

## HOUSE OF ASSEMBLY

Tuesday, 31 July 2018

The **SPEAKER (Hon. V.A. Tarzia)** took the chair at 11:00 and read prayers.

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

### *Bills*

#### **TERRORISM (POLICE POWERS) (USE OF FORCE) AMENDMENT BILL**

##### *Committee Stage*

In committee.

Clause 1.

**Mr ODENWALDER:** Can I just clarify from the outset that there are four clauses; does it limit me to three questions on clause 4? It is quite a long clause.

**The ACTING CHAIR (Mr Pederick):** That is the standard practice.

**Mr ODENWALDER:** And you are a generous man, though, Mr Acting Chair.

**The ACTING CHAIR (Mr Pederick):** I will do what I can. It may help if you have some friends assisting you.

**Mr ODENWALDER:** Certainly. I will not trouble the committee or the Attorney very long with this. Clearly, there has been consultation with SAPOL over the preparation of this bill; I wonder if the Attorney could go over whether there has been consultation with the Police Association and any other agencies. What was the outcome of that consultation?

**The Hon. V.A. CHAPMAN:** My understanding is that SAPOL was the only agency consulted. If SAPOL, in the course of their deliberations, consulted with their union, then of course that is entirely a matter for them. Having said that, from time to time we do receive submissions from the Police Association in respect of matters they consider pertinent to their members, as the association responsible for the benefits and policy matters surrounding their membership, but on this occasion the best I have is that a member from our office spoke to PASA about the bill. Otherwise, they were not formally consulted before the draft was prepared.

**Mr ODENWALDER:** Thank you, Attorney. Is it your understanding then from that brief interaction with PASA that they are supportive of the measures in this bill?

**The Hon. V.A. CHAPMAN:** Yes, I am advised that the conversation that our office—that is, the ministerial office—had with PASA was in respect specifically of the anonymity issue. I can say to the member that this was a matter that was raised in general terms by PASA prior to the state election and that we, on behalf the Liberal Party at that stage, conveyed our position in relation to a number of aspects relating to that. When this bill specifically came about, I think at the time the Clavell coronial inquiry, for example, was a hot issue and the question of anonymity that was sought by the police officer was a matter in the public arena, so it is not unreasonable that the matter be raised, and I thank my adviser for doing so.

**Mr ODENWALDER:** I was not intending to harp on about this, but during that conversation on the issue of anonymity was it in relation to the bill, or was it in general? I understand, as you alluded to, that PASA have explored anonymity in other areas, not just in relation to this legislation, so I wonder if you could expand on that and let us know what plans there are to perhaps offer PASA members anonymity on any other occasion.

**The Hon. V.A. CHAPMAN:** The issue that was raised in relation to the bill, in consultation with them, was to alert them to the fact that the bill was progressing. They, and my recollection is,

the Commissioner of Police both had indicated that the anonymity issue was a matter for them. So, in the context of terrorism activity, strictly on that basis, it is in the bill.

**The CHAIR:** Is that all you have on that one, Member for Elizabeth?

**Mr ODENWALDER:** Yes.

**The CHAIR:** Member for Elizabeth, you asked a question earlier about how many questions you can ask per clause. I may have some leniency. We will see how we are going when we get to that last clause. I note it has three large subclauses, so we will see how we go.

**Mr ODENWALDER:** I appreciate that.

Clause passed.

Clause 2 passed.

Clause 3.

**Mr ODENWALDER:** I understand that in relation to the rest of the bill the Commissioner of Police is essentially the person who issues the declaration, and in some cases it is the deputy commissioner—I understand that. It includes a person appointed as Acting Deputy Commissioner of Police. I am wondering if you have any advice about how far down the chain that can go before a police officer is no longer able to issue a declaration, if you understand my question.

**The Hon. V.A. CHAPMAN:** I would have to go back to the original act and perhaps get that answered, but it is certainly at a very high level, and for obvious reasons. We are giving very special powers, if the parliament approves the bill, in exceptional circumstances—in a terrorist circumstance—and someone at the top of the chain needs to make that decision. We all know that there can be circumstances, and usually in emergency matters we ensure that there is a capacity to delegate, especially if the commissioner is deceased, unavailable, whatever, at the time, and then we make provision, of course, for someone at a senior level. But this is not a constable: this is at the very high level, in the sense of seniority in the force, for reasons which I think would be evident to the member.

**Mr ODENWALDER:** Thank you; I appreciate the answer. On the definition of terrorist act and the terrorist act declaration, we did discuss this last week in relation to the member for Enfield's contribution as well about the fact that we have to refer back through the legislation, back to the Commonwealth Criminal Code. I understand the Attorney's reasons for wanting to keep that definition within the Commonwealth Criminal Code so that we can work with other jurisdictions to make sure that we are all singing the same song sheet, so to speak. I do understand that in relation to the terrorist act itself.

During the course of the public debates, at least, last year, and, I understand, the conversations between the police and the then government, there was a suggestion that some other types of incidents might be able to be included in similar legislation to this—for instance, in relation to criminal liability and anonymity. I think that some of the suggestions were particularly high-risk domestic violence incidents, where there are sieges, where someone's death could be considered imminent, but it may be beyond the individual police officer's understanding of their authority to make that particular call at that particular time.

I am wondering if the Attorney has given any thought to or had any discussions with SAPOL or anyone else about those types of incidents, or any other types of incidents that may be included in legislation that is similar to this, and giving police better protections and anonymity.

**The Hon. V.A. CHAPMAN:** The first matter—because I think there were two questions and I am happy to answer them both, of course—is the definition of a terrorist act or ultimately what is being considered here in the terrorist act declaration context. As I explained last time, there is a significant amount of legislation, and it is considered preferable that we have some consistency in definition. Terrorists, if they enter Australia, are hardly likely to be impeded by imaginary boundaries, in the sense of traversing Australia, so we do, in dealing with this emerging issue for Australia, want to get it right, learn from other countries and, obviously in this case, ensure some consistency.

'Terrorist act' is not defined. Our principal act, which is our Terrorism (Police Powers) Act 2005, provides that a terrorist act has the same meaning as part 5.3 of the Commonwealth Criminal Code, except that it does not include a terrorist act comprised of a threat, so consistency is the basis for this. Furthermore, the Commissioner of Police would sit on a number of national groups related to counterterrorism and would be well versed in what is considered to be a terrorist act under the Commonwealth Criminal Code.

I also note that, under the 2004 Intergovernmental Agreement on Counter-Terrorism Laws, the commonwealth must consult with the states and territories and obtain the agreement of a majority of other parties, including at least four states, before amending part 3 of the Criminal Code. So that it is clear, section 100.1 of part 5.3 of the Criminal Code defines a terrorist act. I will read this out and put it in *Hansard*. It is reasonably long, but I think it is important and I committed to do so on the last occasion. Terrorist act means:

...an action or threat of action where:

- (a) the action falls within subsection (2) and does not fall within subsection (3); and
- (b) the action is done or the threat is made with the intention of advancing a political, religious or ideological cause; and
- (c) the action is done or the threat is made with the intention of:
  - (i) coercing, or influencing by intimidation, the government of the Commonwealth or a State, Territory or foreign country, or of part of a State, Territory or foreign country; or
  - (ii) intimidating the public or a section of the public.

Subsection (2) provides:

- (2) Action falls within this subsection if it:
  - (a) causes serious harm that is physical harm to a person; or
  - (b) causes serious damage to property; or
  - (c) causes a person's death; or
  - (d) endangers a person's life, other than the life of the person taking the action; or
  - (e) creates a serious risk to the health or safety of the public or a section of the public; or
  - (f) seriously interferes with, seriously disrupts, or destroys, an electronic system including, but not limited to:
    - (i) an information system; or
    - (ii) a telecommunications system; or
    - (iii) a financial system; or
    - (iv) a system used for the delivery of essential government services; or
    - (v) a system used for, or by, an essential public utility; or
    - (vi) a system used for, or by, a transport system.
- (3) Action falls within this subsection if it:
  - (a) is advocacy, protest, dissent or industrial action; and
  - (b) is not intended:
    - (i) to cause serious harm that is physical harm to a person; or
    - (ii) to cause a person's death; or
    - (iii) to endanger the life of a person, other than the person taking the action; or
    - (iv) to create a serious risk to the health or safety of the public or a section of the public.

The other matter that the member for Enfield raised in his contribution is what happens if a declaration is made and it is later found that it had not been validly made; i.e. where it is found not to have met the threshold of a terrorist act. I think it is fair to say that, although I think that would be an extremely

rare occurrence, the protections offered by the bill do not simply vanish in that situation. New section 27B(4) provides:

- (4) If a court finds that a purported terrorist act declaration was not validly made, this section continues to apply to any action taken by a police officer before the finding as if it were a valid declaration.

As the member might know, we have a number of protections in our legislation—and not just for police who are likely to be adversely affected if this were not here—as well as in other legislation, which essentially allows for the substance of the law, even if the form was not carried through to dotting all the i's and crossing every t. Otherwise, we would have the absurdity of protections and laws not applying simply because a form had not been filled out correctly, or the like. This is not a unique piece of legislation. In this instance, it is important for us to extend the criminal protection in this legislation as well as ensure that it is followed up.

The second matter relates to the criminal liability protections being broadened to protect police in other circumstances. This bill does not do that; as I have said, it is specifically defined to deal with a declared terrorist act. That is the intention of the government and it is not intended to go further.

One of the situations that was recently canvassed arose out of the incident at Tailm Bend in which a STAR Group officer ultimately killed a person who had, for five or six hours, been involved in a siege in a rural part of that area. I am just relying on media reports at the moment in respect of that; however, there was an inquest in relation to that incident. The person involved, Mr Kuskoff, was ultimately shot dead and there was a coronial inquiry that investigated that matter.

I think it is fair to say that we all appreciate that STAR Group officers have a very significant area of responsibility and are often in high-risk situations. The member for Hammond referred to a circumstance where one of our most distinguished police officers, Mr Derrick McManus, had been the victim, in relation to his undertaking his duty as a police officer in such a squad that has that heightened area of responsibility and significant increase in risk.

We can think of situations in South Australia where that is applied: to calm a domestic circumstance, if possible; to exercise a raid where there might be known weapons already there, perhaps to protect a stash of drugs or something of that nature; or, of course, to arrest and detain someone who is either a known felon or a suspect in a serious matter. In each of these situations, we have seen innocent people sometimes tragically get hurt, police officers at risk, and the assailant and/or the suspect sometimes become a victim as well. We have considered those matters as being quite distinguishable from a terrorist act. They are risky; there is no question about that.

I think the justification for a lot of our terrorist legislation, which I suppose extends beyond the normal civil protections of individuals, is the assumption that a terrorist is likely to have a mindset where they have no care for their own life or the lives of others and/or they wish to indiscriminately cause harm or death to others and/or property damage. As the definition highlights, they are so obsessed with some religious or ideological pursuit that they are prepared to sacrifice for that and, if it causes damage or death to others, it is of no consequence to them. They are so intent on doing this that they are not in a position to be talked down and/or calmed for the purposes of considering some other option.

It is fair to say that, in a domestic circumstance where there might have been some relationship with the people who are being held hostage and there may be a continuing familial relationship with children and the like, there are trained and skilled negotiators in the STAR Group, other members of the police force and other professionals who are called upon to attempt to calm the situation, secure it, protect those who might be held at gunpoint or at knifepoint, and have a different outcome in order to save not only the lives of those who might be immediately threatened but also the lives of those who are threatening that action.

It is a very different situation, and we have not had an enormous amount of consultation in relation to this. Certainly, I personally have spoken to a number of people who work in the domestic violence area. So far, none of them has said to me, 'We need to have terrorist act declaration circumstances to protect police officers in these situations because we are concerned that they are not undertaking their job under the duress of this anonymity blanket not being provided.' I hope that makes that as clear as possible. The answer is no.

**Mr ODENWALDER:** Just for clarity, I was asking more about the attachment of criminal liability rather than anonymity. The Tailem Bend situation with the STAR Group officer was about anonymity, as you say. That was about naming the police officer, and that was successfully challenged. My question was about criminal liability and whether any thought had been given to other situations where, in simple terms, a police officer may have to make a decision earlier than is the case in normal self-defence provisions in order to prevent an imminent death or an expected or likely death.

**The Hon. V.A. CHAPMAN:** The answer is no. Firstly, this bill does not apply to anything outside a terrorist act declaration in respect of anonymity. Of course, the police can apply in the courts to have protection in this regard if they think there is a sufficient case to do so. However, the areas in which I think it is fair to say that there has been an acceptance of continued anonymity of police are this area of terrorism and, secondly, investigations into serious and organised crime.

They are the only two areas that I am aware of to date where the envelope of protection has been extended for police officers in respect of anonymity. Criminal liability is already there in the self-defence provisions but, again, a new structure—that is, a declaration process where the police commissioner has the power to identify a siege situation and issue a declaration, and all the powers come to it—has not been advanced by the government in this bill.

Clause passed.

Clause 4.

**Mr ODENWALDER:** The declaration may be issued by the commissioner, the deputy commissioner, whoever it is, either orally or in written form. Does the written declaration need to go into any reasons why the declaration has been issued, or is it simply a declaration? Is there a form that it takes?

**The Hon. V.A. CHAPMAN:** I will clarify this if it is not right, but my understanding is that it is simply to issue the declaration. There is no obligation to publish reasons. If it is issued orally, there has to be a written follow-up, but, for obvious reasons, that is a recording of the matter. However, in emergency circumstances, obviously we have to accept that it may be necessary to issue the declaration orally. Just to be absolutely clear, the member raised the question of the rank of the senior officer. It is only in the principal act the commissioner and/or deputy commissioner.

**Mr Odenwalder:** Or a person who is acting commissioner.

**The Hon. V.A. CHAPMAN:** Or a person acting. That is right: they absorb all the powers. There is no other lower rank.

**Mr ODENWALDER:** Since the Attorney went back to that, who can be appointed as Acting Deputy Commissioner of Police?

**The Hon. V.A. CHAPMAN:** Well, usually—

*Mr Odenwalder interjecting:*

**The Hon. V.A. CHAPMAN:** We can have a look at that. In terms of the commissioner, there is an appointment, and it is a statutory officer position. It has a special position, obviously by appointment, which ultimately goes through a process I think to this parliament for consideration of candidates and so on. That is a matter ultimately that the Governor signs off on. Of course, it has a statutory base in the Police Act of 1995, or thereabouts; I cannot remember exactly the year. I am not sure what rank the member had before he came into this house, but I do not think it would quite qualify to enable you to moonlight with an opportunity to make a terrorist declaration.

**Mr ODENWALDER:** I appreciate the Attorney's indulgence. I do understand that it would not go down very far in the ranks. Regarding the written declaration or, indeed, any declaration, does it assume an active time frame? There is provision for it to be revoked at some point, but is there a time frame in which that declaration applies?

**The Hon. V.A. CHAPMAN:** Until it is revoked, so exactly from the time it is issued, orally or in writing, across to the time that it is revoked. Obviously, there is not a specific time frame on that,

otherwise the terrorists would soon learn what that is and say, 'Okay, we'll keep this siege going for three days if that is the time limit.'

**Mr ODENWALDER:** I understand. I just wonder whether there is an imperative for the commissioner to actively revoke the order.

**The Hon. V.A. Chapman:** Yes.

**Mr ODENWALDER:** You have answered the question yes, so that is fine. I am sorry if I have missed this somewhere, but is the revocation either oral or in writing as well?

**The Hon. V.A. CHAPMAN:** I understand it is, but I will just refer the member to page 3 of the bill. New subsection (6) provides that the declaration may be made orally or by instrument in writing, etc., but then as soon as practicable. That is the matter we just discussed. New subsection (7) provides:

The Commissioner of Police may at any time revoke a terrorist act...and must do so if no further police response is required in respect of the incident.

New subsection (8) is about who may be able to revoke a declaration.

**Mr ODENWALDER:** New clause 27B(4) provides, 'If a court finds that a purported terrorist act declaration was not validly made,' etc. What does that refer to? How could a declaration not be validly made? What situation do you envision there?

**The Hon. V.A. CHAPMAN:** The decision of the acting police commissioner or deputy commissioner to issue the declaration obviously relies on certain thresholds of the circumstance being satisfied, and you see the long definition I read out that is in the commonwealth statute book, so a number of these things have to have occurred. In the event that a subsequent court were to determine that the declaration was invalidly made because there had been a failure to identify that there was any real threat, or identify that there was anyone hurt—all the things that are listed in that—then a court may make that determination that the declaration was never valid in the first place.

As I have said, there is also protection in this bill to ensure that, even if a judge subsequently says, 'There really was a flaw in the declaration being made, and in future this is the area that needs to be addressed,' and they set out the flesh on the bones. We make legislation here, and sometimes it happens, and it is also very helpful for us—and, in this case, for future commissioners—to have some indication of what would be satisfactory, or what would cover the threshold test, and have some guide from the judiciary. The protection is there even if a judge says, 'This declaration was invalid for reasons A, B or C.'

**Mr ODENWALDER:** That protection then applies to the police officer who has been involved in the incident, who fires the gun, as the Attorney says. What protection does it afford the person who makes the declaration? Is that a stupid question?

**The Hon. V.A. CHAPMAN:** No. The commissioner or deputy commissioner or acting commissioner who made a decision that was subsequently ruled to have been inadequate for the purposes of making that declaration may desire to give some explanation as to why he or she still progressed and may accept the advice of a judge and say, 'Yes, perhaps in those circumstances it wasn't necessary,' and would learn from it. I suppose the consequences of these things and the seriousness of the outcome would somewhat reflect on decisions made.

If I were to give some analogy, the Lindt cafe siege is exactly the situation where, outside the heat of the circumstance—in that case, in a coronial inquiry—the coroner made a number of determinations about the actions that were taken by the relevant law enforcement agencies in that siege. It is fair to say that there were not necessarily criticisms but concerns raised about the delay in entering the cafe and whether, in fact, if it had been earlier or by a different method of entry that one or two of the people who were murdered by the person in that instance would have survived.

It is all very well in the cold light of day for coroners or other people to make the assessments of what would be the ideal. In the heat of the moment in these circumstances it is not always that simple. When the Premier of New South Wales, Gladys Berejiklian, acted to protect the police officers in New South Wales in circumstances that were a terrorist declaration process, and brought forward this model into New South Wales that we are addressing today, she did so—and members might like

to read her contribution in the New South Wales parliament—to make it absolutely clear that in circumstances where there is a declaration they ought to have that protection. That is what she did: she made clear in respect of the criminal liability, and that is what we are doing.

As I said, we thank people who do this work, especially coroners, because it obviously assists with how to deal with incidents in that clear light of day and to know that they are learning as to how they might best address matters. I place this on the record: what we do not want to see is a situation where our police force is brought into disrepute because there are allegations of a trigger-happy officer essentially gunning someone down when there should have been a much better assessment of the risk.

If I were to use an example outside Australia, it would be the death of a young Australian woman who was gunned down by a police officer in the United States when she walked out of her home, having called the police for assistance. She had a mobile phone in her hand, and within minutes of the police arriving she was gunned down and murdered—I say the word 'murdered'—on the spot. It was a deliberate shooting of that young woman, and I think anybody in the general community would say that is not acceptable behaviour. They will untangle that in the United States, as to what happens with that police officer and whether in fact the senior person at the scene had authorised it, or whether there had been appropriate circumstances to do it.

There are always fine lines, especially where there might be perceived risks by the officer in question, who could say, 'I thought she had a gun; I didn't know what she had in her hand,' 'I jumped ahead to try to protect myself and other police officers,' or, 'I was the first in line.' I do not know what the explanation is, but the general public wants to know that police officers are there to protect them and, where necessary, in extreme circumstances and under a declaration, shoot to kill that offender or suspect, either in self-defence or to protect others. I think that is the standard the general community expects, and I think that is the standard the parliament should maintain.

**Mr ODENWALDER:** I turn now to new section 27C, if my indulgence continues?

**The ACTING CHAIR (Mr Pederick):** Yes, you are there until I pull you up, sir.

**Mr ODENWALDER:** I assure you I am nearly there; I have made a commitment to the member for Lee. New section 27C(1)(c) is about who is present in the court when a person who is potentially granted anonymity is giving evidence, etc., and provides:

(c) a person who, in the opinion of the court, should be allowed to be present.

I am wondering whom the Attorney envisions that might be, or is that a standard clause in these types of bills?

**The Hon. V.A. CHAPMAN:** I advise that new section 27C is there to provide an alternate. The question is: once the anonymity is granted, then how is this thing going to work? How does the court get its evidence to actually progress the prosecution or whatever needs to be dealt with? As such, someone else who may have witnessed the same event is covered, I think, under paragraph (a). Paragraph (b) I think relates to another support person, who may even be a spouse I suppose.

Paragraph (c) is in line with what we have considered in other legislation where we allow people to give evidence in another room. Sometimes it is children, sometimes it is victims of serious offences, and sometimes it is someone with a disability. We now have a whole suite of new laws to deal with who might be able to accompany the person and/or give evidence as to what that person has said.

I would expect, but I cannot be certain here, for the court to be able to progress the matter, if there was no other police officer or witness, or no other person or persons, there may be a counsellor or someone who has dealt with the person who has been involved in the siege. The person may be either emotionally or physically severely injured and may need to have someone who can, I suppose, translate the information to the court.

The objective here is to make sure that you are doing everything you possibly can to retain the anonymity of the police officer. I will perhaps jump ahead of myself there. If it was a red-headed female police officer, and that were known, it might narrow down the number of people who might be

able to be identified by terrorists and weaken the whole concept of having anonymity provided. I hope I am not offending any red-headed female police officers. I am just referring purely to the number of them who may be in the police. I am assuming for the moment that there are probably more blondes and brunettes than redheads, but I might be wrong.

*Mr Mullighan interjecting:*

**The Hon. V.A. CHAPMAN:** That's right. They may have the sort of Mullighan look, which is a combination of it all: a bit of redhead, a bit of blonde and a bit of whatever. In any event, I make the point that it is really important that, if we are going to have the anonymity protection, which is what we want in this circumstance, we have to make sure that we do not impede the capacity for what their evidence would be to assist the court in an effective prosecution. That is the whole basis of that piece of legislation that is proposed.

**Mr ODENWALDER:** Moving on to subclause (4), again, I think situations like this are probably covered in other types of legislation, so this should be easy for the Attorney to answer. Obviously, the concern arises that these fines are presumably easy to enforce within South Australia, but of course, as always, you get the problem of interstate publications, overseas publications and then the online repeating of that on social media or just on the online news sites. I wonder what provision can be made for that within this bill, and if these penalties apply, for instance, to social media editors, so to speak.

**The Hon. V.A. CHAPMAN:** Publishing is on anything, anywhere. The difficulty always is how you trace some of the social media evidence to sustain a prosecution in respect of this, to then fine someone \$10,000 or, if it is a corporate, \$120,000. That is something we all face in relation to publication. Instagrams, I am told, come offline fairly quickly, automatically.

*Mr Odenwalder interjecting:*

**The Hon. V.A. CHAPMAN:** Snapchat is another perfect one, yes. I even remember that one from some other bill that I was helpfully advised on. But here is the problem: you have to quickly download, photograph or screenshot it to actually preserve the evidence—that is the first thing. Secondly, you have to work out who put it up there and whether they were using a false name or means by which they have accessed somebody else's equipment to download it. All those things are complicated. Quite obviously, the most vulnerable in this area for immediate attention would be those who are in the general media. It is a very clear instruction that they cannot reveal that.

Because this is not a new type of law, this question of publication is well versed in relation to children's matters. Sometimes the line is blurred where a relative—not the father or mother of the child but some other relative such as an uncle or a distant cousin—may still have the capacity to identify who we are talking about. People need to be on alert that this is not just a question of saying that the name of police officer X, who is in the STAR Group or in the special terrorist squad, is to be kept anonymous but anything around him or her that would cause his or her identity to be revealed.

**Mr ODENWALDER:** I move now to new section 27C(5), which talks about police officers not consenting to publication of material. The Supreme Court may make an order, which I understand; that is fair enough when it is to insist in the investigation of the offence. I am just wondering about paragraph (b) 'in the public interest'. I imagine this is also a fairly well-worn legal principle, but can the Attorney indicate for the sake of the record what sort of public interest may be served by naming a police officer in this situation?

**The Hon. V.A. CHAPMAN:** It is a fairly well-worn sort of process to the extent of the circumstances in which you can publish the limitations on it and the appeal process if you are not happy with decisions that are made. That is pretty straightforward, I think.

In relation to the investigation of the matter, all I can think of immediately is a police officer who had not wanted their name to be identified and it was suggested that it should be because they needed to be located for their own protection or for public interest to alert to others if they needed to be alert to try to find the person in question. I do not know. I am really just indicating that there clearly could be situations where there would need to be a process to say, 'We need to remove that protection.' It may be in the interests of the actual police officer that he or she be protected and so we need to find them quickly. That is all I can think of immediately. It is not a new process. It is one



where obviously we have suppression orders and we have a whole body of law that relates to those orders.

**The ACTING CHAIR (Mr Pederick):** Member for Elizabeth, I am not sure how many more questions you have. We have been pretty lenient.

**Mr ODENWALDER:** You have been.

**The ACTING CHAIR (Mr Pederick):** If you could wrap it up in two or three, that would be good.

**Mr ODENWALDER:** I really appreciate it, sir. I will, if I can, just go back to new section 27B where it refers to criminal liability. We talked about criminal liability quite a lot. I just want to clarify the police officer's exposure to civil liability in these cases. On your understanding, is this already covered in the civil liability provisions in the Police Act, or have I just answered my own question? I refer particularly to perhaps third parties who are injured or killed as well as the terrorist, the target, if there are third parties injured or killed?

**The Hon. V.A. CHAPMAN:** Yes, that is currently covered by section 65 of the Police Act, which provides:

A member of SA Police does not incur any civil or criminal liability for an honest act or omission in the exercise or discharge, or the purported exercise or discharge, of a power, function or duty conferred or imposed by or under this Act or any other Act or law.

To be absolutely clear about this, it would be absurd in most circumstances—I cannot even think of any exception to this—where the alleged terrorist comes back and says, 'How dare you? You shot me in the foot. I have to use crutches for the rest of my life. I'm going to sue you because you had no right to do that. There was no threat,' etc. Apart from the declaration in that situation, that may be laughable.

But where it could be really difficult is where that person has come into the shop or cafe and put someone else at risk and the police officer has omitted to immediately act—and it might have been quite legitimate not to act in those circumstances—and the suspect shoots the shop assistant in the foot, and the shop assistant says to the police, 'You failed to protect me adequately. I am now walking around with crutches. I am going to sue you. You should have acted to protect me.' The provisions under section 65 are there for good reason, and I think the member would fully understand that. We are not in any way attempting to detract from that.

**Mr ODENWALDER:** I have a very quick follow-up to that. Just for clarity, does the criminal liability that the police officer does not incur in all these situations apply across the board once the declaration has been made—for instance, where a third party has been injured or killed? For example, if a baby gets in the way, or some innocent bystander is killed, or, as in the case of the Lindt siege, someone innocent is injured. Under all these circumstances, is the police officer immune from criminal liability?

**The Hon. V.A. CHAPMAN:** Yes. I will give you the specific clause, which outlines the only qualifications. They have to be responding to the incident and they have to be acting in good faith. Another example might be an incident in a street, where people are looking through a shop window, and there is a chase down the street and the police are trying to apprehend the people involved. They go into some other shop or bank or parliament, or whatever, and just shoot someone else while they are there and it is later identified that they were not acting in response to the incident but just going in and using the opportunity to bump off somebody they did not like. Let's not laugh about this: war is the greatest opportunity to actually murder people you do not like—business colleagues, your wife, you name it.

The best time to get away with murder is during a war because people are concentrated on the conflict and the commitment and energy is resourced for that purpose. The capacity for civilian management back home is not always the priority. It is a very valid point that one cannot use a situation, even in this instance, if a police officer thought, 'While we are here, we are in a dodgy part of town,' which would not be in Adelaide, of course: this would be in Melbourne or Sydney, 'we just might deal with a few people who we think are doing some drug dealing down here while we are at it'. That will not be acceptable.

I think the member fully understands what we are trying to protect here. In those circumstances, death or injury to a bystander or a person who is the subject of the siege, who has been held against their will, tragically, sometimes they are casualties, and sometimes they die or are injured as a result of a police bullet. We accept that, because in these exceptional circumstances we are saying that, under the veil of the commissioner's declaration, they have to be able to have this protection.

**The ACTING CHAIR (Mr Pederick):** Do you have one more, member for Elizabeth?

**Mr ODENWALDER:** No, I do not, but I would like to place on the record my appreciation of your staff and the AGD staff for a very comprehensive briefing.

Clause passed.

Title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:54):** I move:

That this bill be now read a third time.

In moving the third reading, I would like to place on the record my appreciation of the opposition's support of the bill. I hope that it is rarely ever utilised or there is any need to have it utilised, but I think it is fair to say that, when we see the radicalisation of youth, which is something that is not limited by borders, fortunately the major incidents of terrorism, in respect of a real and present danger or threat or bombing or sieges, have largely occurred interstate, although one of our considered speakers—I think the member for Finnis—actually gave us a little potted history of terrorist attacks since the early 1900s that have occurred in Australia. We have to accept that there are circumstances in which this will be called upon. I certainly hope that it is rare.

Bill read a third time and passed.

**PUBLIC FINANCE AND AUDIT (MISCELLANEOUS) AMENDMENT BILL**

*Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:56):** I move:

That this bill be now read a second time.

This bill proposes to improve the timeliness and effectiveness of reporting by the Auditor-General and to simplify publication and administration. I place on the record my appreciation for the work of the Auditor-General and his office in service to this parliament and, of course, to ensure that we are kept informed as to his work and that of his office and, in addition to that, how we might improve his statute.

Currently, the Auditor-General's Report must be tabled on the next sitting day and then only after the report is tabled can it be published. The bill proposes to allow the Auditor-General to publish a report after it has been delivered to the President of the Legislative Council and the Speaker of the House of Assembly. If either the President of the Legislative Council or the Speaker of the House of Assembly is absent, the bill proposes to allow the Clerk of the relevant house to receive a report on behalf of the President or the Speaker, as the case may be.

I interrupt myself to say that I do not think I have actually specifically consulted with the Clerk about this onerous new responsibility that we are giving him or her in that position, but I am sure that they will welcome it.

The effect of this amendment is that the Auditor-General will be able to publish a report, regardless of whether or not the parliament is sitting. This addresses a key concern of the Auditor-General, documented in his annual report tabled in parliament on 17 October 2017. This bill follows a bill that covered similar matters in the Public Finance and Audit (Auditor-General's Reports) Amendment Bill 2017, which I introduced when in opposition and which sought to address the

Auditor-General's concerns. That bill was not passed before the parliament was prorogued, more is the pity, but, nevertheless, we are back here to remedy that.

The bill also proposes a number of simplification measures and I will quickly outline those. The first measure will allow the Auditor-General to annex documents to its report, which will reduce the burden of publishing his annual report to parliament, which currently can be in excess of 3,000 pages. Under the proposed amendments, these annexures will be available to parliament on a website determined by the Auditor-General.

The second measure will require the Auditor-General to publish on a website audited financial statements of the public authorities and the financial statements of the administrative unit established to assist the Auditor-General. This is a significant accountability measure that ensures that all audited financial statements of public authority will, for the first time, be available on a website determined by the Auditor-General.

The third measure will allow the Treasurer to delegate his power under the Public Finance and Audit Act to open, close and maintain deposit, special deposit and imprest accounts. This administrative function is considered low risk and will enable more efficient administration to support machinery of government and other strategic decisions of government.

As a matter of housekeeping and at the request of the Auditor-General, the bill proposes to adopt terminology about audit that is consistent with current auditing standards in Australia and New Zealand. The term 'efficiency and economy' in the context of undertaking an audit has been redefined in auditing standards and other audit acts across Australia and New Zealand as 'efficiency, economy, and/or effectiveness'. This change has been included in the bill, noting that the 'and/or' device is not used in legislative drafting and that, in the context in which the phrase is used in this bill, the use of 'and' is sufficient.

In preparation of these proposed amendments, the government has consulted with the Auditor-General, who supports the amendments. The government considers that these proposed amendments will ensure that this government is transparent in its financial reporting and further provide the Auditor-General with the appropriate legislative framework to ensure timely and full disclosure of the results of their inquiries to the people of South Australia.

I seek the opposition's support for these amendments, which will ultimately improve the relevance of the Auditor-General's annual report to parliament and ensure that timely access to this information and agency financial statements is available to parliament and all South Australians. I am sure members would be aware that this is a bill which has already passed the Legislative Council, and we thank them for their consideration of the bill and passage of the same. I seek leave to have the explanation of clauses inserted 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 *Public Finance and Audit Act 1987*

###### 4—Amendment of long title

This clause amends the long title to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.

###### 5—Amendment of section 8—Special deposit accounts

This clause amends section 8 so that the power of the Treasurer to establish and maintain a special deposit account, and the power to approve a purpose of, or relating to, a government department for the purposes of section 8, can be delegated by the Treasurer.

## 6—Amendment of section 9—Imprest accounts

This clause amends section 9 so that the power of the Treasurer to establish an imprest account can be delegated by the Treasurer.

## 7—Amendment of section 21—Deposits

Section 21 provides that money accepted by the Treasurer on deposit from a person must be recorded in a separate account maintained by the Treasurer. This clause amends the section to enable the Treasurer to delegate the power to establish and maintain accounts.

## 8—Amendment of section 31—Audit of public accounts etc

This clause amends section 31 to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.

## 9—Amendment of section 32—Examination of publicly funded bodies and projects and local government indemnity schemes

This clause amends section 32 to delete the phrases 'efficiency and economy' and 'efficiency and cost-effectiveness' and instead refer to 'efficiency, economy and effectiveness'.

## 10—Amendment of section 33—Audit of other accounts

This clause amends section 33 to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.

## 11—Amendment of section 36—Auditor-General's annual report

This clause allows the Auditor-General to annex documents to the annual report (including the documents that are currently provided to Parliament with the annual report) and to annex them by including a reference to a website on which they are, or are to be, published. The reference in subsection (3) to a single supplementary report is changed to allow for multiple other reports. The provision also allows for the Clerk of a House of Parliament to receive a report on behalf of the President or the Speaker (as the case may be).

## 12—Amendment of section 37—Recommendations by Auditor-General

This clause amends section 37 to delete the phrase 'efficiency and economy' and instead refer to 'efficiency, economy and effectiveness'.

## 13—Amendment of section 38—Reports and other documents to be tabled before Parliament and published

Section 38 is amended to make consequential amendments and to allow the Auditor-General to publish a report on a website, or in some other manner, once it has been delivered to the President of the Legislative Council and the Speaker of the House of Assembly under the Part. If, however, the day after delivery of the report is a Parliamentary sitting day, the Auditor-General must not publish it until the report has been laid before a House of the Parliament. The proposed amendments also require that the Auditor-General ensure that audited financial statements that were not annexed to the annual report are published as soon as reasonably practicable after the annual report has been laid before a House of the Parliament.

## 14—Insertion of section 42

Proposed section 42 applies where the Treasurer delegates a power under the Act. The delegation—

- may be to a specified person or to a person occupying or acting in a specified position; and
- must be in writing; and
- may be absolute or conditional; and
- does not derogate from the power of the Treasurer to act in a matter; and
- is revocable at will by the Treasurer.

**The ACTING SPEAKER (Mr Pederick):** Member for Lee, I assume that you are the lead speaker.

**Mr MULLIGHAN (Lee) (12:03):** Yes, I am, Mr Acting Speaker. I thank the Attorney-General for her explanation of this bill. It is a relatively brief bill and seeks to do the four key things that she outlined. I will not repeat those in any great detail. The opposition supports this bill as, certainly, the Deputy Premier and Attorney-General would know from her time in this place, and as I have come to know, the annual Auditor-General's Report is a critical report for members of parliament, and in particular for the opposition, by which to hold the government of the day to account.

There have been many occasions in the relatively brief period over the last 15 or so years that I have been closely following proceedings in this place when the Auditor-General's work and his report have been of keen interest to members, particularly early in the life of the former Labor government in the portfolio that the Attorney-General now superintends, she might recall. It is an important document.

I thought I might flag some concerns with the bill, minor as they are. It will not change the opposition's support for it, but I want to place them on the record because, despite the consistency in the office of the Auditor-General, the audit work, the production of these reports and the furnishing of the reports to the parliament, over time there has been a gradual and subtle but important change to how the reports have been provided.

I have managed to find at quick notice parts of the Auditor-General's Report covering most of the last year of the former Liberal government and the similar documents for the year ending 30 June 2017. By holding them up, we get a pretty quick indication of why the Auditor-General and the Treasurer are seeking to make the change that will be the focus of my comments to this place, that is, the annexure of part of the reports, the financial statements and such related information.

Some 16 or so years ago when these reports were produced, an agency would have its audit commentary followed immediately by the financial statements, which were provided by the agency to the Auditor-General. It enabled a member of parliament, or indeed anybody else who managed to procure a copy of the report, the opportunity to see the audit commentary from the Auditor-General and make reference to those parts of the financial statements that the Auditor-General has highlighted or that may be of interest to them on an ongoing basis.

The Auditor-General's Report was usually tabled on a Tuesday. We would prepare for the Wednesday morning radio story from 6am about the number of employees remunerated at a level above \$100,000 a year and the amounts spent on consultancies, contractors and so on. That detail, even looking at the most recent Auditor-General's Report for the Attorney-General's Department, is provided in the financial statements part of the report.

**The Hon. V.A. Chapman:** And overseas trips.

**Mr MULLIGHAN:** And overseas trips—always a topic of interest to this place, as I am reminded by the Deputy Premier. She has been of great assistance to me this morning.

**The ACTING SPEAKER (Mr Pederick):** We have been very collaborative in the parliament today.

**Mr MULLIGHAN:** I am pleased to advise the house that my staff have informed me that Fanta awaits me back in my office for the lunch break—thank you to the Deputy Premier. It is not just overseas travel, employee remuneration, consultancies and contracts but things like grants; receivables and doubtful debts; boards and committees, including which members are entitled to remuneration for their presence and work on those boards and committees; and, something I am sure is of topical interest in the Attorney-General's Department, trust accounts. This is the sort of information that perhaps may seem to a member of the public to be grotty, impenetrable detail within financial statements, but it is of keen interest to members of this place and members of the other place.

It is with some trepidation that the opposition supports the government's bill in amending this act because there are very worthy other parts of this bill. I take on their word those members of the Department of Treasury and Finance and the Treasurer's office who were good enough to spend some time with me walking me through the bill and the change to accounting standard definitions and why we should from time to time update the definition in the Public Finance and Audit Act and, hence, also give the Auditor-General the opportunity to perhaps change as far as necessary the scope of his work and also the more timely tabling of these reports. It is really the separation of those financial statements and the sort of detail that I made reference to therein which is of some concern to the opposition.

I will not take up much time in the committee stage of this bill, but I will put a couple of questions to the Deputy Premier about what the Auditor intends with that amendment to the Public Finance and Audit Act, what the experience will be, particularly for members of parliament, the

President and the Speaker, and, indeed, how that might differ from other members of the public who would have an interest in accessing a copy of the report.

There was one other matter which I wanted to mention. I had sought some information from the Department of Treasury and Finance and the Treasurer's office, which I am still looking forward to receiving, about some general information about the number of special deposit accounts and imprest accounts held by the Treasurer. During the course of that discussion, for the benefit of the house, I did raise questions about whether there were any concerns about the delegation of the creation of those accounts and the separation of the creation of those accounts away from the Treasurer, as it has always been, because that provides a level of executive oversight which is important. Given that I have already mentioned things like trust accounts, I am sure the Deputy Premier could understand why the oversight of particular types of accounts at the executive level can be very important. I will leave my comments there, and I look forward to asking the Deputy Premier some questions in the committee stage of this bill.

Bill read a second time.

*Committee Stage*

In committee.

**The ACTING CHAIR (Mr Pederick):** We have 14 clauses. Where would you like to start, member for Lee?

**Mr MULLIGHAN:** I have already made reference to the information I sought about clause 5, about the number and type, and associated details, of special deposit accounts. I do not seek any further information on that.

Clauses 1 to 4 passed.

Clause 5.

**Mr MULLIGHAN:** Just to finish off that comment, for clauses 5 to 7 if the department or the Treasurer's office were able to provide the information as discussed, that would be terrific, but I certainly will not hold up the bill to any extent while I wait for that.

**The Hon. V.A. CHAPMAN:** I have been provided with some information which I think covers the matters which were sought. Firstly, in relation to how many special deposit accounts exist, as at 30 June 2017, Treasurer's Statements, Statement F, showed there were 117 special deposit accounts established under section 8 of the Public Finance and Audit Act 1987. They are on page 15—Treasurer's Statements, Statement F—of one of the many volumes that exist, as the member has pointed out. I love this section of the Auditor-General's Report because, along with the special deposit accounts, this is where all the money is hidden, in all these little funds that exist, and they keep accumulating.

There are a couple of funds I especially look at. One is the Victims of Crime Fund, which had well over \$200 million in it at the time of the change of government. We have exercised taking a fair slice out for the Redress Scheme for those victims of child sexual abuse. The other one is the boat levy fund, which changes its name. It was the marine facilities fund, or something, at one stage, which I am sure the member would remember as minister. That seems to keep accumulating.

There is an open space public fund, which has all the developers' money in it. If they want to build apartments with no grounds, they commit funds to go into the public space fund. These funds are really important for all members to keep an eye on to make sure that they are accounted for, and that the details are listed in the Auditor-General's Report—the only time they are listed. They do not show up in all the detail or even as to how they are applied during the year in the budget papers, but they do turn up in the Auditor-General's Report. God bless him, he has them all there, and there are 117 of those.

In relation to the deposit accounts, as at 30 June to 2017 the Treasurer's Statement G shows there were 105 deposit accounts established under section 21 of the Public Finance and Audit Act 1987. That was at page 29. Deposits are lodged with the Treasurer. They cover everything from the money that the Adelaide and Mount Lofty Ranges Natural Resources Management Board have sitting there for them to apply and recover when they need it to the Museum Board Account and the

like. In certain circumstances, money has to be held in these Treasury accounts. Treasury's careful husbandry looks after them, but they are able to be called upon by the relevant boards that operate those. So we have some interesting little moneys in there.

There is also the unclaimed salaries and wages account. We should check that to see if there are any little moneys that should be coming out of that. In any event, it is an important process and there is a level of accountability each year when we read the annual report. I trust that answers the member's question.

**Mr MULLIGHAN:** It does, and I thank the Deputy Premier for providing that detail to the house and for giving those examples. It may be worth having the Deputy Premier place on record, given the new dislocation that will be created between the Treasurer and the creation, if not the superintendence of these accounts, will there be any annual or periodical process by which the ruler will be run over the accounts to determine whether they are still required or whether their balances are appropriate and whether movements into and out of those accounts has been appropriate?

**The ACTING CHAIR (Mr Pederick):** This is just in relation to clause 5, member for Lee?

**Mr MULLIGHAN:** Yes, or perhaps five, six and seven.

**The ACTING CHAIR (Mr Pederick):** Deputy Premier, you could combine elements of five, six and seven.

**The Hon. V.A. CHAPMAN:** I am reliably informed that these special deposits and impressed accounts are continually audited, and that includes moneys in and out. Obviously, that is not just to ensure that they are applied to the relevant agency or expense but also that money is coming into them, is being placed in the right account and is the full amount required. Excellent work from the Auditor-General's office.

**Mr MULLIGHAN:** And the first two concerns I raised in my question were about periodic review as to the necessity of the existence of those accounts or the balance of those accounts.

**The Hon. V.A. CHAPMAN:** Yes, my understanding is that in relation to the overall question as to the review of whether these accounts are still needed or required, or whether there is a repeal of the legislation or if it is to be applied differently, those matters are under continuous review by Treasury. I assume that they work with the relevant agency. If they come from another portfolio area, there would be some process to consult with the relevant minister.

Often, it is either the Attorney-General's Department or the portfolio ministry that identifies that something is now surplus to requirements or they would like to have something changed. If the process is going to change, then the application of those moneys may be to a different entity. The Treasurer, and therefore the Auditor-General, really are responsible for the investment, management and auditing of these moneys.

As the member knows, the Auditor-General is also responsible to the Treasurer, and it is only the Treasurer and this parliament that can direct him or her to undertake investigations. It did not stop me writing regularly to the Auditor-General, when in opposition, to ask him to investigate various matters, but of course that was entirely at their discretion as to whether they thought the matter was worthy of investigation.

**Mr MULLIGHAN:** Thank you; I appreciate that explanation, although perhaps prior to March the Deputy Premier might have thought that the Auditor-General was responsible to the parliament, rather than just to the Treasurer—

**The ACTING CHAIR (Mr Pederick):** The question, member for Lee.

**Mr MULLIGHAN:** Clause 11. Could the Deputy Premier—

**The ACTING CHAIR (Mr Pederick):** Hang on, are you going to clause 11? Have you finished with clauses Nos 5 to 7?

**Mr MULLIGHAN:** Yes.

**The ACTING CHAIR (Mr Pederick):** Where is your next question, member for Lee? Is it clause 11, amendment of section 36?

**Mr MULLIGHAN:** Yes.

Clause passed.

Clauses 6 to 10 passed.

Clause 11.

**Mr MULLIGHAN:** Could the Deputy Premier perhaps outline in what form the reports will likely be presented to the parliament? What will members be furnished with upon the tabling of these reports?

**The Hon. V.A. CHAPMAN:** I think there are two aspects of this which I hope will assist the committee and the member. Firstly, the Auditor's annual report will be presented as usual, to the extent that there will be the helpful summary of matters of concern, a listing the agencies which have been audited, and everything that you usually get except for the agency folders which are full of the financial accounts.

The financial summaries are to go online and, in addition to the normal agencies, these will include all agencies of government—some of which are not in the annual report. I think it is going from something like 70-odd to 150 full agencies, units and enterprises of government, which will have all of their financial accounts placed online. It is a website of the Auditor-General's choosing because I do not think he actually has one at the moment—he does? Excellent; how modern. So it all seems ready to go.

We are cutting down forests to publish these annual agency reports, along with the Auditor-General's Report. They are at least a complete audited account of the financials of the agencies (mainly the departments) that we have at the moment. That is fine, because at budget time we get a whole lot of estimates, because they are prepared prior to the end of the financial year.

It is a very helpful financial audited set of accounts which needs to be available for viewing and scrutiny. This is a way that we can save the trees and increase transparency. When I looked back to 1970, when Don Dunstan introduced the first budget that hit \$1 billion, this was very controversial at the time.

*Mr Mullighan interjecting:*

**The Hon. V.A. CHAPMAN:** No, the member has forgotten that in 1966 we changed from pounds, shillings and pence to dollars. So, even in South Australia, we were up to speed by 1970 and had dollars and cents. That \$1 billion budget is a very interesting thing to have a look at because it shows you the level of contribution, for example, that was made to primary industry and agriculture in the state and the infrastructure for that. Hospitals were of course largely run by local government at that stage so they were not a big player in the budget, but there was a very significant increase of money going to some of the agencies, which was quite controversial because we were going to hit a state government budget of \$1 billion.

I would urge all members to have a look at it; it is an interesting read. You can see the media around it at the time. We also had an Auditor-General's Report back then, which was a volume not much thicker than a comic book, if you can remember what a comic book is. We really have moved to an abundance of information, some of which is probably replicated too often and is a bit wordy.

It is important to appreciate that we here in the parliament rely on the Auditor-General's office and Treasury and Finance to know that we have agencies that are spending their money wisely and effectively now, under this new definition. When we look at these annual reports, we see things like the EPAS contract—that money pit that we had to deal with in opposition, and that, as a new government, we have had to inherit and try to sort out—so it is important that the Auditor-General is going to take on this new role to look at the effectiveness of the financial application of funds in the state.

I want to correct one matter that the member raised more by way of commentary I think, which is that we should understand that the Auditor-General and his office are actually accountable to the Treasurer and not the parliament. That is not right. The Auditor-General is accountable to this parliament—absolutely to the parliament. The fact that only the Treasurer has a capacity to refer



matters for investigation, and not the rest of us individually, does not mean that he is in charge of the Auditor-General's office. There is a statutory protection on that.

So, just in case there was any misunderstanding, the Auditor-General is an officer and his office works for us here in the parliament to make sure that we are able to identify risks, deal with matters on a statutory basis if there needs to be some remedy, and bring governments and their agencies, which are there to support the people and provide services to them, to account. That is his job and it is an important one.

It is without interference from others, and long may that be the case, because we have seen a situation, certainly in the 16 years I have been here, where there have been multiple reports to the parliament that, firstly, have had no statutory capacity to be tabled outside of session except, I think, for the Adelaide Oval development, which continues to provide quarterly reports by statute until the end of next year. We regularly get those, and I think members should keep an eye on these because they are very helpful in understanding the progress of major public assets.

Secondly, there are the multiple Auditor-General reports we have had outside the annual report, which have dealt with controversies of the time. In recent years, they have included the Gillman land sale. The Auditor-General reviewed the process of unsolicited bids to governments and as a result of that provided a significant report to the parliament. There were other integrity bodies looking at this as well, but this was one that specifically related to process and unsolicited bids. As a consequence of that, the then premier came in and tabled his approved new process that would be applied for future unsolicited bids of his government.

What was disappointing was that a few years later we then had the Festival Plaza report, which also related to a process upon which one entity was able to secure the tenancy for the purposes of a redevelopment of a car park and many other things at the back of Parliament House. Again, a report came through from the Auditor-General. He made it very clear that he was frustrated in being able to make a number of findings as a result of the then government's withdrawal of the right to look at things in relation to documentation.

In fact, in that regard an example was that he made comment about how unwise it was, if I can put it as kindly as that, to take projects that involve public money and public assets and take them off grid and just slip them through the cabinet process. He was scathing of that. Again, this is very helpful for us to understand as members in the parliament as to how responsible governments should act and also our responsibility as members of the parliament to provide statutory protections if we need to. I thank the member for his question and I hope that covers it.

**Mr MULLIGHAN:** I thank the deputy leader for her lengthy response. I did gamble that I could run outside and gather some reports and the Deputy Premier would still be going. What do you know? I was right.

**The ACTING CHAIR (Mr Pederick):** Your question, member for Lee.

**Mr MULLIGHAN:** A grievance I have with the deputy leader's response is that it did not actually answer the question. Perhaps if I put the question to her again: can she describe to the house what will be furnished to members in the future at the tabling of the Auditor-General's Report to this place?

**The Hon. V.A. CHAPMAN:** Everything but the financials. When the financials go on the website, you get 150 entities not just 70. I thought I said that in the opening line.

**Mr MULLIGHAN:** Just to be clear, this is the most recent Auditor-General's Report—

**The ACTING CHAIR (Mr Pederick):** Sorry, member for Lee, this is your third question on this clause.

**Mr MULLIGHAN:** Thank you. I will try not to make it as lengthy as the previous one. This is Part A, Executive summary, to which I think, amongst other comments, the Deputy Premier briefly referred. And this is Part B, Agency audit reports, which, if the Deputy Premier is right, is the 70-odd public sector agencies which are audited. And this is the remainder; these are the financial statements and what are referred to in the bill as annexures. We would be in receipt of this and not in receipt of that. I can imagine if you had a particular care for—

**The ACTING CHAIR (Mr Pederick):** Member for Lee, just for the sake of *Hansard*, can you perhaps relate the number of volumes?

**Mr MULLIGHAN:** Indeed. We have Part A, which runs to approximately 120 pages, and Part B, which runs to 560 pages, versus roughly 2,500 pages in the five appendix volumes which are now to be annexed to the report. My question more specifically is whether it will be just these two which are provided to members of parliament. What is actually provided to the Speaker of the House of Assembly and the President of the Legislative Council?

**The Hon. V.A. CHAPMAN:** The two volumes the member has referred to will have information for both houses in the report that is tabled. In addition to that, if he reads some of these attachments, the member may find that the certificate in relation to each of the agencies is in the front of each of those agency financial documents. My understanding is that small part of that information in respect of the agency will be in the main report but that the actual financial accounts are what is going online.

**The ACTING CHAIR (Mr Pederick):** Member for Lee, have you finished with that clause?

**Mr MULLIGHAN:** I had one other question.

**The ACTING CHAIR (Mr Pederick):** I will allow one more, as I am in a compliant mood today.

**Mr MULLIGHAN:** You are most generous, Acting Chair. Just to be clear, on the tabling of the hard copy reports, without appendices and, more particularly, financial statements, the Deputy Premier I think made reference to the fact that within these hard copy reports there will be some reference to a website, presumably something in the order of *audit.sa.gov.au* or similar. Beyond that, is it correct that there is no legal requirement for the Auditor-General to furnish to either presiding officer a full report to the parliament?

**The Hon. V.A. CHAPMAN:** Yes, and that is covered by clause 11(1)(1a) and, as indicated though, that provides the opportunity to publish the financial accounts audited by his department online and then is required under subclause (2) to provide the rest in his annual report. If the member is looking at the aid for the purposes of illustrating his point and picks up one of those agency documents—usually each of the big departments have one of their own and there are others like the universities that all find their way into one volume, with multiple agencies in some of those volumes—they will have a certificate with them and a summary in relation to each of those agencies.

That information will be added into the annual report. As you will see when you pick up those volumes, there is actually information in the front, I think, although I have not looked at one since about November last year. It is not very much. Most of that document is the actual financial accounts and if the member were to think in the last 16 years of how many forests we have chopped down—not our own any more, of course, because the former government sold our forests—

**Mr Mullighan:** They keep growing back.

**The Hon. V.A. CHAPMAN:** Yes, you have sold the rounds, I am afraid.

**The Hon. D.J. Speirs:** 99 years.

**The Hon. V.A. CHAPMAN:** Yes, 99 years, the minister reminds me—a number of rounds, grossly under the amount they should have been sold for, too, but I digress. I think that was just one more nasty little piece of history under the Labor administration that we have to both audit and suffer.

There have been mountains of documents. Personally, I quite like to look through them, mark them up and note what I am going to ask at the Auditor-General's inquiry into these matters. I have done that for the last 16 years and quite enjoyed it, but then not everybody has the same interest in these matters that I do. I would think that there are large numbers of these volumes sitting in departments or MPs' offices and that probably many, many pages have never seen the light of day. It was probably a bit remiss of the former government in the last 16 years actually not to do this type of legislation themselves or pass my bill last year to try to make sure that we could remedy this. But nevertheless—

*Mr Mullighan interjecting:*

**The ACTING CHAIR (Mr Pederick):** Order!

**The Hon. V.A. CHAPMAN:** —I appreciate that the member is indicating the opposition's support for the bill and so, in the interests of preserving our trees, I appreciate their support.

Clause passed.

Clause 12.

**Mr MULLIGHAN:** My understanding is that section 37 of the Public Finance and Audit Act gives the Auditor-General the opportunity to prepare audit reports or statements in relation to matters that are of particular interest to him. Amongst the unalloyed pleasure of sitting through the Deputy Premier's comments earlier about how desirable it would be to revisit the 1970 budget papers, or indeed the audit report, which counted, I am surprised to learn, the tick-over to a \$1 billion state budget, she makes reference to the fact that, at the very least, in the last 16 years, there have been matters that the Auditor-General has specifically referred to.

I would be interested to know, for example, if we are changing the scope of what the Auditor-General can look at away from efficiency and economy to efficiency, economy and effectiveness, in consistency with the current Australian accounting standards definitions or the appropriate nomenclature. Would that change how some of those supplementary reports or supplementary investigations are done? Perhaps it is getting close to lunch and the Deputy Premier, starting out so benignly, has now become perhaps a bit more pointed in her comments—

**The ACTING CHAIR (Mr Pederick):** Just ask the question, member for Lee.

**Mr MULLIGHAN:** Thank you for your guidance. I cannot remember the supplementary reports that the Deputy Premier was referring to, but the ones that jump to my mind are the sale of the ports corporation, the sale of the SA TAB for less than one year's annual profit, the printing service, the state government insurance commission or, indeed a favourite, speaking of consultancies, the \$70 million of taxpayers' money that was spent in the course of the sale of ETSA. Would it change any of those particular avenues of investigation that are matters of interest, as it says in the Public Finance and Audit Act, to the Auditor-General?

**The Hon. V.A. CHAPMAN:** The expectation, I am advised, is that it will not actually change what the Auditor-General is already doing. As the member has pointed out, the recommendation of the Auditor-General in this regard is really to come up with a contemporary description of what they are doing, as per Australian and New Zealand accountancy standards. But I think it is fair to say that the Auditor-General—certainly in the reports I have read since I have been here—has come up with a number of recommendations in relation to what is being progressed, for example, projects, sales and the like, and has not seemed to have been impeded in his expression of a view as to whether there has been just the assessment and auditing of the financial and economic issues or also the effectiveness.

I think it is fair to say that the investigations undertaken by the Auditor-General are not just whether the money has gone in and out of accounts that it should have or whether the money that has been allocated for certain projects been acquitted for that purpose. His office looks at all sorts of policies, plans and strategies in relation to departmental operations and will consider them in light of whether they have been complied with, or whether they need to be reviewed, and will sometimes give recommendations.

For example, the protocols around a government receiving an unsolicited bid came under the scrutiny of the Auditor-General after the Gillman fiasco, when the government attempted to provide an option to sell a valuable piece of land at Gillman to a consortium at the time, Adelaide Capital Partners.

The process by which the government had undertaken the development of that deal was under the scrutiny of the Auditor-General. He provided a separate report to his Auditor-General's annual report to the parliament to say, 'In my view, having investigated this matter, this is what happened, this is its shortcomings, this is where it failed to even comply with its own rules and this is what I recommend it should do in respect of protocols in the future.'

In the time that I have been here, his office does not appear to have been backward in coming forward in making sure that if there is a deficiency—not just a lack of accountability of a certain amount of money, but a deficiency in a practice, protocol or guidelines under which government is purporting to operate—and if it affects the economy or the effectiveness in which funds are applied for the purposes of taxpayer assets or enterprises, then he will have a say about it and he has done so. We as a parliament are the better for it, to be informed about this and to bring our governments to account. As a parliament, because we are sitting here, all the same—we are all members of parliament here in this forum—we need to look at the statutory and regulatory management that we have.

Yes, it is a change of definition. From my assessment, it does not appear to actually change a lot of what the Auditor-General is already doing—and I thank him for it—but it brings into contemporary standards in the language the obligations under our committed Australian and New Zealand standards.

**Mr MULLIGHAN:** Arising out of the discussion around this clause, as the Deputy Premier says quite rightly, the Auditor-General is not just constrained to auditing the finances and financial interactions of public sector agencies but is also able to investigate particular matters and report on them. In doing so, and perhaps using that additional scope which is outlined in the amendment to section 37 of 'efficiency, economy and effectiveness', we previously established that this is what members are likely to receive when the report is tabled or, obviously, the updated version thereof. Under this bill, these particular audit reports of interest to the Auditor-General would not specifically be required to be tabled. That is correct, isn't it?

**The Hon. V.A. CHAPMAN:** Subclause (2) provides:

- (2) Section 36(3)—delete 'a supplementary report (and annex documents to it) relating to a matter required to be dealt with in an annual report and deliver the' and substitute:
- other reports (and annex documents to them) relating to matters required to be dealt with in an annual report and deliver each such

My understanding of this is that those reports still come in and annexures to those are still online. That is the way I have read it.

**Mr MULLIGHAN:** Am I correct in thinking that some of these annexed reports, which are described as supplementary reports to the annual report, and matters of particular inquiry and investigation by the Auditor-General are referred to as annexures or annexed reports in this bill?

**The Hon. V.A. CHAPMAN:** No, the position is that they are extra reports. They are not the annual report; they are other reports and they come throughout the year, as the member knows. The process at the moment is that they are impeded in being able to be available for publication and viewing outside of parliamentary sitting. Therefore, the other aspect under reform in this bill is to enable that process to occur out of session.

Even when the Speaker or the President is not available, the clerks will have a role in expediting the formal receipt and publication—not tabling—out of session. The classic example is the Gillman report because we wanted to view that some years ago. I know that some matters were raised at the time in relation to the Oakden inquiry, including by another integrity body, and that was resolved because the commissioner in that entity was able to publish out of session.

A number of times, I wrote to the then Speaker, the Hon. Michael Atkinson, to inquire whether he had received the Auditor-General's Report and whether there was any capacity for publication prior to the resumption of parliament the following year. This bill means that I will not need to do that anymore. We are such an efficient new government that we will not need to do that anyway, but this act will allow the parliament to have access to that material forthwith, and it will be easily accessible as it will be online.

Clause passed.

Clause 13.

**Mr MULLIGHAN:** It seems to me that clause 13, the amendment of section 38, provides the capacity of the Auditor-General to publish supplementary reports as well as annexures online on a website rather than be required to table them in this house; is that correct?

**The Hon. V.A. CHAPMAN:** Not quite. He still has to provide his reports to the Speaker or the President. In clause 13(2), we are inserting this provision:

- (2) Subject to subsection (3), the Auditor-General may, after a report has been delivered (or is taken to have been delivered)—

I assume that means he has posted it, even if it has not been opened at this end—

to the President of the Legislative Council and the Speaker of the House of Assembly under this Part...

Say, for example, he delivered it on Christmas Day or some day when they might not be here. The report has been delivered to Parliament House, but it might actually be held in somebody's postbox and not actually opened by either of those two parties. The Auditor-General may:

publish the report and any documents annexed to the report on a website determined by the Auditor-General or in such other manner as the Auditor-General thinks fit.

He has to deliver it here or purport to deliver it, but then he can put it up if he wishes to. That means that the parliament is seized of it. We might not have read it yet because we all might not be here on Christmas Day. However, he can put it up and we can go online to view it. That is the important innovation of this legislation, to ensure that it is accessible, remembering that, for those who love to read these things, they are going to have the financial accounts with the annual report for 150 entities instead of 70. It is going to be a long and happy read.

**Mr MULLIGHAN:** I appreciate the Deputy Premier's jocularly in response to that question, but I think we might be interested in two slightly different things. I appreciate and, of course, support the measure of timeliness that this bill includes in terms of making publicly available the reports, which are provided to the parliament's presiding officers, pretty much straightaway or, as I think the wording of the bill says, 'as soon as is practicable' or words to the same effect. My concern is not that. I think everybody can recognise that that is a good thing.

My concern is that the wording of the clauses that we have been discussing most recently, between 11 and 13 in particular, provides that supplementary reports can be considered annexures to the annual report because the wording of the Public Finance and Audit Act is, to my reading, the report itself, the Treasurer's Statements and the financial statements of public authorities and the financial statements of an administrative unit established to assist the Auditor-General in the provision of a report.

In part 3, as the Deputy Premier referred to, the Auditor-General, in the existing act, if he or she thinks fit to do so, may 'prepare a supplementary report (and annex documents to it) relating to a matter required to be dealt with in an annual report', and so on. It is not clear to me in either the existing act or in this bill that, under the terms of this bill, the supplementary reports would be provided in hard copy form to members of parliament as the report is tabled.

Instead, there is now the ability for the Auditor-General to determine that they may be published on a website or similar. Have I got that right, or is there a requirement that supplementary reports to the audit report must also be tabled in hard copy form to the parliament?

**The Hon. V.A. CHAPMAN:** I think the member has it half right. I think the member is confusing the annual report and supplementary reports as though the supplementary reports are annexures to the annual report and, therefore, is concerned that they will only be an electronic publication of supplementary reports and investigations. If the member reads the principal act and these amendments, he will see that the publication in parliament of the annual report will be as we have discussed and the financial accounts annexed to it will be online, but they will also be online for a whole lot more agencies.

The supplementary reports are not annexures. They are what they are: supplementary reports. They have to be tabled in this parliament, reported to the parliament and, in due course, after breaks, etc., the President and/or the Speaker publish them. We can have a hard copy of them and they will clearly be there. So we will be getting another Gillman report or another Festival Plaza

report, as a supplementary report, in rolled-gold paper. The financial accounts, if they apply to that, or an annexure, which might be a contract or something of that nature, will be online.

The only exception to that is where we have the quarterly Auditor-General's reports to the parliament on the Adelaide Oval development. Members might recall, when that development was approved by this parliament, there were a number of conditions attached to the matter. There was a cap of, I think, \$550 million, and there were rules about money that had to be applied, with income from the new authority that was being established being given to amateur sport. All sorts of conditions were set with that and certain services had to be provided.

One of the conditions of that legislation was that the Auditor-General, for a number of years, had to give quarterly audited accounts to this parliament. Within the envelope of that legislation, the Auditor has certainly done that. Again, it is an interesting read. We get a hard copy of that, and it already has a clause in that legislation that allows the Auditor-General to do that—to send it in—and for the Speaker to make it publicly available at that time.

When we came down to Parliament House before the last election, a quarterly report would be received in the parliament. We would all get a copy of it. It was published and we could read it. We did not need to wait, necessarily, for the parliament to sit for that to be available; it was already published. In fact, usually, the first alert we had to it being published—or that I had—was that I read in the paper that X, Y, Z had not been finished, that they were a million dollars over budget on something, or they had put up the wrong goalposts, or whatever the issue was at the time. There would be a report of about 40 or 50 pages following all those matters.

Progress reported; committee to sit again.

*Sitting suspended from 13:00 to 14:00.*

#### *Condolence*

### **BASS, MR RODNEY PIERS (SAM)**

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:00):** I move:

That the House of Assembly expresses its deep regret at the death of Mr Rodney Piers (Sam) Bass, former member of the House of Assembly, and places on record its appreciation of his meritorious service, and that as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

Sam Bass served one term as the member for Florey, following the 1993 election. On the figures of the previous election, it was a Labor seat by a margin of more than 2 per cent. Sam won it for the Liberal Party, with a swing of more than 15 per cent. His victory was all the more meritorious because he defeated a government minister.

Sam was the first serving South Australian police officer to enter our parliament. He was also the first trade union secretary to be elected a Liberal member having also been, for the previous five years, Secretary of the Police Association of South Australia. As that association has recorded, and I quote:

Sam was driven by a strong sense of justice and fearlessly battled for and defended the industrial rights of police officers.

He took that same spirit into this parliament, fighting for the interests of his constituents in education, health and community safety in particular. He also served on the Economic and Finance Committee.

During his police career, he had led what was called the 'bikie squad' during the 1970s. In that role, he was described as an 'unusual policeman by today's standards. Some bikies say if Bass hadn't been a cop he would have made a fearsome outlaw.' That was Sam: committed to a cause, a passionate upholder of the public's right to be protected from crime and enormously proud of the law and order profession he served in for more than 30 years before his election to this house.

The government recognises Sam's service to the parliament and to the wider community, and we pass on to his family, friends and former colleagues our deep sympathy at his passing. Vale, Sam Bass.

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:02):** I rise to support the motion. When Mr Sam Bass joined the police force as a 17 year old in 1961, it was a different beat

from the one he left 33 years later. As he reflected after his retirement, and I quote, 'Police had more respect, people were less aggressive and there was much less drug use.'

In 1974, he confronted the growing bikie menace as head of the bikie squad. In 1979, there was a full-on confrontation with drug dealers in a shootout at the Arkaba Hotel. Then, to top it all, he was at the centre of other political disputes later in his career. Sam Bass started his police career in the uniform branch, soon moving to the CIB, where he spent 21 years as a detective, and then to the Bureau of Criminal Intelligence. Sam was an old-style cop. If it had not been when he joined, experience would certainly harden his resolve.

When there was a famous brawl on the Port Gawler beach in 1974, police were confronted with sawn-off shotguns, repeater rifles, flick knives, bike chains and pieces of wood studded with nails. As the media reported at the time, it was hand-to-hand combat with chains and dustbin lids. Guns were going off and guys got run over. For Sam Bass, it was a challenge, and he was authorised to lead the eight-man bikie squad, who roared around town on 750cc Suzukis and Yamahas. By September 1977, most of the key players had been sentenced to gaol terms of up to three months for consorting. But the use of consorting laws sparked a debate about the extent of police powers, and the South Australian government held an inquiry as a result.

Sam Bass faced a police officer's worst nightmare when one night in early July 1979 he and his squad shot dead a drug dealer in a sting at the Arkaba Hotel. He would later reflect on that night and split-second decisions made in dangerous situations. He told crime journo Derek Pedley that the circumstances justified the action he took. There were two rigorous court cases and a coronial inquiry. He told Pedley that he had death threats for 10 years later. The life of a front-line police officer is never easy, and I acknowledge today the bravery of Sam and his colleagues and their families.

Mr Bass did an outstanding job representing police officers in his leadership role of the Police Association as secretary in 1988, and he served in that role to 1993. In that period, he mounted a stern defence of police safety, resources and legislative protection. He carried that advocacy into this house when he was elected in 1993 as the member for Florey. In parliament, he would always stick to his beliefs. He threatened to cross the floor on the relaxation of shop trading hours, on gun control laws, police powers and smoking bans.

Sam's life was a colourful one, a committed one and a complete one. He said on one of the occasions that he proposed crossing the floor, I quote, 'There's a principle involved. Rules are rules and they must be followed.' We acknowledge his outstanding police career, his service to the Police Association and his service to this house and to the people of South Australia. Our condolences to his wife, Jacky, family and former colleagues .

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:06):** I thank both of the lead speakers to this motion, and support the same, and thank them for also acknowledging Sam's work in the South Australian police force. Certainly, when he came to us in 1993 and sought preselection for the seat of Florey he was perhaps best described as an unconventional candidate. Obviously, his work—not because he was in the police force but because of the nature of his work, including covert surveillance work, the difficult task of dealing with organised crime and his preparedness to go under cover and actually put himself at risk in a number of those circumstances—did mean that he would brush up against a number of national and state agencies of inquiry.

And so, to the best of my knowledge, he is the only Liberal candidate who has ever had a glowing clearance from the then commissioner of police to me as president at the time to endorse his complete clearance of any inquiry, pending or otherwise, in relation to the work, because the very nature of his work was that he had to tread a fine line to protect South Australians to actually be able to do that well and to do it in any circumstance.

Only today I was thinking of Sam when we were dealing with the police powers legislation and thought what a shame it is that he is not here to see the legislation—which the member for Elizabeth and I were traversing this morning—pass to give protections to police officers in a circumstance where such a difficulty arises.

Rest in peace, Sam. You were a challenge as a candidate, you were a hell of a member, but you were an excellent police officer.

**Ms BEDFORD (Florey) (14:08):** At the beginning, I might just say to the Premier that he may be surprised to know there was an outlaw Sam Bass killed in America in 1878, but of course that has nothing to do with our Sam, who I understand was born in 1944 and named after the ship his father came home from the war in. That is a bit of extra trivia I found out while I was doing some research today on a man who, as you have all said, was larger than life, and it was perhaps a shame that our situations were such that I did not get to know Sam better.

As the Premier said, Sam was elected to the parliament to the seat of Florey in 1993, defeating the sitting member, Bob Gregory, in the swing following the State Bank collapse. It is now a very different seat, with boundaries moved well into the west. He represented and served the people of Florey with distinction until 1997.

As a Modbury local and a parent of children attending The Heights school, I first came across Sam in the 1980s while a parent on the governing council. It would be fair to say that I noticed early on that Sam was a larger than life figure, with his can-do, problem-solving approach when he was asked to do anything for the school council. He certainly always managed to have the answer or find the solution.

He was never far from the action in the 33 years he was in uniform, and I understand that he was actually stabbed once while on duty. Sam also made his mark as a former well-respected and effective secretary of the Police Association. He was referred to in their eulogy published in *The Advertiser* as being driven by a strong sense of justice and fearlessly battling for and defending the industrial rights of police officers.

I am reliably informed that Sam along with Graham Gunn and John Quirke were the unofficial gun control committee of the parliament and that they used to go on semiformal inquiries all over the state, but mainly up north. Occasionally, Sam put his investigative skills to good use on inquiries here in this place.

To my constituent Troy, who is here today, his mum, Jacky, and their extended family and many friends and associates, I offer my sincere condolences and those of the electors of the seat of Florey.

**Mr TRELOAR (Flinders) (14:10):** I first met Sam Bass in Cowell when it was part of the electorate of Flinders. Sam retired to Cowell after a very colourful career, as we have been hearing today—a many faceted career. Along with a friend by the name of Ian Sampson, he bought a few hundred acres just outside the township of Cowell. There they pottered around and punted sheep. Ian practised law in a country practice and Sam joined the SA Ambulance Service as a volunteer.

As we have heard today, Sam was a much-respected police officer. He was elected in 1993 as the member for Florey. It was the same year that the previous member for Flinders, Liz Penfold, was elected. In his maiden speech, he referred very much to law and order and his commitment to the officers of the South Australian police department. He was Secretary of the Police Association of South Australia for five years. He was involved with the drug squad and, between Troy and me, we think he received some sort of commendation or award during that time. We are not quite sure, but we think he may have received something.

Sam loved motorbikes. It was one of his real passions. He was part of the police bike squad. He acted as a judge at the world championship motorbike scramble in the UK, such was his love of motorbikes and the esteem in which he was held. In fact, he was the president of the South Australian speedway control council from 1982 to 1987.

After he left parliament, he retired to Cowell, as I said, and became very involved in the SA Ambulance Service as a volunteer. He worked for the Hon. Graham Gunn for a little while at Mount Cooper on the Gunn family farm. It was very much casual and seasonal work, but Graham described him as being a good mechanic and welder. There you go, Troy; you may not have known that about your dad.

At Cowell, he became involved with the SA Ambulance Service as a volunteer and became a team leader at Cowell. He became part of the South Australian country management team and



was a clinical instructor for new recruits across the state. He also provided driver training to the new recruits, which he enjoyed very much. He was also happy to be a relief ambo right across country South Australia. He was not just sitting in Cowell on Eyre Peninsula; he was relieving right across the state and quite prepared to go to some of the toughest spots in the state as an ambulance volunteer. It was never too hard for Sam.

In the words of Graham Gunn, he was a motivated, hardworking fellow—a good man. I must say that, for the short time that I knew Sam, he served the community in which he had lived all his life. He was a good man indeed.

Motion carried by members standing in their places in silence.

*Sitting suspended from 14:14 to 14:23.*

#### *Parliamentary Procedure*

### VISITORS

**The SPEAKER:** I welcome to parliament today students from Concordia College, who are guests of the Minister for Industry and Skills. Welcome to parliament; I hope you enjoy your time here. I also welcome to parliament today Mr Mark Brindal, former minister for water and local government and also former member for Unley. Welcome to you, sir.

### ANSWERS TABLED

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

*Members interjecting:*

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

### PAPERS

The following paper was laid on the table:

By the Minister for Energy and Mining (Hon. D.C. van Holst Pellekaan)—

Regulations made under the following Acts—  
Controlled Substances—Phenibut

#### *Ministerial Statement*

### COOBER PEDY DISTRICT COUNCIL

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:28):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. S.K. KNOLL:** The Ombudsman has published the final report of his investigation into the District Council of Coober Pedy's decisions to execute the power purchase agreement. As the Ombudsman has noted, his investigation was in response to referrals from the Independent Commissioner Against Corruption, pursuant to sections 24(2)(a) and 24(3) of the Independent Commissioner Against Corruption Act 2012.

The Ombudsman has identified a range of errors and failures on the part of the council as it undertook a critical procurement process. These failures raise serious issues about the operation of the council. The report also includes the Ombudsman's views on the actions of the former department of state development, now the Department of Energy and Mining, and the former minister for mineral resources and energy.

My responsibility as the Minister for Transport, Infrastructure and Local Government is to consider using my powers under the Local Government Act 1999 in relation to the council's failings and I will therefore not comment on matters relating to this department or the former minister. However, I can assure the house that I am giving very careful consideration to my responsibilities

and powers under the Local Government Act. There are a range of potential actions that I may take under the act to address council issues and failures to comply with statutory obligations.

On the basis of a report of the Ombudsman, I may make recommendations to a council if I consider that a council has contravened or failed to comply with a provision of this or another act, or has failed to discharge a responsibility under the Local Government Act or another act, or an irregularity has occurred in the conduct of the affairs of a council in relation to matters arising under the Local Government Act or another act. Then I may give directions to the council to rectify the matter or to prevent a recurrence of the act, failure or irregularity.

If I consider that there have been serious contraventions, failures or irregularities at a council, I may recommend to the Governor that the council be declared a defaulting council and an administrator be appointed. Of course, I am mindful of the Ombudsman's suggestion that I should consider taking such actions; however, before I take action to give directions, or recommend to the Governor that the council be declared a defaulting council, I am required to provide the council with a reasonable opportunity to make submissions to me on the report. Once I have considered a submission made in these circumstances, I will then take the action that best addresses both the matters raised in the report and any response from the council.

As members will know, the Auditor-General is currently examining the accounts of the council under the Public Finance and Audit Act 1987, as requested by the former treasurer on 1 May 2017. I may take action under the Local Government Act, on the basis of a report from the Auditor-General, as I can on the basis of a report received from the Ombudsman; however, I cannot comment on these potential actions until such time as I have received the Auditor-General's report.

#### *Question Time*

### **SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:31):** My question is to the Premier. Can the Premier advise why he sacked 11 out of 12 members of the previous South Australian Multicultural and Ethnic Affairs Commission?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:31):** We formed a view that it was time to refresh the SAMEAC board. Some of the members who had been on the board had served for an extraordinary length of time and they had served very well. In fact, some of them had served for more than a decade. I thank each and every one of the members who had served on the SAMEAC board, but it was time for a refresh.

We have appointed a new board. We have made it clear to that board that we won't be having long-term appointments. In fact, they are all new members save the chairperson, Norman Schueler, who came over from the previous board. He was the acting chair. He was the deputy chair and then, when the previous chair resigned, became the acting chair of SAMEAC. He has come over as the new chair of SAMEAC and we have appointed the new people.

I would just like to say, and place on the record, my grateful thanks to those people who had served previously. In fact, we held a small function in the Speaker's dining room to acknowledge the service that they had given. I fully expect that they will all continue to play an active role in multicultural affairs here in South Australia.

I was a little bit disappointed at the time that some of those opposite tried to turn this into a political issue, and I will tell you the reason why. I was a little bit concerned about this because historically we have had a very bipartisan approach to multicultural affairs here in South Australia. In fact, I think that one of the great aspects of our society here in South Australia is that we have harmonious multicultural relations in this state. That is why I was very perturbed by the way that the opposition portrayed our changes to that board—as the Leader of the Opposition again, only a few moments ago, in the house referred to it—as a sacking. Of course, it wasn't a sacking.

None of the people who had served saw it as a sacking. They saw it as a logical opportunity for the new government to refresh those people who served on that important board and, as I said, I was very grateful. At short notice, over half the people who weren't continuing turned up when we had our function here in the Speaker's dining room and I was very pleased to personally thank them for their service. Of course, I have also gone on to thank the other people who weren't able to be

present at the function that was held here at Parliament House. I hope that the opposition will maintain I think a longstanding convention of this parliament to treat some of these portfolios, like multicultural affairs, as bipartisan portfolios, because I think we do much to enhance our state if we can maintain civility in these important areas.

#### **SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:34):** My question is to the Premier. What criteria did the Premier use in appointing new members to the Multicultural and Ethnic Affairs Commission board?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:35):** That was a series of appointments that was considered by cabinet, so I won't go into the specific details. I think it wouldn't be something that would be lost on those opposite that we wanted to have a broad representation of different ethnicities and different backgrounds for those people who serve on the board.

As I said, for the people who are serving on this board, we won't be having them serve five, 10, 15 or 20 years on the new board. We would like to be able to cycle people through that board. I think that serving one or two years on the board, going forward, is the ideal, because it creates that opportunity for new and emerging people in different multicultural groups to have the opportunity to serve on the commission.

#### **SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:35):** My question is again to the Premier. What due diligence did the Premier conduct in analysing the appointments to the Multicultural and Ethnic Affairs Commission new board?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:36):** I think I went through an answer to this question in the previous question. I refer the leader to my previous answer.

#### **BUSINESS CONFIDENCE**

**Mr PATTERSON (Morphett) (14:36):** My question is to the Premier. Will the Premier update the house on what action the government is taking to boost business confidence in South Australia?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:36):** It is with great pleasure that I rise to answer the member for Morphett's question. He, of course, was somebody who served in the business community. He was also a footballer, although unfortunately not with a particularly good football outfit, being the Collingwood Football Club. Nevertheless, he was a great footballer and a great businessman and now he finds himself here in this parliament. He, like many of the people in this parliament, and certainly on this side of the house, is very interested in growing business confidence in this state.

We have just had an election. We took a strong plan for real change to the people of South Australia: more jobs, lower costs, better services. We did this because we want to grow the size of our economy and we want to have more business confidence. We want to have more business confidence in this state because we know that this will create the jobs for our next generation in South Australia.

We have not wasted a second since coming to government on 17 March. From day one, we have been out releasing the handbrake on the business community in South Australia—the productive component of the economy—those people in our economy who are putting their capital and their wealth on the line to create opportunities for the next generation. Let me tell you, there are some green shoots that I should share with this parliament today.

The Sensis Business Index has been published today. The June quarter release is out. Let me tell you, small to medium business confidence has improved nine points, now to a net balance of +45. This is a fantastic result and exactly what the member for Morphett was asking about. What are we doing to boost business confidence? We are providing that leadership, lower costs, less regulation, a focus on supporting small business, and we are already starting to see that important improvement being made.

I must say that what I found very interesting in the report were the attitudes towards state government policies. In the Sensis survey for the June quarter, it showed that attitudes towards state government policies jumped a staggering 37 points in a single survey to a net balance of +18. This is the highest rating on record for this state.

I would just like to perhaps share with the house something which is written in the report on page 32, which may be of interest to those opposite. There was a 37 point improvement in the net rating recorded for the recently elected SA government, to a score of +18, which is the highest balance seen in the state. The outgoing government was the least popular in the nation last survey, and the new government is the second most popular. Positive opinions reflect the view that the government is supportive of small business.

**Mr Malinauskas:** Name one thing you've put into effect.

**The Hon. S.S. MARSHALL:** The Leader of the Opposition asked for one thing that we've put into effect, and I am very happy to do so. On 1 July, which was only a few days ago, this government actually stuck \$90 million back into the South Australian economy. That's what we've done because on this side of the house we know that taxes are just a drag on the productive component of our economy and they were suppressing business activity in our state, so we put \$90 million back in.

And let me tell you what we're going to do next year: another \$90 million, and the year after another \$90 million, and the year after another \$90 million—\$360 million back into our economy because, unlike those opposite, who always thought that it was logical to tax our way to prosperity, we know that we want to provide relief to the business economy here in South Australia, and the proof is in the information contained in these fantastic surveys which show that business confidence is on the rise with a new government.

Time expired.

*Members interjecting:*

**The SPEAKER:** Before I call the Leader of the Opposition, I call the following members to order: the Leader of the Opposition, the Minister for Education, the member for Cheltenham, the member for Lee and the member for Playford. The Leader of the Opposition.

**ROMALDI, MR M.**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:40):** My question is to the Premier. Was Mr Mario Romaldi's support of the Liberal Party a variable in his appointment to the board of SAMEAC?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:40):** No.

**ROMALDI, MR M.**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:40):** My question is to the Premier. Did the Premier personally speak to Mr Mario Romaldi regarding his appointment to the SAMEAC board?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:41):** No.

#### **MAJOR PROJECTS CONFERENCE**

**Mr COWDREY (Colton) (14:41):** My question—

*Members interjecting:*

**The SPEAKER:** Order! The member for Colton has the call. The member for West Torrens and the Premier will not verbally spar. The member for Colton.

**Mr COWDREY:** My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister inform the house about the SA Major Projects Conference and how the state and federal government are working together constructively to deliver long-term outcomes for South Australians?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:41):** I thank the member for Colton for that question and do note his deep interest in the advancement of our state, especially as it relates to infrastructure development and helping to get South Australia back onto a path to growth and prosperity. I do note one of the discussions that we had at the Major Projects Conference last week was around the state government's role in incentivising the private sector to get on and do what it does best, and that's to help grow our economy.

The three very clear messages that I wanted to send to them mirror very closely what the Premier just gave to the house. That is, the three things that we as a new Liberal government need to deliver to South Australians is a renewed sense of confidence, and, as the Premier has outlined, that is very much coming to pass. The other two ways that we can help to provide better support to the business sector is to provide certainty and to provide a better way of procuring and delivering infrastructure projects in South Australia.

On the first point, in relation to certainty, the message that we have been sending as a new Marshall Liberal government over our time in office is that we are here to help. We are here to find ways to say yes. Especially in relation to major projects—major privately funded projects—we are here to provide a certain and clear pathway for those projects to go from idea to being built. It is why we are very keen to continue on with the planning reforms as they have existed for the last couple of years and to deliver on the promise that those reforms made in relation to a clearer and quicker and more efficient planning approval process, but also having a system that finds ways to say yes to good ideas, something that I think has been lacking in South Australia for many years: a new government willing to get on and provide that certainty that is much needed, especially in the short term when people will be asking questions about what this new government stands for.

I think one of the lasting legacies of this government is going to be the way that we improve the delivery of infrastructure projects in South Australia. We need a system that ensures that the best projects get funded. The best way to do that is to set up a structure through Infrastructure South Australia that is going to deliver on that promise. That is why I am so proud to be part of a team that is creating a whole new ecosystem around making better decisions. But what comes with this new process and what is needed to fulfil on this new process is money.

What I have been extremely excited about over the past few weeks is another component of the \$1.8 billion in new money that we've secured from the federal government, to put that on the table to start to deliver this pipeline of infrastructure projects. That's why I was so proud to stand with the Premier to announce that we had signed off on stage 2 of the Gawler electrification project, a project that has been long stalled under the previous government. What South Australians are coming to realise is that we are a government that does what we say we're going to do—that we can deliver on our promises and that we deliver for South Australians going forward.

**Mr Picton:** 'Set in stone.'

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** We also need to develop a clear medium and long-term pipeline for infrastructure projects in South Australia to deliver that certainty of work for South Australians, especially those workers that work in the infrastructure space. It's why we moved as quickly as possible for all the projects that were on the table, to get them funded by the federal government.

It's why we are working so hard with the promises that we took to the election and the policy around creating a better infrastructure system in South Australia: to make sure that more of these ideas become a reality as we go forward, that we can fill this pipeline, that we no longer have this continual boom-bust cycle that exists in infrastructure. We can provide certainty in planning process and certainty in the pipeline of infrastructure going forward so that we can create the jobs and prosperity that South Australia has been crying out for for decades.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (14:45):** My question is to the Assistant Minister for Domestic and Family Violence Prevention. Does the assistant minister agree that it is inappropriate for Mr Romaldi to retweet a social media post that incites violence against women?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:46):** I am happy to look into that matter. I haven't seen that tweet, but I am happy to look into that matter.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (14:46):** My question is again to the Assistant Minister for Domestic and Family Violence Prevention. Does the assistant minister consider it appropriate for Romaldi, a member of the South Australian Multicultural and Ethnic Affairs Commission, to publicly call a woman 'a reckless, backstabbing lesbian'?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:46):** As the minister responsible for multicultural affairs in South Australia, I take that question, and as I indicated by my previous answer I will look at that tweet. I will take a very close look.

**WORKPLACE SAFETY**

**Mr TEAGUE (Heysen) (14:47):** My question is to the Attorney-General.

**Mr Koutsantonis:** Hiding behind Dixers.

**The SPEAKER:** The member for West Torrens is called to order.

**Mr TEAGUE:** Will the Attorney-General outline to the house any updates about the use of ice in the workforce and the government's possible role in assisting businesses and employees in the future?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:47):** I thank the member for Heysen, a father of three beautiful children himself who knows that he wants to have a safe state for them to grow up in and that whenever they do undertake their business enterprises or jobs in the future it is going to be safe place to work in. It is not unfamiliar ground to any of the members here of the history of danger in the workplace where there are drugs—alcohol or illicit drugs. For a long time, this has been a concern, particularly in areas of high risk known in the workplace, such as manufacturing, farming, fishing, building and construction. These are all areas—

**Mr Mullighan:** Nation building.

**The Hon. V.A. CHAPMAN:** That's a churlish interjection from the Member for Lee; nevertheless, I will ignore it.

**Mr Mullighan:** Actually it was pretty funny.

**The SPEAKER:** The member for Lee will not interject.

*Members interjecting:*

**The SPEAKER:** The member for Lee is warned. Deputy Premier, please do not respond to interjections. Please continue in silence.

**The Hon. V.A. CHAPMAN:** Thank you, Mr Speaker. The risk of death and serious injury in those industries is well known. Anyone dealing with heavy transport, whether they are on mining sites or delivering supplies over to the West Coast—these are major areas where people in the workplace are at risk if they are under the influence of any drug or alcohol. Pilots historically are in the unique position where they can't have any trace of alcohol, for example, in their bloodstream. There has been a cascading of regulation around high-risk industries such as mining and others that I have referred to.

When Business SA decided that they would convene a meeting last week, publish its white paper, disclose the work of scientists, toxicologists and others who have worked in this space, as to firstly identifying the seriousness of the level of, in this case, ice or methamphetamines—crystal methamphetamines in their purest form are clearly present and serious dangers in the workplace, not only because of their illicit nature but obviously the serious consequences of people coming off them. The frequency disclosed at the forum—and I was pleased to open this important forum, at which I represented the government—was that we had a very high consumption and a very high level, especially on Mondays and Tuesdays of each week when there is a trace of methamphetamine in their bloodstream.

They are a danger to themselves and they are certainly a danger to their work colleagues. Of course, apart from the human toll in relation to this issue, there is obviously the question of productivity in the workplace, the loss of days of employment and the inefficiency in the way they operate, etc., so we are very pleased to see Business SA taking charge in this regard and making sure that this is something on the agenda.

It was interesting to speak to some of those present, particularly those employing people who are apprentices or trainees. As members will know, the millennials are a very mobile group; they don't necessarily stay in their area of chosen industry after they have skilled, they move—unfortunately they move house, they move husbands, they move jobs, they move everything. However, on a serious note we need to consider, when people are asked, for example, to submit to a test in the workplace—if the workplace and industry decide to enforce random tests, and mining and other industries have already done this—what they are to do if the employee refuses to take the test, or takes the test and fails, and/or at that point leaves their workplace. That is the next challenge I have asked them to consider.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (14:51):** My question is to the Premier. Does the Premier consider it appropriate for Mr Romaldi to publicly call a woman 'a patronising bitch'?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:51):** As I have already outlined to the house, I haven't seen those comments. I will seek out those comments and take a look.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (14:52):** My question is again to the Premier. Does the Premier consider it appropriate for Mr Romaldi to publicly call a woman 'a divorced slapper'?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:52):** My answer is exactly the same. I haven't seen those comments and I will seek them out.

*Members interjecting:*

**The SPEAKER:** Before I call the member for Hammond, I call to order the member for Hurtle Vale and the member for Badcoe. The member for Hammond has the call.

**COPPER MINING**

**Mr PEDERICK (Hammond) (14:52):** My question is to the Minister for Energy and Mining. Can the minister update the house on opportunities in copper and on the potential importance of the Gawler Craton?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:52):** I thank the member for Hammond for his question.

*Mr Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens is warned.

**The Hon. D.C. VAN HOLST PELLEKAAN:** The member for Hammond grew up on his family farm and still owns his family farm, and he is a very proud farmer. I appreciate him asking me this question.

Last year, our exports from South Australia from our mineral and petroleum products was \$5.2 billion, and \$2 billion of that was from copper. So copper is an incredibly important commodity for us in South Australia. Last year, we exported over 260,000 tonnes of copper. The production and export of that copper goes directly to our state's economy in a very positive way and our state government, as long as it is done responsibly with regard to people and the environment and done in an overwhelmingly welcoming community, is extremely supportive of our resources sector. We want our resources sector to flourish.

Importantly, there is forecast to be a worldwide supply deficit of copper through the 2020s which, under most circumstances, would mean that prices go up; under most circumstances, that means this industry becomes even more important and beneficial for our state. Couple that with the

fact that demand from new markets is expected to grow as well. So, along with the copper sales comes the opportunity to sell other products into new markets, which is also very important.

What is the South Australian government doing to support copper in this state? Well, very pleasingly, yesterday at a South Australian resources investment conference I was able to announce results with regard to the Gawler Craton Airborne Survey and the work done jointly between the South Australian Geological Survey and the CSIRO.

They have done some fantastic work, and it has been going over several years and will continue for many more years. The work that they are doing is taking airborne survey results and interrogating them in great detail to be able to share publicly with the resources, exploration and investment sectors information about the depth of the resources below the earth's surface. Why is that important? Because it helps exploration.

We already know that there is an enormous amount of wealth being generated in the Gawler Craton and we also know that there is much more to be discovered, but we need to stretch those exploration dollars. We need those exploration dollars to be as efficient as possible so that when our government is able to release this sort of information it does exactly that: it stretches those exploration dollars. So not only are we looking at whereabouts on the surface or below the surface might there be resources but also now we are getting information about how deep below the surface, and that's a very important thing to be able to share.

The airborne survey covers 295,000 square kilometres once complete, with over 1.6 million line kilometres of new data to be made available—the first of 16 packages of data is now made available, and much more to come. This is a fantastic initiative of the South Australian government, which will make exploration dollars go further, which will help our state's economy enormously.

#### ROMALDI, MR M.

**Ms HILDYARD (Reynell) (14:56):** My question is to the Premier. Does the Premier consider it appropriate for Mr Romaldi to post a picture of himself throwing darts at images of former prime minister Julia Gillard, describing it as his favourite Christmas present?

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The member for Hurtle Vale is warned.

**Ms Cook:** Thank you, sir.

**The SPEAKER:** You're welcome. The Premier.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:57):** Thank you, very much, Mr Speaker. The shadow minister, and in fact many members opposite, have made very serious allegations today—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and I think it's only appropriate that I look into them. No doubt I will be making a further statement to the house once I have had the opportunity to take a look at these comments that the opposition alleges.

*Ms Stinson interjecting:*

**The SPEAKER:** The member for Badcoe is warned for a first time.

*Mr Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens is warned for a second and final time. The member for Reynell.

#### ROMALDI, MR M.

**Ms HILDYARD (Reynell) (14:57):** My question is again to the Premier. Does the Premier consider it appropriate for Mr Romaldi to publicly encourage a friend to pretend he was, and I quote, 'drugged out in the hospital and grab some nurse'?



*Members interjecting:*

**The SPEAKER:** The Premier has the call. The Premier will be heard in silence.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:58):** Thank you, sir. I refer the member to my previous answer.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (14:58):** My question is again to the Premier. Does the Premier consider it appropriate for Mr Romaldi to publicly state that, when he was young, girls used to provide free sexual favours, and then go on to name a number of schools in relation to this?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:58):** I refer the member to my previous answer.

**Ms Stinson:** Maybe you should go and check it out.

**The SPEAKER:** The member for Badcoe is warned for a second and final time. The member for Elder.

#### **ADELAIDE BOTANIC GARDEN NIGHT LIGHTING**

**Ms HABIB (Elder) (14:58):** My question is to the Minister for Environment and Water. Can the minister update the house on the Botanic Garden night lighting pilot that was recently held and the opportunities that this provides for the Botanic Gardens?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:59):** I thank the member for Elder for that question. Last Thursday evening, I had the pleasure of attending an event as a guest of the board of the Adelaide Botanic Garden to look at a new project, which is the first stage of the lighting of certain components of the Botanic Garden. That lighting is designed to create an avenue of lighting through a range of very significant trees in the garden and is the first stage of bringing the gardens to life at night, not only from a safety point of view and to create passive surveillance opportunities for the garden but also to look at ways to activate the night-time economy within the Botanic Garden, and particularly in the East End of the city, because we know that, with the closure of the old Royal Adelaide Hospital last year, there has been a significant move of people away from the East End of the city, and there is a need to look for opportunities to stimulate the East End of the city and the economy there wherever possible.

The Botanic Garden, being a large government-controlled landholding in the East End of the city, has a great opportunity to trigger activity for the night-time economy in that part of the city. I look forward to working with the Board of the Botanic Gardens, the management led by the very well-renowned botanist Dr Lucy Sutherland, and being able to work alongside that group of people as we establish a strategy to activate the Botanic Garden of Adelaide into the evening.

The lighting, which was donated through a range of organisations which have a long-term commitment to supporting the Botanic Garden, is the first step in being able to draw people into the gardens, and we look forward to developing that over the coming months and years. It is the first stage of what will be a large and quite expensive project, totalling up to \$6 million, but the Botanic Gardens is planning for that and looking for ways to fundraise for that project to continue.

With the redevelopment of the old Royal Adelaide Hospital on the edge of the Botanic Garden there is a real opportunity for the state government to look at ways to link the old Royal Adelaide Hospital site and the redevelopment and activation of that site with the Botanic Garden. We should not underestimate the value that the Botanic Garden has in terms of lifting the overall quality of that redeveloped open space.

As that project develops, I look forward, as the minister with responsibility for the Botanic Gardens, to being able to work alongside the various other ministers and the Premier who have responsibility for the old Royal Adelaide Hospital site. I look forward to being able to work closely with them as we maximise the opportunities for our Botanic Gardens. We know that garden tourism is such a significant drawcard for people to visit particular places across the world, and we should never underestimate the value of our gardens, whether it is the Botanic Garden in Adelaide, whether it is the Wittunga Botanic Garden in the member for Waite's electorate or the Mount Lofty Botanic

Garden, which I think is in the member for Heysen's electorate, in the Hills, or somewhere near the boundary.

Our gardens in this state have a huge amount to offer. They are run well by the management of the botanic gardens. It has been great getting to know the Board of the Botanic Gardens in the short time that I have been minister, and I do look forward to updating the house on the various opportunities we have to maximise what those gardens bring to our state.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (15:03):** My question is to the Premier. Does the Premier consider it appropriate that Mr Romaldi joked that he was referred to as a 'pimp' at a party and told a friend online that girls were, and I quote, 'on their way'.

**The SPEAKER:** The Premier.

*Members interjecting:*

**The SPEAKER:** Members on my left will not interject. The Premier will be heard in silence, just like the member for Reynell was heard in silence when she asked her question. The Premier.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:03):** Thank you, sir. I refer the shadow minister to my previous answer. None of the allegations which are being raised by the opposition today in the parliament were made to the government before question time, and I think it is only reasonable that we have the opportunity to take a look and come back to the house.

*Members interjecting:*

**Mr Gee:** You should have checked before you appointed him.

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

**Mr Boyer:** Where's Google boy?

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

*Mr Malinauskas interjecting:*

**The SPEAKER:** The leader will cease interjecting.

*The Hon. A. Piccolo interjecting:*

**The SPEAKER:** The member for Light is called to order. The member for Reynell has the call.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (15:04):** Thank you, Mr Speaker. My question is again to the Premier. Does the Premier consider it appropriate for Mr Romaldi, as a member of the South Australian Multicultural and Ethnic Affairs Commission, to use terms that are considered offensive and hurtful to people living with disabilities?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:04):** I refer the shadow minister to my previous answer.

**ROMALDI, MR M.**

**Ms HILDYARD (Reynell) (15:04):** My question is again to the Premier. Does the Premier agree that the offensive, sexist public comments made by Mr Romaldi constitute dishonourable conduct?

**The Hon. J.A.W. GARDNER:** Point of order: we have given a lot of latitude here, but standing order 97—

*Members interjecting:*

**The SPEAKER:** Order! Members on my left will not interject. I will listen to the point of order.

**The Hon. J.A.W. GARDNER:** The question as phrased just then does not fit within the rules allowed by standing order 97.

**The SPEAKER:** The point of order is that a member may not offer argument or perhaps opinion. Minister for Education, I uphold that point of order. I will move to the government side and I will come back to the member for Reynell.

#### LITERACY GUARANTEE UNIT

**Dr HARVEY (Newland) (15:05):** My question is to the Minister for Education. Can the minister update the house about initiatives designed to improve literacy outcomes in South Australian schools?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:05):** I thank the member for the question. I am very pleased to talk about this very important issue, which I know the member for Newland, not only as a father of three children but also as a member of parliament who is deeply concerned about education, has a great passion for.

Literacy is the foundation, as I have said on a number of occasions, for all that follows in a child's schooling. Getting the first years right, teaching a child to read and write effectively, could not be a more important task in the world. We are so grateful for the work undertaken by so many teachers across South Australia's education systems every day, every year in helping our young people get the best possible start for a great future in our schools.

This government has a very proud ambition, a very bold ambition that South Australia's schools will be known as the best in the country, that every child in every classroom in every school in South Australia will get the support they need to fulfil their potential. That is the work that this government is doing, particularly in enhancing the offering available for teaching our young people to read and write effectively.

The Literacy Guarantee Unit is of course one policy that this party took to the election and we are very proud that it is now led by Ingrid Alderton, a very experienced educator particularly with expertise in teaching students with disability and indeed in support for students with learning difficulties. The work of that unit will be supporting teachers in schools across South Australia with literacy coaches, ensuring that those teachers who went through university at a time when phonics wasn't understood to have the important role that it does in teaching children to read are supported in improving their professional development. Indeed, it will be comprised of literacy coaches who are also experts in dyslexia and other learning difficulties, providing support across our schools.

One important initiative, which is rolling out in the coming weeks, is the year 1 phonics check. South Australia is leading the nation. We are the first state to be undertaking this phonics check in all schools. It was a commitment that this party took to the election. We were very pleased when the former government came on board a couple of weeks before the election and committed to rolling it out in all schools, just as I indicated we were pleased that they undertook a trial last year.

*Dr Close interjecting:*

**The Hon. J.A.W. GARDNER:** As I just did, shadow minister.

**An honourable member:** They don't even like compliments.

**The Hon. J.A.W. GARDNER:** They don't even like it when I commend them for something good that they did.

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

**The Hon. J.A.W. GARDNER:** This is unfortunate.

**The SPEAKER:** Please do not provoke the opposition, minister.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** The trial last year, which the former government undertook in reception classes and eventually agreed to undertake in year 1 classes as well, as was the case

in the UK, as the opposition was then calling for, was undertaken. It went very well. It had very positive feedback.

Flinders University researchers provided an analysis and report on that, and this government has taken up some of the recommendations. We have also worked with Jennifer Buckingham, an acknowledged leader in this field and somebody who the former minister turned to when some concerns were raised about the way that the previous government had been rolling it out. Jennifer Buckingham provided advice then that the former government took, and I provide acknowledgement of that as well. I appreciate the shadow minister's work, as she did, in taking Jennifer Buckingham's advice—

*The Hon. S.S. Marshall interjecting:*

**The SPEAKER:** The Premier will not interject.

**The Hon. J.A.W. GARDNER:** —to extend the test to year 1 students, as they did. This year it is year 1 students across South Australia in weeks 3 to 6. This is all in August. This government has supported schools by providing a day of professional development for all principals and year 1 teachers. I have had excellent reports on the way that professional development was rolled out from a number of teachers that I have run into in different circumstances in recent weeks.

I am sure that they are enjoying the opportunity in the coming weeks to roll out that check. The government is supporting schools with three days of relief: one for the PD, one for the check to take place and, importantly, one day for teachers to then analyse the results and identify interventions. This is work the government is doing to help our youngest children to develop the ability to read and write, and we are very pleased to be leading the nation in this way.

**The SPEAKER:** Time has expired. The member for Reynell—I ask members to please settle down so I can hear the question in silence.

#### **SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION**

**Ms HILDYARD (Reynell) (15:09):** My question is to the Premier. Premier, will the South Australian Multicultural and Ethnic Affairs Commission continue to deliver its women's leadership course for women from culturally and linguistically diverse backgrounds that empowers women, builds their confidence and helps them tackle the challenges they sometimes face as leaders?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:10):** I thank the member for her question. That is, of course, a matter for the commission to decide, not the government, but I would expect that it would be continuing.

*Members interjecting:*

**The SPEAKER:** Order!

#### **ROMALDI, MR M.**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:10):** My question is to the Premier. Has the Premier, or anyone from the Premier's office, contacted Mr Romaldi to tell him to shut down his Facebook page?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:10):** Not that I am aware of, no.

#### **PRIVATE EMAIL ACCOUNTS**

**Mr PICTON (Karna) (15:10):** My question is to the Premier.

*Members interjecting:*

**Mr Koutsantonis:** We are. It's called scrutiny.

**The SPEAKER:** Order! The member for West Torrens is on two warnings.

**Mr Pederick:** That's it. You are gone, mate!

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

**Mr Pederick:** Thank you, sir.

**The SPEAKER:** The member for Kaurana and then the member for King.

**Mr PICTON:** My question is to the Premier. Will the Premier order the Minister for Health to turn over his private email server to the Director of State Records so that the emails can be properly scrutinised to see if any breaches of law or cybersecurity have occurred?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:11):** No.

*Members interjecting:*

**The SPEAKER:** The member for King has the call.

### PROJECT ZERO

**Ms LUETHEN (King) (15:11):** Thank you, Mr Speaker—

*Members interjecting:*

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

**Ms LUETHEN:** My question is to the Minister for Environment and Water. Can the minister detail to the house how SA Water's project to reduce electricity costs to net zero forms part of the government's focus on easing cost-of-living pressures for South Australians?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:11):** I thank the member for King for her question. It was great to be able to travel up to the north-eastern suburbs with the member for King to actually be in the member for Newland's electorate at the Hope Valley Reservoir a couple of weeks ago, when the government announced the latest stage in what has become known as Project Zero, the working title for the project being led by SA Water to create a very significant movement towards the purchase of renewable energy and the creation and storage of renewable energy to essentially wipe out SA Water's energy bill over the coming years.

The project will see SA Water's energy bill of some \$55 million, as it currently stands, wiped out through the investment in some half a million solar panels, significant storage facilities and other experimental renewable energy items, which will result in the creation and storage of renewables to offset SA Water's power bill. One of the things that SA Water has going for it is the opportunity to access very large areas of open space, which often either surround reservoirs or are held in other areas of Crown land controlled by SA Water or, when it comes to reservoirs themselves, there is the capacity to potentially float solar panels on reservoirs.

Accessing this land and activating it for the use and creation of renewable power and the subsequent storage of that power has that potential. It has been great to be able to work alongside SA Water since becoming the minister responsible for the corporation to see that project, which was initiated under the previous government, extend to the next stage. A number of organisations have now been short-listed as part of a tender, and SA Water looks forward to working alongside those in the coming months as this project is finalised and we start to get that renewable energy production happening.

Of course, Project Zero, and the investment in renewable energy, is only one part of the state government's very significant focus on reducing water bills. Members would be aware that just a few weeks ago the government announced that Lew Owens, a former chair of the SA Water Corporation, will head the government's independent inquiry into water pricing.

We have recognised that water bills are one of the most significant financial imposts on South Australian households and South Australian businesses. We want to do whatever we can as a government to put downward pressure on water bills, and that is exactly what our independent inquiry into water pricing is going to do. It's going to be exploring exactly how our water pricing occurs in South Australia and look for ways in which downward pressure can be placed on our water bills.

We are unashamed of our incredibly strong focus on reducing the cost of living across the board in this state, whether it be reductions to the emergency services levy, whether it be land tax reductions, whether it be the abolition of payroll tax on small and medium-sized businesses, or looking at ways to put downward pressure on power prices. We will do everything as a government

to take the pressure off South Australian households and businesses so they have the opportunity to reinvest in our economy and ultimately grow our state's economy.

#### PRIVATE EMAIL ACCOUNTS

**Mr PICTON (Kaurna) (15:15):** My question is to the Premier. Can the Premier assure the house that no other minister, or ministerial staffer, is using a private email account or server to conduct government business?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:15):** It seems to me that the shadow minister is alleging that somebody on this side of the house has inappropriately used a private email account.

**Mr Picton:** He's already admitted to it. He admitted to receiving things on his private account.

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** It's a pretty serious allegation to make.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The Premier has the call. The Premier will be seated for one moment, please. Premier, please be seated for one moment. The interjections have ceased. Premier, please continue.

**The Hon. S.S. MARSHALL:** Thank you, sir. I note that the opposition has now confirmed what I thought was an allegation that somebody on this side of the house, or somebody in the cabinet, has been using an email address inappropriately. We have a state records act in South Australia. I am absolutely sure that Stephen Wade has not breached the State Records Act.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr Picton:** We're asking the questions.

**The SPEAKER:** Order!

**The Hon. T.J. Whetstone:** Not very well, I might add.

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

*Members interjecting:*

**The SPEAKER:** Order! The Premier will be heard in silence. The clock is ticking.

**The Hon. S.S. MARSHALL:** We have a state records act, which very clearly outlines when emails, or any piece of correspondence or information, become a state record. I am quite sure that Stephen Wade knows his obligations under the State Records Act. I expect every single member of the cabinet and every single member of my team to comply with the State Records Act. If those opposite have any substantial allegations to make, or any evidence that they would like to provide, I suggest that they make those allegations. I suggest that they provide that evidence and then let's take a look at it.

**The SPEAKER:** The 20<sup>th</sup> opposition question, the member for Kaurna.

#### PRIVATE EMAIL ACCOUNTS

**Mr PICTON (Kaurna) (15:17):** My question is to the Premier. What action has the Premier taken to ensure that all ministers and ministerial staff are fully complying with the instructions of the ICAC commissioner, as detailed in his 2013-14 annual report?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:18):** I thank the member for this question because for about four years we have asked the previous government repeatedly to recognise the significance of this alert that was given by Commissioner Lander, that was given—

**Mr Picton:** Yes, no private servers over here.

**The Hon. V.A. CHAPMAN:** I'm addressing the Speaker, as I am expected to.

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** Commissioner Lander's recommendation was to strongly look at the question of whether there is any practice of government—that is, referring to the former government—that utilised emails for the purposes of subverting the obligations under the State Records Act. He made a very clear indication in that report to the former government, and in reporting it to our parliament, that this matter needs to be adhered to and there needs to be compliance.

The issues surrounding the DeBelle education inquiry reminded us in a very clear way of the obligation right at the top of the former government in relation to the use of private emails that then disappeared and were the subject of multiple questions in this parliament. The former premier made the claim at the time that his—I think chief of staff was the position—had not breached the records act. We had been through this in considerable detail, so nobody in this parliament who was here—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** —under the previous government would have any concern about understanding the obligation in respect of the records act. One of them—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** —was to assist by listening to Mr Lander's recommendation that if there is use of platforms outside telephone lines, faxes, government email addresses, etc.—that is, private phones, private accounts, emails through this parliament, electorate offices and the like—there needs to be a very clear understanding that, whatever the forum upon which any item of government business traverses, it still does not avoid the obligation of the person who is in government or works for government to ensure that they comply with that act. I urge any new members of parliament—

*Mr Malinauskas interjecting:*

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

**The Hon. V.A. CHAPMAN:** —to ensure that they also remind themselves of that obligation. Sometimes, people do contact us through different forums, like a home telephone. There might be other mechanisms by which this is conveyed and for which there needs to be a clear understanding that, whatever the motive for the transmission, if it is government business, it needs to be reported, documented, indexed and kept.

For those of you who haven't had the opportunity to go out to the records division, which we have primarily for public access out at Cavan, I urge you to go and have a look out there because it gives you an indication of the amount and bulk of material which we as governments need to record to comply with the law in that regard. I also indicate to members that the board that sits in respect of responsibility of records also provides an annual report to this parliament. It is well worth the read, and I am very pleased and proud to say that our Premier knows what is in that act. He has made it very clear to his own ministers what he expects of a standard of compliance in relation to all our obligations, including that one.

#### PRIVATE EMAIL ACCOUNTS

**Mr PICTON (Kaurna) (15:22):** Supplementary to the Deputy Premier: if everybody is aware of the obligations, then why has the Hon. Stephen Wade been operating a server and admitted to receiving government emails through it?

**The SPEAKER:** The Deputy Premier has the call.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:22):** The member asserts—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** —that there has been a breach of his use of a private email. In fact, as the member probably already knows, if he actually looked on Mr Wade's website, it already identifies that if there is government business to be conveyed to him, a government address is provided and to be used, and if private material is to be conveyed to him, another address is provided.

To suggest that there is an assertion that a minister of this government—in this case, the Hon. Stephen Wade—has in some way deliberately tried to subvert the records act when he, on his own material, probably more than anyone else—

*Mr Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens can depart under standing order 137A.

**The Hon. V.A. CHAPMAN:** —has made it absolutely clear—

**The SPEAKER:** The Deputy Premier will be seated for one moment. The member for West Torrens will leave for the remainder of question time. Thank you.

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

**The Hon. V.A. CHAPMAN:** The minister has made it absolutely clear on the auto-reply in relation to his communications with him as to which address that is to be referred to, so I would ask the shadow minister, if he hasn't already done so, to take note of that and cease such tawdry allegations.

*Members interjecting:*

**The SPEAKER:** Order! The member for Kaurana.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**Mr PICTON (Kaurana) (15:23):** Thank you, Mr Speaker. My question is to the Premier. Will the Premier release all advice the government has received in relation to costings for a new women's and children's hospital? If not, why don't the people of South Australia deserve to see what advice you have been provided?

*The Hon. D.G. Pisoni interjecting:*

**The SPEAKER:** The Minister for Industry will not interject. The Premier has the call.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:23):** Thank you very much. Of course, the shadow minister well knows that the government is doing a body of work. We have appointed an expert panel to look at the co-location of the Women's and Children's Hospital with the new Royal Adelaide Hospital, in accordance with best practice and the best available advice from the AMA and other clinicians right across South Australia.

It is interesting to note that this is exactly the same position that the previous government held back in 2013. They then told the people of South Australia they could build a new co-located 300-bed women's and children's hospital on the new Royal Adelaide Hospital site for \$600 million. Now, of course, the new shadow minister, who's elbowing his way down onto the front bench, pushing people out left, right and centre, is making all sorts of allegations, pretty much embarrassing himself on a daily basis—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** He's new to the task, and he's enthusiastic if nothing else. Can I just say, we thank you for raising the question. It is an important area of public policy. We would like to see the people of South Australia get the very best health care possible. That's why the AMA lobbied us, as they lobbied you. Unlike those opposite, though, we listened to the AMA. We listened to the doctors and nurses who wanted best practice.



In fact, I think in South Australia, Adelaide is the only mainland capital where there isn't a co-location, and that is something that we really shouldn't be proud of. We've got to work very hard to do that work, so we appointed an expert panel to look at this project. That's being headed up by Jim Birch. May I just say that the government was roundly applauded when we made the announcement that Jim Birch would be heading up this expert task force. That task force will of course look at multiple scenarios to co-locate those hospitals. That task force will report before the end of the year. I note that in recent times the opposition has been throwing around a document which says that the new hospital would cost \$1.8 billion. Well, of course, it would have cost \$1.8 billion if they were in.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** In fact, sir—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —that would have been their starting point. That's what they would have promised. Their first promise—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —was \$600 million. Now it's \$1.8 billion. By the time they build it, not satisfied with building the third most expensive building in the history of the world, they want to get the second or maybe even the first most expensive hospital in the world. By their calculations, each of those beds—

**Mr Picton:** That'll come back to bite you, Steven.

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —would cost \$6 million per bed. We know what the private sector is building hospitals for at the moment. We know how incompetent those are with major projects. They make lots of promises in this area. They haven't delivered them.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We're not going to listen to those opposite—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —on costings. Who would? What we are going to be doing is the work that is necessary. We will report back to the people of South Australia as soon as we possibly can, but we won't be tabling documents now. We won't be prosecuting this via the media. What we will be doing is the detailed work to make sure that we have the very best option available to deliver the best health care in the nation.

#### GRAIN INDUSTRY

**Mr ELLIS (Narungga) (15:27):** My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house about the impact of weather conditions on the state's vital grain industry?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:27):** Yes, I certainly can, sir, and—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** —I thank the member for Narungga for his very important question.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** Those on the other side might laugh and scoff, but it is the largest economy in South Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** The member for Narungga is a proud representative—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** —and a new MP to one of the anchor points in the grain industry over on Yorke Peninsula, and it's great to see his interest. But what I can say is that, yes, South Australia is in a very dry period at the moment, as is the majority of the eastern seaboard of Australia. Here in South Australia there is hope. We do have some coastal areas that have some hope, but what I can say is that the crop has been forecast down by about a million tonnes. The optimism was that the planting area is up about 200,000 hectares. That is a significant vote of confidence coming into the season, but the crop tonnage is down by about a million tonnes, so that 10-year average period.

It is also important to note that rainfall is below average, and so it's having mixed results around South Australia. It is met with some concern. We have had weather conditions since the beginning of the year that have not been conducive to grain growing. We have seen very limited subsoil moisture. What that means is that planting was somewhat delayed, but I think the grain growers, the primary producers in South Australia, are eternal optimists. What they have shown is that they have confidence in what they do, and they are prepared to stand tall.

That crop here in South Australia has usually, historically, been underpinned by wheat. This year, we have seen a decline in the planting of wheat and we have seen an increase in barley planting, up by about 14 per cent. It is also important to note that, coming into the early planting stages of the season, which are normally dominated by canola, what that is showing is that we've seen a decline in canola and pulses due to not only the reduced subsoil but it's also a response to India imposing high tariffs on those pulse crops, and on particularly canola, that has impacted here in South Australia.

It is also important to note that, with all our grain-growing regions, we've had very much varied results. What I can say is that the north and the far north pastoral country is looking very dry, very, very dusty, and the weather has not been kind. We have seen significant wind events, and those wind events have been exacerbated by a series followed up with frost. That has impacted not only on the early germination, but those early crops have been really knocked about with severe weather.

Again, the feed and pasture country, particularly in the northern pasture of the state, is in serious trouble. We are seeing very much limited feed and pasture on the ground. South Australia stood tall when the eastern seaboard was in drought. We had two years stockpiled—the majority was hay, and some feed grain—and we sent a lot of that to the eastern seaboard to help them, to support their industry and to support them, who were going through what almost seems like around about three years of drought. We see, over in the eastern seaboard, the support that the South Australian farmers have given them.

What I can say is that South Australian farmers are now looking for feed. They are now looking for hay and feed grain to support their own industry, and they are looking far and wide. It is really important to note that here in South Australia, experiencing those hardships, PIRSA are now holding workshops called 'Farmer's catch-up in hard times'. There are a number of workshops that will be undertaken on Eyre Peninsula, and those workshops, should we see the continual dry, will

spread further across South Australia. As we say, we are all looking to the skies for rain. It's critically important that our grain-growing sector get that rain and progress an average crop. So don't forget, hashtag #RegionsMatter.

*Ministerial Statement*

**OAKDEN MENTAL HEALTH FACILITY**

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:32):** I table a government response to the final report on the Oakden Response Plan Oversight Committee for the Minister for Health and Wellbeing from another place.

**STATE BUDGET**

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:32):** I table a ministerial statement made by the Treasurer in another place earlier today.

*Grievance Debate*

**SALISBURY ECONOMY**

**Ms BETTISON (Ramsay) (15:33):** I rise today to talk about the exciting things that are happening in Salisbury. In particular, I would like to focus on the economic investment. I would like to congratulate Mayor Gillian Aldridge, who recently spoke about the economic future of the City of Salisbury region at the Northern Business Breakfast. I would like to take the opportunity to congratulate her on her recent Order of Australia Medal for service to the community of Salisbury and to local government. Mayor of the City of Playford, Glenn Docherty, was also a speaker at the event, and he outlined the economic plan and vision for the City of Playford.

It is no surprise that the Northern Business Breakfast, most recently held in June 2018, is the largest monthly business breakfast network in metropolitan Adelaide, and had 140 attendees. I was delighted to be joined by the member for Light and the member for Wright; alas, no-one from the other side of the chamber came north of Gepps Cross for that breakfast.

It is an exciting time to live and work in the City of Salisbury. Currently, Salisbury's economy is the fourth largest in South Australia, with a gross regional product of \$6.37 billion. More than \$3 billion of investment is either already underway or has been announced for our area. There is a lot happening, and today I would like to outline a few of those examples.

Salisbury is already home to six of the largest defence companies in the world, and this is a key area for investment. Edinburgh Air Force Base is undertaking \$900 million worth of upgrades to accommodate the Poseidon and Triton aircraft. This upgrade will see the main runway lengthened, new hangars and maintenance facilities built, and the installation of a \$250 million Boeing simulator.

A \$1.2 million contract awarded to BAE Systems to upgrade a world-leading radar data system plays a vital role in supporting Australian defence. This contract will create 200 high-tech jobs in Salisbury. Technology Park at Mawson Lakes is a key centre of economic investment, with projects such as SITAEL, Italy's largest private space company, which opened its new Australian headquarters at Mawson Lakes on 1 July. Raytheon Australia recently announced they will also be relocating to Technology Park along with Saab also expanding their current presence. Combined, this will create more than 550 jobs.

Recent investments by Codan and Ellex Medical Lasers have created 400 jobs at Mawson Lakes, and Edinburgh Parks also has other investment as well. The cybersecurity firm VeroGuard is establishing in Edinburgh Parks, creating 600 jobs. Many of those jobs, as we have talked about in the past, will go to former auto workers.

An area I am particularly interested in is the Northern Adelaide Food Park. The family-owned and operated business La Casa Del Formaggio has announced it will be moving in and investing \$25 million in establishing their operations there. Auscold Logistics has also announced it will relocate to the Food Park.

Another area I have been following for quite some time, and one I will continue to have a particular interest in as it focuses on my now shadow ministry of trade, is the \$155 million Northern

Adelaide Irrigation Scheme. This is a joint federal and state investment that will create an additional 300 hectares of export-focused production. We know that 12 gigalitres will be released by SA Water from the treatment plant, and there is talk of up to 20 gigalitres and potentially an additional 20 gigalitres. This is unfunded at this stage, but this is the future. I call it Food Bowl South Australia, and this is an opportunity for the future. Whether it be cucumbers, tomatoes or potatoes we are very keen to export that overseas.

Other areas include the development of the community hub in Salisbury, and I went to the groundbreaking ceremony for that development in June.

Time expired.

### **TYPE 1 DIABETES**

**Mr TEAGUE (Heysen) (15:38):** It is about time! To take up the theme of the recent National Diabetes Week, it is about time to raise awareness and bring support to those in our community living with, in particular, type 1 diabetes. In the short time available to me this afternoon I want to bring honourable members' attention to the lived experience of two of my constituents.

The first is the daughter of Karen, our near neighbour. Karen's daughter is primary school age and living with type 1 diabetes and all the complications that brings. That is something that has attended her throughout her childhood. Karen has brought to my attention the fact that, as has been raised as part of National Diabetes Week, it is so important, in considering how we understand and relate to the condition, that we understand the need for an integrated support process for those who live with diabetes.

This is particularly acute in relation to the experience of small children, and that is particularly so as they transition into school. Karen has brought to my attention that at present we can do much more as we understand the connection between the health environment and the education environment, when it comes to assisting young children as they move into a school environment, to manage day-to-day living with diabetes and managing the condition.

Karen has brought to my attention that the family has received a tremendous quality and level of integrated support from those at Flinders and have been fortunate to have crossed paths with a parent at school who had earlier lived with a similar experience with their child. She observed that there is room to improve on the level of support provided in the school environment from the outset. That is to be contrasted with the experience in the UK, where upon diagnosis a meeting of all staff and support processes was contemplated from the outset. It is an important message to ensure that we do what we can for those children suffering with type 1 diabetes to be supported, particularly as they transition to school.

To then take up the example of a constituent and friend Kate, who suffers as an adult with the day-to-day complications of living with type 1 diabetes, those day-to-day experiences for Kate, who also has a working colleague in her business in the Hills, involve very practical challenges, such as obtaining insurance so that she is covered for the work she does in her business. Real difficulties are encountered as Kate endeavours to seek appropriate insurance.

Something that those who are living with the condition are acutely aware of is that diabetes comes with substantial costs to those who live with it day to day. It is important that those living with diabetes invest early in their long-term treatment so as to get the best routines in place. It is also noted that government funding for glucose monitoring is an excellent start, and we must increasingly be aware and do more to help those who have the condition.

### **PARAFIELD AIRPORT**

**Mr BOYER (Wright) (15:43):** I rise today to talk about a very important issue that affects residents of the north and north-eastern suburbs, that is, Parafield Airport. I know that all members of this place will be familiar with the airport in one way or another. However, they may not be aware that in the last eight months there has been a draft master plan, prepared by the airport management committee and subsequently approved by the federal government, which contains enormous increases in the number of flights for the airport. I want to talk briefly about the process that has led to the approval of that draft report, which is now no longer a draft but an approved master plan and will mean that the changes encompassed in that report will go ahead in the near future.

It will not surprise members to learn that the majority of issues surrounding the airport are in regard to noise from the airport. I would like to say at the outset that there are a lot of good aspects around having a big employer, that is, Parafield Airport, in our local community. It does employ a lot of people because a lot of pilot training occurs there, and I believe that small freight also comes into the airport.

I do not wish my words today to be misinterpreted as for some reason saying that there is no benefit to our community of having Parafield Airport there. That is not true. I would like to make it known that my comments are specifically in relation to the master plan and the proposed increase in flights contained therein.

As is the case with many people in this place who ran at the last state election, I did a lot of doorknocking, and I knocked on thousands of doors in Brahma Lodge, Salisbury East and Gulfview Heights, which are largely the three suburbs, at least in my area, most affected from the noise that emanates from the airport. It was not lost upon me very, very early in the piece that one of the big issues in those communities is disturbance from the noise of aircraft flying out of Parafield Airport.

In particular, the suburb of Brahma Lodge is affected because it is very close to the airport. In fact, Frost Road is almost a boundary, really, between the airport and the suburb of Brahma Lodge, and planes take off in that easterly direction. When their throttles are at maximum they are taking off and when at their loudest, they are actually not very far above the roofs of the homes in Brahma Lodge. The residents of that suburb feel it very acutely, and that was not lost upon me as I spoke to them in the lead-up to the March state election.

I think that it was about mid-2017 that the draft master plan was released for public comment, and I would like to speak a little bit about the consultation process that occurred after the plan was released. I think it is fair to say that it was inadequate and substandard. Consultation consisted basically of one public meeting, which I attended. The only other members of this place who bothered to turn up were from the South Australian Labor Party. No other political candidates came along.

The entirety of advertising for that public meeting was limited to a couple of ads, I think, in the local Messenger, and so I took it upon myself as a candidate for at least the partial suburb of Salisbury East and Brahma Lodge to go out and do some letterboxing to inform residents there that the public meeting was on and that, of course, they were encouraged to come along and say their piece.

The former member for Wright Jennifer Rankine also sent out communications to members in her area to make sure that they were aware as well, and we had a public forum, which was very, very well attended. Of course, Mr Speaker, you will not get a prize for guessing that the issue on the minds of most of the people who came along to that meeting, the issue that they wanted specifically to raise, was around aircraft noise.

I will have a little bit more to say on this topic later when I go to Canberra and talk to some people about what has occurred with this consultation process and what is contained in the draft plan. However, the very first thing that was said to those people at the consultation meeting was, 'If you are here to talk about noise from aircraft, you are at the wrong meeting.' It was at that point that half the meeting basically walked out, and I think it is fair to say that the rest of it was a shemozzle, but I shall continue my comments on the rest of the consultation process at a later date.

Time expired.

#### NEWLAND ELECTORATE

**Dr HARVEY (Newland) (15:48):** I am very delighted to speak today about the wonderful production of *Trolls* by the Ridgehaven Primary School that I went to last night. For the uninitiated, *Trolls* is the DreamWorks animation, and the students did a fantastic job. I went along with two of my children, as they are at the right age where *Trolls* is very exciting, and they also thoroughly enjoyed it.

The production, the play, went for a couple of hours, with students from grades 3 up to grade 6. I have been informed that in previous years there were a lot of year 7s, but this year there

were not very many, and so the younger students were very much really doing the bulk of the work. They acted out the story with good humour and with a number of songs from the movie, but tying in some other things from other movies, like *The Greatest Showman* and *Tangled*, the Disney movie, and they did a really brilliant job.

At two hours in length, it is lots of lines, and the students got almost all of them completely down pat. There were a number of songs as well. Students who had major singing parts did a fantastic job. I was informed that one student in particular was a very late fill-in and had a major singing part. She had a fantastic voice and did a really amazing job of getting across all the lines to her part.

I would very much like to congratulate the school on this wonderful production and in particular the principal, Jean Perks. This is in fact her last year as the principal; they will be getting a new principal next year. I congratulate the governing council chair, Mel Leaver, all the teachers and students who were involved on the work they put into this project, and particularly the drama teacher, Mr Marc Wallis, on leading the production.

The arts are very much a fantastic opportunity for students to express themselves and their creativity and to work together. Also, importantly, they are an opportunity for students to get the experience of performing in front of an audience, particularly if your family gets the opportunity to go along. I very much congratulate the school on their efforts.

At the weekend, I also had the great honour to be invited to attend the inaugural Talk Out Loud Winter Wonder Ball. This was held in the western suburbs at the Findon function centre. Talk Out Loud is located in my electorate in Modbury. It has recently become a local suicide prevention network. This fundraiser, the winter wonder ball, is one of their major fundraisers to support the very important work they do. The ball attracted almost 400 people, lots of families and a number of younger people who are now volunteers bringing their families along with them. Really, it highlights the importance of creating communities and community support in the prevention of suicide.

Quite a number of very inspirational speakers spoke about their own stories, whether they had had friends or family who had died by suicide or whether they were individuals who had considered or attempted to take their own life. These people were particularly inspirational in their ability to tell their own story and of the transformational impact that it would have on so many other young people and many others right throughout our community.

Talk Out Loud provides harm prevention initiatives, activities and programs targeted primarily at young people under 30 and their families. Their mission is to equip young people with the tools necessary to maintain a healthy mental, physical and emotional lifestyle using a proactive positive psychology approach. There is very much an emphasis on creating a safe place for youths and creating a community where it is okay for these younger people to be who they are.

I would very much like to congratulate Mary Gee, the founder and CEO of Talk Out Loud, and her team on organising a fantastic function. Suicide is the leading cause of death in people under the age of 45 and deserves a great deal of our attention. I congratulate this local group on all the work they do.

## CYSTIC FIBROSIS

**Ms COOK (Hurtle Vale) (15:53):** Cystic fibrosis is the most common life-limiting genetically inherited condition affecting South Australians today, with one in 25 South Australians carrying the CF gene and 350 people living with CF.

Forty people with CF are also living post lung transplant and a small number have also had a liver transplant. The daily impact of CF is a struggle to breathe and absorb nutrients from food. In 1970, when Cystic Fibrosis SA was established, children with CF were not expected to live to adulthood. Today, a child diagnosed with CF may look forward to a much longer life, but there is no cure for CF and every day remains a struggle.

The impact on families begins with the devastating diagnosis of CF, usually within weeks of birth, and can include financial pressures and emotional stress. To maintain weight and to breathe, a person with CF must undertake up to two or three hours of physiotherapy every day and have

nebulised medication twice a day to help thin the mucus in their lungs and lift it from the surface so they can cough it up.

They also have to swallow up to 60 tablets per day to replace nutrients and enzymes. This is not a simple disease to manage. When they have a lung infection, they must have IV antibiotics for up to two weeks at a time. This often means a two-week stay in hospital. Some children with CF will miss up to two years of school by the time they turn 18. Missing school clearly impacts their ability to continue to tertiary study and obtain employment.

Cystic Fibrosis SA supports South Australians living with CF with programs to alleviate financial and emotional stress, advocacy, information, education and funding clinical improvement programs locally as well as research into treatments and a cure through the Australian Cystic Fibrosis Research Trust. The Cure4CF Foundation has also been supporting research for a cure here in South Australia for over 15 years. Both organisations are well represented by ambassadors who are living with CF.

Emmah Evans from Cure4CF Foundation writes the CF Mummy blog, which you can read on her Facebook page—just search 'CF mummy'. Emmah is raising two young children with her husband. She lives in my electorate of Hurtle Vale. Our kids have done swimming together. I have watched the impact of CF on her life, and she is a great friend and an inspiration to me.

With the shadow minister for health, Chris Picton, last night I attended the launch of DonateLife Week, hosted by DonateLife SA and CFSA. Kyle Collis spoke about the impact of CF on his life. Within hours of his birth, he required life-saving surgery and his battle to stay well ever since with only 60 per cent lung capacity is incredible. With cystic fibrosis, he has recently competed in a 24-hour obstacle course endurance race. He is a true warrior.

Last night, we also heard the stories of six other people living with CF post lung transplant. They were powerful and moving messages about the importance of organ donation. One of these people is a dear friend to many of us here and in the other place, the wife of ex-MLC Gerry Kandelaars, Glenys. She received a life-saving lung transplant in May last year after a diagnosis of cystic fibrosis late in life. Her husband, Gerry, resigned from parliament in order to care for her as they prepared for her transplant and long recovery. Glenys has had a remarkable outcome from surgery and looks forward to many more years of life and joy with her family and young grandchildren.

A person with CF is most likely to die from respiratory failure, while others will experience liver or kidney disease as a complication of CF and the medications. For many, an organ transplant will become part of their treatment, but with 1,600 Australians waiting for an organ transplant, it is not a reality for everybody. However, one donor can potentially save the lives of 10 people. Making the decision to donate our son Sam's organs 10 years ago really gives our family some hope and comfort, and we know that he lives on in someone else.

I urge every South Australian to register and have a conversation about donating their organs. Go to the DonateLife SA registry to do so. I pay tribute to the many who succumbed to CF way too young. I remember fondly Daniel Cox, who passed away in 2010 at the age of 20. He was a cricketing mate of my son and a friend and inspiration to many. A transplant was not enough for Daniel, but he will be remembered always, as will so many in the CF community. Their friends and family honour them daily with their bravery.

## STATE ECONOMY

**Mr BASHAM (Finniss) (15:58):** There are increasing expectations on government when it comes to roads and infrastructure, jobs and welfare, health and education, affordable living and housing, environmental conservation, and services. One thing that underpins them all is the economy. We are all integral parts of the economy—workers, consumers, businesses, communities and government.

Without a strong economy we have nothing—no roads, no utilities, no welfare, no hospitals or schools, no jobs, no police or emergency services. This is the basic stuff, but it is apparent that many people no longer understand it. All these things are important but cannot be considered in isolation from the economy.

Recently, my wife and I had the pleasure of having a private lunch with John Howard. His greatest achievement in his time as prime minister was achieving a strong economy. At regional and local levels, economies do not always bring the same benefits or growth at the same pace. In Finnis, the economy is largely reliant on services, retail, tourism and agriculture. As we confirmed at a recent community forum in Victor Harbor, for a wide range of reasons some people do not benefit from our economy as well as they might; however, the stronger the economy, the better the whole community, and everyone benefits.

This morning, I had great pleasure in attending the opening of the new Bunnings store in Victor Harbor. It was a fantastic opening, with many community organisations represented. There were many organisations that Bunnings have personally been working with and supporting in the community since they decided to build their store, ranging from sporting clubs through to charities. They also make sure the breakfast in schools program is running well in some of the schools locally. Certainly, their ability to put back has been enormous.

This is a \$25 million development in Victor Harbor, providing a range of direct supports to the community through the programs they are running, but it is also a great employment boost to the local area. There are over 100 new local jobs and there is a huge range of people employed at Bunnings. One of the people who has been employed is the father of someone who works for me. He was a police officer for 42 years and decided to retire from the force and go to work at Bunnings. There is a huge range of local community people who have decided to engage in employment at the new store.

This development is a healthy sign for the economy locally, but we must do better and continue to do better in Finnis. There is so much more potential in our economy in the Fleurieu and South Coast region, and realising it will be a major focus of mine as a local MP. It will involve considerable change on the ground, and a change in many people's thinking, and a Marshall government that understands that regions matter.

We need to make sure that everyone in the community continues to benefit. We need to understand that the local region, particularly the area from Victor Harbor through to Goolwa, is nearly exactly the same size in population as the City of Mount Gambier. We need to lift up the economy and services in the towns across the region to deliver better services. I look forward to working with anyone who shares this ambition for the community in Finnis.

*Parliamentary Committees*

**ECONOMIC AND FINANCE COMMITTEE**

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:03):** By leave, I move:

That Mr Basham be appointed to the committee in place of Mr Ellis (resigned).

Motion carried.

**ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:03):** By leave, I move:

That Mr Ellis be appointed to the committee in place of Mr Basham (resigned).

Motion carried.

*Bills*

**PUBLIC FINANCE AND AUDIT (MISCELLANEOUS) AMENDMENT BILL**

*Committee Stage*

In committee (resumed on motion).

Clause 13.

**The Hon. V.A. CHAPMAN:** We are very proud of the amendments that are being proposed in the amending bill. As I said before, I do acknowledge and appreciate the opposition's indication of



support. Just so we are very clear about the reason why we are accepting the Auditor-General's recommendation, in respect of the—

**Ms BEDFORD:** Point of order. I indicated to the table that I had a question. I am wondering why we are already moving on.

**The CHAIR:** My apologies; we are still in committee. The member for Florey has a question.

**Ms BEDFORD:** I have a couple of questions actually, sir.

**The Hon. V.A. CHAPMAN:** Can I just finish what I am saying?

**The CHAIR:** Excuse me, members, the Chair wishes to speak. My understanding, and my advice from the desk, is that the Attorney was partway through an answer to a question, which is what she is completing now. Please continue, thank you. We will come to the question shortly.

**The Hon. V.A. CHAPMAN:** When the Auditor-General put to us that he was looking for some amendments and updating of the language in the bill, not only to contemporise what was actually happening in the Auditor-General's office but also to be compliant with our Australian and New Zealand accounting standards, that was essentially to add in the provision for effectiveness within the matters to be considered. When one looks at examples of what he has been doing, he makes it very clear.

For example, in a recent report from last year, the Plaza Development Supplementary Report, he makes a number of recommendations about the process that was undertaken, the diversion through cabinet and the lack of production of documents in respect of the contractual negotiations that were asked for and not provided. He makes the observation that work started in 2015 but that the contract ultimately was not signed until 2016. In doing so, he makes a number of recommendations about how this can more effectively be done and what needs to occur for there to be economic and effective processes of government.

In respect of the supplementary report, under clause 13 it would be able to be tabled in parliament, made immediately available and published online. That is an initiative which has been brought to our attention by the Auditor-General. He reaffirmed that in his evidence to the Economic and Finance Committee on 18 October 2017. We introduced the bill and, of course, it fell on the deaf ears of the then government; nevertheless, we are back here and we thank the opposition for now supporting it.

**Ms BEDFORD:** As we broke for lunch, the Attorney was talking about the fact that she used to read these things in the paper at Christmas. That, of course, is one of the points of concern that I would have. If the Auditor-General chooses to publish such a report at Christmas or whenever, how am I to know about that if, for some reason, I am not in the country and there is something in this report that I may be interested in knowing? Is there going to be any mechanism by which members of parliament will know these things are going to happen? That is something that could be easily remedied, you would think, to hopefully stop surprises of that kind in the morning newspaper.

**The Hon. V.A. CHAPMAN:** I am advised, member for Florey, that it is proposed that the actual process of notice will be worked out with the Clerk, but the provision is therefore one clear day's notice. What has happened in the past is not that I have read these reports on Christmas Day. I used that in a slightly different example about when it might be made available. As I understand the current process, when reports are tabled out of session—and from time to time we have moved motions to enable that to happen—I do not know about the member for Florey, but I have received a letter from the Speaker advising me that a report has been received and either will be made available in the pigeonhole or sent to us.

From time to time, I have had correspondence with the then Speaker asking me if I had received this report yet, etc. That is how it is operated at present. You do not know whether the Auditor-General has even finished his printed report and presented it to the parliament until we get back to parliament, unless you make that inquiry or unless there has already been a motion in the parliament to be able to publish out of time or, as I said, they are in the statutory provisions for something such as the Auditor's Adelaide Oval quarterly reports.

My understanding is that there would be an expectation that, if it is sent in to the Speaker and the President, the clerks would receive it. Under these rules, they will be able to give notice of its distribution and they would presumably email members—but this is something they are working out—to advise them that a report is now available and that it is online at www, etc. I do not want to pre-empt what they are discussing, but they have allowed a day in our rules to facilitate whatever process they will follow.

So, yes, you may get an email on Christmas Day because we have a very hardworking Clerk. I am sure, if he received an email on Christmas Eve, he would rush home from his shopping and buying his wife a lovely present for Christmas to make sure that we got our emails telling us that a quarterly report or a supplementary report—now to be called an 'other report'—is ready for us to view.

**Ms BEDFORD:** There is quite a difference between 'they may' or 'they must'. If the Speaker chooses to send a letter to me here at Parliament House rather than to my electorate office, I will not get it. I still think that as members of parliament we need to have some sort of reassurance that we will know something is about to drop before it drops. I think the last thing that you said is really important. Am I correct in thinking that neither MPs nor presiding officers will receive supplementary reports and that they can be considered annexures by the Auditor-General if he or she so chooses and, hence, the only way that we going to get anything is if it is published online?

**The Hon. V.A. CHAPMAN:** Perhaps I was not clear in explaining this almost exact question from the member for Lee. We are going to have an annual report, which is currently about seven or eight volumes, which will be condensed down to the annual report and the summaries of agencies, and there is also an executive summary. For all the very large printed financial accounts of each of the agencies, which will not be just the 70 we currently deal with but 150, all their financials will be uploaded.

The supplementary reports, as we now know them, which are the extra ones during the year, are to be known as 'other reports', and they may have annexures to them. So for the 'other report' on the plaza development, for example, if that were coming through today, it would not be necessary for the Auditor-General to add all the annexures to that report, which might include contracts, notices or protocols and things; he might put them all online. He will have the right to do that. He will give us the report saying that he has investigated a transaction or a particular aspect and refer to it. He will have the capacity to put the annexed documents online and to refer to them for people who want the extra detail. So the annual report plus report on specific entities and/or extra investigations, and then the support documents will all be put online.

I will just remind the member for Florey, while I am sure she is well aware, that the Ombudsman, for example, regularly uploads online reports that he has concluded. Unless one has been a party to the matter under investigation, there is no advanced notice of when these integrity bodies are going to publish their reports. It is similar to the Office for Public Integrity, whereby the commissioner sometimes makes public announcements that he is going to deliver reports on a certain date, for example, but we do not as a parliament have any control over that.

At the moment, what happens in the Auditor-General's scenario, which is what we are trying to remedy, is that when these reports come down they might be received by the parliament in December or January, when people might expect to be on leave. Instead of waiting for the Speaker, if he has the capacity to do so at the time, to approve their publication earlier and put them in our pigeonholes, the Clerk will be able to email us, advise us that a report is about to be released and that it will be released online. You do not have to come back from a beach holiday or stop eating Christmas pudding; you can just www and read it all.

That is the way I understand the new practice will work, but I am not party to that. I think the Auditor-General and the clerks are going to work that out, but we as a parliament do not control when the Auditor-General finishes his supplementary reports (or 'other reports' as they are now called) and we do not receive prior notice of them. They just come, and the Speaker and President table them in our respective houses. Out of session, we might think, 'The Auditor-General said he's going to be doing some extra reports—they used to be called 'supplementary reports' and now they will be called 'other reports'—so I might just keep an eye out for those.'

I am sure you could email the Clerk to inquire whether anything has come in, but essentially he would be working out a process whereby he can email members to say that, if they are interested in this matter, the Auditor-General has provided a copy of this report and it will be made available as at 9am 24 hours hence. That is how I understand it, and I am getting a big nod from the adviser.

**Ms BEDFORD:** I am glad they are nodding; that is good. I suppose my problem with this is that the Auditor-General is responsible to parliament, in which case we need to know what is going on, and we might not actually know what is going on. That is my concern. I would like to be in the position where I know that a report is coming, rather than find out three weeks later.

**The Hon. V.A. CHAPMAN:** I hear what the member says, and I will use an example. Under the Adelaide Oval quarterly reports, a printed quarterly report used to be put in our pigeonholes. I would look forward to having a quick read of it every quarter to see how things were going. Usually, when I was reading the hard copy of the report, it had already been published and had a process of publication, and I would read about it in articles in *The Advertiser* saying, 'Adelaide Oval had a blowout of \$3 million,' or whatever the issue that had been picked up by the Auditor-General in the report. This was before I actually had the original because it had been tabled out of session.

That is why, as I understand it, the practicalities of introducing this system where we can get it quickly is that we know about it. So this 24 hours has been allowed from the time it is received until the time it is published online for Daniel Wills or Lauren Novak to read it. We will receive some kind of correspondence (I am assuming an email) to let us know, 'This report has come in. If you're interested, it is on www.' Obviously we can access that much more quickly and contemporaneously, and have a chance to see what it says.

**Mr MULLIGHAN:** I appreciate both the question from the member for Florey and the answer from the Deputy Premier. In prefacing my question, I summarise the concern that, while there should be a more timely publication of reports which are made to the presiding officers so that the parliament and the public can be furnished with that information quickly and more readily, which as you can imagine is important in the first quarter of every fourth year, I understand the member for Florey's concerns. I now have a growing concern that there will be no way for members of parliament to understand whether something is published.

I appreciate the examples that the Deputy Premier gives about the Ombudsman and ICAC but, as I did over the last two minutes, it takes only a very quick look at the three respective agencies' websites to see that the Ombudsman and the ICAC are given to issuing press releases and media statements about their reports and findings. That is not the case for the Auditor-General. That means that members of parliament and, probably, members of the media might not be checking this sort of site as regularly as they might other things—for example, the *Government Gazette*—and that this sort of thing can fall by the wayside in terms of garnering the attention of members of parliament.

My question about that matter, and the matter I raised that I was probably driving the Deputy Premier a bit mad with in my insistent questioning—and perhaps I was not understanding her explanation, the fault may not all lie with her—is this: will there be any mechanism developed by the Auditor-General whereby members of parliament, either collectively or individually, can ask or require the Auditor-General to notify them or make full copies of reports available to them if they so desire?

I will just explain that. If a member wanted notification about the publication of a report as it is handed to the presiding members or if, like the Deputy Premier—and, I am loath to admit but admit I must, like me—a member enjoys trawling through the financial statements of agency audit reports, does the Auditor envisage developing some sort of regime where members can ask that those reports be made available to them rather than relying on whether or not they check the website periodically?

**The Hon. V.A. CHAPMAN:** The member asks whether the Auditor-General has any obligation. In short, the answer is no. The Auditor-General reports to the parliament. Each of the houses gets those tabled, usually in the next available sitting days, when they come in. To ensure we get earlier access to reports when they come in when there is a long period of time when the parliament does not sit—it might be weeks, it might be months—this mechanism is being implemented.

At the moment, the only obligation is for the Auditor-General to do his work according to the terms of the Public Finance and Audit Act and then report to the parliament. What we are trying to do with this bill is advance the distribution and publication to members when we are not here. That is basically what we are trying to do.

The member for Florey says, 'How do I know if it just goes on the website?' I think the member for Lee is also saying, 'How do we know? Other agencies issue press releases, the Auditor-General doesn't.' For the benefit of both members I will say this again: under this process, once the Auditor-General has delivered the reports here, the Speaker and/or President and/or Clerk—because we are adding him or her in now to be able to execute this—will have a day before the report goes on the website to alert members of the availability of access to this report going on the website.

The Auditor-General and the Clerk and/or Speaker and/or President have not, to my knowledge, worked out exactly what process is going to happen but my understanding is that, given the 24 hours allowed, there would be some electronic notice to say that the report has been issued on such and such by the Auditor-General and that it is available on such and such a website.

At the moment we have no clue what reports of the Auditor-General are coming into the parliament under this 'other reports' process. They just come to the Speaker and to the President and they get tabled. As I say, we do not have any advance notice of that. Unless you are a party affected by a determination of an ombudsman or an auditor-general, you do not receive preliminary determinations or matters such as that. If you are not involved in that issue at all, you do not have any clue when it is coming. So we just wait for their work to be done.

This is a way for the member for Florey to know. She will get an alert of some kind from the Speaker and/or the Clerk of interim reports coming through. She will be able to access them online. If she would like a hard copy, I am sure that could be made available as well. It is really a matter of enabling the parliament to have its processes sufficiently advanced so that if she has one of those rare holidays, she might be able to read it online while sitting on the beach.

**Ms Bedford:** In large print.

**The Hon. V.A. CHAPMAN:** I will take that on notice to make sure that that is attended to.

**The CHAIR:** Member for Lee, we will make this your last question on this clause.

**Mr MULLIGHAN:** The Deputy Premier has repeatedly given the example of the specific requirement of the Adelaide Oval act, which requires the Auditor-General to report six monthly—not quarterly but regularly, more regularly than an annual report—to the parliament. My understanding is that she is correct in the assertion that, even though the house may not be sitting—and I use that example of the first quarter of every fourth year before a state election when the house does not tend to sit—that report is received/published online and is then available for public scrutiny.

I am not quite sure because I have not looked at the Adelaide Oval redevelopment act, but that is somehow quite separate from the regime which we are used to with the annual reports. My understanding of that regime is that we have no process in either place, here or in the council, by which members are advised, 'Just so you know, we've received an interim report or one of the regular reports from the Auditor-General and it's available at such and such.' If we do not have that process now, perhaps at some point that is appropriate in the future the government or the Clerk could provide some advice to members about how that is proposed to be done.

My only question is what, if any, discussions have occurred with the Auditor-General and/or the Clerk to provide the member for Florey and me some comfort that there will be some process? The final bit of context I give around that question is that I suspect the Deputy Premier enjoyed referring back to previous matters that the Auditor-General looked into over the last 15 years and, unfortunately for this parliament and for the new government, I am sure there will be more in the future.

If that was to be published on a website in the middle of summer holidays or at some other point in time when members' and the media's attention is not following this website more closely, there needs to be that process that the Deputy Premier alludes to. What, if any, discussions or arrangements have been canvassed so that we have some comfort that we will be aware of when these reports are published?

**The Hon. V.A. CHAPMAN:** I am advised that the Deputy Auditor-General has indicated to our advisers here from Treasury that negotiations are to be still undertaken in relation to working with the clerks of the houses, because they are sort of new in this process as distinct from the Speaker and the President and/or their officers because, obviously, they have a role. I am sure that the Clerk works closely with the Speaker.

They have not yet worked out how the transmission of the information is to go to members. Either it is an alert from a website or it might be a direct email. They have not yet worked out the mechanism by which that will be transmitted. It may be a situation where members actually elect in due course a mode by which they might be informed, but at the moment there is nothing, so they have nothing to read and no knowledge about it.

If we are going to make it earlier, when we are not all sitting in here, then we obviously need to make it as practically accessible as we possibly can, and that is designed to be left up to the clerks and the Auditor-General's office to sort out the process. That is exactly why one clear day has been allowed before it is uploaded.

Just for completion on the issue of other agencies, it is true that the Ombudsman's office and sometimes the Office for Public Integrity issue press releases in relation to matters. Sometimes there has been some controversy or public interest. In fact, with respect to the Office for Public Integrity, sometimes the commissioner himself actually calls a press conference in relation to matters, but that is not universal.

I am sure that the member for Lee would have viewed the Ombudsman's website. There are lots of different reports that his office does. They are published on the website and they do not apparently justify having a media release, and that is fine. I myself have asked the Ombudsman, 'Have you completed this?' or whether he has considered recommending this or that, and he will say, 'Yes, I did that, and we finished it six months ago. It has been on the website.'

So these people continue to do their work, and, quite frankly, it is not adequate for us as members to say that we should be expected to rely just on whatever the media might pick up or not in relation to these matters. It is, I think, the responsibility of all of us to discuss in this negotiated process how it is going to best suit us to get notice of these things, but bear in mind it is either early notice or you wait weeks or months until the parliament resumes, and clearly that is not satisfactory.

We want early advice that direct process of notification to members is still under consideration. If possible, I will ask the Speaker to, as soon as practicable after resolving the process on that, give some advice to the parliament as to how that is going to be effected, or at least where we can read it on the website as to how it is going to be effected. I hope that assists.

Clause passed.

Remaining clause (14) and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:34):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**The Hon. V.A. CHAPMAN:** Mr Deputy Speaker, I draw your attention to the state of the house.

*A quorum having been formed.*

#### **PAYROLL TAX (EXEMPTION FOR SMALL BUSINESS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 3 July 2018.)

**Mr MURRAY (Davenport) (16:37):** I rise to speak to the Payroll Tax (Exemption for Small Business)—

*Members interjecting:*

**The DEPUTY SPEAKER:** Member for Davenport, could you just take your seat for a moment, please. Members will listen respectfully to the contribution from the member for Davenport, please.

**Mr MURRAY:** Thank you for your protection and encouragement, Deputy Speaker. I rise to speak to the Payroll Tax (Exemption for Small Business) Amendment Bill 2018. The bill amends the Payroll Tax Act 2009 to exempt small businesses from payroll tax. Under the existing act, payroll tax is levied on taxable wages at the rate of 4.95 per cent above an annual tax-free threshold of some \$600,000. The changes in the bill will mean that businesses with annual taxable payrolls below \$1.5 million will now as a consequence no longer be liable for payroll tax, with effect from 1 January 2019. Businesses that have an annual taxable wage 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.

There is additionally a transition for rates of payroll payments between the values of \$1.5 million and \$1.7 million, designed to smooth the transition from a tax-free quota to the full rate. The net effect of that is that businesses that have taxable wages between \$1.5 million and \$1.7 million will pay a tax rate that increases proportionally from zero per cent at \$1.5 million to 4.95 per cent at \$1.7 million. For example, at a payroll of \$1.6 million, the tax rate will be the equivalent of 2.475 per cent applied to the amount that is in excess of \$600,000.

Businesses that have an annual taxable wage above \$1.7 million will continue to pay a rate of 4.95 per cent, as previously. The results of this change are that approximately 3,600 businesses can expect to have a reduction in the payroll tax burden that they shoulder on behalf of the state of South Australia. These businesses currently pay an estimated \$44 million every year, and we anticipate the savings on a business-by-business basis to amount to some \$44,500 per annum.

It is estimated that of these 3,600 businesses some 3,200 will be completely exempt from payroll tax and that a further 400 will receive some form of reduction in their payroll tax liability. As a consequence, this represents around 39 per cent of the current payroll tax payers who will no longer need to pay payroll tax or who will pay a lower rate. Just to recap, as a result of the government's changes 39 per cent of businesses in this state will pay lower, if not zero, payroll tax as a consequence of the changes we have made. As a result, these changes will remove 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 a business and, dare I say it, employ people.

As something of a segue, but worthy of consideration in this context with the impact this will have on the South Australian economy, I note with incredulity, amazement and, indeed, horror, the ministerial statement from the Treasurer, delivered today, which analyses the performance of those opposite and, in particular, the way in which they claimed minor budget surpluses of some \$12 million and \$14 million for the years 2017-18 and 2018-19 respectively, followed by modest surpluses in the two financial years subsequent to that.

My horror—disgust, actually—is not at the minor amounts claimed but, in fact, at the completely irresponsible and fanciful mathematics underpinning that, which essentially involves everyone believing that these surpluses could have been achieved with budget cuts of some \$247.7 million in 2018-19, and three-quarters of a billion dollars in budget cuts inflicted on the South Australian community in 2021-22. The Labor government was going to cut \$715 million from the South Australian community in order to achieve those razor thin budgets.

Because clearly the damage done was not enough—the damage already suffered, the damage that we are living with today—I note with complete amazement that the biggest recipient of those cuts was going to be to the health department, who were going to be suffering cuts of \$141.3 million in 2018-19, climbing to \$445.5 million in 2021-22. I will let that sit for now and return to some good news for South Australia and South Australians and by way of complete contrast with

the absolutely optimistic mathematics on show courtesy of the analysis done by the Treasurer of the previous government's budgeting.

I want to move now to explain and cover off what a small business is and why small businesses are important. In particular, I want to provide the explanation not only for the benefit of those opposite but for the broader South Australian community as well because I think appreciation of the value and importance of small businesses to Australia's economy, and particularly to that of South Australia, has been woefully misunderstood and, if understood, cheerfully and casually disregarded.

Why is it that people go into business for themselves? In covering off what a small business is and why it is important, we need to discuss concepts that, as I said, have been completely alien in this state for the best part of a decade and a half. These are concepts that we will see experience a renaissance under this government. We will see a cultural shift here in South Australia. We will see small businesses having a go. We will see those small businesses being encouraged by their government and we will see an environment in which small businesses that are driven are actually encouraged.

We will see the notion of risk versus reward and the so-called Father of Economics Adam Smith's notion of the invisible hand of self-interest come into play and encouraged by this government, a government that not only understands but also appreciates the importance of people in small businesses having a go. To reinforce the references to the invisible hand and the cultural change, I would like to take the opportunity to quote Mr Smith in 1776, when he made the point in his seminal work, which is referred to in shorthand as *The Wealth of Nations*, but was actually *An Inquiry into the Nature and Causes of the Wealth of Nations*. Mr Smith's theory was:

Every individual... neither intends to promote the public interest, nor knows how much he is promoting it... he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention.

He further goes on to say:

It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity but to their self-love, and never talk to them of our necessities but of their advantages.

Small business is driven by attention to doing what they can to having a go, and this government has given those small businesses the biggest single opportunity—some \$40,000-odd a year in reductions for well over 3,000 businesses.

Talking of small businesses here in South Australia, I think some statistics are invaluable: 98 per cent of all businesses here in South Australia are actually small businesses, a small business being one with an FTE count of anywhere from zero up to 19 people. South Australian small businesses employ 34 per cent of South Australia's workforce. They contribute something in the vicinity of \$34 billion, or about 36 per cent, of the state's gross product. There are about 140,000 small businesses here in South Australia in total.

I will make the blindingly obvious but nonetheless salient point that, if each of them could be encouraged to add one new employee each, that is another 140,000-odd South Australians in a job who would not otherwise be employed, all other things being equal. I invite the contrast with the previous government's plans for 100,000 new jobs, everyone getting a new pony and all the types of promises that by and large never eventuated. The change in payroll—

**Mr Mullighan:** Certainly no ponies.

**Mr MURRAY:** Well, by the look of some of the budget calculations and the assumptions there, somebody was getting a pony for that work or something equivalent; anyway, I digress. As I said, small business is the engine room, an integral and very vital part, of the South Australian economy, and this move helps support that sector.

I turn now to reflect on small business and its place in Liberal Party philosophy. What we are doing here is not just done from the practical perspective of its likely impact on the South Australian economy, which, in and of itself, is a valuable thing and an entirely credible means to go about this.

I will point out that small business and the support of small business is what is in the Liberal Party's DNA.

In 1942, Robert Menzies, the founder of the Liberal Party, made a series of speeches—the so-called 'forgotten people' speeches. I will provide some quotations from those speeches. He talked about the fact that, in Australia, 'the class war must always be a false war'. It is instructive, 75 years on, to reflect on what Menzies observed in relation to those who have power influence and those who do not. He observed that there were some people who 'controlled great funds and enterprises'. There are those that we would now call the 'business community', which he described none too flatteringly as:

...able to protect themselves—though it must be said that in a political sense they have shown as a rule neither comprehension nor competence.

This was Menzies talking about big business; Menzies had no time for big business or big unions.

Other people whom Menzies said were politically well organised—the so-called labour movement—he identified as a third group: 'salary earners, shopkeepers, skilled artisans, professional men and women, farmers', amongst others, and who he famously described as the forgotten people. These people were, in Menzies' words:

...unorganised and unselfconscious, not rich enough to wield power in its own right and too individualistic for pressure politics.

Yet he referred to them as the backbone of the nation. Menzies said the real life of our nation was not found:

...in great luxury hotels and the petty gossip of fashionable suburbs or in the officialdom of organised masses.

That was code for unions. The real life of Australia was then and is now to be found in the homes of those whom he praised as the 'nameless and unadvertised Australians'.

The Liberal Party was founded on the basis of representing those in small business: professionals, farmers, tradespeople and very deliberately not big business or unions. This bill delivers for South Australia's small businesses by making it cheaper to operate in South Australia and, in particular, by making it cheaper to employ people here. I am sure everyone here will join me in agreeing on how important it is to provide more jobs here in South Australia. Nothing is more important.

This bill demonstrates the deep and abiding commitment of this government to the philosophy espoused by Menzies and, indeed, Adam Smith, and to the task of rebuilding South Australia's economy and its future. This bill reflects the cultural shift underway in this state. Accordingly, I commend the bill to the house.

**Mr PATTERSON (Morphett) (16:53):** I also rise to contribute to the Payroll Tax (Exemption for Small Business) Amendment Bill. This bill amends the Payroll Tax Act 2009 to exempt small businesses from payroll tax. We will do this by exempting businesses with taxable payrolls of up to \$1.5 million from paying any payroll tax, removing this tax for businesses employing, in broad terms, between one and 20 employees. It is another one of the Marshall Liberal government's commitments that sees the government delivering in its first 100 days.

The latest Australian Bureau of Statistics figures show that there are approximately 143,000 small businesses that employ fewer than 20 full-time equivalent employees here in South Australia. This number makes up approximately 98 per cent of all businesses in this state. Another almost 2 per cent is medium-sized business, having between 20 and 199 full-time equivalent employees, and the final 0.1 per cent is large business, having over 200 full-time equivalent employees.

Small business contributes up to \$35 billion to this state's economy and employs more than a third of South Australian workers. In Morphett, the make-up of business is very similar to the statewide trend, with most being small business. Businesses tend to concentrate on main roads such as Marion Road, Anzac Highway, Brighton Road and Jetty Road, Glenelg. A lot of these businesses are service related, including travel, medical, health and tourism. Other roads, such as Morphett Road and Mooringe Avenue, also have light industrial businesses.



Many of these local businesses employ people who live locally in the electorate of Morphett, so the initiatives of this Marshall Liberal government to reduce the cost burden on business, such as abolishing payroll tax for small business, not only helps these businesses to reduce costs but also allows them to grow, which in turn allows them to create more jobs and employ people who live both locally in the area of Morphett and also more broadly across the state.

This state is a small and medium enterprise state, and we want our small businesses to grow into medium businesses and for our medium businesses to grow into large businesses. Unfortunately, the growth in small businesses between the 2016 and 2017 financial years grew by just 1.6 per cent, close to half the national average of 3.1 per cent. This is hardly surprising when you consider South Australian businesses were operating in such a challenging environment. For far too long, South Australian businesses have been held back by the burden of red tape and skyrocketing business costs, such as electricity bills and taxes such as the emergency services levy and payroll tax.

Payroll tax is a tax on jobs and is a disincentive to employing people. In a perfect world, such a tax would not exist at all, but, unfortunately, it is not practical at this point in time, given how important a revenue stream it is to the state government. However, it certainly is important to do what we can as a government to help business grow. The Henry tax review identified that payroll tax is one of the most inefficient taxes, as it is not a broad-based tax. It is a tax on a business and the number of employees who run their business. It does not take into account the profitability of a business.

We are currently seeing in the federal sphere the level of company tax being debated in the federal parliament. We have seen the significant undertaking that the Turnbull government is making to businesses across this nation, with tax cuts for businesses with turnovers of up to \$50 million being reduced to 27.5 per cent this financial year. This tax rate is a tax on profit, not turnover, so as the business grows so, too, will their company tax. For a company with increasing profits, this is usually a good problem to have and one that can be managed.

Compare this with payroll tax which, regardless of a company's profitability, taxes a company on the total wages of the business. Different businesses require different levels of staffing for the same profit. Service-based businesses and industries require more employees to generate their increased income, whereas other business types, where processes can be automated, such as manufacturing or IT, can invest in capital instead of employees to increase their income. Hence, payroll tax penalises those businesses with high employment to turnover ratios.

What we do not want to see is those businesses moving away from employment as a means to grow their business. When weighing up a decision to invest in capital, and potentially automation or employment, if we can take payroll tax out of the decision-making process for small businesses it will make it more likely that those businesses will choose to grow via employing people.

Additionally, we are at a time in the state's history when South Australia is moving towards a services-based economy. Instead of goods, companies are selling their smarts. Many of these smart businesses, such as education, engineering and tourism, are reliant on employment. Added to this factor is that small businesses, especially those starting up, have a smaller number of employees. Many of them are family-owned businesses and as they grow, the decision to employ additional staff is not only a financial one, but also takes into account culture. One extra staff member for a business with five or 10 people, for example, certainly changes the dynamics more significantly than an established business employing, say, 100 people.

The advantage of small business is that the owners take a very active interest in each staff member as they recognise that the staff member has such a significant effect on the future success of a business. I know that from firsthand experience running my business with my business partners, it is an especially big step to employ not only the first employee but also each subsequent one. The cost of the employee comes directly out of the owner's pocket.

Usually for a small business, as they are growing, they need to employ staff before they are quite ready to cover the additional staffing costs financially. This sees the business owner having to sacrifice and take on risk in anticipation of growing while in the short term, potentially having to go without for themselves. There is no truer saying than that the business owner has to pay themselves

last. Once business staff wages exceed the tax-free payroll tax threshold, the decision to employ a staff member has another dynamic added to it: it is not only, 'Will this employee help the company continue to grow?' but for each additional wage, there is also an additional payroll tax impost of 4.95 per cent in South Australia.

For a small business, where every dollar is tight, this represents such a significant burden so it is easy to see why a payroll tax is a tax on jobs. Entrepreneurs need to be encouraged to take these risks if we are going to see businesses across the state grow and consequently employ more people. That is exactly what this government is encouraging. Under the existing act, payroll tax is levied on taxable wages at the rate of 4.95 per cent above an annual tax-free threshold of \$600,000.

This tax-free threshold has remained the same since 2009. Since then, inflation has seen employee wages rightly increase over this period. For example, the average weekly wage for adults employed full-time in South Australia in 2009 was \$1,270 per week. For the same period in 2017, this has grown to \$1,505, representing an increase of approximately 18 per cent. This means that a small business that was employing staff with a payroll of \$510,000 back in 2009 would now be tipped over the \$600,000 annual tax-free threshold without employing a single extra person.

Other states have recognised this, and each state except South Australia has increased their threshold not only to take into account the effects of inflation, but many have gone further and are seeking to stimulate their economy. It is worth noting the differences. Victoria has a current threshold of \$650,000; New South Wales, \$750,000; Western Australia, \$850,000; Queensland, \$1,100,000; and Tasmania, \$1,250,000. Of the territories, the Northern Territory has a threshold of \$1.5 million and the ACT has a threshold of \$2 million, compared with South Australia's current 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 from 1 January 2019. This will be the largest annual tax-free threshold in relation to payroll tax of all the state jurisdictions, taking us in the one step from the worst to a leadership position in Australia. This is sending a clear signal to businesses throughout our nation: if you are considering expanding or setting up a business, then under a Marshall Liberal government, South Australia is open for business.

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. I have spoken about the decision-making process previously endured by business owners and managers as they cross the tax-free payroll tax threshold and this needs to be recognised with the new bill we have before us, increasing the threshold of \$1.5 million to avoid this figure becoming a ceiling.

To smooth this 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 the \$1.5 million to 4.95 per cent at the \$1.7 million in taxable wages. Businesses with annual taxable wages above the \$1.7 million will continue to pay a rate of 4.95 per cent.

These changes are expected to benefit about 3,600 businesses, reducing the payroll tax they pay by an estimated \$44 million each year, with individual businesses saving up to \$44,500 per annum. It is estimated that 3,200 of these businesses will be exempt from payroll tax and that 400 will receive a reduction in their payroll tax liability. This represents about 39 per cent of payroll tax payers who will no longer need to pay payroll tax or who will pay a lower tax rate.

Not only does this reduce a significant financial burden to approximately 3,200 businesses it also helps boost the productivity of the business itself. Money and, in the case of many small businesses, time are spent on complying with and reporting company payroll tax obligations. Quite often the small business owner performs this reporting obligation; in addition, they are also filling out pay-as-you-go statements to the federal government by virtue of employing people. Removing this payroll tax from approximately 3,200 small businesses means that time can now be spent in a more productive way, such as marketing the business or business development.

Additionally, in this house we have heard, on multiple occasions, the Premier speak of growing our exports not only internationally but also bringing interstate income into South Australia through South Australian businesses winning projects nationally. Having the highest tax-free

threshold of all the states now allows South Australian small businesses, when tendering for work against interstate competitors where they might have to employ additional staff should they win the tender, not to have to make an allowance for payroll tax in their pricing.

So not only will abolishing payroll tax assist with direct employment but it will also assist South Australian companies to win business against interstate companies and help to grow South Australia's economy. 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 in which to invest and grow a business.

To provide certainty for business the government will continue to implement the small business payroll tax rate measure, introduced by the former government administratively, until 31 December 2018. The measure reduces the effective tax rate payable to 2.5 per cent for businesses with taxable wages up to \$1 million per annum. The rate then progressively increases to 4.95 per cent for businesses with taxable wages above the \$1.5 million.

This reform has support from peak bodies, such as Business SA, as well as small businesses alike. Business SA's executive director of industry and government engagement, Anthony Penney, has stated that:

Increasing the threshold to \$1.5 million would see South Australia no longer have the nation's lowest threshold at which it is introduced, and would allow the state's business to compete on a level playing field when trying to attract new business.

Importantly, this reform will deliver broad-based changes to the state's economic settings by improving our competitiveness and investment attractiveness rather than attempting to pick winners amongst individual businesses.

The reform itself is just one of our broad reform agenda. As I mentioned previously, South Australian businesses have been weighed down by some of the highest cost structures in Australia. When I was speaking with businesses in Morphett, some of the other critical costs to those businesses were the emergency services levy and some of the world's highest electricity prices. As an example, the award-winning Orange Spot Bakery, which has been voted as having the best pasty here in Australia—

*The Hon. D.C. van Holst Pellekaan interjecting:*

**Mr PATTERSON:** They are very nice. The Orange Spot Bakery has seen its electricity bill increase significantly each month. This is a cost increase it is hard for them to try to recover by increasing the cost of their pies and pasties, so the increase is absorbed within the business. Speaking to the owner, he is committed to his staff, though, as he sees them as integral to creating an award-winning product, but it does make it harder for the bakery to bring in extra staff.

Not only will the government's payroll tax change provide welcome relief, as we have just seen, from 1 July this year the Marshall Liberal government has slashed the emergency services levy by \$90 million a year, helping this business but also putting more money in consumers' pockets so they are able to buy a pasty rather than the government using their money to spend on, for example, government advertising, as was the predilection of previous Labor governments.

In addition, we have heard of the work being done in the energy market by the Minister for Energy and Mining to help bring down electricity costs. Recently, the minister updated the house on the draft report by ElectraNet that validated the reduction in costs that an interconnector between South Australia and New South Wales will bring. All this helps businesses, such as the Orange Spot Bakery, to grow. When I look at many of the very friendly staff there, I also notice that many of them are young. Bakeries such as these provide opportunities for apprentices to get their first experience in work and to develop skills. If businesses like this and, similarly, retail and hospitality businesses in the nearby Jetty Road precinct can grow, they will provide more opportunities to employ our youth.

As a state, we can start to give our younger generation the work opportunities they so desperately need and help reverse the trend of our youth leaving the state. We can give everyone the choice to reach their full potential here in South Australia so that we can harness our youth to be part of the solution and take their rightful place in making this state great again.

The Marshall Liberal government has a strong focus on job creation. That is why we are also investing \$100 million to create more than 20,000 new places to provide young South Australians with more opportunities to secure an apprenticeship or traineeship. By providing payroll tax relief to approximately 3,600 small businesses, they can be encouraged to employ these young people on completion of their apprenticeship.

Importantly, this reform will deliver broad-based change to the state's economic settings by improving our competitiveness and investment attractiveness, rather than by attempting to pick winners amongst those individual businesses. If the economic conditions improve across South Australia, and the state experiences uplift across the small business sector consisting of 143,000 businesses, this effect will be pronounced. So the payroll tax reform is a sensible and measured reform and takes South Australia in the right direction. It is an initiative that will see the South Australian business community gaining confidence.

Just this week we have seen reports that business confidence here in South Australia is at an eight-year high, and the Premier spoke of it in question time. Consumer confidence is also booming. Importantly, consumers aged between 25 and 34 are the most confident in this state. Pride in South Australia has risen across the state for consumers and businesses, and there is a higher intention by small and medium enterprises to create additional employment over the next three months. With the removal of payroll tax for small business, they can see an opportunity for their business to grow.

This will see good growth in the economy, which will pay a dividend year on year as the tax burden is removed from so many small businesses. By removing this burden, we want our small businesses to grow into medium businesses and for those medium businesses to grow into large businesses. At a time when South Australia needs more jobs and more investment, the Marshall Liberal government is delivering on its commitment of lowering costs for South Australians and creating jobs by introducing this important payroll tax reform for small business. I commend the bill to the house.

**Mr PEDERICK (Hammond) (17:12):** I rise to speak in support of the Payroll Tax (Exemption for Small Business) Amendment Bill 2018. This was one of the key policy platforms for then the Marshall Liberal opposition that we are delivering in government, as long as this bill goes through this house and that other place.

We are hearing how good the business positivity index is at the minute because we had 16 years when people were essentially crushed and had no incentive to expand their businesses. Thousands of our youth left to go interstate with, sadly, many of them never to come back to South Australia. This is one initiative from the Marshall Liberal government that will keep people working here, it will give those incentives and it will provide a much-needed boon for South Australia. Over time, it will create thousands of jobs and put money back into the economy that would not have otherwise come in, instead of using the old 'tax them to death' syndrome.

You cannot just keep taxing people because you think it is an easy way to make money. We are here to assist the engine room of the South Australian economy, the many tens and tens of thousands of small businesses, people who are prepared to put their homes and all their assets on the line to start a small business. Sometimes they fail for a range of reasons and, sadly, too many have failed in the previous 16 years.

I take my hat off to everyone in small business. Obviously I come from a farming background where I employed people, and I have also been employed by many different people, whether it was as a farmhand or a shearer, or in my time in the Cooper Basin working for a small earth-moving firm and then working for a bigger business in the WY Line industry in the gas fields.

This is about taking the threshold from \$600,000, which might only be about 10 employees, to \$1.5 million, which on average would be something around 25 employees. Instead of people managing their business around not going above the threshold for however many employees they have so that they do not breach the \$600,000, as they do, there is that incentive not just to be a small business but to grow and to become a small to medium business and, over time, potentially grow into a large business.

As we have heard from the contributions today in the house, it is about encouraging businesses to spend their money on what they are doing instead of just paying their money out in tax. I know certainly from a small business background that if you have a good, wet year—which sadly it does not look like it is going to be in the regional sector—and you get a good crop or you have good returns on stocks, as long as you can feed them, you could be liable for a reasonable tax bill, and then you get years when you may not be so successful on the land.

With all businesses, whether you are in a value-added industry, whether you are in a home-based business, or whether you are in a small business that is just looking at that next step, the thinking is, 'Well, if we do this we'll blow above the threshold. This other cost will come in. We'll have to put this extra building on, and then, just to top it all off, we'll pay all this extra tax.'

I am intrigued by the calculations in the bill with respect to payroll tax exemption for small business. For the record, I did not bother to work them out. The maths formula is there. I will have to take the bill home and get my son doing year 12 maths to see whether I can get him to exercise his mind and work it through. That might be an extra test for his year 12.

What we are doing with this is amending the Payroll Tax Act 2009 to exempt small businesses from payroll tax. Payroll tax is levied on taxable wages at the rate of 4.95 per cent above an annual tax-free threshold of \$600,000 under the existing arrangements, under existing legislation. With the changes in this bill, businesses with annual taxable payrolls below \$1.5 million will no longer be liable for payroll tax from 1 January 2019, which is coming to us pretty quickly.

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 this 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 proportionally from zero per cent at \$1.5 million to 4.95 per cent at \$1.7 million in taxable wages. For example, for a payroll of \$1.6 million, the tax rate will be 2.475 per cent applied to the amount in excess of the \$600,000 threshold. Businesses will continue to pay a rate of 4.95 per cent if their annual taxable wages are above \$1.7 million.

As we have already heard in the house, on the modelling, these changes are expected to benefit around 3,600 businesses, reducing the payroll tax they need to pay by an estimated \$44 million per year. Modelling shows that individual businesses will be saving up to \$44,550 per annum. That is a really significant amount that a business can plough into its infrastructure, its staff or other assets to make their business a better place.

It is estimated that 3,200 of these businesses will be exempt from payroll tax and that 400 will receive a reduction in their payroll tax liability. This represents around 39 per cent of current payroll taxpayers who will no longer need to pay payroll tax or will pay a lower tax rate. These changes will remove a major disincentive to businesses, creating jobs, employing more people as well as making South Australia a much more attractive place to invest in and grow a business. The only place in the country that will have a higher threshold will be the ACT, with \$2 million.

To provide certainty for business, this Marshall Liberal government will continue to implement the small business payroll tax rate measure introduced by the former government administratively until 31 December 2018. The measure reduces the effective tax rate payable to 2.5 per cent for businesses with taxable wages up to \$1 million per annum. The rate then progressively increases to 4.95 per cent for businesses with taxable wages above \$1.5 million. This is an excellent move for South Australia. It has been a long promised policy by the Marshall Liberal team. I wish the bill speedy passage through the parliament.

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (17:22):** This is a very important bill. As everybody in this chamber knows, this was one of our hallmark election commitments. The Marshall Liberal government is delivering on this commitments, as it is on all its election commitments.

We hope today to finalise this bill through this house and through this parliament. We do want to remove the tax burden as much as possible from employers. The reason we want to do that is very straightforward. It is because we want to grow employment. We want more jobs in South Australia. We want existing employees to be able to grow and we want future employers to be

successful. In fact, we want to attract employers from interstate as well into South Australia so that we can grow employment.

The reason we support businesses in South Australia is that they are employers. Supporting jobs growth is one of our highest priorities. This bill goes directly towards that. This bill takes a tax burden associated with employment off employers, so it is a direct benefit to employers. It is one of a suite of measures that the Liberal Marshall government is putting into place so that employment and jobs growth in our state can flourish.

We do not want South Australia to bump along towards the bottom of the table compared with other states, which has been the case over the last several years. We want South Australia to be a leader across the nation with regard to jobs growth and the benefits that flow from jobs growth and, most importantly, the benefits that flow into households. We want households to flourish because jobs growth is flourishing.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1 passed.

Clause 2.

**Mr MULLIGHAN:** I move:

Amendment No 1 [Mullighan-1]—

Page 3, lines 5 to 9—Delete the clause and substitute:

2—Commencement

This Act will be taken to have come into operation on 1 July 2018.

I note that the remainder of the amendments I have filed, nine of them in total, are—perhaps technically the correct word is not 'consequential'—required in order to give effect to what is stipulated in the amendment to clause 2, and that is that we believe these payroll tax cuts should come into effect from 1 July, the beginning of this financial year that we are already in, and for very good reason. As I pointed out in my—

*The Hon. S.K. Knoll interjecting:*

**Mr MULLIGHAN:** I realise that no-one is paying attention to the Minister for Transport and that vexes him greatly, particularly when he is in the media messing up one of the infrastructure projects that was left to him. However, as I was saying, as I pointed out in my second reading contribution on the bill, the former Labor government has a fine record of reducing tax for businesses in South Australia, and in particular, on payroll tax. It only takes a cursory review of the history of the more than \$220 million per year—

*The Hon. S.K. Knoll interjecting:*

**The CHAIR:** Member for Lee, if you could just take your seat for a moment. The member for Lee is speaking to his amendment and will be heard in silence.

**Mr MULLIGHAN:** Perhaps if the Minister for Transport cannot control himself—he is not on front bench duty—perhaps he could leave?

**The CHAIR:** Member for Lee, I have suggested that you be heard in silence. You are speaking to your amendment. Continue, member for Lee, speaking to your amendment.

**Mr MULLIGHAN:** Otherwise, I am happy to move each amendment and speak to the full extent possible on each one, if that is the will of the house and the Minister for Transport.

**The CHAIR:** It is not the will of the house—

**Mr MULLIGHAN:** I am seeking some guidance. Is that where we are up to?

**The CHAIR:** Member for Lee, come back to your amendment please.

**Mr MULLIGHAN:** Thank you for your guidance to the house, Chair. As I was saying, the Labor government, through successive budgets, has reduced the payroll tax burden on the business community in South Australia by more than \$220 million each and every year. In conjunction with other tax cuts, like removing conveyance duties—or stamp duties as they are most commonly known—on commercial property transactions and real estate transactions, and reducing the land tax burden on both businesses as well as households, and also reforming the WorkCover regime, collectively we have reduced the tax liability for the business community by three quarters of a billion dollars each and every year.

So when the new Liberal government says that they want to reduce payroll tax—great, this opposition supports that. We support it so wholeheartedly that we believe these tax cuts should commence at the beginning of this current financial year. Despite the protestations of Mr Lucas in the other place, trying to coerce his cabinet colleagues into signing up for a budget of swingeing cuts to be delivered in just over a month's time and despite his dire portrayal of the budget position in South Australia, we know that the government has been in receipt of more than \$270 million of unbudgeted GST revenue since the Mid-Year Budget Review.

We know what the cost of this payroll tax set of changes will be that the government has put forward—approximately \$44 million a year—and in bringing them forward by an extra six months in the 2018-19 financial year, it stands to reason that the cost would be approximately \$22 million, or less than one-tenth of that additional unbudgeted GST revenue.

We have heard from several members of the government and other members how much they support small business. We even took an historical detour into the works of Adam Smith, going back to the 1700s I think, to establish the new government's capitalist bona fides. If they truly believed that small business needed that relief, then they would get on with it and implement it from 1 July. We know that that is feasible for the Department of Treasury and Finance and RevenueSA because for the last couple of years, if not more, that is how the small business payroll tax rebate scheme has been administered, effectively through ex gratia relief, so it is affordable and deliverable.

We have heard from government MPs that it is the right thing to do for small business in South Australia. They are claiming credit for all manner of economic circumstances that they find themselves surrounded by. They have not yet enacted one policy, legislative change or taxation change that has resulted in these economic circumstances, but apparently, just because the Premier is around the place, thousands of jobs have been created in the last 12 months. This is notwithstanding the fact that, in trend terms, the number of jobs per month on average that have been created over the last 12 months has slowed down under the new government.

Nonetheless, jobs continue to grow as a result of not just the low payroll tax regime, or at least the direction of a low payroll tax regime implemented by the former Labor government, and not just because of the job accelerator grants, many thousands of which paid for the creation of many thousands of extra jobs, and not just because of the investments that were made by the former South Australian government into small businesses and others to grow and expand their operations. This measure would continue the good work of the former Labor government in growing jobs and providing economic strength.

We know that in the 2016-17 financial year, the last financial year for which the ABS has provided economic growth statistics in South Australia on gross state product terms, South Australia grew more strongly than the national average. Deloitte Access Economics recently said that we were expected to do the same thing in the 2017-18 financial year. If we wanted to continue this momentum, and if members opposite were true to the comments they have made in this place, then they would support bringing these payroll tax cuts forward. If they do not, in the face of them knowing that they are affordable and deliverable, then it just goes to show that all those contributions that have been made are hollow. They are hollow words. I have moved amendment No. 1 and I look forward to the government's support.

**The Hon. D.C. VAN HOLST PELLEKAAN:** That was interesting support of the amendment. When the shadow minister makes it sound as if this is the thing that is going to save jobs in South Australia, he forgets the Marshall Liberal government's economy-wide impact. He forgot to mention the reduction in the emergency services levy. He forgot to mention the reduction in land tax. He forgot

to mention the reduction in NRM levies. He forgot to mention a whole range of things that we are doing to support employers and the economy more broadly.

But I suppose one of the things that struck me the most from that set of comments in support of his amendment was that \$22 million is quite irrelevant and not to worry about it—that would be his estimate of what it would cost to bring this in retrospectively from 1 July—as if \$22 million is play money. Well, perhaps it was to the previous government. Perhaps that is exactly how the previous government went about their business and perhaps that is why the budget is in the situation it is in at the moment.

Let me say very simply that the Marshall Liberal government took to the election a commitment to reduce payroll tax in this way with effect on 1 January 2019, and that is exactly what we intend to do. The last thing I would like to say is that while the member opposite talks about the previous government's record on payroll tax reduction, let's not forget that what the previous government actually did was increase the threshold from \$600,000 to \$1.2 million temporarily, year by year. It was never actually in their budget.

The \$600,000 threshold stayed for 12 months at a time. They then added another \$600,000 on top to make it \$1.2 million and then, leading into the next budget, they said they would do it again. So they kept it out of their forward estimates. We are not doing that: we are being above board, transparent and completely clean and clear.

Not only are we raising that threshold from \$600,000 to \$1.5 million—which I remind the house is in excess of the \$1.2 million the previous government doled out one year at a time so they could keep the full impact off their budget—but we are actually making it a clear, transparent and fully responsible position from the government that will affect our budget. There are no tricks, no smoke and mirrors and no gadgetry, as with the previous government. In the same vein as sticking to our commitments, we will stick with the 1 January implementation date.

The committee divided on the amendment:

|               |    |
|---------------|----|
| Ayes .....    | 20 |
| Noes .....    | 24 |
| Majority..... | 4  |

#### AYES

Bedford, F.E.  
Boyer, B.I.  
Close, S.E.  
Hildyard, K.A.  
Malinauskas, P.  
Piccolo, A.  
Weatherill, J.W.

Bettison, Z.L.  
Brock, G.G.  
Cook, N.F.  
Hughes, E.J.  
Mullighan, S.C.  
Picton, C.J.  
Wortley, D.

Bignell, L.W.K.  
Brown, M.E. (teller)  
Gee, J.P.  
Koutsantonis, A.  
Odenwalder, L.K.  
Stinson, J.M.

#### NOES

Basham, D.K.B.  
Cowdrey, M.J.  
Ellis, F.J.  
Knoll, S.K.  
McBride, N.  
Pederick, A.S.  
Speirs, D.J.  
van Holst Pellekaan, D.C.

Bell, T.S.  
Cregan, D.  
Habib, C.  
Luethen, P.  
Murray, S.  
Pisoni, D.G.  
Tarzia, V.A.  
Whetstone, T.J.

Chapman, V.A.  
Duluk, S.  
Harvey, R.M. (teller)  
Marshall, S.S.  
Patterson, S.J.R.  
Sanderson, R.  
Teague, J.B.  
Wingard, C.L.

#### PAIRS

Rau, J.R.

Gardner, J.A.W.



Amendment thus negated; clause passed.

Clause 3 passed.

Clause 4.

**Mr MULLIGHAN:** I will move the amendment standing in my name.

**The CHAIR:** My understanding is that you are opposing the clause. You are not moving an amendment; you are simply opposing the clause—technically

**Mr MULLIGHAN:** Yes, technically; correct.

**The CHAIR:** You can talk to it, if you would like to.

**The Hon. D.C. VAN HOLST PELLEKAAN:** It might help the committee and the shadow minister if I inform the committee that the government intends to oppose all the subsequent amendments, Nos. 2 through to 9.

Clause passed.

Clause 5.

**Mr MULLIGHAN:** I oppose this clause. I just note for the record that I did offer to try to do this en bloc, but I am advised by more experienced heads that we do not do it like that in this place, Chair, so unfortunately, we are doing it one by one.

**The CHAIR:** Clause by clause.

Clause passed.

Clause 6 passed.

Clause 7.

**Mr MULLIGHAN:** I am opposing this clause.

Clause passed.

Clause 8.

**Mr MULLIGHAN:** I move:

Amendment No 5 [Mullighan-1]—

Page 4, line 15 [clause 8(1)]—Delete 'the prescribed amount' and substitute '\$28,846'

Amendment No 6 [Mullighan-1]—

Page 4, lines 16 to 20 [clause 8(2)]—Delete subclause (2)

**The CHAIR:** Minister, did you want to speak?

**The Hon. D.C. VAN HOLST PELLEKAAN:** No, other than to say that, in the spirit of efficiency, the shadow minister and I will move through this as quickly as possible. As I said before, we will oppose these two amendments and the others to follow.

Amendments negated; clause passed.

Clause 9 passed.

Clause 10.

**Mr MULLIGHAN:** I am opposing this clause.

Clause passed.

Clause 11.

**Mr MULLIGHAN:** I move:

Amendment No 8 [Mullighan-1]—

Page 12, lines 12 to 24 [clause 11(3), inserted subclause (1a), definition of *R*, paragraphs (a) and (b)]—

Delete paragraphs (a) and (b) and substitute:

- (a) if the employer's total annualised relevant wages for the financial year in which the month occurs is more than \$1,500,000 and not more than \$1,700,000—R is calculated in accordance with the following formula:

$$\left[ \frac{TARW - \$1\,500\,000}{\$200\,000} \right] \times 4.95\%$$

- (b) if the employer's total annualised relevant wages for the financial year in which the month occurs is more than \$1,700,000—R is 4.95%.

Amendment No 9 [Mullighan-1]—

Page 13, lines 17 to 29 [clause 11(11), inserted subclause (2a), definition of R, paragraphs (a) and (b)]—

Delete paragraphs (a) and (b) and substitute:

- (a) if the group's total annualised relevant wages for the financial year in which the month occurs is more than \$1,500,000 and not more than \$1,700,000—R is calculated in accordance with the following formula:

$$\left[ \frac{TARW - \$1\,500\,000}{\$200\,000} \right] \times 4.95\%$$

- (b) if the group's total annualised relevant wages for the financial year in which the month occurs is more than \$1,700,000—R is 4.95%.

Amendments negated; clause passed.

Title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)**

**(17:48):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 17:49 the house adjourned until Wednesday 1 August 2018 at 10:30.

*Answers to Questions***MINISTERIAL STAFF**

**63 Mr KOUTSANTONIS (West Torrens)** (5 June 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. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I can provide the following information:

| Position Title              | FTE | Salary    |
|-----------------------------|-----|-----------|
| Office Manager              | 1.0 | \$110,505 |
| Ministerial Liaison Officer | 1.0 | \$94,543  |
| Ministerial Liaison Officer | 1.0 | \$77,230  |
| Administration Assistant    | 1.0 | \$60,681  |
| Administration Assistant    | 1.0 | \$62,771  |
| Administration Assistant    | 1.0 | \$64,868  |