Executive may convene family conference

This sets out the circumstances in which the Chief Executive may convene a family conference, as well as who can attend a conference.

72—Procedures at family conference

This clause sets out how a family conference is to be conducted.

73—Chief Executive and principal etc to give effect to decisions of family conference

This clause requires the Chief Executive and the principal of a school or head of an approved learning program in which a student is enrolled to give effect to valid decisions made at a family conference; however those decisions cannot require unlawful acts or omissions, nor do they create any legally enforceable rights or obligations.

Subdivision 3—Limitations on employment of certain children of compulsory school age or compulsory education age

74—Employment of children of compulsory school age or compulsory education age

This clause makes it an offence for a person to employ a child of compulsory school age or compulsory education age during school hours, or in labour or an occupation that renders, or is likely to render, the child unfit to attend school etc or obtain the proper benefit from doing so.

Subdivision 4—Reporting of persistent non-attendance or non-participation

75—Principal etc to report persistent non-attendance or non-participation

This clause requires the principal of a school or head of an approved learning program to notify the Chief Executive if a student of the school or approved learning program is persistently failing to attend school, or participate in the approved learning program. The clause also deems a failure to attend or participate on any 10 days in a term to be a persistent failure requiring report (disregarding failures where a person responsible for the child has complied with section 69(3) or 70(3)).

Division 3—Suspension, exclusion and expulsion of students

76—Suspension of students

This clause was regulation 44 of the *Education Regulations 2012* (allowing for the suspension of students) and has simply been relocated into the measure.

77—Exclusion of students

This clause was regulation 45 of the *Education Regulations 2012* (allowing for the exclusion of students) and has simply been relocated into the measure.

78—Expulsion of certain students from particular school

This clause was regulation 46 of the *Education Regulations 2012* (allowing for the expulsion of students from a school) and has simply been relocated into the measure.

79—Expulsion of certain students from all Government schools

This clause was regulation 47 of the *Education Regulations 2012* (allowing for the expulsion of students from all Government schools) and has simply been relocated into the measure.

80—Appeal against decision to exclude or expel student

This clause was regulation 50 of the *Education Regulations 2012* (allowing for an appeal against a decision to suspend etc a student) and has simply been relocated into the measure.

81—Regulations in relation to operation, administration and enforcement of suspension, exclusion or expulsion of student

This clause provides that the regulations may make provision for or in relation to the operation, administration and enforcement of the suspension, exclusion or expulsion of a student under Part 7 Division 3.

#### Division 4—Religious and cultural activities

##### 82—Religious and cultural activities

This clause allows the principal of a school to set aside time for the conduct of religious or cultural activities (or both). Written notice of such activities intended to be conducted by or on behalf of the school must be given to a person responsible for a student at a school. If a person responsible for a child that is a student at the school seeks permission from the principal of the school for the child to be exempted from participating in such an activity, then the child is exempt.

#### Division 5—Discipline

##### 83—Corporal punishment prohibited

This clause prohibits corporal punishment from being imposed on students at Government schools.

#### Division 6—Registration of student exchange programs

##### 84—Interpretation

This clause defines terms used in the proposed Division.

##### 85—Registration of student exchange organisations

This clause enables the Education and Early Childhood Services (Registration and Standards) Board to register a person or body as a student exchange organisation and sets out procedural requirements for such registration.

##### 86—Annual registration fee

This clause requires registered student exchange organisations to pay an annual registration fee.

##### 87—Guidelines

This clause allows the Board to publish or adopt guidelines in relation to student exchange organisations and the operation of student exchange programs.

##### 88—Board may give directions to registered student exchange organisation

This clause empowers the Board to direct a registered student exchange organisation to take, or to not take, such specified action in the circumstances set out in the clause.

##### 89—Suspension and revocation of registration

This clause sets out when and how the Board may suspend or revoke the registration of a registered student exchange organisation.

#### Part 8—Protections for teachers, staff and students etc at schools, preschools and children's services centres

##### Division 1—Preliminary

##### 90—Application of Part

This clause sets out the premises to which the proposed Part applies (including non-Government schools and preschools etc).

##### Division 2—Offences

##### 91—Offensive or threatening behaviour

This clause creates an offence for a person to behave in an offensive or threatening manner on premises to which the proposed Part applies.

The clause also creates an offence for a person to use abusive, threatening or insulting language to, or to behave in an offensive manner towards, a prescribed person acting in the course of their duties (whether or not the offence occurs on premises to which the proposed Part applies).

##### 92—Trespassing on premises

This clause creates an offence for a person to trespass on premises to which the proposed Part applies.

##### Division 3—Barring orders

##### 93—Power to bar persons from premises

This clause empowers a designated person in respect of premises to which the proposed Part applies to bar a person from the premises (and related premises) in the circumstances specified in subclause (1). The clause also

makes procedural provision in relation to such barring, and creates an offence for a person to contravene or fail to comply with a barring notice.

#### 94—Review of barring notice by Minister

This clause provides that a person who is barred from premises under section 93 for a period exceeding 2 weeks may apply to the Minister for a review of the barring notice.

#### Division 4—Power to restrain etc persons acting unlawfully on premises to which Part applies

#### 95—Certain persons may restrain, remove from or refuse entry to premises

This clause empowers an authorised person in respect of premises to which the proposed Part applies to direct a person to leave the premises in the circumstances specified in subclause (1). The authorised person may use reasonable force to restrain or remove the person, or prevent their re-entry to the premises. The clause also makes procedural provision in relation to such directions, and creates an offence for a person to contravene or fail to comply with a direction.

#### Part 9—The teaching service

#### Division 1—Preliminary

#### 96—Interpretation

This clause defines 'misconduct' as used in the proposed Part.

#### Division 2—Appointment to the teaching service

#### 97—Appointment to the teaching service

This clause provides for the appointment of teachers to be officers of the teaching service, and makes provision for the basis, terms and conditions of such appointments.

#### 98—Merit-based selection processes

This clause requires certain appointments and promotions to occur on the basis of merit.

#### 99—Rate of remuneration for part-time employees

This clause sets out how the rate of remuneration for part-time officers is to be determined.

#### 100—Special remuneration for attraction and retention of officers of the teaching service

This clause provides that the Chief Executive may offer special remuneration to officers of the teaching service for the purposes of attracting and retaining officers of a high standard, and may enter into arrangements with officers of the teaching service for that purpose.

#### 101—Probation

This clause requires an officer of the teaching service employed on an ongoing basis to be on probation for a period of 2 years, however that period may be reduced or waived in the circumstances specified. The clause also requires officers appointed as term employees to be on probation in accordance with the regulations.

#### Division 3—Duties, classification, promotion and transfer

#### 102—Assignment of duties and transfer to non-teaching position within Department

The clause enables the Chief Executive to determine the duties of officers of the teaching service, and the place or places at which duties are to be performed. The clause makes procedural provision in respect of such determinations.

#### 103—Transfer within teaching service

This clause enables the Chief Executive to transfer officers of the teaching service between positions in the teaching service, provided that in doing so the officer's salary is not reduced and the transfer is not used to promote the officer to a higher classification level.

#### 104—Classification of officers and positions

The clause enables the Chief Executive to make classifications of the kinds specified in respect of officers of, and positions in, the teaching service.

#### 105—Application to Chief Executive for reclassification

This clause provides that an officer of the teaching service who considers that their classification, or that of their position, is not appropriate may lodge with the Chief Executive an application for reclassification, and makes procedural provision in relation to such applications.

#### 106—Appointment to promotional level positions



This clause provides that the Chief Executive may appoint officers of the teaching service to positions within the teaching service classified at promotional levels, and sets out how such appointments are to be applied for and made.

#### Division 4—Long service leave

##### 107—Long service leave and retention entitlement

This clause sets out the long service leave entitlements of officers of the teaching service.

##### 108—Taking leave

This clause sets out when and how officers of the teaching service can take long service leave, and makes provision for the salary to be paid during the leave period.

##### 109—Payment in lieu of long service leave

This clause provides that officers of the teaching service can apply to be paid salary in lieu of their accrued long service leave, and makes procedural provision for such payments.

##### 110—Interruption of service where officer leaves teaching service

This clause provides for the service of an officer of the teaching service who leaves the teaching service for specified reasons and is then reappointed to the teaching service to be taken into account as though that service were continuous in the circumstances specified.

##### 111—Special provisions relating to certain temporary officers of the teaching service

This clause preserves the effect of current section 22A of the *Education Act 1972*.

##### 112—Entitlement where officer transferred to other public sector employment

This clause recognises the service of officers of the teaching service who are transferred to other employment in the public sector of the State as being continuous with that other employment.

##### 113—Entitlement of persons transferred to the teaching service

This clause recognises the service of persons who transfer from other employment in the public sector of the State to the teaching service as being continuous with their service in the teaching service.

#### Division 5—Disciplinary action and management of unsatisfactory performance

##### 114—Disciplinary action

This clause sets out the action the Chief Executive may take if the CE is satisfied that an officer of the teaching service is guilty of misconduct.

##### 115—Managing unsatisfactory performance

This clause sets out the action the Chief Executive may take if the CE is satisfied that the performance of an officer of the teaching service is unsatisfactory.

##### 116—Reduction in remuneration level

This clause sets out grounds on which the Chief Executive may reduce the remuneration level of an officer of the teaching service.

##### 117—Suspension

This clause provides that the Chief Executive may suspend an officer of the teaching service if the CE is satisfied that the nature or circumstances of any matter alleged against the officer are such that the officer should not continue in the performance of their duties.

#### Division 6—Physical or mental incapacity of officers of the teaching service

##### 118—Physical or mental incapacity of officers of the teaching service

This clause provides that the Chief Executive may require an officer of the teaching service to undergo a medical examination if the Chief Executive considers the officer's unsatisfactory performance may be caused by physical or mental incapacity, and makes procedural provision in relation to such examinations.

#### Division 7—Resignation and termination

##### 119—Resignation

This clause sets out how an officer of the teaching service resigns from the service, and provides that the Chief Executive may make a determination that an officer has resigned if they are absent, without authority, from their employment for a period of 10 working days and do not give a proper written explanation or excuse for the absence to the Chief Executive before the end of that period.

#### 120—Termination

This clause sets out how the employment of an officer of the teaching service can be terminated.

#### Part 10—Other employment and staffing arrangements

##### 121—Chief Executive may employ other persons for purposes of Act

This clause provides that the Chief Executive may employ such other persons (in addition to the employees and officers of the Department and officers of the teaching service) as the Chief Executive thinks necessary or appropriate for the purposes of the measure.

##### 122—Part 7 and Schedule 1 of the Public Sector Act 2009 to apply to persons employed under this Part

This clause applies Part 7 and Schedule 1 of the *Public Sector Act 2009* to certain persons employed under proposed section 121, subject to the modifications set out in subclause (1).

##### 123—Use of staff etc of administrative units of the Public Service

This clause provides that the Chief Executive may, by agreement with the Minister responsible for an administrative unit of the Public Service, make use of the services of the staff, equipment or facilities of that administrative unit.

#### Part 11—Appeals

##### Division 1—Review by South Australian Employment Tribunal

##### 124—Review by SAET of certain decisions and determinations

This clause provides a right of review to the SAET for a person who is aggrieved with certain decisions or determinations of the Chief Executive under Part 9 of the measure, and makes procedural provision in respect of such reviews.

##### Division 2—Appeals to Administrative and Disciplinary Division of the District Court

##### 125—Appeal against certain actions of Minister or Chief Executive

This clause provides a right of appeal to the Administrative and Disciplinary Division of the District Court for a person who is aggrieved by a prescribed action of the Minister or the Chief Executive under the measure, and makes procedural provision in respect of such reviews.

#### Part 12—Authorised officers

##### 126—Authorised officers

This clause sets out who are authorised officers for the purposes of the measure, including the CE, police officers and employees of the Department authorised by the Chief Executive as an authorised officer.

##### 127—Powers of authorised officers

This clause sets out the powers of authorised officers under the measure.

##### 128—Offence to hinder etc authorised officers

This clause creates a series of offences (such as hindering) relating to authorised officers under the measure.

#### Part 13—Financial provisions

##### Division 1—Materials and services charges for schools

##### 129—Materials and services charges for schools

This clause allows Government schools to impose materials and services charges in respect of each student enrolled in the school for the whole or part of a calendar year, and makes procedural provision in relation to setting and recovering such charges.

##### Division 2—Other fees and charges

##### 130—Charges for certain overseas and non-resident students etc

This clause allows the Chief Executive to fix charges in relation to the matters set out in subclause (1), and procedural provision in relation to setting and recovering such charges.

##### 131—Certain other charges etc unaffected

This clause clarifies the fact that the measure does not prevent other charges or payments being fixed or made in relation to the matters specified.

##### Division 3—Recovery of amounts payable to the Commonwealth

132—Recovery of amounts payable to the Commonwealth

This clause allows the State to recover certain debts due to the Commonwealth under the *Australian Education Act 2013* of the Commonwealth.

Part 14—Miscellaneous

133—Exemptions

This clause allows the Minister to exempt a specified person, or a specified class of persons, from the operation of a provision or provisions of the measure.

134—Use of certain school premises etc for both school and community purposes

This clause allows the Minister to permit Government premises etc to be used for community purposes, and to provide assistance to community bodies so as to allow Government schools to use their facilities etc.

135—Proceedings for offences

This clause requires the consent of the Minister before proceedings can be commenced for an offence against the measure.

136—Commencement of prosecution for offence against Act

This clause provides that proceedings for an offence against the measure must be commenced within 2 years of the alleged offence.

137—Confidentiality

This is a standard clause preventing confidential information from being disclosed except in the circumstances specified.

138—Protections, privileges and immunities

This clause limits liability under the measure, and provides that certain privileges and immunities are not affected by the measure.

139—Evidentiary provisions

This clause allows specified matters to be proved in legal proceedings by means of a certificate.

140—Service

This clause sets out how notices or documents under the measure can be served on a person.

141—Regulations

This clause sets out regulation making powers under the measure.

Schedule 1—Repeals, related amendments, transitional provisions etc

Part 1—Preliminary

1—Amendment provisions

This clause is formal.

Part 2—Repeal of *Children's Services Act 1985*

2—Repeal of *Children's Services Act 1985*

This clause repeals the *Children's Services Act 1985*.

Part 3—Repeal of *Education Act 1972*

3—Repeal of *Education Act 1972*

This clause repeals the *Education Act 1972*.

Part 4—Amendment of *Children's Protection Act 1993*

Part 5—Amendment of *Criminal Law Consolidation Act 1935*

Part 6—Amendment of *Education and Early Childhood Services (Registration and Standards) Act 2011*

Part 7—Amendment of *Independent Commissioner Against Corruption Act 2012*

Part 8—Amendment of *National Tax Reform (State Provisions) Act 2000*

Part 9—Amendment of *Public Sector Act 2009*

Part 10—Amendment of *SACE Board of South Australia Act 1983*

Part 11—Amendment of *Summary Offences Act 1953*

Part 12—Amendment of *Superannuation Act 1988*

Part 13—Amendment of *Teachers Registration and Standards Act 2004*

These Parts make related amendments to the Acts specified consequential to the enactment of the measure.

Part 14—Transitional and other provisions

This Part makes transition provisions in respect of the enactment of this measure, and the repeal of the *Education Act 1972* and the *Children's Services Act 1985*.

Debate adjourned on motion of Mr Odenwalder.

## **LOCAL GOVERNMENT (RATE OVERSIGHT) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (16:01):** Obtained leave and introduced a bill for an act to amend the Local Government Act 1999. Read a first time.

### *Second Reading*

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (16:01):** I move:

That this bill be now read a second time.

The Local Government (Rate Oversight) Amendment Bill 2018 will amend the Local Government Act 1999, to introduce a rate capping scheme in South Australia. The bill will establish much-needed oversight on council rates, restraining increases and requiring councils to make a clear and convincing case for the increase above the cap to both their communities and to an independent regulator.

Setting taxes—determining the contribution that our citizens make to the services we provide—is one of the primary responsibilities of government. The taxes we impose have a huge impact on how families live and how businesses operate. Setting taxes is therefore a great responsibility. All governments must be truly accountable for these critical decisions and highly responsive to the needs of their citizens. Local government should be no different.

Every year, ratepayers across South Australia make their contribution to the vital services that councils provide to their communities. On the whole, people are prepared to pay their rates, as they recognise and value these services. But the evidence is that councils have not held their end of the bargain. While councils may claim that they make every effort to restrain rates increases, the fact is that over the past decade council rates have increased at a rate that is three times the level of inflation.

I can think of no other sphere of government that can increase its main tax to this level in disregard of the views of their communities. Clearly, more oversight is needed, and this is exactly what this bill will deliver. The bill will cap the amount of revenue that councils can gain through their primary rating tool: general rates. This will require councils to carefully consider the decisions they make around their own operations and seek efficiencies ahead of greater revenue.

Of course, I recognise that from time to time councils may have a need to increase their rate revenue above the capped amount, so I emphasise that councils will be able to do this if they can make the case to the independent regulator that this increase is necessary and that they have made every effort to engage their community and explain the reasons why an increase is necessary. I now turn to the key elements of the bill.

Firstly, the bill establishes the critical role of the Essential Services Commission of South Australia (ESCOSA) in the rate oversight system. As the independent regulator under the bill, ESCOSA will be responsible for the administration of the rate oversight system, determining the cap, receiving and assessing applications from councils for variations to the cap and undertaking the necessary compliance monitoring and reporting on the effect of the system.

The bill clearly states the objectives of the new part 1A that the bill proposes to insert into chapter 10 of the act to establish the rate oversight system. The objects of the rate oversight system are to firstly ensure that the financial contributions ratepayers make to council services are subject to appropriate oversight. This means that rate increases will be subject to the oversight of the regulator through the application of a cap and that council requests for increases above this cap will be subject to the appropriate oversight of their communities.

The objects also clarify that councils must have the financial capacity to perform the duties, functions and powers that are expected of them both by the act and by their communities. This reflects the fact that the rate oversight system has two key components: the cap that is set to restrain rate increases and the ability within the system for councils to apply for individual variations on this cap. If a council feels it needs a greater increase in rates to ensure financial capacity to deliver for its community, then it can apply for one.

In accordance with these objects, one of the most important elements of the bill is the clause that enables ESCOSA to determine a primary rate cap. This is the mechanism that will cap the amount of revenue that councils can collect over a capped year from their general rates. However, the bill does not simply cap councils' total general rate revenue. One of the chief criticisms of rate capping schemes is that they do not allow councils to manage additional costs that can come from growth in their areas. To ensure that this is not the case, the bill proposes that the primary rate cap will apply to a base standard rate.

The base standard rate is a nominal single rate level that is calculated each year prior to applying the cap by dividing the council's total annualised revenue by the number of rateable properties in the council area. This method of calculation will mean that if the number of rateable properties within a council area increases, this growth will be captured in this council's annual calculation of the cap. While councils may apply for a variation of the cap if growth causes an extraordinary need, they should not need to do so simply to incorporate normal rateable property growth within their capped revenue.

ESCOSA will be able to make a rate cap determination for all councils, for a class of councils or for a particular council. This will enable ESCOSA to vary the cap, if there is a need to recognise differences within varying classes of councils such as regional differences, or to make a determination for an individual council should the specific circumstances of that council warrant it. Additionally, the bill determines that the primary rate cap applies to councils' general rate revenue. While councils can also receive revenue through the application of separate rates for particular purposes, or through service rates and charges for prescribed services, this revenue is effectively constrained through existing provisions within the act.

However, the bill does require councils to inform ESCOSA if they are planning to introduce a separate rate or a service rate or charge or change the basis on which rates are assessed against land before they take these actions. This will ensure that councils cannot effectively generate a rate increase above the cap through the establishment of an alternative revenue-raising mechanism or by changes to its rating policy.

Along with the establishment of a rate cap, the bill recognises that the ability for councils to apply for a variation above the cap is critical to the rate oversight system. It is a common concern from councils that capping council rates will inevitably lead to a reduction in services available to communities. However, the bill establishes a process to enable councils that need to increase their rates can do so. Councils that wish to do this simply need to make a case to ESCOSA that the increase they propose is necessary and show that they have undertaken proper community engagement on the proposed increase so that their ratepayers understand why they are asking for it.

The councils will also need to show that they have made efficiencies within their organisation, fully considered their spending priorities and explored alternative funding options before an increase above the cap can be agreed to. The final key clauses of the bill are the processes it proposes to ensure that ESCOSA can undertake the monitoring and reporting of the system that is needed on both the compliance with the system, which will be the subject of annual reporting, and on the

outcomes of the system, the effect that the rate oversight has on councils and their communities which ESCOSA will report on every two years.

In line with the government's commitment to be a transparent and independent system, all reports received from ESCOSA will be required to be laid before both houses of parliament. Transparency under the system also extends to include requests and directions from the minister. The bill proposes that ESCOSA must publish on its website ministerial requests and directions it receives. A council that applies for a rate cap variation will be required to publish its application on its website and also report this fact in the annual business plan that it consults on with its community. The bill also proposes an amendment to the act that will enable the minister to take action based on a report from ESCOSA to address any instances of noncompliance.

In summary, this bill proposes sensible reform. It will restrain increase in council rates while also providing councils with the tools that they need to continue providing the services and facilities that are important to their ratepayers and communities. I commend the bill to members. I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Local Government Act 1999*

###### 4—Amendment of section 3—Objects

A reference to providing for appropriate financial contributions by ratepayers to (local government) services and facilities is included in the objects of the Act.

###### 5—Amendment of section 123—Annual business plans and budgets

A council must ensure that an annual business plan also contains a statement (if relevant) relating to any application for a rate cap variation determination that it has made, or intends to make, or any rate cap variation determination relating to the council made by ESCOSA under Chapter 10 Part 1A.

###### 6—Insertion of Chapter 10 Part 1A

New Part 1A is inserted into Chapter 10:

###### Part 1A—Rate oversight

###### 187C—Objects of Part

The objects of the Part are set out.

###### 187D—Interpretation

Definitions are prescribed for the purposes of Part 1A. Key definitions in the section are *base standard rate*, *capped standard rate* and *varied rate cap*.

###### 187E—Primary rate cap determinations

ESCOSA may determine that the capped standard rate for a specified financial year must not exceed the base standard rate by more than the primary rate cap specified in the notice (a *primary rate cap determination*).

ESCOSA may make a primary rate cap determination that is to apply to councils generally or a class of councils and the matters that ESCOSA must consider before making such a determination are set out.

Section 187E also provides that ESCOSA may make a primary rate cap determination that is to apply to a particular council in certain circumstances and sets out a list of matters that ESCOSA must consider before making this kind of determination.

A primary rate cap determination must be set by 31 December each year, or by another date set by ESCOSA by notice published in the Gazette.

**187F—Rate cap variation determinations**

A council the subject of a primary rate cap determination applying to councils generally or a class of councils (but not one that applies to a particular council) may seek a rate cap variation determination from ESCOSA.

A rate cap variation determination specifies a varied rate cap (being a cap that is different from the primary rate cap applying to the council under the primary rate cap determination) for 1 or more specified financial years (up to a maximum of 5 years).

The matters that ESCOSA must consider before making a rate cap variation determination are set out. In particular, one matter that ESCOSA must have regard to is whether requirements given by ESCOSA under section 29 of the *Essential Services Commission Act 2002* relating to the council giving information relevant to the application (if any) have been complied with.

**187G—Rate cap variation determination applications**

The requirements relating to an application for a rate cap variation determination are set out.

**187H—Publication of Ministerial requests and directions**

If the Minister makes a request of ESCOSA, or gives ESCOSA a direction, under specified provisions of Part 1A, ESCOSA must publish a copy of the request or direction (as the case requires).

**187I—Council must notify ESCOSA of proposed separate rates, service rates or charges**

Section 187I provides that a council must not change the basis on which rates are assessed against land under section 148 or declare a separate rate under section 154 of the Act or impose a service rate or an annual service charge under section 155 of the Act, unless the council notifies ESCOSA, in the manner and form determined by ESCOSA, of the proposal before 31 October of the year before the first financial year in which the change, rate or charge is to apply.

**187J—Compliance with rate cap determinations**

A duty is imposed on councils to comply with primary rate cap determinations and rate cap variation determinations.

Provision is also made that a failure to comply with a primary rate cap determination or a rate cap variation determination does not affect the validity of any rate, charge, interest or fine recoverable under Chapter 10 in respect of the financial year in relation to which the failure occurred.

**187K—Administration**

ESCOSA's functions relating to monitoring compliance with, and reporting generally on, the scheme set out in Part 1A are provided for.

**7—Amendment of section 273—Action on report**

This clause includes a report of ESCOSA under Chapter 10 Part 1A of the Act as an additional basis on which the Minister may take action in relation to a council under section 273.

**8—Amendment of section 303—Regulations**

The power to make regulations of a saving or transitional nature is amended so that such regulations may be made in relation to the amendments proposed by the measure.

**9—Review**

The Minister must ensure a review of new Chapter 10 Part 1A of the Act is completed by 31 December 2023.

Debate adjourned on motion of Mr Picton.

**CRIMINAL PROCEDURE (MISCELLANEOUS) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 30 May 2018.)

**Mr PICTON (Kaurua) (16:10):** I indicate that I am the lead speaker on this bill, and rise to indicate the opposition's support for the bill.

**An honourable member:** Hear, hear!

**Mr PICTON:** Hear, hear, indeed. However, at the outset I would like to express my disappointment in how this bill and a number of other bills have been dealt with in terms of the process of government. This happened during some personal leave—which was very appropriate—for the Leader of Government Business, so perhaps things are going to significantly improve now that he is back in the chamber. We did see some significant lows in the management of government business during his absence.

**Mr Odenwalder:** A shambles.

**Mr PICTON:** A shambles the member for Elizabeth says, and I think that is quite right. Unfortunately, this was one of those bills where that shambles did occur. We saw the government try to get this bill dealt with by the parliament without even giving the opposition the opportunity to be briefed on the bill or for the opposition to consult with its shadow cabinet or its caucus about the bill. That is quite unprecedented for a bill that is pretty routine and pretty standard, and we saw this in respect of two or three other bills over the past sitting fortnight.

This is something where the opposition absolutely needs to take time to consult with people and needs to take time to consider the legislation in detail before arriving at a position. At the very least it should be receiving briefs from the government. That is something we will be insisting on to make sure that proper scrutiny is applied to legislation in this place. Certainly that is the standard the now government expected when it was in opposition, so it is a pretty dramatic turnaround to see that falling out so soon after this government has taken office. I will be speaking a little more about that in terms of one of the other bills where the government moved a lot further to try to seek debate, and in fact to close debate, which they sought to do before an opposition briefing had occurred.

This bill addresses some of the unintended bugbears in the current legislation. It makes amendments to resolve unintended consequences resulting from timing issues when the parliament passed the Summary Procedure (Indictable Offences) Amendment Bill 2017. The changes from that act commenced on 15 March 2018 and, in her second reading speech, the Attorney-General advised that concerns had materialised that required further amendments that would not have been known to the government at that time. We certainly agree with her on that point. The reforms in this bill include:

- reinstating the unintended repeal of a provision allowing the defendant to withdraw a written guilty plea that was inadvertently removed as a result of the Summary Procedure (Service) Amendment Act 2017 commencing prior to the Summary Procedure (Indictable Offences) Amendment Act 2017;
- correcting the unintentional exposure to costs in what has been a no-costs jurisdiction;
- clarifying a matter regarding the new case statement provisions, where prosecution case statement needs to include whether the prosecution intends to lead discreditable conduct evidence only in instances where it has been used to show a particular propensity or disposition of the defendant as circumstantial evidence of a fact in issue; and
- removing the requirement to have a defendant sign a case statement in the presence of their legal representative.

A real page turner, this bill. The amendment to section 123(5) which deletes, quote, 'in the presence of the defendant' seems to empower a lawyer to sign a case statement while not in the presence of their client. I am interested in the impact that this might have on remote and regional South Australians and those clients already in gaol. I presume case statements could be signed while client and lawyer are on the phone, but the Attorney-General or the representative might like to expand on how this might work in practice.

We also do not know whether amendments in the bill are precisely what the judiciary and other stakeholders have requested. The Attorney-General has not provided us with the submissions that she has received, which is something that she always insisted upon when she was the shadow attorney-general, so that is another very surprising departure from precedence there. We genuinely want to be a supportive and helpful opposition. We do not want to oppose things for the sake of opposing them, but in good conscience we also owe it to our constituents to ensure we fully inform



ourselves of matters before the parliament. We should not simply provide blind support for everything that comes before us.

With those words, I indicate that Labor will support the bill and once again voice our disappointment at how the fledgling government and Attorney-General were conducting the business in relation to this bill. I also indicate that we have a number of questions that I will raise within the committee process, and also that our shadow attorney-general, who is in the other place, I am sure will continue to scrutinise this bill further as it progresses through the parliament.

**Mr CREGAN (Kavel) (16:16):** I address the second reading of the Criminal Procedure (Miscellaneous) Amendment Bill and have much pleasure in assisting the Attorney to bring forth the legislation. The bill is necessary so as to effect amendments that will remedy certain unintended consequences of reforms earlier introduced by the Summary Procedure (Indictable Offences) Amendment Act 2017.

The matters the bill addresses are specifically: the unintended repeal of a provision relating to the procedure for pleading guilty in writing introduced by the Summary Procedure (Service) Amendment Act 2017; the unintended exposure of parties to litigation to an unacceptable costs risk, that is, the exposure of parties to costs orders in what has historically been a no-costs jurisdiction; and the unintended re-instatement of the effect of certain repeal provisions relating to the discreditable conduct notices in consequence of the new case statement provisions.

Another amendment is directed at a practical difficulty, which is the requirement to have a defendant sign a case statement in the presence of their legal representative. Before coming to this place, and having practised as a solicitor for nearly a decade, these practical matters, though apparently to some arcane and certainly unromantic, are very necessarily addressed by the machinery of this bill. I turn to the machinery of the bill and the way in which it cures the defects that I have outlined to the house. It will do so in ways which I now briefly reflect on.

Section 62B of the Criminal Procedure Act provides for certain powers of the Magistrates Court on a written plea of guilty. The Summary Procedure (Indictable Offences) Amendment Act commenced after the Summary Procedure (Service) Amendment Act. Consequently, section 62B(5) contained in the Summary Procedure (Service) Amendment Act was, in error, further amended the very day after it commenced by the commencement of the Summary Procedure (Indictable Offences) Amendment Act.

Such are the pitfalls of the machinery of certain legislative amendments, and I have great sympathy for parliamentary counsel, whose thankless task it is to assist us all in correcting these matters, but correct them we must. In view of these circumstances, the bill reinstates the version of subsection 62B(5) that was intended to be the final version in force in South Australia by way of statute.

I turn to section 189B of the Criminal Procedure Act and amendments relating to costs, which amendments I foreshadowed in my earlier remarks to the house. An unintended legislative consequence following the introduction and passage of the Summary Procedure (Indictable Offences) Amendment Act has been an unacceptable costs risk that parties are now exposed to in what is intended to be a no-costs jurisdiction.

As has already been or will shortly be made clear by other speakers, prior to the amendments parties were not entitled to costs in relation to the prosecution of major indictable matters except in—there is always an exception—certain very limited circumstances. In the lower court this was made clear by the application of section 189B of the Summary Procedure Act. Section 189B of the Summary Procedure Act provided, and I will read it for the benefit of members:

Despite any other provision of this Part, costs will not be awarded against a party to a preliminary examination of an indictable offence unless the Court is satisfied that the party has unreasonably obstructed the proceedings.

A revision to section 189B removed the reference to 'preliminary examination' and replaced it with a reference to 'committal proceedings', which was a consequential amendment following a change in terminology in this area of criminal procedure and practice. On its face, that amendment was desirable and necessary. However, there is also a pre-committal phase for certain offences. In any case, there was no intention to change the scope of the operation of section 189B of the act. The

intention of the drafter was apparently to ensure that references to define terms or the usage of common terms was consistent between acts, as we might expect, of course. This bill is directed at ensuring that the long-held position, that major indictable matters are not subject to costs, remains in force by operation of law in South Australia.

I turn briefly to discreditable conduct provisions in case statements. Members would know that the Summary Procedure (Indictable Offences) Amendment Act introduced case statements into the Criminal Procedure Act. I read for the benefit of the house section 123(2) of the Criminal Procedure Act, which provides:

- (f) whether the prosecution intends to lead discreditable conduct evidence (within the meaning of section 34P of the Evidence Act 1929) and, if so, details of that evidence;

As others will no doubt observe in this place, on one reading of section 123(2)(f) the section may do some unintended mischief. That is, it may have the effect of unintentionally placing again on the Office of the Director of Public Prosecutions an impractical burden to give notice of conduct evidence. Our bill is intended to cure this possible defect. I welcome the support from the opposition benches for the amendments that we are proposing in this legislation.

Finally, I will address the signing of defence case statements and reflect on section 123(5) of the Criminal Procedure Act. That section raises certain practical considerations for defence counsel. Is the defence case statement to be signed either by the defendant personally or by a legal representative representing them in the presence of the defendant? These are no small matters of practice. The practical mechanics of the remand and prison system means it is not always possible to be present with a client of a solicitor.

For prisoners held in regional prisons, the practical limitations are of course acute. Defence counsel may be prevented from filing a case statement within the time frames otherwise contemplated by practice and practice rules. Our legislation removes the requirement that the case statement be signed in the presence of the defendant if a legal practitioner is signing the statement for the defendant.

I refer to the explanation of clauses that have been or will shortly be tabled and I commend the bill to the house, observing that its passage is necessary to facilitate the administration of justice in South Australia. Thank you for your indulgence, Mr Deputy Speaker.

**The DEPUTY SPEAKER:** The member for Heysen.

**Mr TEAGUE (Heysen) (16:23):** Thank you, Mr Deputy Speaker.

*Members interjecting:*

**The DEPUTY SPEAKER:** The member for Heysen has the call.

**Mr TEAGUE:** I will confine my remarks in support of the Criminal Procedure (Miscellaneous) Amendment Bill 2018 to addressing very briefly the amendment of section 123 as it relates to case statements. In so doing, I simply wish to address the relatively recent advent of case statements as a means of preparing for trial. As a procedural step, they remain somewhat novel. It is an evolving area insofar as the preparation for trial is concerned.

I just wish to be clear about the nature of the unintended consequence of introducing the case statement regime into the Criminal Procedure Act and how it interacts with the relatively more longstanding amendments to the Evidence Act 1929. As has been observed, the Summary Procedure (Indictable Offences) Amendment Act, which was act No. 18 of 2017, introduced case statements into the Criminal Procedure Act. Section 123(2) requires the prosecution case statement to include the following:

- (f) whether the prosecution intends to lead discreditable conduct evidence (within the meaning of section 34P of the Evidence Act 1929) and, if so, the details of that evidence;

Prior to the commencement of the Criminal Procedure Act, it was section 34P of the Evidence Act 1929 that governed the requirement to give notice when discreditable conduct evidence was proposed to be led. It was a particular regime under the Evidence Act requiring notice to be given. The Evidence Act was specifically amended in 2013 to ensure that the notice required for those purposes was only required to be given when discreditable conduct was being sought to be led for a

propensity or similar fact purpose. As I understand, it was act No. 50 of 2013 that clarified that narrow scope.

The original requirement to give notice without reference to purpose had the effect of imposing an impractical, expansive and somewhat unintended burden on the office of the director because the concept of discreditable conduct captures a vast amount of evidence commonly used in court for purposes other than propensity or similar fact purposes. The 2013 amendment brought the notice requirement back into that more narrow purpose. It also brought it into line with the Uniform Evidence Act. So far so good, until the recent amendment came along.

It is only arguable, but arguable nonetheless, that the way the case statement regime, and in particular section 123(2)(f), has been drafted has had the effect of unintentionally reinstating that broader requirement and reinstating the conditions that applied under section 34P prior to the 2013 amendments, which would then reinstate that onerous and impractical burden on the Office of the Director of Public Prosecutions. That was not intended, and the bill, as far as it goes in that respect, addresses that and removes what might arguably have introduced that more onerous burden and really addresses that unintended consequence.

There are a number of other aspects of important, yet technical and necessary, amendments consequential to other changes. I will not address them further. I have listened carefully to those who have contributed and I commend the bill to the house.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:30):** I have pleasure in rising on behalf of the Attorney-General to close the debate on this bill. I encourage all members to support it, and to support it expeditiously, because this is indeed an important bill to fix a number of issues in our current legislation that came about due to defects in legislation previously offered by the former government that now need to be addressed. I thank the member for Kaurua for his contribution and, in particular, those aspects of the contribution in which he indicated that the Labor Party will be supporting the bill. I thought that was the good bit.

I thank the members for Kavel and Heysen for their considered and diligent approach to considering legislation. I encourage members of this house to reflect on other members' contributions to the bill that deal directly with the salient points, such as those of the members for Kavel and Heysen, especially when they bring to this chamber the technical expertise and skilled experience of their prior working careers. It is to be encouraged when members make contributions that are relevant to the bills, and I encourage all those members who do not feel that way to have a good hard look at themselves.

The member for Kaurua raised some questions in his contribution and, to the extent that I am capable at this stage, I will address a couple of them. It may well be that if there are further questions to be sought, in addition to those that I can respond to and in addition to those that were provided in briefings and emails offered from the Attorney-General's office to the shadow attorney-general prior, then they can be sought between the houses.

In relation to consultation and case statements and, in particular, potential impacts on rural and regional South Australians, I can quote from the Legal Services Commission, which advised that they support these amendments. They state:

The removal of the requirement for the defendant to be present while the case statement is signed by a legal representative will reduce delay and cost, as well as improve efficiency in the court process. The clarification of the discreditable conduct provisions will avoid confusion and help to ensure a fair trial for the defendant.

There are further submissions that the Attorney received from other stakeholders broadly supporting the need for this bill. In particular, there was a question in relation to the issue of costs. I do not want to single out the member for Kaurua. I know that he is doing good work for his party on behalf of the shadow minister whose attention is in the upper house, but I direct him to potentially look at the debate on the Summary Procedure (Service) Amendment Act 2017, which was a bill introduced by the former attorney-general, the member for Enfield, I would imagine. I remember that there was a great deal of back and forth.

In the second reading explanation provided on 30 May, some three weeks ago, a number of these matters were dealt with. But the point is that we have an expectation that we are indeed a no-

costs jurisdiction in relation to these matters. There is ambiguity that this bill clearly seeks to clear up to ensure that that policy outcome, that decision, is not undermined as a result of the passage of that bill last year.

If there are improvements that are to be made to acts such as this, then I think it is entirely understandable that the Attorney-General would seek to act expeditiously and with enthusiasm to ensure that South Australia's community does not suffer those unintended consequences of prior legislation. The acts took effect as of 5 March; therefore, for several months, for those issues that were highlighted by the judiciary, the Director of Public Prosecutions, it was clearly important that the government listened to those concerns that were raised and address them.

In relation to the time line, and I do not want to dwell on this, the member for Kurna did spend at least half his speech talking about the time lines provided. As leader of the house, I also had the opportunity to work for several years as manager of opposition business. I am advised that briefings were offered to the opposition on 4 June. The briefing occurred on 6 June, and at that meeting it was clear that there was no intention and no indication that the government was seeking to ensure that the bill needed to be completed in that week, understanding that that briefing had been offered.

A secondary briefing took place on 14 June. This has been considered as routine business. Members opposite who would like to complain about the treatment they received should reflect on their behaviour in government, as it is noticeable that a complaint such as that which was heard from the member for Kurna would not necessarily have fallen on sympathetic years from the Labor Party in government. Indeed, the fact that we are debating the bill today, on 20 June, three weeks after it was introduced, some weeks after the briefings took place, is the outcome that was sought.

There were many occasions when the former government decided to push legislation through, whether or not briefings had been held. The opposition was advised that there would be no attempt by the Attorney-General's office to push the legislation through in those briefings, and the opposition were advised that they would have the opportunity, if they wished and if there was time, to hear from members of the government who were ready to speak on the bill, it having been introduced on 30 May, but that they would not be expected to have their response required to be finalised. The Attorney-General was indeed enthusiastic to get this dealt with as quickly as possible because it is important for the people of South Australia.

However, I do reflect that there were many occasions when, as manager of opposition business, I would receive the information about what was to be debated the following week on a Friday, potentially an hour or two before it was circulated, sometimes at the same time, from a lovely young man—well, he was probably my age—in the leader of government business's office.

**An honourable member:** He is older than you.

**The Hon. J.A.W. GARDNER:** He may well be older than me; I was being kind. He would provide an indication of what was to happen the next week. Sometimes that would bear resemblance to what would take place on the Tuesday, Wednesday and Thursday; sometimes, it would not. I make absolutely no reflection on him. I think he is, as I said, a lovely man. He would suggest on the Tuesday, Wednesday or Thursday morning what might take place that day, and sometimes that would also bear resemblance to what happened on that day. I commend him for those days when he achieved that because I know that it was his personal intention to give the opposition, as we were then, due notice of whatever bills were to be debated.

However, that was not always the outcome because it turns out that the former government, on many occasions, would shuffle procedure in a given week, and that happens. Sometimes governments need to do that to meet their priorities. Oppositions can complain, as the member for Kurna did, and they are entitled to do that. We give them their space to do that, but it is not actually that unusual when it happens.

What also happened under the former government that the opposition got more upset about was when we were given notice of motions or, indeed, bills from time to time on the morning that they were to be introduced by the government. The government, obviously, had had a cabinet process with time to consider them and go through them. On the morning that they sought to introduce the bill or the motion, they would let the opposition know at about the same time they were

letting the world know, and the opposition would be expected some hours later to respond to that, potentially a couple of days later. That happened on a pretty regular basis under the member for Cheltenham's premiership. I am not aware of it happening so often under his predecessor, but I was not here for much of it.

My experience is that when oppositions spend their time complaining about such things, there are not that many people who lend a sympathetic ear because, at the end of the day, life can be challenging sometimes. We as a government will endeavour to work with the opposition in a complementary way as much as we can, in a constructive way, as much as we can.

The complaint made by the member for Kaurna would carry a lot more weight if we were not here some weeks after the introduction of the bill, after he had been provided with many briefings or indeed his shadow minister had been provided with many briefings. Indeed, if we had forced it through last week, then I might have listened a little bit more sympathetically to his complaint, but the fact is we did not.

*Mr Bignell interjecting:*

**The Hon. J.A.W. GARDNER:** The member for Mawson complains that we are still going. The member for Mawson complained when members were speaking directly to clauses in the bill. I do not think the member for Mawson is showing much respect for the parliament, and that is disappointing. I think his constituents expect better. At any rate, I commend the bill.

**Mr PICTON:** Point of order, Mr Deputy Speaker: it is a reflection upon a member to say that they are not showing respect to the parliament. I ask the minister to withdraw that.

**The DEPUTY SPEAKER:** If the member mentioned feels offended then—

**Mr Bignell:** I just think this guy thinks it is all about him.

**The DEPUTY SPEAKER:** Stand up.

*Mr Bignell interjecting:*

**The DEPUTY SPEAKER:** No, member for Mawson, you are out of order. The minister.

**The Hon. J.A.W. GARDNER:** I commend the bill to the house.

Bill read a second time.

#### *Committee Stage*

In committee.

Clause 1.

**Mr PICTON:** I will note firstly some of the lengthy debate and sermon we just had from the minister and respond to it in another form in this parliament soon. In relation to clause 1, what consultation did the government conduct in relation to this bill?

**The Hon. J.A.W. GARDNER:** The Legal Services Commission, the Law Society, the SA Bar Association, the Aboriginal Legal Rights Movement, the Director of Public Prosecutions and South Australia Police and there was further consultation with agencies as part of the usual cabinet process.

**Mr PICTON:** Will the minister table the responses received from all of those organisations?

**The Hon. J.A.W. GARDNER:** I do not propose to do so today. However, if the Attorney and Deputy Premier feel that it is appropriate to do so, noting that indeed I am not familiar with whether some of the responses in those consultation were expected to be public, I will allow her to make a decision obviously as to what she deems appropriate to provide between the houses. Obviously, any non-government agency or representative group is entitled to provide their responses to the opposition and the public if they so wish.

**Mr PICTON:** What was the response from the Bar Association to the consultation?

**The Hon. J.A.W. GARDNER:** Again, I refer the member to my previous response in relation to whether or not any particular correspondence will be released, but I am advised that the response advice from the Bar Association was welcoming of the amendments.

Clause passed.

Clause 2 passed.

Clause 3.

**Mr PICTON:** Can the minister outline the process in terms of how this came about and whether it was the result of the commencement dates being in the wrong order, or what the process was that led to this particular issue?

**The Hon. J.A.W. GARDNER:** On 4 March, the Summary Procedure (Service) Amendment Act repealed and substituted section 62B. On 5 March 2018, the Summary Procedure (Indictable Offences) Amendment Act came into effect and amended section 62B(5). This amendment was not intended in light of the amendments that came into effect on 4 March.

The effect of the unintended amendment on 5 March was that subsections 62B(5) and 62B(6) now deal with the same matter, namely, the powers and procedures of the court if the defendant states matters in a written plea that indicates he or she has a valid defence or that differs substantially from the relevant particulars in information. Section 62B(5) should deal with a different issue, namely, the ability of defendants to withdraw their written guilty pleas. Clause 3 of the Criminal Procedure (Miscellaneous) Amendment Bill 2018 amends section 62B(5), so it deals with the correct issue of defendants withdrawing written guilty pleas. It was identified by parliamentary counsel as being necessary.

**Mr PICTON:** Can the minister outline how regularly defendants withdraw their written guilty pleas? Are there particular statistics on the numbers of cases in which that happens, and what kind of cases?

**The Hon. J.A.W. GARDNER:** I make the point that at the moment, because of the glitch we are seeking to redress, the act does not allow them to do so. However, if there are any statistics that are relevant then the Attorney will provide them to the opposition between the houses.

Clause passed.

Clause 4.

**Mr PICTON:** Can the minister outline how not signing a case statement in the presence of a lawyer will work in practice?

**The Hon. J.A.W. GARDNER:** The lawyer must be instructed by the client to sign the case statement but need not be in their physical presence. I am advised this is particularly potentially useful, for example, where a defendant might be in Mount Gambier and the lawyer in Adelaide, or indeed vice versa, or any other regional dislocation. There may be other circumstances. I advise that stakeholders have advised of their support for this on that basis.

**Mr PICTON:** Can the minister outline what would be the case in which a defendant was to later claim that they did not give permission for such a case statement to be signed by their lawyer?

**The Hon. J.A.W. GARDNER:** It will be up to the lawyer to satisfy their own professional obligations with regard to having written instructions, but I would imagine that a lawyer would most likely seek written instructions from their client in this case.

**Mr PICTON:** I appreciate that, but I guess I am suggesting an outcome where that does not go as planned and a statement is submitted but the client then turns around and says that it was not their intention of agreeing to from what the lawyer had signed.

**The Hon. J.A.W. GARDNER:** I am sure the Attorney will provide more advice between the houses if I am in any way providing less than a clear answer here. I would suggest that the lawyer has a range of professional obligations, and in terms of the relationship between the lawyer and their client, I am sure they will take note of the advice of the member for Kaurana in the way that they conduct their matters. I think that there would be a range of areas in which a lawyer and their client

would have interactions, and it is suggested that by seeking instruction in writing the case suggested by the member for Kurna need not necessarily take place.

**The CHAIR:** Member for Kurna, this will be your fourth question on this clause. I will allow it.

**Mr PICTON:** I ask for your leniency, Chair.

**The CHAIR:** The minister is happy, so away you go.

**Mr PICTON:** There are not many other questions to go. Minister, in relation to regional and remote areas or people who are already incarcerated, are there any concerns that this would result in a lesser quality of legal representation to them due to the fact that the lawyer would not actually have to be physically present and, therefore, not physically present to provide advice to that client in those particular circumstances of a remote client or incarcerated client?

**The Hon. J.A.W. GARDNER:** I would suggest to the member for Kurna that, far from diminishing the quality of legal representation—and I am sure my learned friend over there can advise if this has ever happened with him—by ensuring that a member of the community in a regional community is not restricted to having legal representation from only those lawyers who are physically spending time in those regional communities, they are in fact broadening their range of legal representation that they may indeed face.

Somebody who is seeking legal representation in the town of Coober Pedy or Mount Gambier, as I suggested before—although both of those towns are serviced by fine lawyers, members of those communities—if they were able to have this take place, need not only restrict themselves to those lawyers who present themselves physically in those towns if they are able to seek this service.

Clause passed.

Clause 5.

**Mr PICTON:** In relation to clause 5, can the minister outline what are the unintended costs, and in what instances would they come up.

**The Hon. J.A.W. GARDNER:** At the moment, as a result of the changes last year, section 189B of the Criminal Procedure Act provides:

Despite any other provision of this part, costs will not be awarded against a party to committal proceedings for an indictable offence unless the Magistrates Court is satisfied that the party has unreasonably obstructed the proceedings.

Obviously the member would be aware of that. The deletion is replaced with 'proceedings for an indictable offence' under part 5, divisions 2 and 3. The reason for that is that we now have precommittal proceedings in addition to committal proceedings as a result of the changes made under the former attorney-general under the Labor government.

Clause 189B, in not specifically referencing precommittal stages as well, suggests that now we have those precommittal stages it is unclear whether they will be excluded from costs. Instead, we are replacing the words identifying as 'proceedings for an indictable offence' to ensure that they are also captured.

Clause passed.

Schedule and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:56):** I move:

That this bill be now read a third time.

In moving the third reading, I would like to thank the officers of the Attorney-General's Department and the adviser to the Attorney-General's office for assisting me during the time we spent together this afternoon.

Bill read a third time and passed.

### **FAIR TRADING (TICKET SCALPING) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 7 June 2018.)

**Ms HILDYARD (Reynell) (16:57):** I rise to speak in support of this bill, and of our amendments, and also to indicate that I am the lead speaker for the opposition on the bill.

**Mr Pederick:** Did you go to Adele?

**Ms HILDYARD:** You wait; I have some news for you. We sure know how to put on a show here in South Australia, and I do not mean just here in this house, of course; I mean all over our state. More often than not, the biggest acts in the world choose to come here, and if they try to fly over us between Melbourne and Perth we certainly put up a decent fight.

South Australia has a very strong sporting culture, and our games, matches and meets—whether they be footy, soccer, tennis, cricket, netball, swimming, athletics or pretty much any other sport—are very well attended. We also love our music and the performing arts. I am incredibly proud that I was part of the former Labor government that invested in venues, that had record investment in sporting infrastructure across our state, that promoted live music and that understood the value of bringing people together through sport, music and the arts as well as the many benefits that engaging in sport and the arts bring to the wellbeing of individuals, to the fabric of our community and to the state of our economy.

There was a lot of doubt from those opposite about the investment we made into Adelaide Oval and the footbridge, but you only have to go to one game or one concert to know that the investment was absolutely worth it. The Oval has played host to football finals, to Socceroos games, the A-League final taken out by our very own Adelaide United, the Rolling Stones, Midnight Oil, Black Sabbath, Guns N' Roses, Acca Dacca, Adele, and I could go on and on and on.

The footbridge has made the flow of people going to and from the venue smoother and easier, and it has absolutely and very positively added to the vibrancy of our beautiful city. We also look forward to the opening of our tram extension—just another way Labor made major events even more accessible. We all have some wonderful stories of the big gigs and games we have attended and how those very special moments have shaped our lives, our friendships and our love of sport and music.

It was very entertaining to hear more about the passions of those opposite: the member for Hammond's penchant for wearing Kiss make-up; the member for Morphett's crowd-surfing and mosh pit exploits (I thought I had seen him somewhere before); the member for Chaffey's favourite singer, Adele; the member for King's love of cricket; and the very lovely recital by the member for Elder of just a little Bob Marley. As do many of us on this side of the chamber, I share your passion for the excitement that comes with attending a big concert or the biggest match or game of the season.

I have very fond memories also of them: Midnight Oil, ZZ Top, INXS at Memorial Drive, the Divinyls and Hunters and Collectors at Thebby Oval and so many more. I have a very special memory of being 14 years old and catching the bus to the city with my friend, who was also 14, and waiting outside the Hilton Hotel to get an autograph from Barnesy. He came out just as we got there, and we talked with him about his concert that night. I had not been able to a ticket, and I lamented that there was no way I could afford one from someone out the front, but I wished him luck with his show. Lucky for my friend and I, he put our name at the gate and our dream to hear him and his band play came true.

There are other brilliant memories of gigs that were not as big, but certainly gigs that were just as loud and just as exciting, played by incredible, groundbreaking, iconic South Australian and



other Australian bands across our state—bands like the Exploding White Mice, the Screaming Believers, Fear and Loathing, the Numbskulls and the Mark of Cain—played in iconic venues, including the Tivoli hotel, LeRox, Lark and Tina's, the Austral hotel, Adelaide UniBar, the Gov, in life saving clubs across our coast, at the Seacliff and Holdfast hotels, the Port Noarlunga Football Club and, of course, in the Flinders University Tavern. Many interstate acts also toured regularly including the Sunnyboys, the Painters and Dockers, the Stems, Radio Birdman and the Triffids, many of whom are enjoying re-formation tours in recent years.

This weekend, live music lovers can enjoy the amazing A Day of Clarity, being run by innovative South Australian business Clarity Records, owned by Matt Horvath, who organises the venues and artists. The festival is run in the East End of Adelaide; it is now in its fourth year and held in many traditional live music venues, such as the Crown and Anchor and Exeter hotels, as well as new venues, such as Château Apollo and Roxie's. The festival has grown to the extent that this year Union Street will be closed to traffic and will have a temporary stage and food trucks. The festival showcases many local acts such as Juliette Seizure and the Tremor-Dolls and the Young Offenders, and big interstate acts, such as Frenzal Rhomb. I encourage members of this house to get along to A Day of Clarity if you can.

My younger years, and indeed all my years since, have been shaped by happy memories of enjoying live music, live performance and some iconic sporting contests—SANFL grand finals, the Diamonds at the Entertainment Centre, the Lightning and 36ers, the list goes on. But some of these memories are also about sitting outside a concert because we had missed out or had not been able to afford it in the first place, or listening to a game somewhere because we were unable to get in. Ticket scalpers ruin the fun for a lot of people, and they prevent equality of access to many events for many members of our community. I hope that this bill can put a stop to that.

I have many friends and know lots of local community members who save literally for months to get to their dream concert or sporting clash. When a major event is announced, there is a mad rush to get tickets and some careful planning to do. You need to find a friend who can guarantee that they are not going to be in a meeting, at an appointment, working somewhere without access to a PC or soothing a child the second tickets go on sale.

That friend also needs to have decent internet and a credit card with credit on it ready to go. Sometimes, it is only a matter of minutes until all the tickets are gone. If you were not able to secure tickets, you are of course left even more disappointed. The disappointment is one thing, but that disappointment can turn to fury and a sense of deep frustration when you know that many of those tickets were purchased by bots, and when you later see the tickets on a resale website at astronomical prices it is worse.

As Mick Jagger said, 'You can't always get what you want. You can't always get what you need.' That is the way of the world, but when people miss out because of scalpers it is not fair, and it is this unfairness that we want to see stopped. When people save up their money to go to a major event, they know that they are up against a lot of other eager fans, but they should not be up against bots and sneaky people wanting to onsell for a heap of cash.

Labor wants events to be accessible to as many people as possible, not put out of reach by ticket scalpers driving up ticket prices. Labor supports this bill because we want the system to be fairer for members of our community who genuinely want to go to a major event, who want to make those memories that so many of us treasure. One of our amendments aims to assist people who do need to sell a ticket because of a genuine inability to attend by making sure they are not left worse off.

As it currently stands, the bill before us does not include transaction costs as part of the original ticket cost calculation, so it is possible that in some cases people are unable to recoup the entire cost of the ticket when needing to sell it. The limit of only being able to sell a ticket for 110 per cent of the original cost does not include the cost of booking and transaction fees, which can sometimes exceed 10 per cent of the actual ticket cost. Labor does not think that is fair. Those fees can add up, and we think that they should be included in the 110 per cent. We want people who legitimately need to sell a ticket not to be disadvantaged by this bill. They are not the target, and we do not want to inadvertently make them one. We want greater fairness and equality of access.

Our second amendment limits the number of tickets that can be purchased in one transaction. We know that the bots are hard to beat and are always changing, but we would like to try to curb their purchases, as we hope the legislation more broadly will be able to do. Our amendment limits to 30 the number of tickets that can be bought by any one person. We think this strikes a good balance. That means that school groups, sporting clubs and community organisations are unlikely to be affected if purchasing for a large group. They are not, as I said, our target for this legislation: ticket scalpers are.

There are some details that we understand will be decided during a consultation process, including which events and venues are deemed exempt from the legislation and which are part of it. It is important that the community is happy with how this legislation works, including these details. I look forward to working with the Attorney-General, her office and her department and taking part in these consultations to ensure that the regulations make this legislation as fair as possible for all South Australians.

I look forward to our deliberations about this legislation and our amendments, and I very much look forward to ensuring that South Australians continue to make great memories, enjoying the acts and concerts that make them happy.

**Ms WORTLEY (Torrens) (17:08):** I rise to speak briefly on the Fair Trading (Ticket Scalping) Amendment Bill 2018. According to media reports, ticket scalping or the resale of event tickets, often bought in large numbers for the purpose of selling for profit, has caused many cases of disappointment for members of the general public. I think it is fair to say that, if not ourselves, we at least know people who have been very disappointed by missing out on purchasing tickets to a major sporting event or concert.

Sometimes, this is a result of a high demand for tickets to an event and the actions of what we have come to know as ticket scalpers. The deliberate purchase of multiple tickets to sporting events or concerts and the sale of these tickets with a considerable mark-up on the original price creates a situation whereby individuals miss out on purchasing a ticket at the authorised price simply because they have been purchased in large numbers by scalpers. This leaves the individual who wants to attend the event with the option of purchasing a ticket at a hugely marked-up price or missing out on attending the event altogether.

I know that, particularly for concerts where fans have missed out, they may congregate outside on the lawns of the venue so that they can at least hear, if not see, the artist they wanted to see. I am sure many in this chamber have experienced that. I have heard some of the speeches already given in this chamber, and I think I even heard about some experiences going back as far as the Rolling Stones, so that was interesting. I know that people have had to do that over the years, very often because there were not enough tickets available; it was a sellout. That may have been in the days before scalpers, but certainly now it is something that happens on a regular basis.

The bill before us today seeks to address this issue with amendments to the Fair Trading Act 1987 by, firstly, making it an offence to resell a ticket to an event for more than 110 per cent of the original price, plus booking fees and charges, and removing the need for the minister to declare it a major event. Secondly, it outlaws ticket bot software that enables scalpers to quickly buy large numbers of tickets online. It includes a significant fine of \$100,000. For the record, ticket bot software enables one to acquire a large number of tickets quickly by using multiple IP addresses, leaving fans who want to purchase tickets to a popular concert with a significantly reduced opportunity to do so.

The bill allows event organisers to seek a court injunction against scalpers using ticket bot software. It also recruits event organisers to publicly disclose details of tickets allocated for public sale, and it requires owners of advertising publications to ensure that no prohibited advertising of ticket resales above the cap is published. This also requires a ticket resale advertisement to include the original supply cost of the ticket and details of the location from which the ticket holder is authorised to view the event, including the bay, row or seat number associated with the ticket.

While we support the Fair Trading (Ticket Scalping) Amendment Bill 2018 before us today to stop ticket scalping, it is our view that people who genuinely need to sell a ticket or tickets they have purchased because they are no longer able to attend the event due to illness, work

commitments or any other legitimate reason should be left no worse off. That is why we will be moving an amendment to clause 4 that would see 110 per cent apply to the cost of the ticket and the booking fees. This would enable transaction fees to be recouped. A further amendment limiting the number of tickets that can be purchased to 30 enables sporting clubs, schools and community organisations to purchase group tickets so that they are able to sit together in the same area.

Labor is committed to making the purchasing of tickets to events as fair as possible, and it looks forward to playing an active role in the consultations that we are advised will take place before the regulations are formed. Importantly, when enacted, the law will apply to ticket sales for all sporting and entertainment events in South Australia where the event is subject to a resale restriction. Labor wants major events, including sporting events and concerts, to be accessible and without ticket scalpers driving up the prices, so we will support the bill.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (17:13):** I thank the opposition for their indication of support for the bill. I thank members for making contributions to the debate. They are almost too numerous to remember them all, so I will not attempt it. I commend the bill to the house.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**Ms HILDYARD:** I have a couple of general preliminary questions. Minister, how does the bill differ from the New South Wales legislation?

**The Hon. J.A.W. GARDNER:** Compared with the New South Wales legislation, the offence under the New South Wales act occurs when a person sells a ticket for an amount that exceeds 110 per cent of the original acquisition cost, being the original supply cost of the ticket plus the transaction cost, which is essentially, as I understand, what the member's amendment proposes to do. From a compliance and enforcement perspective, that would require being able to prove what the transaction cost was, which in many cases would, of course, be quite difficult and would possibly involve having to obtain bank statements and so forth to prove that an offence has occurred.

To enable effective enforcement of the provisions, the South Australian bill defines only original supply cost and transaction cost and it is proposed that the offence under South Australian legislation would occur where a person sells a ticket for a price exceeding 110 per cent of the original supply cost, excluding any transaction cost. I think that is the main difference.

**Ms HILDYARD:** As you mentioned, our first amendment seeks to change the bill in that regard. I am happy to ask those questions when we get to that particular section, but is there any reason that the legislation has been drafted without those similar provisions in the New South Wales legislation?

**The Hon. J.A.W. GARDNER:** Yes, because we believe our legislation is superior. I can go through the reasons why now, if the member would like, or we can wait until the amendment is moved. I would indicate, though, that we are a government that is willing to listen to the opposition and the community and if, having had the amendment for the time that we have had, we become convinced between the houses by the good efforts of the member that her amendments will improve the bill, the government will contemplate that.

But we have made a decision as a government that we are seeking to support the rights of consumers. They are our priority and we believe that the legislation as drafted does that as best as it can. We will have a look at any amendments that come forward and if we believe that they improve the bill, we will accept them, but at this stage I am not convinced, by a long shot.

**Ms HILDYARD:** To clarify, are you talking about the amendment that has just been raised, in terms of the 110 per cent/100 per cent issue, or both of the amendments in that regard?

**The Hon. J.A.W. GARDNER:** Yes, amendment No. 1.

**The CHAIR:** Member for Reynell, you really need to focus your questions on the clause that we are dealing with, so what I might do—

**Ms HILDYARD:** I did indicate to the minister that there were just a couple of general questions to start, but I will move that way.

**The CHAIR:** Alright, but you did not indicate that to me, though.

**Ms HILDYARD:** As the last of those general questions, is there an intention for there to be exemptions for certain events or venues?

**The Hon. J.A.W. GARDNER:** Can I ask the member to restate the question?

**Ms HILDYARD:** Is there an intention for there to be an exemption for the application of this legislation to any particular events or venues?

**The Hon. J.A.W. GARDNER:** Thank you for your forbearance; I genuinely appreciate it. Not at this stage. We are open to suggestion as part of the consultation, but not at this stage.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

**Ms HILDYARD:** I have a question on new section 37E, if I could ask that first.

**The CHAIR:** We are up to clause 4, and you have two amendments filed for clause 4.

**Ms HILDYARD:** Yes. Would you like me to ask questions that do not relate to the amendments first, or to go straight to the amendments?

**The CHAIR:** We will take a question, member for Reynell. The minister is happy.

**Ms HILDYARD:** Thank you. Minister, on new section 37E, can you please confirm that if someone wins a free ticket as part of a promotion they also have to give that ticket away for free?

**The Hon. J.A.W. GARDNER:** Yes, as it currently stands.

**Ms HILDYARD:** I move:

Amendment No 1 [Hildyard-1]—

Page 4, line 15 [clause 4, inserted section 37E(1)]—Delete 'excluding' and substitute 'including'

If I can make a brief comment in relation to what the minister said, this amendment is also about protecting the interests of the consumer, because we understand that, from time to time, a consumer purchases a ticket and the transactional costs of purchasing that ticket can exceed 110 per cent of the cost. So the purpose or the intent of this amendment is to ensure that a consumer can recoup all of those transactional costs when on-selling their ticket as well. That is the intent of the amendment. I just want to make that clear. I think that the minister may have already indicated their position, but I will see if there is anything to add.

**The Hon. J.A.W. GARDNER:** I was happy to provide some of the technical advice earlier about the difference between the New South Wales act and this bill. I was further happy to answer the shadow minister's other question. In relation to the original supply costs, as opposed to including transaction costs, the bill currently defines the original supply cost of a ticket as:

...the amount for which the ticket was sold to the first purchaser by an authorised seller, excluding any transaction cost.

The exclusion of transaction costs from the meaning of 'original supply costs' is quite intentional. Prohibiting the sale of tickets for an amount that exceeds 110 per cent of the original supply cost essentially caps the amount that a person reselling a ticket can recoup for any transaction costs associated with the purchase at 10 per cent of the original face value of the ticket.

I note the concerns raised regarding a person's ability to recoup all the fees associated with ticket purchases; however, we believe—and we will take further consultation between the houses—that the 10 per cent figure strikes a reasonable balance between preventing ticket scalping and

enabling someone who legitimately needs to resell a ticket to an event that they can no longer attend to recoup the cost of the ticket, plus any associated fees. We believe it is a reasonable balance. It also enables other consumers who may have initially missed out on attending an event to purchase tickets via the secondary market at a reasonable cost.

One of the primary aims of this bill is to broaden the scope of existing ticket scalping provisions to protect consumers purchasing tickets via the secondary market. It is for the purpose of protecting the consumers that the government is at this stage certainly opposing the amendment. There are two groups of consumers we are particularly concerned about. The first group is those purchasing the tickets on the secondary market and ensuring that they are not paying an unreasonable cost. We believe that an additional 10 per cent is a reasonable balance. Secondly, it is indeed all consumers. The purpose of the bill is to overcome the fact that the previous government's approach to ticket scalping did not work. There were no convictions. I do not believe there were any prosecutions.

Ensuring that the bill is enforceable is absolutely critical. The government has excluded transaction costs from the original meaning. As I said, it was intentional. As I mentioned also, and I will just reiterate that, from a compliance and enforcement perspective, the amendment proposed would require being able to prove what the transaction cost was, which, as I said before, in many cases may be difficult as it could involve having to obtain bank statements and so forth to prove that an offence has occurred. I realise that the member has moved this amendment with positive intent. We will consider it further between houses, but at this stage the government will not be supporting the amendment.

Amendment negatived.

**Ms HILDYARD:** In relation proposed section 37F, are advertisements for tickets for events being held outside of South Australia still covered by this bill if the advertisement is shown in South Australia?

**The Hon. J.A.W. GARDNER:** It only applies to events held in South Australia.

**Ms HILDYARD:** I have some questions on proposed section 37G. In terms of the penalties, how did the government come to the maximum penalties of \$100,000 for body corporates and \$20,000 for individuals?

**The Hon. J.A.W. GARDNER:** If there is further information to what I am about to provide, then the Attorney's office will provide it between the houses and clarify. I am advised that the expiation fee is consistent with that of New South Wales. My experience in this house is usually that these fees are determined on a comparable basis with comparable penalties in other South Australian legislation or, indeed, interstate.

I imagine that it is most likely that these figures equate to the New South Wales penalties, given that I am advised the expiation fee equates to the New South Wales penalty and whatever units the New South Wales penalties have in dollar terms. I imagine that is the answer. However, if the drafting instructions were different from that, or if indeed there is any other reason, then we will advise the opposition between the houses.

**Ms HILDYARD:** Thank you, minister; I appreciate that. Has any individual or any body corporate been penalised in New South Wales?

**The Hon. J.A.W. GARDNER:** We are talking to New South Wales about the experience they have had since the legislation came in, in March this year. I would note that the government's position on the opposition's first amendment was fundamentally as identified. One of the key reasons we opposed it was that we wanted to ensure there was a capacity to achieve the aims of the bill. If the New South Wales experience has been that since March there have been many applications of it, then we are obviously going to be interested in talking to them about how that has taken place, but it has only been in place since March this year.

New section 37GA.

**Ms HILDYARD:** I move:

Amendment No 2 [Hildyard–1]—

Page 5, after line 2—After section 37G insert:

37GA—Restriction on number of tickets purchased per transaction

- (1) A first purchaser must not, in a single transaction, purchase more than 30 tickets to a sporting or entertainment event from an authorised seller.

Maximum penalty:

(a) in the case of a body corporate—\$100,000;

(b) in the case of a natural person—\$20,000.

Expiation fee: \$550.

- (2) A person does not contravene this section by purchasing more than 30 tickets if, before the person purchases the tickets, the Minister approves such action in accordance with the regulations.

**The CHAIR:** Do you want to talk to that amendment?

**Ms HILDYARD:** I have covered most of it in my words earlier, thank you.

**The Hon. J.A.W. GARDNER:** Can I speak on that?

**The CHAIR:** You can speak on that, minister.

**The Hon. J.A.W. GARDNER:** I thank the member for Reynell for putting forward the amendment and note the comments she made earlier about the purpose for it: to ensure that school groups and others are not disadvantaged by this. The government will seek further consultation between the houses on the amendment. I am very sympathetic for the reasons the member for Reynell has identified, but there may well be compliance issues.

I note, for example, that there are selling agencies at the moment that restrict tickets in any individual transaction, and we would want to ensure there are no unintended consequences from people trying to do the right thing. It may well be that in the upper house we are able to support this, or a version of this, depending on whether we are able to achieve the proposed intention. We will consider this further in the coming weeks and deal with it in the other place. At the moment, while we are sympathetic and may well be able to come to an agreement on this, we will not be supporting the amendment at this stage.

New section negated.

**Ms HILDYARD:** I do have questions on new section 37I.

**The CHAIR:** That is fine.

**Ms HILDYARD:** Minister, what consultation has been done with Gumtree and the like to ensure that they are able to put in place mechanisms to notify sellers of their obligations under this legislation?

**The Hon. J.A.W. GARDNER:** I am advised that further consultation with Gumtree, and potentially other websites that CBS deals with from time to time that offer similar arrangements, I expect will be taking place particularly ensuring that they understand the responsibilities. There has been some correspondence in the past between CBS and websites such as Gumtree on some similar matters, but further consultation will take place.

**Ms HILDYARD:** How much time will Gumtree and other organisations of that type be given to set up notifications, or is that just to be part of that consultation?

**The Hon. J.A.W. GARDNER:** The government proposes to engage with companies—and Gumtree is one that keeps being identified; I am told there are others—in that consultation; if they have a good case to make in terms of timing, we will take that on board.

**Ms HILDYARD:** In the case of a company like Gumtree, if a ticket is sold for more than 110 per cent of the original cost, would both Gumtree and the seller be penalised? How would that be policed?

**The Hon. J.A.W. GARDNER:** So, 37I is reasonably clear in that the owner of an advertising publication—in this case, Gumtree or others—must ensure that no prohibited advertisement is published in the publication or website. Gumtree would be in breach, as would the person selling it, I am advised.

**Ms HILDYARD:** What avenues will members of the public have to report prohibited advertising on Gumtree and other sites?

**The Hon. J.A.W. GARDNER:** To CBS through the usual avenues.

**Ms HILDYARD:** This is the last one on this section. Will CBS be given any additional resources, for example, a telephone line specifically for people to call when reporting behaviour that contravenes this legislation?

**The Hon. J.A.W. GARDNER:** In the usual course of receiving complaints and concerns, CBS, I am advised, is capable of managing that. My personal ambition, of course, is that the government's bill going through the houses, as introduced, and the Legislative Council hopefully following, will see a new dawn for South Australia as this government has heralded, a new dawn that not only provides more jobs, better services and lower costs but also no more ticket scalping.

**Ms HILDYARD:** On new section 37K, minister, how will the government monitor use of ticketing websites to identify those who have engaged in prohibited content?

**The Hon. J.A.W. GARDNER:** There is an opportunity potentially for CBS to investigate as required but I note that under the existing legislation, the Major Events Act, I can think of a number of examples in recent years. I suspect that some of them may have even been identified in the second reading debate where there were egregious examples of ticket scalping that were brought to the government's attention in the media—all forms of media—and in the parliament, and occasionally a major event would even be declared.

I think when I say—and I promise you I am not trying to be glib—that we would be seeking to rely on members of the public to bring it to the attention of the department in many instances, I am confident that that will happen because there have been so many occasions where members of the public have brought this to the government's attention in the past. The opportunity provided by this legislation is that there will be an opportunity to remedy that behaviour.

**Ms HILDYARD:** I think you have answered my next question which was: who will be responsible for reporting misconduct? I think the answer is members of the public. Will those reports go straight to the police or to CBS or another agency?

**The Hon. J.A.W. GARDNER:** It is expected that it will be CBS and, if required, SAPOL could become involved.

**Ms HILDYARD:** On new section 37L, minister, can the responsible minister ask any event organiser or class of event organisers to disclose the total number of tickets made available by authorised sellers for general public sale?

**The Hon. J.A.W. GARDNER:** I am advised that the bill provides that the minister may, by notice in the *Gazette*, declare that a specified event organiser or class of event organisers be required to disclose the total number of tickets made available by authorised sellers for general public sale, but the minister must notify the event organiser of his or her intention to make such a declaration, and the event organiser must be given a reasonable opportunity to make submissions in relation to the proposed declaration. As the member would be aware, 37L provides:

The total number of tickets specified in a public notice required under this section must be a number that the event organiser believes, on reasonable grounds, is not more than 10% greater or less than the total number of tickets that are to be made available for general public sale before the day on which the event is held...

**Ms HILDYARD:** In what kinds of circumstances would you see the minister foreseeing a requirement to disclose those numbers?

**The Hon. J.A.W. GARDNER:** In relation to examples, I am told there have been occasions in the past where organisers have presented potentially misleading information to the public about the number of tickets for sale in order that the apparent value of those tickets might appear greater.

If there are specific examples that the Attorney wishes to provide between the houses that is something she may be keen to do, but I think that probably covers it. The purpose of the legislation is to ensure transparency for consumers.

**Ms HILDYARD:** Can the minister confirm that once a disclosure is made the number of tickets will be made public?

**The Hon. J.A.W. GARDNER:** Sorry, can you repeat the question?

**Ms HILDYARD:** I guess what I am trying to get to, minister, is if you should require a disclosure, how would that be made public?

**The Hon. J.A.W. GARDNER:** Through the *Gazette*.

**Ms HILDYARD:** Has the New South Wales minister requested numbers for any events to date?

**The Hon. J.A.W. GARDNER:** As we identified earlier, the legislation has been in only since March. I am not aware of that having been done, but it is possible. It is equally possible that, the legislation having been in only since March, that has not taken place. Again, if there are any particular examples that the Attorney wishes to bring to the attention of the opposition I am sure she will do so, if we receive that information from New South Wales.

Clause passed.

Schedule and title passed.

Bill reported without amendment.

#### *Third Reading*

**The Hon. J.A.W. GARDNER (Moriaita—Minister for Education) (17:44):** I move:

That this bill be now read a third time.

In doing so, I thank the opposition for their support and the good-natured conduct during the committee stage. As we have identified, we will consider further the amendments proffered. Probably the second one is particularly something that we will have a look at. I thank members of both sides who have contributed to the debate. I particularly want to commend the Attorney-General and the Minister for Sport for their long pursuit of this legislation. I also identify my gratitude to the officers from CBS and the Attorney-General's office who have assisted me in the time we have spent together on the bill this afternoon.

Bill read a third time and passed.

#### *Matter of Privilege*

### **LOCAL HEALTH NETWORKS**

**The SPEAKER (17:46):** I rise on the matter of privilege that was raised this morning regarding advertisements for local health networks' governing board chairs. I make the following statement with regard to the matter of privilege raised by the member for Kaurua in this house earlier today. However, before addressing the matter, I again wish to outline the significance of privilege as it relates to this house and its members.

Privilege, as we have heard, is not a device by which members or any other person can seek to pursue matters that can be addressed by debate or settled by the vote of the house on a substantive motion. As we have heard before, McGee in *Parliamentary Practice in New Zealand*, in my view, makes the test for whether or not a matter is a matter of privilege by defining it as a matter that can 'genuinely be regarded as tending to impede or obstruct the House in the discharge of its duties'.

Generally speaking, any act or omission which obstructs or impedes the house in the performance of its functions, or which obstructs or impedes any member or officer of such house in the discharge of his or her duty, or which has a tendency, directly or indirectly, to produce such a result, may be treated as a contempt and therefore be considered a matter of privilege even though there is no precedent for the offence.



I refer to the matter raised by the member for Kaurna where he makes reference to advertisements appearing in newspapers seeking governing board chairs on local health networks. The member for Kaurna notes that the roles, requirements, payments, network structure and responsibilities of these positions are all predicated on the passage of a bill that has yet to be introduced into the parliament.

The member for Kaurna's proposition is that there is no acknowledgement in the advertisements of the parliament's role and, as the legislation upon which the appointment of governing board chairs is yet to be introduced into parliament, the government by undertaking this action is directly or indirectly impeding the house in the performance of its functions.

The member for Kaurna refers to an earlier ruling of Speaker Lewis on 26 February 2004, where, in what he alleges are similar circumstances involving the advertising for positions on as then unestablished natural resources management boards, he ruled that there 'is a prima facie case warranting investigation'. This is from *Hansard*, 26 February 2004, page 1495.

In that instance, the matter was raised as a point of order by the then member for Stuart to the effect that 'this advertisement assumes that the parliament will rubber stamp this and is holding the parliament in contempt'. This was taken from *Hansard*, 18 February 2004, page 1235. Speaker Lewis, in explaining his ruling, stated, and I quote page 1,508 of *Hansard* on 26 February 2004:

The words chosen by the member for Stuart and my clear recollection were not that there was a contempt of parliament but, rather, that parliament had been held in contempt. The two are distinctly different. The factors which caused me to believe that, prima facie, there was the need to investigate it are somewhat wider than whether that advertisement provided to me by the member for Stuart took the parliament for granted and, therefore, held it in some measure in contempt; but rather to discover by what process the bureaucracy came to such conclusions as would enable it to undertake the course of action of which it did.

Speaker Lewis then went on to explain:

If...the honourable member for Finniss is restricting the inquiry to what he may have thought the member for Stuart said was a contempt of the parliament, then, of course, that does not have legs.

That was taken from *Hansard*, page 1508 on 26 February 2004. The member for Kaurna, in reading his matter of privilege, referred to the instance upon which speaker Lewis ruled and noted:

...the house accepted the explanation of the minister largely on the basis that the advertisement said—

And the member for Kaurna, quoting the minister, states:

Once enacted, the Natural Resource Management Act will establish regional boards...Roles, terms and conditions are subject to the passage of the Bill through the South Australian Parliament.

The member for Kaurna then states, and I quote:

Therefore in that instance the primacy of parliament to consider and pass, amend or reject the bill was maintained.

I refer members to the link [www.sahealth.sa.gov.au/governingboards](http://www.sahealth.sa.gov.au/governingboards) in the advertisement referred to by the member for Kaurna, where more information and application forms can be obtained. More specifically, page 10 of the Board Chair Expression of Interest Information Pack, which is accessible from the mentioned link, states:

Appointment subject to the passage of legislation

The Health Care Act 2008 will be amended to include the powers for the Minister for Health and Wellbeing to appoint governing board Chairs. Governing board Chairs will be appointed subject to the passage of legislation. Some of the arrangements outlined in this document may be revised as a result of parliamentary consideration.

It is clearly set out in the information pack that the provisions included in the advertisements are subject to the passage of the legislation and subject to revision. Like the minister's explanation concerning natural resources management boards, in the matter before me the circumstances are analogous where the primacy of the parliament is maintained to consider and pass, amend or reject any legislation that may impact on board appointments.

In the Chair's opinion, this is therefore not a matter of privilege for the reasons I stated above. In the Chair's view, the matter could not, to take the test, 'genuinely be regarded as tending to impede or obstruct the House in the discharge of its duties'. Therefore, I also decline to give the matter the

precedence that would allow the member for Kurna to immediately pursue the matter. However, my opinion does not prevent any member, including the member for Kurna, from pursuing the matter by way of a substantive motion.

At 17:52 the house adjourned until 21 June 2018 at 11:00.

*Answers to Questions***SA HEALTH**

**1 Mr PICTON (Kaurna)** (16 May 2018). Which health stakeholders has the minister personally met with between 18 March 2018 and 15 May 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Minister for Health and Wellbeing has met with a large number of health stakeholders in this period, too many to specifically identify.

**SA HEALTH**

**2 Mr PICTON (Kaurna)** (16 May 2018). Which SA Health sites has the minister personally visited between 18 March 2018 and 15 May 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Minister for Health and Wellbeing has visited:

- (a) Child and Adolescent Mental Health Service
- (b) Flinders Medical Centre
- (c) Former Repatriation General Hospital site
- (d) Modbury Hospital
- (e) Northgate Aged Care
- (f) Queen Elizabeth Hospital
- (g) Royal Adelaide Hospital
- (h) South Australian Health and Medical Research Institute
- (i) University of South Australia Cancer Research Institute
- (j) Wallaroo Hospital and Health Service
- (k) Women's and Children's Hospital.

**SA HEALTH**

**3 Mr PICTON (Kaurna)** (16 May 2018). What is the total costs spent on marketing, advertising, stationery and other costs due to the rebranding of the department between 18 March 2018 and 15 May 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

On 17 May 2018, the department name change was gazetted and is now named the Department for Health and Wellbeing. As the department will continue to operate under the SA Health name from a public-facing branding perspective, costs associated with the name change will be negligible.

**MINISTERIAL STAFF**

**6 Mr PICTON (Kaurna)** (16 May 2018). What are the names, titles and salaries of ministerial staff working for the minister at any stage between 18 March 2018 and 15 May 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

Between 18 March and 15 May the Minister for Health and Wellbeing has had three ministerial advisers employed in his office. As is required under the Public Sector Act, the Minister for Health and Wellbeing will be gazetting the names, titles and salaries of all staff employed by the minister under Section 71 of the Act. His office and all ministers have successfully implemented the election commitment to reduce the number of staff in ministerial offices compared with the previous Labor administration by 50 FTEs.

**SA HEALTH**

**7 Mr PICTON (Kaurna)** (16 May 2018). What are the names, titles and salaries of departmental staff working in the minister's office at any stage between 18 March 2018 and 15 May 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

Between 18 March and 15 May the Minister for Health and Wellbeing has had nine public servants based in his office performing administrative and liaison roles. As is required under the Public Sector Act, the Minister for Health and Wellbeing will be gazetting the names, titles and salaries of all staff employed by the minister under Section 71 of the Act. His office and all ministers have successfully implemented the election commitment to reduce the number of staff in ministerial offices compared with the previous Labor administration by 50 FTEs.

#### INFLUENZA VACCINATIONS

**8 Mr PICTON (Kaurna)** (16 May 2018).

(a) On what date did the minister request that the Chief Medical Officer purchase flu vaccine supplies to provide to 0-5-year-old South Australians?

(b) In what form was this request?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Minister for Health and Wellbeing informed the council on 8 May 2018, he did not request that the Chief Medical Officer purchase flu vaccine supplies.

The Minister for Health and Wellbeing's response at that time was:

'The fact of the matter is I have had discussions with the Chief Medical Officer. The Chief Medical Officer has said that he has been able to secure supplies. I didn't order him to put the order in; I am very glad he did.' (p.53)

The Minister for Health and Wellbeing advised that the first order for flu vaccine stock for the South Australian influenza program for all children aged 6 months to less than five years of age was placed with the manufacturer on 23 April 2018.

There had been inquiries and correspondence prior to the change in government about the possibility of such a program and at that time the advice from vaccine manufacturers was that there was insufficient supply to support such a program.

#### SA HEALTH

**9 Mr PICTON (Kaurna)** (16 May 2018). What is the process for the appointment of the new SA Chief Public Health Officer and when will the appointment be made?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The process for the appointment of the new SA Public Health Officer is yet to be determined.

#### SA HEALTH

**10 Mr PICTON (Kaurna)** (16 May 2018). Over the years 2018-19, 2019-20, 2020-21, 2021-22 what would be the projected income from the commonwealth to the state government if the original Health Reform Funding Agreement from 2012 had been honoured by the commonwealth government?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The heads of agreement between the commonwealth and the states and territories on public hospital funding and health reform (the heads of agreement), which the Premier signed in April this year, commits all jurisdictions to a set of principles and future directions for Australia's health system, and will guide the broader negotiation of the a new National Health Agreement.

The heads of agreement does not outline any specific funding allocations to any jurisdiction.

It is difficult to determine precise figures regarding the quantum of funding South Australia would have received across the years 2018-19, 2019-20, 2020-21 and 2021-22 under the National Health Reform Agreement (the Agreement).

The Agreement does not include or estimate specific funding amounts for any jurisdiction. Rather, it sets out the Australian Government's total funding contribution for public hospital funding and the parameters and conditions for its distribution to the states and territories.

#### SA HEALTH

**11 Mr PICTON (Kaurna)** (16 May 2018). Over the years 2018-19, 2019-20, 2020-21, 2021-22 what would be the projected income from the commonwealth to the state government under the new health funding agreement agreed by the government this year?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The heads of agreement between the commonwealth and the states and territories on public hospital funding and health reform (the heads of agreement), which the Premier signed in April this year, commits all jurisdictions to a set of principles and future directions for Australia's health system, and will guide the broader negotiation of the a new National Health Agreement.

The heads of agreement does not outline any specific funding allocations to any jurisdiction.

It is difficult to determine precise figures regarding the quantum of funding South Australia would have received across the years 2018-19, 2019-20, 2020-21 and 2021-22 under the National Health Reform Agreement (the Agreement).

The Agreement does not include or estimate specific funding amounts for any jurisdiction. Rather, it sets out the Australian government's total funding contribution for public hospital funding and the parameters and conditions for its distribution to the states and territories.

#### QUEEN ELIZABETH HOSPITAL

**12 Mr PICTON (Kaurna)** (16 May 2018). Is the government committed to the existing capital works scope and budget for redevelopment underway at The Queen Elizabeth Hospital and if not, what changes have been made?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The government remains committed to the capital works at The Queen Elizabeth Hospital.

TQEH Stage 3 Redevelopment has a total capital budget of \$276,982 million and the government has continued to progress the delivery of this redevelopment with a contract awarded to Ahrens Pty Ltd to provide a new 500 space multilevel car park and a contract awarded to Carromar Pty Ltd to provide health service planning works.

The new multilevel car park is anticipated to be completed by mid-2019.

#### LYELL MCEWIN HOSPITAL

**13 Mr PICTON (Kaurna)** (16 May 2018). Is the government committed to the existing capital works scope and budget for redevelopment underway at Lyell McEwin Hospital and if not, what changes have been made?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Lyell McEwin Hospital emergency department redevelopment has a total capital budget of \$58.0 million and the government has continued to progress the delivery of this redevelopment.

Concept design works for the remaining Emergency Department redevelopment (including new Short Stay Mental Health Unit) has recently commenced in line with original scope.

#### FLINDERS MEDICAL CENTRE

**14 Mr PICTON (Kaurna)** (16 May 2018). Is the government committed to the existing capital works scope and budget for redevelopment underway at Flinders Medical Centre and if not, what changes have been made?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The government remains committed to the capital works at the Flinders Medical Centre (FMC).

The recent \$185.5 million FMC redevelopment project provided a new multilevel car park, a new rehabilitation & palliative care building and a new Older Persons Mental Health facility. These facilities are fully completed and operational and are now within a defects liability period.

The \$17.5 million FMC Neonatal Unit redevelopment project which will provide an upgraded and expanded Neo Natal Unit remains in construction. This project is forecast for completion in September 2018.

During late 2017, the two existing cold shell operating theatre spaces at FMC were fully fitted out including the installation of specialist medical equipment within the approved capital budget of \$3.5 million. These works are fully completed and operational and are now within a defects liability period.

#### SA AMBULANCE SERVICE

**15 Mr PICTON (Kaurna)** (16 May 2018). Is the government committed to the existing capital works scope and budgets for redevelopment plans for SA Ambulance stations and if not, what changes have been made?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The government remains committed to the capital works for the South Australian Ambulance Services (SAAS).

**SA AMBULANCE SERVICE**

**16 Mr PICTON (Kaurna)** (16 May 2018). Is the government committed to the existing plans for purchasing new SA Ambulance fleet and if not what changes have been made?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Minister for Health and Wellbeing has been advised by SA Ambulance Service (SAAS) that it is currently funded for and operates with 250 ambulances. SAAS has a current contract with Mercedes-Benz, and places regular orders each year.

The Minister for Health and Wellbeing understands SAAS is currently in the process of procuring a replacement contract which is at the evaluation stage.

**MENINGOCOCCAL B DISEASE**

**17 Mr PICTON (Kaurna)** (16 May 2018). Over the years 2015, 2016, 2017 and 2018 (year to date) how many South Australians have contracted meningococcal B, what were their ages, and what were the outcomes of their condition?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

Between 1 January 2015 and 24 May 2018, there have been 83 people who have been diagnosed with invasive meningococcal B infection in South Australia. Fifty five percent of these cases have occurred in two age groups: those 0 to 4 years and those 15 to 19 years.

There have been five deaths during this period. The deaths have been in persons who were aged six months, 16 months, 18 months, 52 years and 53 years. Information on other outcomes of their condition for each ill person in South Australia is not routinely collected.

**SA HEALTH**

**18 Mr PICTON (Kaurna)** (16 May 2018). Have there been any changes to any grant programs in SA Health since 17 March 2018 and what are the details of the changes?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

There have been no changes to grant programs in SA Health since 17 March 2018.

**SA HEALTH**

**19 Mr PICTON (Kaurna)** (16 May 2018). Has the awarding of any grants been rescinded or cancelled since 17 March 2018 and if so what are they?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

No grants have been rescinded or cancelled since 17 March 2018.

**REPATRIATION GENERAL HOSPITAL**

**20 Mr PICTON (Kaurna)** (16 May 2018). What advice have you been provided regarding when elective surgery operations will be able to start at the Repatriation General Hospital?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Marshall government is committed to reducing the elective surgery waiting lists and making the best use of health assets on the site of the former Repatriation General Hospital. The future utilisation of both operating theatres and procedure rooms on the site is being considered as part of planning and consultation processes underway.

**REPATRIATION GENERAL HOSPITAL**

**21 Mr PICTON (Kaurna)** (16 May 2018). What advice have you been provided regarding how many elective surgery operations will be able to be performed in 2018-19 at the Repatriation General Hospital?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

SALHN and SA Health are currently working through options for additional colonoscopy procedures.

**REPATRIATION GENERAL HOSPITAL**

**22 Mr PICTON (Kaurna)** (16 May 2018). What advice have you been provided of the costs (both recurrent and capital) of opening elective surgery operations at the Repatriation General Hospital?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The cost of redevelopment will be determined once the planned use is identified.

#### REPATRIATION GENERAL HOSPITAL

**23 Mr PICTON (Kaurna)** (16 May 2018). Has the government received any advice as to safety and quality risks of elective surgery operations at the Repatriation General Hospital and if so what did it say?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

Any new or reactivated services at the Repat will undergo appropriate safety and quality checks, as well as consultation with clinicians and key stakeholders about what can be safely provided in a health precinct.

#### COUNTRY HEALTH SA

**24 Mr PICTON (Kaurna)** (16 May 2018). Is it the government's intention to split the Country Health SA functions of workforce, training, safety and quality, service planning, budgeting between the government's proposed six country health region boards?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

There will be six country local health networks established to replace the current Country Health SA Local Health Network. Detailed planning will occur over the coming months on the range of functions and responsibilities to be devolved to these local health networks.

#### COUNTRY HOSPITALS

**25 Mr PICTON (Kaurna)** (16 May 2018). Will the South Coast, Gawler and Mount Barker hospitals be incorporated in metropolitan regions or country regions under the government's new proposals?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The six country local health networks that will be established are based on the current Country Health SA regional boundaries. As such the South Coast (Victor Harbor), Gawler and Mount Barker hospitals will continue to remain part of a country region.

#### SA HEALTH

**26 Mr PICTON (Kaurna)** (16 May 2018). What will the public selection process be for selection of proposed new health board chairs and members?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

There will be extensive public advertising across South Australia and nationally commencing early June 2018, inviting people to submit an expression of interest for local health network board chair positions. The selection process will be merit and skill based with announcements to be made by 31 July 2018. A similar and separate selection process for board members will be undertaken later in 2018.

#### SA HEALTH

**27 Mr PICTON (Kaurna)** (16 May 2018). Has any offer been made for the appointment as a chair of a regional health board, and if so to whom?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Minister for Health and Wellbeing has made no offers to persons to be appointed as chair of a country governing board.

#### BAROSSA HOSPITAL

**28 Mr PICTON (Kaurna)** (16 May 2018). When will the government build a new Barossa hospital and what advice do you have on the cost?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

In a pre-election commitment, the government indicated it would allocate \$200,000—\$300,000 to develop a more detailed business case to provide evidence for, and examine a range of options and outline a clear path for consolidation of health services in the Barossa region into one hub that complies with contemporary service delivery and facility standards.

SA Health will engage professional service contractors, including clinical health service planning, architectural/facility planning and economic modelling expertise, to work collaboratively with Barossa health service providers, health advisory councils, community, consumers and Country Health SA Local Health Network to undertake the business case study. The business case process will be undertaken in the 2018-19 period.

#### SA HEALTH

**29 Mr PICTON (Kaurna)** (16 May 2018). Was the health minister involved in the decision to end Ms Kaminski's contract as chief executive?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Premier did discuss the leadership of SA Health with the Minister for Health and Wellbeing following the election.

#### WOMEN'S AND CHILDREN'S HOSPITAL

**30 Mr PICTON (Kaurna)** (16 May 2018). What are the names of all members of the government's task force for the new Women's and Children's Hospital?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The task force will be comprised of the following members:

Mr Jim Birch	Chair—representing Minister for Health and Wellbeing
Dr Cindy Molloy	Clinical—Paediatric Neurosurgeon, Medical and Surgical, Women's and Children's Health Network
Dr Steve Scroggs	Clinical—Obstetrics and Gynaecology, Women's and Children's Health Network
Dr James Rice	Clinical—Paediatric Rehabilitation, Women's and Children's Health Network
Ms Tracy Carroll	Clinical—Nursing & Midwifery, Women's and Children's Health Network
Dr Martin Ritossa	Clinical—Divisional Director, Women's and Children's Division, Northern Adelaide Local Health Network
Dr Tina Jones	Clinical—Co-Director Critical Care, Nursing RAH, Central Adelaide Local Health Network
Dr Di Lawrence	Clinical—Paediatrics FMC, Southern Adelaide Local Health Network
Ms Verity Paterson	Clinical—Executive Director Allied Health & Community, Country Health SA Local Health Network
Ms Lynne Cowan	Deputy Chief Executive, SA Health
Ms Lindsey Gough	Chief Executive Officer, Women's and Children's Health Network
Mr Brendan Hewitt	Executive Director Infrastructure, SA Health
Mr Simon Morony	Department of Planning, Transport and Infrastructure
Mr Matthew Hunt	Renewal SA
Mr Sandy Burness	Department of Treasury and Finance

#### WOMEN'S AND CHILDREN'S HOSPITAL

**31 Mr PICTON (Kaurna)** (16 May 2018). What is the remuneration for members of the government's task force for the new Women's and Children's Hospital?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The chair of the task force will receive financial remuneration for his working time on the task force. All other members of the task force are state government employees and will not receive remuneration for their services to the task force beyond their existing employment conditions.

#### WOMEN'S AND CHILDREN'S HOSPITAL

**32 Mr PICTON (Kaurna)** (16 May 2018). What is the advice regarding cost that the department has provided for a new Women's and Children's Hospital adjacent to the new Royal Adelaide Hospital?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The former government previously identified a cost of \$528 million to construct a new (Adelaide) Women's Hospital adjacent to the Royal Adelaide Hospital. The Marshall government has committed to the construction of a



new Women's and Children's Hospital. This represents a significant change in the scope and the scale of the project over that planned by the previous government.

The government has committed to establish a task force for the new Women's and Children's Hospital. The task force will consult with clinicians, health professional and industrial organisations in determining the service models and inpatient bed numbers for new Women's and Children's Hospital. The task force will undertake this work over the second half of 2018. A cost for the new Women's and Children's Hospital is expected to be known in the first half of 2019.

#### WOMEN'S AND CHILDREN'S HOSPITAL

**33 Mr PICTON (Kaurna)** (16 May 2018). What consultants or advisers have been appointed to provide advice regarding the new Women's and Children's Hospital and what is their cost?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The government will engage consultants to support the work of the new Women's and Children's Hospital task force as required.

#### SA HEALTH

**34 Mr PICTON (Kaurna)** (16 May 2018). By when will the government have established a commission on excellence and innovation in health and what will the powers and terms of reference for the commission be?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The government is committed to establishing a Commission on Excellence and Innovation in Health. No time frame has been laid down at this time.

#### ENTERPRISE PATIENT ADMINISTRATION SYSTEM

**35 Mr PICTON (Kaurna)** (16 May 2018). Who has been appointed to conduct the review into the EPAS system, what is the time frame and what is the cost of the review?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

No one has been appointed yet to conduct the EPAS review. The duration and cost of the review are yet to be finalised.

#### MODBURY HOSPITAL

**36 Mr PICTON (Kaurna)** (16 May 2018). Did SA Health provide any advice whatsoever indicating that a stand-alone High Dependency Unit (HDU) at Modbury Hospital could lead to unsafe patient outcomes? If so, what was the nature of the advice?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Minister for Health and Wellbeing can confirm that he received advice from SA Health indicating in the absence of establishing a new Intensive Care Unit at Modbury Hospital, appropriate levels of clinical safety may not be achieved with the establishment of a stand-alone high dependency unit.

#### MODBURY HOSPITAL

**37 Mr PICTON (Kaurna)** (16 May 2018). Will a stand-alone HDU at Modbury Hospital receive accreditation from the College of Intensive Care Medicine of Australia and New Zealand?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

That is a matter for the College of Intensive Care Medicine of Australia and New Zealand if and when accreditation is sought.

#### SA HEALTH

**38 Mr PICTON (Kaurna)** (16 May 2018). Has the Minister received any advice whatsoever regarding a stand-alone HDU receiving accreditation from the College of Intensive Care Medicine of Australia and New Zealand?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Minister for Health and Wellbeing can confirm that he has received advice from SA Health indicating accreditation from the College of Intensive Care Medicine of Australia and New Zealand would be unlikely with the establishment of a high dependency unit without appropriate intensive care unit support.

**QUEEN ELIZABETH HOSPITAL**

**39 Mr PICTON (Kaurna)** (16 May 2018). Will the minister guarantee that 24/7 cardiac emergency services will be restored at The QEHL within 100 days, as outlined in the Liberal Party's election commitment?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

Work is on track to meet the government's commitment to ensure TQEH has the capacity to deal with cardiac emergencies 24 hours a day, seven days a week within the government's first 100 days.

**QUEEN ELIZABETH HOSPITAL**

**40 Mr PICTON (Kaurna)** (16 May 2018). Can the minister guarantee that no clinical services will be removed from The QEHL?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

All decisions relating to clinical services are made on the basis on patient safety and clinical need.

**SA HEALTH**

**41 Mr PICTON (Kaurna)** (16 May 2018). Did the minister receive any advice whatsoever showing that signing up to the federal National Health Agreement would deliver a worse outcome for South Australia than the previously signed federal Hospital Funding Agreement?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

South Australia has not yet signed up to a new National Health Agreement. What the Premier signed in April this year was the heads of agreement between the commonwealth and the states and territories on public hospital funding and health reform (the heads of agreement). What the heads of agreement does not do is outline specific funding allocations to any jurisdiction.

**SA HEALTH**

**42 Mr PICTON (Kaurna)** (16 May 2018). What are the projections for funding to be received by SA under the new federal National Hospital Agreement compared to the original agreement?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

As the new National Health Agreement is still in the process of being negotiated, the government is not yet in a position to make any direct comparisons between the existing and new funding arrangements and levels.

**COUNTRY HOSPITALS**

**43 Mr PICTON (Kaurna)** (16 May 2018). Can the Minister guarantee that no services will be removed from any country hospitals?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Marshall government has a longstanding commitment to country hospitals and health services. There is a large focus by this government on country South Australia as we move to local level decision-making and the establishment of boards and separate regional health networks.

Other key commitments regarding country health include:

- investing in country hospitals by addressing the backlog of capital works, as well as several specific commitments to regional and country hospitals;
- increasing the level of chemotherapy being delivered in country South Australia;
- developing and implementing a rural health workforce plan.

**SA HEALTH**

**44 Mr PICTON (Kaurna)** (16 May 2018). How many additional hospital beds will be opened as part of the winter demand management for 2018, and at which hospitals?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

The Department for Health and Wellbeing does not commission or fund beds. Acute activity is funded based on separations and a target length of stay. Hospitals have the ability to increase the bed base to cater for increased demand.

**MINISTERIAL STAFF**

**52 Mr HUGHES (Giles)** (16 May 2018). What are the names, titles and salaries of ministerial staff working for the minister at any stage between 18 March 2018 and 15 May 2018?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development):**

Name	Position	Budgeted Salaries (\$)
Bradley Perry	Adviser	\$109,000

**MINISTERIAL STAFF**

**53 Mr HUGHES (Giles)** (16 May 2018). What are the names, titles and salaries of departmental staff working in the minister's office at any stage between 18 March 2018 and 15 May 2018?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development):**

Position	Budgeted Salaries (\$)
A/Chief of Staff	\$189,110
Office Manager	\$98,259
Personal Assistant to Minister	\$77,230
Parliament and Cabinet Liaison Officer/ Personal Assistant to Chief of Staff	\$80,115
Ministerial Liaison Officer	\$77,230
Ministerial Liaison Officer	\$77,230
Senior Business Support Officer	\$80,115
Business Support Officer	\$60,681
Business Support Officer	\$64,868

**MINISTERIAL STAFF**

**66 Mr KOUTSANTONIS (West Torrens)** (30 May 2018). What are the names, titles and salaries of ministerial staff working for the minister at any stage between 18 March 2018 and 15 May 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

Between 18 March and 15 May I have had one Chief of Staff and one ministerial adviser employed in my office. As is required under the Public Sector Act, I will be gazetting the names, titles and salaries of all staff employed by me under section 71 of the act. My office has contributed in successfully implementing our election commitment to reduce the number of staff in ministerial offices compared with the previous Labor administration by 50 FTEs.

Details of ministerial staff located in the minister's office at any stage between 18 March 2018 and 15 May 2018 as follows:

Name	Title	FTE	Salary
Dominic Kelly	Chief of Staff	1.0	\$160,000
Chris Hanna	Ministerial Adviser	1.0	\$109,000

**MINISTERIAL STAFF**

**67 Mr KOUTSANTONIS (West Torrens)** (30 May 2018). What are the names, titles and salaries of departmental staff working in the minister's office at any stage between 18 March 2018 and 15 May 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** I have been advised:

Between 18 March and 15 May I have had seven public servants based in my office performing administrative and liaison roles. As is required under the Public Sector Act, I will be gazetting the names, titles and salaries of all staff employed by me under section 71 of the act. My office has contributed in successfully implementing our election commitment to reduce the number of staff in ministerial offices compared with the previous Labor administration by 50 FTEs.

The following information outlines the titles, classification and salaries of departmental staff working in my office at any stage between 18 March 2018 and 15 May 2018.

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Title	FTE	Salary
Office Manager	1.0	\$98,259
PA to Minister	1.0	\$64,868
Ministerial Liaison Officer	1.0	\$106,507
Ministerial Liaison Officer	1.0	\$89,184
Cabinet Officer/ Parliamentary	1.0	\$86,297
Senior Business Officer	0.8	\$69,135
Business Support Officer	1.0	\$62,771