

## HOUSE OF ASSEMBLY

### Wednesday, 13 February 2019

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

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

#### *Bills*

### **ELECTORAL (PRISONER VOTING) AMENDMENT BILL**

#### *Conference*

**The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (10:31):** I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

### **EQUAL OPPORTUNITY (DOMESTIC VIOLENCE) AMENDMENT BILL**

#### *Introduction and First Reading*

**Ms HILDYARD (Reynell) (10:31):** Obtained leave and introduced a bill for an act to amend the Equal Opportunity Act 1984. Read a first time.

#### *Second Reading*

**Ms HILDYARD (Reynell) (10:32):** I move:

That this bill be now read a second time.

It is an honour to rise today to introduce to this house the Equal Opportunity (Domestic Violence) Amendment Bill 2019. We all know too well the shocking and utterly unacceptable statistics about domestic violence. We rightly speak often in this place and in our communities about the need for each of us to do whatever is within our power, within our sphere of influence, to prevent and end this shocking prevalence of domestic violence and to support those who experience it. Like many, I have spoken out many times about the abhorrent violence against women that persists in our community.

Unfortunately, our words and our actions must relentlessly continue because 69 women were killed in Australia last year, many at the hands of men they were in or had been in a relationship with. Our words and actions must continue because violence against women continues to reach into every corner of our community. It knows no boundaries. It happens in every suburb, in the big houses and the small ones, in the families who have spent their entire lives here, and in those who arrived yesterday. But it also knows no boundaries in terms of how we can respond. We can all do whatever is within our power to speak, to act, to legislate and to spread the word that there is no excuse and that violence is never, ever an option.

Together, we can and we must speak and act to support and empower those who experience domestic violence. Together, we can reach into those parts of our communities, including into workplaces, where conversations about the need to end this violence and this gender inequality that lies as its root cause are not yet happening so that together we can ensure that there is not one more woman killed in our community, not one more assault, not one more misuse of power to cause psychological, emotional, financial or mental harm, and not one more woman feeling unsafe no matter where she is—in her home, in her workplace or out in her community.

Together, we must continue to raise our voices with deep and unabating and relentless anger that women continue to be killed and assaulted, subjected to psychological violence and disrespected. Together, we must continue to do whatever is within our power to support those impacted and to prevent and end this terrible scourge. Supporting this bill is something we can do together as a parliament. It is a very practical way that we can support and empower those who

experience domestic violence. It gives those who experience domestic violence additional rights, a voice and a mechanism to move forward.

This bill is the culmination of many, many conversations with domestic violence service providers, with people experiencing domestic violence, with advocacy organisations, with unions, with the Working Women's Centre, and it is the result of a collective desire to raise awareness about how we can support those experiencing domestic violence and of a collective desire to end discrimination against those who suffer its impact.

As this house is aware, I have proudly committed years of my life to working with others to prevent and end domestic violence. Whilst I am pleased that our conversations are changing, that awareness is growing, that so many share this goal and are stepping up to take responsibility to ensure violence is never an option, we have so much more to do.

The impact of domestic violence is profound and, as we all know, continues through life and impacts on all aspects of people's lives, including their life at work. It is our job to ensure that we lessen that impact, that we positively act to ensure that those who experience domestic violence are cared for and empowered, and it is our job to ensure that they are not discriminated against and, if they are, to make sure that they have a place to go and that there is redress available to them. This bill provides exactly that.

There is a body of evidence that demonstrates that people experiencing domestic violence can be subject to discrimination in the course of employment, and in other settings, because they are experiencing domestic violence. Currently, there are no protections or remedies for these circumstances. By making the experience of domestic violence a ground for discrimination in the Equal Opportunity Act 1984, which is exactly what this bill does, there will be an avenue for these matters to be considered.

An example of discrimination against a person experiencing domestic violence may occur when an employer treats a worker in a particular way because of issues stemming from that experience of domestic violence, issues that may include absences from work because of injury or the disruption and upset of abusive partners or ex-partners appearing at workplaces. People are judged wrongly for the terrible actions of others.

Here is just one dreadful example of a recent case that was taken up by an advocate and that I provide to the house. A woman was raped by her ex-partner after he broke into her home. Her work manager accompanied her to a police interview as a support person and was deeply shocked by what the woman revealed about the abusive relationship. On returning to work, the woman was called to a meeting with human resources staff and told that she could consider moving on from the workplace to seek a 'fresh start'.

The woman emphasised that she needed stability and the ongoing support of workmates, but others, hearing about her experience, began to treat her differently and withheld training opportunities because it was believed that she would be leaving the workplace. Under current law, women in such situations cannot make a legal complaint of discrimination against their employer. In another case, after winning a position a woman revealed to her new prospective employer that she had an intervention order in place in relation to an ex-partner.

Following this revelation, she was advised that her services would no longer be required and that she was not being offered the position after all. We need to support people when this behaviour occurs. We need to restore their faith that despite everything the law will support them, that they have rights, that they have recourse—a place to go. Currently, the Equal Opportunity Commissioner has no scope whatsoever to hear these matters because the experience of domestic violence is not a ground for discrimination in the act. These employees could not lodge a complaint with the commission, let alone progress it.

We must do whatever we can to ensure that people cannot be discriminated against for experiencing domestic violence. We must make sure that they know that their experience is not their fault, that this is something that has happened to them at the hands of a perpetrator of domestic violence and that discrimination because of it is absolutely not okay. This amendment will provide people experiencing domestic violence who are discriminated against because of that experience with an avenue to clearly seek redress.

Right now, the Equal Opportunity Commissioner has no jurisdiction; she can only turn them away. This amendment simply builds on the act by adding domestic violence as another considered factor, another ground of discrimination. Our counterparts in the ACT currently have provisions in their equal opportunity legislation to prohibit discrimination towards people experiencing domestic violence, and we have the opportunity to follow in their footsteps.

This bill will enable South Australia to do its part by making the experience of domestic violence a ground of discrimination. It will provide an avenue for these matters to be taken further. This amendment clearly will provide an ability to seek redress. The Australian Human Rights Commission has been advocating for inclusion of this provision, as has the Equal Opportunity Commissioner, domestic violence service providers, the Working Women's Centre, women's organisations, unions and advocates. It is an issue that we can and absolutely should progress.

Today, from this side of the house, I introduce this bill. I trust that, given the government's words about its desire to do what it can to prevent and end domestic violence and to support those who experience it, the government and every member on the other side of the house will look favourably on the bill. I look forward to informing my parliamentary colleagues on both sides of the house further about this bill and to finding allies across the floor to support its objectives.

The amendments themselves are minor, but the positive outcomes and rights for individuals will be great. This gives people who encounter discrimination as a result of their experience of domestic violence a voice, an avenue for redress. Without this bill, the door to being heard is closed. Together, through this bill we can practically help people experiencing domestic violence. We can help those most affected by domestic violence. I know the house will continue to fight against domestic violence. This is one extra step this house can take, and with that in mind, and with a great deal of hope about what we can achieve together, I commend this bill to the house.

Debate adjourned on motion of Mr Pederick.

### **CONTROLLED SUBSTANCES (DRUG OFFENCES) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 5 December 2018.)

**Mr PEDERICK (Hammond) (10:43):** I move:

That this order of the day be postponed.

The house divided on the motion:

*While the division bells were ringing:*

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens will cease interjecting.

*Members interjecting:*

**The SPEAKER:** I will name someone if this continues, I will. On my right or on my left, I will name someone if this continues.

Ayes ..... 24

Noes ..... 18

Majority ..... 6

#### **AYES**

Basham, D.K.B.

Cregan, D.

Gardner, J.A.W.

Luethen, P.

Murray, S.

Pisoni, D.G.

Chapman, V.A.

Duluk, S.

Harvey, R.M. (teller)

Marshall, S.S.

Patterson, S.J.R.

Power, C.

Cowdrey, M.J.

Ellis, F.J.

Knoll, S.K.

McBride, N.

Pederick, A.S.

Sanderson, R.

## AYES

Speirs, D.J.  
van Holst Pellekaan, D.C.

Teague, J.B.  
Whetstone, T.J.

Treloar, P.A.  
Wingard, C.L.

## NOES

Bedford, F.E.  
Bignell, L.W.K.  
Brown, M.E. (teller)  
Hildyard, K.A.  
Malinauskas, P.  
Picton, C.J.

Bell, T.S.  
Boyer, B.I.  
Close, S.E.  
Hughes, E.J.  
Mullighan, S.C.  
Stinson, J.M.

Bettison, Z.L.  
Brock, G.G.  
Cook, N.F.  
Koutsantonis, A.  
Odenwalder, L.K.  
Wortley, D.

Motion thus carried; order of the day postponed.

**SENTENCING (HOME DETENTION) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 5 December 2018.)

**Mr PEDERICK (Hammond) (10:48):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....	24
Noes .....	18
Majority.....	6

## AYES

Basham, D.K.B.  
Cregan, D.  
Gardner, J.A.W.  
Luethen, P.  
Murray, S.  
Pisoni, D.G.  
Speirs, D.J.  
van Holst Pellekaan, D.C.

Chapman, V.A.  
Duluk, S.  
Harvey, R.M. (teller)  
Marshall, S.S.  
Patterson, S.J.R.  
Power, C.  
Teague, J.B.  
Whetstone, T.J.

Cowdrey, M.J.  
Ellis, F.J.  
Knoll, S.K.  
McBride, N.  
Pederick, A.S.  
Sanderson, R.  
Treloar, P.A.  
Wingard, C.L.

## NOES

Bedford, F.E.  
Bignell, L.W.K.  
Brown, M.E. (teller)  
Hildyard, K.A.  
Malinauskas, P.  
Picton, C.J.

Bell, T.S.  
Boyer, B.I.  
Close, S.E.  
Hughes, E.J.  
Mullighan, S.C.  
Stinson, J.M.

Bettison, Z.L.  
Brock, G.G.  
Cook, N.F.  
Koutsantonis, A.  
Odenwalder, L.K.  
Wortley, D.

Motion thus carried; order of the day postponed.

**MOTOR VEHICLES (OFFENSIVE ADVERTISING) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 5 December 2018.)

**Mr BOYER (Wright) (10:53):** I rise to support this bill. At the outset, I would like to acknowledge the member for Reynell for her advocacy on this issue for many years now. I was fortunate in my role as a staffer in the former Labor government to try to help the member for Reynell to do something about this very serious issue and I am pleased to now have an opportunity as a member of this place to speak in favour of the bill she has brought before this place.

The perspective I would like to quickly give on the bill is the perspective of a father with three young girls, one who is five and twins who are three. Parents will know how observant kids at that age are. In fact, one of our favourite games to play in the car now is to spot the yellow car. It has become a very competitive game in my family, and I have been known to drive the block a few more times so that one kid who did not get a chance to find the yellow car gets a chance to spot the yellow car.

I say that by way of highlighting how observant kids of this age are. Although my kids cannot read yet—something I certainly hope to rectify soon—in the coming years they are going to be reading the kinds of slogans that the member for Reynell is fighting in this place to stop being painted and brandished across campers like the Wicked Campers. I feel that in our privileged role as legislators we have the power to do something about this. How, in a civilised society, can we honestly argue that there is any place for these kinds of comments? How do we justify their existence to people, including our children, who see these horrible things painted on vehicles in public places?

Just to give a few examples of the terrible things that are still out there on some of these vehicles, we have 'Drink till she's pretty,' 'A wife: an attachment you screw on the bed to get the housework done,' and, 'I've often wanted to drown my troubles but I can't get my wife to go swimming.' I know very well that in a couple of years—

**The SPEAKER:** The member for Mawson, are you taking photos in the chamber? I ask you not to, for obvious reasons. The member knows better. Thank you. The member for Wright, please continue.

**Mr BOYER:** I know that in a few short years my now five year old is going to be asking me questions when she sees those. She is very observant; she asks questions about everything. What am I going to say to her about what those comments mean? Even more importantly, how am I going to explain to her why no-one has taken the opportunity to do anything about it?

Regarding these arguments about free speech, there is free speech and there is hate speech. If some of these comments that I mentioned before are not hate speech, then I wonder what is. There is no place for this kind of stuff in our society. I can only imagine the effect that seeing these comments has on those people who have been victims of sexual violence. What about the people who have to relive those terrible experiences that they have been subjected to every time they pass one of these vehicles? What do we say to them?

Since the member for Reynell introduced this bill, there has been very broad support, I think, in the community for the amendments that are proposed within it. I would like to make special mention of a statement of support from the Coalition of Women's Domestic Violence Services of South Australia, including support from the Zahra Foundation, the Women's Legal Service of South Australia, Collective Shout and the Working Women's Centre—all fantastic groups, all groups that endorse the amendments set out in this bill, as we should, too. All these groups are deeply committed to preventing and ending violence against women and girls and ensuring our community is free from this kind of disrespectful language.

In closing, I acknowledge again the work of the member for Reynell, who has kept at it for years and years now. We now have a bill before the house and I am very pleased to be here and to offer my support. I urge other members to think very carefully about how they vote on this. I urge them to do the right thing and take the opportunity that is afforded to them as legislators to do something about it.

**Mr PEDERICK (Hammond) (10:58):** I move:

That the debate be adjourned.

The house divided on the motion:

Ayes ..... 24  
 Noes ..... 17  
 Majority ..... 7

AYES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.
Gardner, J.A.W.	Harvey, R.M. (teller)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brock, G.G.	Brown, M.E. (teller)
Close, S.E.	Cook, N.F.	Hildyard, K.A.
Hughes, E.J.	Koutsantonis, A.	Malinauskas, P.
Mullighan, S.C.	Odenwalder, L.K.	Picton, C.J.
Stinson, J.M.	Wortley, D.	

Motion thus carried; debate adjourned.

**SOUTH AUSTRALIAN PUBLIC HEALTH (IMMUNISATION AND EARLY CHILDHOOD SERVICES) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 4 July 2018.)

**Mr PEDERICK (Hammond) (11:03):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes ..... 24  
 Noes ..... 17  
 Majority ..... 7

AYES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.
Gardner, J.A.W.	Harvey, R.M. (teller)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brock, G.G.	Brown, M.E. (teller)

## NOES

Close, S.E.  
Hughes, E.J.  
Mullighan, S.C.  
Stinson, J.M.

Cook, N.F.  
Koutsantonis, A.  
Odenwalder, L.K.  
Wortley, D.

Hildyard, K.A.  
Malinauskas, P.  
Picton, C.J.

Motion thus carried; order of the day postponed.

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

Adjourned debate on second reading.

(Continued from 4 July 2018.)

**Mr PEDERICK (Hammond) (11:08):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....	24
Noes .....	17
Majority .....	7

## AYES

Basham, D.K.B.  
Cregan, D.  
Gardner, J.A.W.  
Luethen, P.  
Murray, S.  
Pisoni, D.G.  
Speirs, D.J.  
van Holst Pellekaan, D.C.

Chapman, V.A.  
Duluk, S.  
Harvey, R.M. (teller)  
Marshall, S.S.  
Patterson, S.J.R.  
Power, C.  
Teague, J.B.  
Whetstone, T.J.

Cowdrey, M.J.  
Ellis, F.J.  
Knoll, S.K.  
McBride, N.  
Pederick, A.S.  
Sanderson, R.  
Treloar, P.A.  
Wingard, C.L.

## NOES

Bedford, F.E.  
Boyer, B.I.  
Close, S.E.  
Hughes, E.J.  
Mullighan, S.C.  
Stinson, J.M.

Bettison, Z.L.  
Brock, G.G.  
Cook, N.F.  
Koutsantonis, A.  
Odenwalder, L.K.  
Wortley, D.

Bignell, L.W.K.  
Brown, M.E. (teller)  
Hildyard, K.A.  
Malinauskas, P.  
Picton, C.J.

Motion thus carried; order of the day postponed.

*Motions***TAFE SA REVIEWS**

**Mr TEAGUE (Heysen) (11:15):** It is my privilege to move:

That this house—

- (a) notes the reports of the Quality Review and the Strategic Capability Review into TAFE SA;
- (b) welcomes the government's response to these reports as outlined in A Fresh Start for TAFE SA;
- (c) congratulates those in the TAFE SA organisation who have contributed to improvements in training delivery for South Australian students; and

- (d) expresses serious concerns about the failures of government oversight that led to the concerning findings identified in the reviews into TAFE SA.

I will refer firstly to those two reviews. In the short time that is available to me this morning, I will cite some specific references from both the Quality Review and the Strategic Capability Review of TAFE SA, with the purpose of highlighting what is clear evidence of the need for reform in this area. Secondly, I will outline briefly the steps that are being taken and that are already underway by the Marshall government. I congratulate the minister in relation to those steps, and I will address those briefly in a moment.

Firstly, in relation to the Quality Review of TAFE SA, dated 4 April 2018, it is important that certain specific matters be brought to the attention of the house because the review has highlighted, in fact, what has been a serious degradation of TAFE quality and capacity over a sustained period of time. I note first, at page 2 of the Quality Review, that the reviewers observe, and I quote:

The most concerning finding, and an indicator of both the poor support provided to the Board and the limited sense of responsibility of its members, was that internal quality auditors had made discoveries similar to those later made by ASQA. They reported TAFE SA's non-compliance 'up the line', but these internal audit findings revealing a high degree of exposure were not given proper consideration at either the executive or Board level.

Further, at page 17 of the Quality Review, I quote the reviewers' observation:

TAFE SA did not meet its targets for training provision (in terms of the number of hours delivered) and its assessment processes were found deficient by ASQA.

Tellingly, the reviewers concluded:

The organisation—in some respects at least—had lost sight of its fundamental reason for being.

The reviewers go on to observe:

Staff told us that certain conditions relating to maximum hours of work and scope of duties can prevent staff from working in flexible and innovative ways. They also engender a rules-based culture.

Further, at page 25, the reviewers note under the heading 'Risk management':

Perhaps the most concerning finding with respect to TAFE SA governance is that—despite clear evidence that TAFE SA was likely to fail an ASQA audit—the CEO did not heed the very real risk of regulatory non-compliance.

So that is the Quality Review of TAFE SA, published by the new government and setting out the task that it was faced with on coming to government. I will refer specifically in a number of ways then to the Strategic Capability Review of TAFE SA. One need do no more than open the strategic review to the first page and read line 1 of the executive summary, which states:

The Reviewers are dismayed by the depth of the problems at TAFE SA. The significant challenge now facing TAFE SA stems from an absence of strategy, poor leadership, and the centralisation of decision-making and resources. The last four years have been a lost opportunity for TAFE SA specifically and for South Australia as a whole. The organisational focus of TAFE SA needs to change.

Well, you can say that again—and, in fact, they did. They went on and said it again and again throughout the course of the Strategic Capability Review. I note further, at page 46, that these problems were not confined to governance and culture but had had real effect down the line in terms of the facilities that TAFE SA was able to work with. I quote from page 46 on the topic of delivery capability:

Ageing infrastructure, obsolete equipment, unreliable technology and inflexible online platforms have severely limited organisational capacity and innovation.

I have two more specific references to the Strategic Capability Review of TAFE SA to illustrate the evidence that this government has been faced with and is now addressing. Firstly, at page 3 it states:

TAFE SA's emphasis on cost-cutting and centralisation has overwhelmed and distorted its strategic focus. The business model does not enable educators to respond to business and industry requirements. Nor does it empower staff to take initiative and innovate within an accountable organisational culture.

Further, it states:

The training system in South Australia is underperforming, and this Review has identified an alarming deterioration at TAFE SA in recent years. One key finding is that the central TAFE SA administration rates very poorly in all the capability dimensions of strategy, delivery and leadership.



These are damning findings indeed. These two reviews lay out a very clear need for reform, and I suggest to honourable members that that is to say the very least. There is a very clear need for reform of TAFE SA. It must be observed that—

**The Hon. S.C. MULLIGHAN:** Mr Deputy Speaker, this is an important matter and I draw your attention to the state of the house.

*A quorum having been formed:*

**Mr TEAGUE:** I thank the member for Lee for making the important observation that this is indeed an important matter for the attention of the house and the reason why, at the very first opportunity at the commencement of sittings in 2019, I brought this motion to the attention of the house. I thank the member for Lee for further focusing our attention on this very important matter.

I have taken the opportunity to identify, in quite specific ways, the challenge that these reviews placed before the new government and the minister in coming to office. I submit that it is abundantly clear that there is a need for serious and thoroughgoing reform. The good news is that the new government has acted and acted decisively already and these matters ought now be noted. I take the house back to 4 September last year and the budget because the new government has already allocated \$109 million towards the task of redressing this sustained underperformance.

The new government, the Marshall Liberal government, is delivering the fresh start that TAFE SA requires. TAFE SA must be focused on meeting the needs of South Australians. It must be focused on restoring a level of excellence in the delivery of vocational training. It is to that end that the minister introduced these reforms and outlined, as he did on 4 September, the government's policy, A Fresh Start for TAFE SA, as has been on the public record now for some months.

As I observed, the new government, the Marshall Liberal government, has committed significant resources to this. Let's not labour under the cliché that is oft repeated by particularly those on the other side in relation to resources for education and training. This government has committed serious resources to address the significant challenge that it has been left with.

A Fresh Start for TAFE SA marks the beginning of the transformation for TAFE SA. Not only have significant funds being applied to the task but a new board has been appointed, along with a new chair of the TAFE SA Board, Ms Jacqui McGill. The new board has combined—typical of this new government—expertise in the range of elements required to achieve practical outcomes: expertise in training, industry background and corporate governance skills. If you are going to transform an organisation for practical outcomes, you need to have a combination of practical skills, and it is with that in mind that the new board has been appointed.

Further, and perhaps most importantly, the TAFE SA Ministerial Charter 2018-19 was tabled in parliament by the minister on 8 November last year. The charter sets out directions and functions of TAFE SA, and that includes delivery of quality government-funded VET services that meet the economic and social needs of all South Australians. So the Marshall Liberal government is committed to providing strong public vocational education, the sort of vocational education South Australians deserve. I commend the motion to the house.

**Dr CLOSE:** Mr Acting Speaker, I call attention to the state of the house.

*A quorum having been formed:*

**The Hon. J.A.W. GARDNER:** On a point of order, during the quorum call prior to this one a member left the chamber while the bells were ringing, potentially in an attempt to denude the house of the quorum that might otherwise have been present. Last year, this happened on a regular basis, and I submitted to the Speaker at that time that it was an obstruction of the house to do such a thing. Without wanting to labour the point at this stage, I would encourage the Speaker to again reflect on whether future activities at that stage would—

**The SPEAKER:** Yes, thank you, Minister for Education. Standing order 44 does talk to this issue. I will be taking it up personally with the Opposition Whip, and this kind of behaviour will not be tolerated.

**The Hon. A. KOUTSANTONIS:** Can I ask a point of clarification, sir? Which behaviour is that?

**The SPEAKER:** There are matters that I do not wish to disclose publicly at the moment that I overheard earlier this morning, and I will be taking that up with the Opposition Whip.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** We can speak to our whip; the Speaker has just warned the opposition about something we do not know anything about.

**The SPEAKER:** That is right. The member for Flinders, I believe, was on his feet.

**Mr TRELOAR:** I am rising to speak, sir, if I have the call.

**The SPEAKER:** Yes, you have the call. You are the first one on your feet, member for Flinders.

*Dr Close interjecting:*

**The SPEAKER:** Sorry, was the member on her feet?

*Members interjecting:*

**The SPEAKER:** I did see the member for Flinders first, so I called the member for Flinders.

**Mr TRELOAR (Flinders) (11:34):** I rise to speak today on this very good motion from the member for Heysen. It is a very important motion, as has been highlighted a couple of times by calls for a quorum to be present. The motion is:

That this house—

- (a) notes the reports of the Quality Review and the Strategic Capability Review into TAFE SA;
- (b) welcomes the government's response to these reports as outlined in A Fresh Start for TAFE SA;
- (c) congratulates those in the TAFE SA organisation who have contributed to improvements in training delivery for South Australian students; and
- (d) expresses serious concerns about the failures of government oversight—

that being by the previous Labor government, of course—

that led to the concerning findings identified in the reviews into TAFE SA.

I rise today as somebody who has been involved with the TAFE system over the years. In fact, way back in about 1980—and I am probably showing my age here—I was involved in what was known then as a certificate in rural practice course, otherwise known as on-farm training. I think we were probably—

**Mr Pederick:** Hear, hear!

**Mr TRELOAR:** The member for Hammond also undertook that particular course. It was probably better known as on-farm training. On Eyre Peninsula, it gave about 20 young farmers, all men at that stage, the opportunity to gain and become qualified in some really practical skills in relation to the practical side of training. I am referring to things such as basic bookkeeping, animal husbandry which included crutching and drenching regimes. I also needed to be able to demonstrate that I could adequately butcher an animal—a long-lost art, I suspect, these days. In 1980 it was important. Of course, there were various cropping regimes in the mixing of chemicals. We needed to be qualified in the mixing of agricultural chemicals. We also gained some very practical workshop skills such as welding.

It was a very enjoyable course. It was run through TAFE. I think Chris Trethewey and then David Stent oversaw that program. In fact, it was where I first met the late Ted Chapman who was a member of this place for many years and the father of the current member for Bragg. He was invited to our final dinner in 1981. On that occasion I received from Ted the dux of the course award, so I was very pleased to receive that.

In 1990, I undertook the certificate in farm management, and once again that was delivered through TAFE. Over about 18 months I got to know a whole new group of active farmers from across Eyre Peninsula. It was about the management skills needed to run a small business, in this case the small business of farming. It was another very successful and valuable part of my education, I have to say. It remains a critical part of delivering public vocational education in this state.

In the seat of Flinders, we have three TAFE campuses currently at Ceduna, Port Lincoln and Wudinna, all doing their best to deliver what is required in the way of vocational education. The member for Heysen talked about reports that were done into TAFE SA. Those two reports highlighted some significant shortcomings and the fact that there is a clear need for reform in the vocational education and training system in South Australia.

Sadly, the former Labor government in this state, after many years in government, failed the training sector, and that was highlighted by the Skills for All blowout and then the WorkReady mess. At the same time, the former government's oversight of TAFE SA and TAFE SA's leadership failed staff, students and the people of South Australia because this is, as I said, a critical part of delivering skills and education to a sector of South Australia where people, for whatever reason, do not choose to go on to university or are unable to go straight into gainful employment. It is an opportunity to build their skills and become qualified at a certificate level. That can then lead to further certificates, diplomas, and so it goes.

The Australian Skills Quality Authority (ASQA) findings in 2017 regarding TAFE SA highlighted serious issues of quality across all qualifications that were audited—a sad indictment. The ASQA interim report showed that 16 out of 16 qualifications audited were found to be noncompliant—an extraordinary effort, every single one of them was noncompliant. ASQA proposed that 15 qualifications be removed from TAFE SA's scope altogether and that one qualification be suspended (it must have been one of the good ones).

The findings of both the Quality Review and Strategic Capability Review, commissioned by the former government and released by the Marshall Liberal government in 2018, showed a downturn in performance and highlighted the need for organisation-wide reform at TAFE SA, which is what we have undertaken to do. The Marshall Liberal government is committed to TAFE SA's role as a quality provider in a contestable market and has provided a \$109 million rescue package, as highlighted in last year state's budget, to ensure that TAFE SA not only recovers from the position it was left in but transforms and flourishes in the VET market of the future, particularly in a state that is about to embark on naval shipbuilding and looking to employ or engage any number of new apprentices.

These new apprentices have an opportunity to take part in the new economy of South Australia, and they need the opportunity to be properly qualified in order to do that. What better way to do that than with a strong public vocation education system? The Marshall Liberal government is also committed to delivering a fresh start for TAFE, focusing on meeting the needs of those South Australians seeking the skills they need to build their careers, and of the local industry that is seeking a skilled workforce.

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (11:41):** Thank you, Acting Speaker, for your indulgence in recognising me when I was slightly late to my feet. I move an amendment to this motion which, in its amended form, reads:

That this house—

- (a) notes the reports of the Quality Review and the Strategic Capability Review into TAFE SA;
- (b) recognises the former Labor government commissioned the reports;
- (c) congratulates those in the TAFE SA organisation who have contributed to improvements in training delivery for South Australian students; and
- (d) expresses concerns about this government's lack of response to the findings identified in the reviews into TAFE SA.

One of the great lessons in politics—and we tend to get very partisan about this, and every challenge faced by someone on the other side we gloat over and wish them ill—is that many challenges are, in fact, common to whoever is in government. What should be in common, but what is too infrequently the case, is that when a challenge occurs the minister who is in that position is capable of the maturity

and willingness to allow scrutiny, to allow independent questioning and, once that has occurred, to truly accept and understand the advice being given.

This is something we have not seen in the case of the Minister for Environment and Water and the royal commission on the River Murray, which was commissioned before the minister became responsible and which ought to be seen as a tremendously useful document in terms of the scrutiny of this current government, previous governments, interstate governments and the commonwealth government. Instead, it has been tragically denigrated, I think scandalously denigrated, in this house yesterday.

The River Murray is unquestionably a challenge for whoever is in government, and the way in which we manage vocational training and higher education, the way in which we as a country manage what happens after school, is a challenge we all ought to share.

It is absolutely undeniable that there were particular challenges that pertained to TAFE SA and that I had to accept were the truth when I was minister. I had to apologise to the people that those challenges were directly affecting, and I did so. I did so not simply because one ought to parrot apologies but because anything that interrupts the course of a person's education is something that ought not happen. Anyone who has any level of accountability ought to apologise for it, and I did so.

But I did more than that. I commissioned two reports of inquiry that were delivered to this current government but could have been delivered to us, knowing that it would find concerns about the way in which TAFE was operating but knowing that that was necessary. I knew it was not about trying to protect myself from criticism from an independent authority and it was not about then saying that that authority is ludicrous or nonsensical or wrong, as both the minister and the Premier have tried to do with the royal commission, but about accepting that the independent advice is legitimate, worthy of consideration and absolutely worthy of respect.

As a nation we have a challenge with further education. It is partly to do with the concept of federalism; it is partly to do with the challenge of who is responsible for what. I recall well—and it was before I was the minister for higher education and skills—that the then premier, Jay Weatherill, suggested that there ought to be a different arrangement whereby up until the age of 18 the states were responsible and after the age of 18 the federal government was responsible. That would mean that this state could truly come to grips with the priority that is early childhood, whereas we are sort of partially responsible. We do not have access to the funding that is currently being spent by the federal government on child care.

At the same time, we could finally properly integrate vocational training and universities, because you better believe that other countries do this better than we do. Other countries are far more agile, particularly in Europe—and I still include the UK in that—at seamlessly integrating a young person's or a retraining worker's choices in vocational and university training. Until we get that right in this country—when someone who is an electrician who wants to become an electrical engineer is able to do that seamlessly, when someone who is going to work at the very highest level of the trade in the submarines in this state in my electorate is able to do a higher order apprenticeship in order to have that extra quality validated, that extra experience and skill level validated through their qualifications—we have not really come to grips with the challenges that sit within vocational training and higher education.

I was pleased with the quality of these two reports that I have read. I was pleased that I had asked for them and I would have been pleased to receive them in government. In fact, this government, which enjoyed some of the criticism that was made of previous policy decisions and directions, said that they were supportive of a few of the recommendations, failed then to respond to all of the recommendations and promptly made the decision to close campuses in the city. Two of them closed at the end of last year.

This was something that was explicitly addressed by one of the two reviews. The advice was that what we needed to do was further activate the campuses, that what needed to happen was to look at moving the management from head office in the city to the campuses so that those campuses could be better utilised, not just for TAFE work but to allow other trainers, employing organisations,

RTOs, group training authorities to come in and also use those campuses and make them lively. That sounds pretty attractive to the people of Port Adelaide.

Yesterday, unfortunately—or perhaps fortunately—I could not really hear what the Premier was saying. I gathered he was attacking me during question time. I got the pointing, but I did not quite get the words because it was so noisy. It was in this endless debate we seem to have over the submarines. I am delighted that the submarines are being built in South Australia. Who would not be? It is ludicrous to suggest that anyone in this chamber is not pleased about that.

I merely ask that it be acknowledged that a Liberal government in Canberra was proposing to have that work happen in Japan, and it was only because we stood up in South Australia—and not just the Labor government; the people stood up, the unions stood up, the workers stood up—that we had a change of heart in Canberra and we were able to have those submarines being built. It is pretty galling to be accused of somehow not being pleased that there are jobs in Port Adelaide. It is just so nonsensical. I cannot even begin to comprehend how someone could accuse another member of parliament with any degree of respect of feeling that way.

But they are closing the nearby TAFE when we are supposed to be gearing up for that work, when we are supposed to be making sure that it is South Australian workers who are working on those submarines. It is fantastic that they are being built here, it is fantastic that they are being built in Australia, but it is pretty dangerous for us to assume that all the work will happen in South Australia or even that the lion's share of work will be undertaken by South Australian workers, South Australian educated people.

We welcome skilled migrants and we welcome people in other states also profiting, but we absolutely need to make sure that we are doing everything we can through our school system, our vocational training system and our university sector to maximise the opportunity for South Australian workers to be working on those submarines. I can tell you that not dealing fully with all the recommendations in the TAFE review and closing campuses, particularly the Port Adelaide TAFE, is not going to deliver us anything near what South Australians deserve.

It does not matter that this is a Liberal government and we were a Labor government. There are some things that sit above that partisan split—that is, protecting the interests of South Australians. I am not seeing a lot of that from over the other side. We have already had the royal commission observing, commenting, finding, recommending that not only did the Minister for Environment let down South Australia, he should revoke his decision, but we also have a government that is prepared to shut TAFE campuses while trying to politically attack the other side for the history of TAFE.

**Mr BROWN:** Mr Acting Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

**Mr McBRIDE (MacKillop) (11:53):** I look forward to speaking in support of the member for Heysen's motion here in front of my colleagues. TAFE has historically played a strong and important role in vocational training for many industry sectors across the state of South Australia. In my electorate of MacKillop, TAFE continues to play an important role in the provision of training for the community, government and business. We know that there is a great demand and need for high-quality and targeted vocational education and training.

A great case in point is in the area of shearing and wool handling training. This is just one area in which TAFE and its coordinators have been able to grow their program to ensure that South Australia has a trained and capable workforce to service the shearing and wool classing needs of the sheep wool industry. On this point with regard to trainers, I am pleased to highlight the quality of trainers and coordinators employed through TAFE who need to take credit for building this program.

I, too, am a beneficiary of TAFE. I have completed boilermaker/welder apprenticeship training throughout my time and used TAFE for this service. The practical skills that I learned through that process stood me in good stead as a boilermaker and helped me appreciate the application and benefits of vocational education and training. It is my view that TAFE must be effective. It is an important platform for training.

We know that TAFE has the potential to deliver. However, over time this institution has been in decline and, unfortunately, has somewhat lost its way. This is something I have heard from the constituents of my electorate who are feeling marginalised by the withdrawal of training opportunities offered regionally through TAFE.

In my reading of the Strategic Capability Review of TAFE, like many others I have noted some concerning findings, including the comments of the reviewers who signalled that they were 'dismayed by the depth of the problems at TAFE SA'. They indicated:

The significant challenge now facing TAFE SA stems from an absence of strategy, poor leadership, and the centralisation of decision-making and resources.

I note that the Quality Review and Strategic Capability Review provide some damning statistics and conclusions, including:

- government-funded VET students in TAFE SA have decreased by 42 per cent since 2013;
- government-funded VET program completions in TAFE SA have decreased by 68 per cent since 2013;
- TAFE's operating costs are 20 per cent higher than the Australian TAFE average;
- better leadership is needed to support TAFE's motivated and hardworking lecturers; and
- quality outcomes were impacted by the previous approach of non-strategic cost reduction.

There is great value in review processes if we take steps to respond to their outcomes. It is not enough to note issues and move on. That is why I have welcomed the Marshall Liberal government's response to the Quality Review and the Strategic Capability Review that is summarised in the document A Fresh Start for TAFE SA.

I am pleased to note that the government will work to bring changes to increase access to training courses and choices of training providers for business and students by increasing contestability of funding. I note that the government is realistic in its approach to revitalising TAFE, recognising that there is a greater need to engage with industry to analyse skills and training needs to deliver training that will meet economic and industry sector needs. This will take time and, to improve contestability, there will need to be reform in TAFE and support to wider delivery partners to support the skilling of local communities. For my part, and on behalf of my electorate, I have a keen interest in ensuring that we have training programs that work for regions.

The government's response to the reviews also includes a renewed focus on quality. I am advised that TAFE SA is undertaking an extensive quality improvement process across all its programs and services. One of the directions I am pleased to highlight was delivered in its November 2018 appointment of the new members of the TAFE Board. I am optimistic that, with the new governance arrangements and new leader in place, TAFE will have a strong foundation for moving forward and building on the gains that have already been achieved.

The Australian Skills Quality Authority (ASQA) report completed in 2018 indicates that significant improvements to training have been achieved over a very short period. I would like to extend my congratulations to those in the TAFE SA organisation who have responded to the reviews and who have contributed to the improvements in training delivery in a short period. Positive steps are being made. However, I do wish to take this opportunity to highlight my concerns about how we have found ourselves in this situation today that has required our government to reform TAFE and articulate that reform through the A Fresh Start for TAFE SA document.

The indisputable truth is that TAFE SA lost its focus while the Labor government had control. The lack of emphasis of the previous Labor government on meeting the needs of business across the state through adequately resourcing and giving emphasis to the need for quality training is a sad legacy that we are now dealing with. The focus of the organisation on meeting budget cuts drew its focus away from quality training outcomes. The indisputable truth is that Labor did not support business, neglected the foundation on which the economy of the state is based and had no focus on training and upskilling workers for the future.

I will make a few points that I have noted from a local emphasis. An absolutely important educational arm of regional South Australia is to have TAFE or TAFE campuses, TAFE courses, backing up our regions. Over the last 10 to 20 years, personally I have noticed the backward step that the previous government took, the services and how they have been withdrawn.

Accreditation is more important than ever today for employees and employers to meet the strict standards that organisations like state and federal parliaments enforce on them. TAFE has also helped educate community citizens with the latest technology, changes and advancements—things like ordinary emails and computer programs. For those who were left behind, for general citizens wanting to upskill themselves as this changing world moves on, TAFE fills in those holes.

The OH&S standards we now adhere to in business for employers and employees have never been more difficult, and TAFE has played its role in making sure both businesses and employees meet those standards for both the outcome of the employer and the outcome of the employee, so the strategy is that an employee turns up at work and they go home that same day.

Rural campuses have helped train all future employees to our regions, and this includes the migrant sector. Migrants come from a different world to Australia; they are skilled in different areas and they need skilling and upskilling to meet our work standards. We do not lower the standards when migrants turn up in our country to work; we have to lift to them to our standards, and TAFE has played an important role in ensuring that these migrant workers can meet our standards, yet this has been failing them, along with the rest of Australia's workforce.

TAFE has been subject to scrutiny and has been found not to be meeting required standards. However, government can easily rectify this. In other words, this is our responsibility, government's responsibility, to take control of TAFE and its outcomes. I point out that, during the period 2000 to 2010, government initiated private sectors accrediting training courses; it was rorted. They talk about a training sector of that period, where tickets were handed out in Weet-Bix boxes. When you take on these employees, the skills required by employers are just missing. TAFE, by the fact that it does belong to government and can actually make sure that we do the right thing by these training courses, can be a part of the solution rather than a part of the problem.

It was interesting to hear from the previous member, the member for Port Adelaide, in her summing up of what they did for TAFE during the last 16 years while they were in government, and there are a couple of points I would like to reiterate. She refers to the management of the River Murray and thinks that it is very consistent with what TAFE has gone through, the fact that we have an independent authority, we look at it from an outside view looking in, and then it is up to us as a government, be it Labor or Liberal, to take on that advice, as she would put it.

It is ironic, as I think that this is where Labor lost its way, as they do need royal commissions and massive reviews, because they sit back and watch things unravel, rather than be part of a solution or any sort of outcome. It is almost like they fall on a sword and say, 'Oh, we need a review. We need a royal commission; this is how we fix it,' and a year later, after millions of dollars have been spent, they say, 'This is how we put it back into place,' rather than ask, 'What are the outcomes we want from the Murray-Darling Basin Plan? How do we work with everyone else who belongs to the Murray-Darling Basin Plan and the other constituents involved in that?' and then, as with TAFE, work with employers and employees to make sure that TAFE represents what this state needs. As I have run out of time, I commend this motion to the house.

**Mr BROWN:** On a point of order, Mr Deputy Speaker, I draw your attention to the state of the house.

**The DEPUTY SPEAKER:** Again, member for Playford?

**Mr BROWN:** Yes.

*A quorum having been formed:*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (12:04):** I rise to support the motion and to thank the member for Heysen for bringing it before the parliament. I oppose the amendment that has been submitted.

I have been in this house for quite a while and I remember the debates of the former government when corporatising TAFE. It is important to remember why they did that. They wanted to get rid of people from that structure, so they gutted it, all through the guise of being corporatised, and that is exactly what happened. Good people, working hard to provide a service in this state, left. That institution was smashed.

The member for Port Adelaide has some gall coming in here saying that they want to recognise the former Labor government for commissioning those reports, after she is caught like a possum in the spotlight, with the disaster that descended on to her desk about the disgraceful failure of the quality of some 16 random courses, all of which failed miserably. That is the history of this. I think that for once they should remain silent. I am reminded of what my mother used to say, 'If you haven't got something good to say about something, don't say anything at all.' I tell you: a tonne of bricks is going to fall onto their history.

I commend the Minister for Education for resurrecting what is an important service for South Australia. I also commend those left in charge of TAFE, who are working with the government to ensure that we have a restructured and important public sector service to provide the skills of today and tomorrow.

I feel a little bit embarrassed to follow the member for MacKillop, as I clearly should have done a TAFE course on shedhanding and I might have had another career. Nevertheless, our side of politics has been very clear and consistent in its commitment to practical education for those to be skilled to be part of our community, enjoy the benefits of employment and, of course, have an opportunity to prosper themselves. We have a history of that.

The passing late last year of Ted Carter, an agricultural scientist, reminded me of one example of this. He spent decades working in this field. After World War II, he helped all the new soldier settlers on Kangaroo Island to establish practical farming management to give them a chance to prosper. Some 10 years ago, there was a move by the University of Adelaide to sell three major stations which had been donated in bequests—Martindale, Munduney and Moralana—all in different climatic locations in South Australia. One of those stations is now a cattle station, I think, in the Minister for Energy's electorate.

An enormous amount of work went into trying to tell the government of the day, the Labor government, 'Please, don't let this happen. Don't let universities sell a base on which practical work could be done for the training for dryland farming and other farming management skills.' But what did they do? Nothing. The then minister, the member for Enfield, who lived in Springfield—he knew a lot about farming—did absolutely nothing about this.

What are we left with today? Fortunately, when the sale of those properties went through, the University of Adelaide also committed to practical education and accepted responsibility to ensure that the funds and proceeds from those stations be applied to practical farming skilling. I am very proud of them for making that decision. Sure, we put a bit of pressure on them; nevertheless, I am very proud of that because they needed to appreciate the significance of the agronomists and all the other specially skilled people in that particular field to be graduates, but we also need those who are actually growing the food, tending to the pastures and providing support to the stock, etc. This is all part of learning about pests, horticulture and all the rest of the things our minister for agriculture reminds us about.

This is food production for the future in South Australia. It has been very important in the past and it will continue to be very important. We must have institutions such as TAFE and a commitment to the philosophy of our side of politics to ensure that we have practical skilling capacity. TAFE is the public provider of that and that is why it is so important. We have other private providers. We have other academic institutions that are providers. If we look at the agricultural scheme, there is salt-resistant rice, pink rice and anything else, but we need practical application to grow the food and to ensure a high level of productivity and that the produce itself is protected.

I commend the motion. This is a critical service for South Australia, not only for our existing industries but for those of tomorrow. We had a French delegation in here this morning, and I was pleased to be able to host them for a very short time during their visit. They are very focused on cybersecurity and so are we. This is an area of industry in the future. We are dealing in this parliament



with encryption in relation to warrants for police searches. These are all the technologies of the future that we need our next generation of people to be skilled in, so I strongly endorse the importance of maintaining practical education for skilling for today and tomorrow. I commend the motion to the house and thank the member for Heysen.

**The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (12:10):** I also rise to support the motion and congratulate the member for Heysen on bringing it to the house. I think it is important in supporting this motion that we reflect on where TAFE was on 17 March 2018. Quite frankly, it was a victim of neglect of the previous Labor government over many, many years. The Labor appointees to the board, the mechanism, became a reflection—

**Mr BROWN:** Point of order, sir: I draw your attention to the state of the house.

*A quorum having been formed:*

**The DEPUTY SPEAKER:** Minister, you have the call.

**The Hon. D.G. PISONI:** Thank you very much, indeed, sir. It is terrific to have such an appreciative audience in the chamber. As I was saying, you just have to look at the history of TAFE prior to the change of government after the last election. We saw that the agenda of TAFE was actually driven by Treasury. We saw Treasury notes, as far as I understand, directing a reduction in number of TAFE staff.

The reports that were initiated by the previous government and completed as we came into office were damning of even that process because there was no strategic plan, no targeted plan, on how to make savings, other than a series of redundancies for TAFE staff without any consideration to what skills were going, what skills may have needed readjustment and what changes in strategy may have been needed in order to stop TAFE bleeding, both in student numbers and in income.

Of course, we know that the problems with vocational education in South Australia started with the introduction of Skills for All. We all remember an unleashing of funding for the vocational education sector in South Australia without any condition of job outcomes. We had a flood of companies coming from interstate.

I can remember—and I reported this to Tom Kenyon, who was the minister at the time—a franchise owner coming to me who wanted me to help them with a situation they were in. They had been approached by a training provider for a tick-in-the-box retail training course for their existing staff that they were getting money from Skills for All to deliver. They said, 'If you let us deliver this to your staff, we will go halves in the Skills for All training.' This is how poorly managed and how poorly thought out the government's Skills for All situation was.

They did not have a problem as franchisees and businesses. They did not have a problem with that, but what they had a problem with was that the franchisor tried to get his piece of the training payout from the franchisee because that was silent in the franchisee-franchisor agreement. We had the franchisor and the franchisee fighting over Skills for All money that they could put in their pockets because of this dodgy deal that was being done by these interstate fly-by-nighters the Labor government, through their poor management of skills training, allowed to compete against legitimate South Australian businesses.

There is no doubt that a number of South Australian businesses that had been delivering very strong fee-for-service training in the vocational sector in South Australia for a decade lost their businesses overnight because the interstate companies were quicker to get Skills for All funding and sucked the regular clients away from those South Australian businesses. That was the beginning. How did Labor deal with that? How did they deal with that when that problem was identified?

Overnight, without warning, they removed all but 15 per cent of the funding for the non-government sector, without any strategic plan, any strategic reasons or any targeting. They removed it overnight, and we saw people lose their houses. We saw businesses go, and we saw people not able to complete the training that they had started in legitimate businesses. We called meetings in Parliament House with the industry sector. They were furious about what had happened to them.

Unfortunately, we now have to rebuild that non-government sector. We need a non-government sector in South Australia. There are so many new training opportunities and training

requirements that we need in South Australia. We cannot do it with a public provider alone, let alone a public provider that is going through a repair phase.

I would like to give credit to Alex Reid, who was the acting CEO of TAFE. I think she did a terrific job in very difficult times in preparing TAFE for the transition that the Minister for Education is moving it through at the moment. As the purchasing minister for vocational education in South Australia, I am very pleased to have a strong relationship with TAFE and be part of the repair process for TAFE in South Australia, at the same time ensuring that vocational education access is expanded to the regions in South Australia.

It is very important, of course, that regional South Australians have access to vocational education in the regions. If they cannot have access in the regions, we identified very early on the pathetic amount of money—\$24—the previous Labor government provided employers to pay for per diem for the apprentices to come to Adelaide. We have lifted that now to \$60 and increased the amount of money they get per kilometre for their travel.

That is a cost that employers are expected to pay in order for their apprentices to do their off-the-job training. Not only are we working on delivering more off-the-job training in regional South Australia but we are also making it easier for those apprentices or trainees who do need to travel if there is simply not the mass in some of the smaller regional towns for them to get vocational education.

I think we need to reflect on and question the quality of the selection of the TAFE Board under the Labor government. We all remember that Peter Vaughan of blessed memory did that dirty deal with the then shoppies union head, Peter Malinauskas, for public holidays on New Year's Eve and Christmas Eve, and of course it affected every single business in South Australia, regional South Australia in particular.

He was rewarded very generously with a board payment of around \$95,000 a year, and look at the mess he made of TAFE. That did not bother Labor; they got their deal. They could say to their Labor mates, 'Look, we've done this for you; we've extorted this from the business community,' because that is how they operate.

*Members interjecting:*

**The Hon. D.G. PISONI:** That is how they operate. It is all about extortion and bullying with those on the other side—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Order in the house! Minister—

**The Hon. D.G. PISONI:** —and then they reward their mates—

**The DEPUTY SPEAKER:** Minister, just take a seat for the moment. The minister deserves to be heard in silence, and I feel sure that he is coming back to the intent of the motion in his remaining two minutes. Thank you, minister.

**The Hon. D.G. PISONI:** Of course, the good news is that is finished; that has gone. No longer will we see a situation in South Australia where deals are done with union mates. We, on our boards and in our organisations, have the best possible people to do those jobs and to run those organisations.

Evidence of that is the Industry Skills Councils within the Training and Skills Commission. The categories for those Industry Skills Councils came about through an exhaustive roundtable consultation process over a six-month period. We have married related sections so that they can work together to deliver the skills that industry needs. Industry needs to grow in South Australia.

The Labor Party's approach was to have a faux war with Canberra about fake news around submarines not being made in South Australia. While they ran that fake campaign, they were cutting vocational education opportunities in South Australia, which were the very skills we needed. It just shows what they are about: they are only interested in staying in office, and when they are not in office, they are only interested in getting back in.

**Mr BELL (Mount Gambier) (12:21):** I rise to support the motion by the member for Heysen. The importance of TAFE to regional South Australia, including in my electorate of Mount Gambier, cannot be underestimated. Of the 80,000 students who study at TAFE SA, more than 25,000 are regionally based. Another 6,000 of these students are over the age of 55.

As a public education and vocational training provider, the accessible training that TAFE provides is often the only option for students seeking a trade such as hairdressing, beauty or automotive. They offer important training for aged-care and disability-care qualifications. The courses tie in with local industries to provide apprenticeships, and intersect with high schools and learning centres. One of TAFE SA's priorities, as outlined within the Strategic Plan 2016-2019, is to:

Understand our customers' needs through increased industry engagement to ensure courses reflect the priorities of each region in South Australia.

This is an important point. Each region, whether it be Mount Gambier or the Riverland, has different needs and priorities depending on the industries and emerging industries specific to their region. Recently, this government moved to implement regional health boards, which has been one of my priorities as the member for Mount Gambier. This is a hugely positive step and puts the power into the hands of regions when it comes to their local healthcare system. It is my view that TAFE SA would benefit from a similar model.

I have long campaigned for the decentralisation of government departments and this would be an excellent opportunity, with the new CEO at the helm, to begin the same process with TAFE. Decisions that impact local people should be made at the local level. If they are not, it leads to a disconnect with regional communities and results in poor outcomes in the delivery of training that is simply not relevant.

In Victoria, the TAFE institutes are relatively autonomous. They employ their own staff and have more autonomy when it comes to capital and physical infrastructure. In effect, they are able to run their own ship. A board comprising local people who truly understand the needs and priorities of the students and the region is the way forward, I believe. That way, funding can be distributed by the board in accordance with local needs.

Courses that are important to local industries will continue and expand. Procurement could still be done centrally, but the important decisions could be made by the board in consultation with the local community. I am a firm believer that decisions need to be made as close to the action as possible. Obviously, TAFE SA needs to be able to respond to our community at short notice.

This would also allow the avoidance of duplication in regional areas. Regional areas do not have the population base to have the same course offered multiple times by multiple agencies, so it would allow the board—let's call it the vocational education board—to best fit the needs of the community and, where possible, bring in private providers, or not duplicate services that private providers are able to provide. There are many examples of those in Mount Gambier.

I would also like to acknowledge the focus and support that this Liberal government is putting towards vocational education and supporting regional students to access courses that are not offered locally. One such example is a young lad who was doing electrical motor rewind business. The course was not available in Mount Gambier, yet just over the border, about an hour away, that course was available. Through some heavy negotiation we were able to have that student access the Victorian TAFE system to continue his training.

I was pleased to get a call from the training provider and the employer to tell me that this young student had actually completed his fourth year at the end of last year. The employer said to me that, if it were not for my intervention and being able to broker a deal with the Victorian TAFE, that student would not have been given the apprenticeship, because sending them to Adelaide for their training was just not feasible, from their point of view.

I would like to see some focus put on an area related to this, namely, where WorkCover intersects with training. By this, I mean: is a young person who is travelling to work or to training covered by WorkCover? We have had a situation in which a young apprentice who was attending training had his car roll over off the side of the road. We are in a continual discussion at the moment about whether that young person is actually covered or not. When we say 'going to training', people

have a metropolitan mindset and think that we are just heading down the road. However, it could be that the young person is travelling from Mount Gambier to Adelaide, which is a 4½ or five-hour journey to go to training and then return.

To get some clarification around this would be extremely helpful in the case we are working on at the moment, about the young person being covered by WorkCover whilst on their way to training, which, if it happens to be in Adelaide, is a fair distance. I would like to see those changes clarified and put in black and white. With those few comments, I commend the motion to the house.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (12:28):** I am very pleased to be able to speak on the motion, and I thank the member for Heysen for his contribution. I thank other members who have contributed, including the member for Mount Gambier, who has just made some remarks. I think the specific importance of TAFE and the training sector in regional South Australia bears everyone's consideration.

However, it does not take away from the fact that the TAFE SA organisation, and the training sector as a whole, is critically important to South Australia as a whole for our social wellbeing and for our economic future. TAFE and the training sector are the bodies, the companies, the non-government trainers—TAFE SA is the largest and most significant one—and the groups that ensure that the skills needs of our businesses and industries, our defence industries and our social services can be met into the future.

We require skilled workforces to be able to leverage the opportunities that defence investment and business investment make. If they cannot get the skilled workforce from amongst South Australians, then we are not meeting our responsibilities. That is a fundamental reason as to why TAFE SA is so important. It is also critically important for the social wellbeing of our state.

We have 60,000 people going through the TAFE organisation every year to get themselves an improved skill set. That varies from students doing short courses in a whole range of things, which may be fee-for-service, to a very significant cohort of students undertaking certificate III, diplomas, and doing work as part of traineeships and apprenticeships towards their own desire to get a future, a career and a job. Many of them are students who are not on a university pathway at school. Many of them are students who could be on a university pathway, but have identified the truth: that a skilled or technical qualification can be an A-grade choice and should often be the first choice they make, rather than a fallback plan.

There are an awful lot of small business people out there and an awful lot of people with skills working in major organisations, government and non-government alike, who have a skilled qualification that has put them on the track to the best possible job. Often, an apprenticeship or a traineeship is the best possible choice for a young person thinking about their future. A strong TAFE SA organisation is utterly critical to our social wellbeing as a state and our economic future as a state. TAFE being the most significant one is utterly critical. That is why I think the member for Heysen has chosen to move a motion such as this today. It puts it front and centre on the parliament's agenda.

How do we best support our TAFE SA organisation to be all it can be, help our state to be all it can be, and help so many young people—tens of thousands of young people right across South Australia each year—to be the best they can be and live their best possible life? There is probably no organisation outside of the education department that touches on more lives. The former government did not treat TAFE SA with the respect it deserved as an organisation. They certainly did not give it the oversight, the governance or the leadership that it deserved as an organisation.

Critically, the former government did not provide the people of South Australia—the young students of South Australia thinking about their futures nor the businesses and industries in South Australia wanting to make the most out of their opportunities—with the oversight, leadership and governance that the TAFE SA organisation deserved. The Nous report into quality at TAFE and the Moran-Bannikoff report into strategic capabilities of TAFE put that front and centre: wasted years, failures of leadership and incompetence.

Can I tell you of the extraordinary gall of the shadow minister for education, the Deputy Leader of the Opposition, who came in here and moved the amendment that she moved today in some sort of fig-leaf justification that the Labor Party now, all of a sudden, cares about TAFE. They

have spent the last 10 months refusing to appear in this parliament or ask any questions in question time about TAFE. They have spent 10 months with nothing to say about the TAFE SA organisation, its future or supporting its work, and without giving an apology for the extraordinary abrogation of responsibility that they undertook while they were in power.

They have now developed some talking points and they come in here after 10 months—11 months, even. It has taken them 11 months to write some talking points about the TAFE SA organisation. Their talking points amount to, 'Look at us, we were really good. We commissioned these reviews.' These reviews were commissioned at the end of 16 years of shameful failure by those opposite, by the Labor Party, to businesses in South Australia, to industries in South Australia, to the students seeking vocational education in South Australia and to the TAFE SA organisation.

It was those opposite who appointed the board. Then, in December of the year before last, they finally sacked the chair and accepted the resignation of the CE. It was the failures of those opposite in leadership that led to the very problems identified in the Nous review and the Moran-Bannikoff review. It was those opposite who refused to conduct themselves in a manner befitting what is required of a government in ensuring that our young people have the necessary quality education and the organisation capable of delivering it.

Let's not forget what triggered all of this. It was in this parliament that I think the leader of the opposition then, the Premier now, asked the education minister—the member for Port Adelaide, who has moved this amendment—a question about whether there were any problems with quality at TAFE SA. The minister, as she was then, took it on notice. The Labor Party's response was to put out tweets mocking the Liberal Party for raising at the beginning of a parliamentary sitting week what they thought was a non-issue. It was a non-issue according to Labor. And of course it was because they did not care enough to get involved and to listen to the complaints and concerns about the TAFE SA organisation raised by non-government organisations over an extended period of time.

Let's remind ourselves about the quality issues identified by ASQA: 16 courses chosen at random, 16 courses audited, 15 recommended in the initial report by ASQA to be not just suspended but removed from TAFE's scope entirely, and one suspended—16 Fs, and 15 of them the worst sort. The fact is that, after a couple of months of heavy work, two of these courses were redeemed by the time the final report came in. That was great, and it was done as a result of an enormous amount of work at TAFE SA.

Four of those 16 courses did not need to be redeemed because they had been removed from TAFE's scope altogether—they had been superseded—and 10 at the end of the final report remained as failures and at risk of suspension. It was not until April last year, five months after ASQA's final report, that ASQA finally gave those courses the all clear. It was an enormous body of work. I am pleased that this house seems to be on trajectory to congratulate everybody in the TAFE organisation, from the interim CE right down through all the lecturers and everyone who did an enormous amount of work in getting those courses back on track.

About 50 per cent of all staff members in the TAFE organisation have had some involvement in the quality project since this government has been in office, and some of that started before we were in office. The reason it had to be done came as a result of 16 years of failure by a Labor government that did not give this body, this important institution, the oversight, governance and leadership that the institution, our students and businesses and industries deserved from a government.

This government has been quite different. The quality work has been partly as a result of the Liberal Party's election commitments and partly as a result of our initial reactions, our initial responses to the Nous and Moran-Bannikoff reviews, as outlined on budget day in A Fresh Start for TAFE SA document, which is available on the internet, if the shadow minister is interested in looking it up. It was also partly as a result of the specific bodies of work done by staff at TAFE SA, which has improved the quality framework.

We now have a director in TAFE, a senior leadership person focused on quality. We have an academic board reporting to the board. We have a new board comprising people with skill sets in business, industry, vocational education. This is a new concept to those opposite. I thank them for

their appointment of Jo Denley as the deputy chair and the acting chair. She did an enormous body of work and should personally be thanked by us all for the work she did. She remains on the board. The board is now functioning as a board should. Quality processes are in place, as they should be. Oversight processes are in place, as they should be, and governance processes are in place, as they should be.

There is still more work to do at TAFE because we are on a constant and steady trajectory of improvement to ensure that we can be the best government we can be, that we can have the best possible facilities and opportunities for our young people. There is still work to do. Over the last year, the transformation in TAFE has been extraordinary. The optimism in the staff has been extraordinary. The \$107 million reinvested in the TAFE SA organisation by the Marshall Liberal government in last year's budget has made an extraordinary difference to the optimism of everybody involved in TAFE SA.

ASQA, the national quality regulator, responded in December last year with a clean bill of health for all those quality issues. We have gone from 16 failures to 16 clean bills of health. TAFE SA is on the right track. TAFE SA has a fresh start. I urge all members to oppose this nonsense amendment and support the member for Heysen's motion.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (12:38):** I, too, rise to support the member for Heysen's motion. The Minister for Education has so eloquently described the situation that TAFE now finds itself in. There is a future for TAFE.

As the leading training organisation in South Australia, TAFE has been dealt a serious blow. Its reputation has been tarnished, but it is once again in good hands. Leadership was missing through a lack of acknowledgement from a government that spent 16 years covering their own tracks without having the ability to support an institution, to support not just the people, not just the trainers, not just the administrators, not just the people who have been through the TAFE institution to be skilled, to come away with a qualification. We now see that there is a bright future for TAFE.

I will touch a little bit on what TAFE has meant to many people, particularly those in the electorate of Chaffey. As the Minister for Industry and Skills so elegantly puts—and I think he is on KPIs for how many times he has told this house—he has a trade and he was once was an apprentice. He now has some competition because we know that the member for MacKillop is also a tradie—welcome aboard—and so am I.

As an apprentice toolmaker, I did my time at GMH at Woodville in the tool room. I was very lucky because, back in those days, GMH was very good at providing great apprenticeships and qualifications and the working environment was second to none. I went on to train and skill incoming apprentices at GMH, not only in the apprentice training centre but in the tool room. It gave me the ability to give back what I had received after one of the great decisions of my career, which was to take up an apprenticeship and to use it at any opportunity throughout my adult working life.

One of the great things about an apprenticeship now, whether you are talking about one of the traditional trades or one of the traditional skills, is that it is far reaching. We look at the capacity that comes within traditional trades. We now look at horticulture and agriculture. We look at child care, transport, hospitality, information technology and particularly food and wine now. South Australia is so highly regarded around the world. We have to understand how important traineeships, vocational skills and apprenticeships are to regional South Australia in particular.

I want to touch on the fact that I attended the Berri Rotary Vocational Awards on Friday night. It was great to see that, in the Riverland and the Mallee, we have about 900 apprentices currently under training. The vocational awards are the largest vocational awards in regional Australia. That is a great feather in the Riverland and Mallee's cap. We know how important it is that we train our young and even our more mature students to remain in the region, to remain in the Riverland, and do a great job.

As I said, there are 900 apprentices and trainees currently in training. I would like to name some of the award winners. I was lucky enough to present Jacob Saunders with the Electrical/Air Conditioning Industry Award. There is more to come. Samantha Issom received the VET Post Student Award, and Sophie Taylor was the School-Based Trainee of the Year. Sydney

Searle won the VET Student of the Year award, whilst Bradley Lloyd won the Trainee of the Year award.

I would like to put a shout out to Georgia Elliott, the trainee at my electorate office. She has been there for 12 months and is an outstanding Riverland student who came on board as part of my team and has done a great job. She is now moving to bigger and better things. She is moving down to Adelaide to do a diploma at Flinders University. It was a great opportunity for her to do a gap year at the Chaffey electorate office and she will now move down to the uni.

Another interesting person is Dominique Cabucos. He won the School-Based Apprentice of the Year award. As I said, I presented Jacob Saunders with his award at the end of the night. He was awarded Apprentice of the Year. He is an electrical apprentice at SA Water and has done an outstanding job. Tahlia Price won the Hairdressing Industry Award, and Benjamin Pilgrim won the Building and Construction Industry Award.

Jack Mitchell won the Cookery Industry Award, whilst Luke Bacskai won the Automotive and Diesel Industry Award. He sat at the table with me and is a bright young lad with a great future working at Berri Diesel Injection Service. Tristan Jackson received the Engineering Industry Award. What it showed was that the apprentices, the trainees and the vocational awards in my electorate are second to none. They are the largest in the nation.

In my presentation, I also acknowledged the employers. Without the employers allowing those trainees and apprentices to do their schooling, the curricular activity that they have to undertake, it would not happen. It is important to acknowledge not only the employers but also the parents, the families and the friends. They are the ones who get these trainees and apprentices out of bed in the morning and make sure they turn up for work. I know that there are many opportunities and many distractions when going through traineeships and apprenticeships, but making sure that our young ones in particular get to work on a daily basis is very important.

The EML Game Changer program in the Riverland was a mentoring program for future leaders. It was a pilot program in the Riverland and it was an outstanding success. I spoke to a number of those program recipients on a regular basis, to give them some motivational speaking, to make sure that they had the ability to see a future and to make sure that they understood that there are challenges in life but that it is about how the game changes, particularly entering the workforce and coming away from, in some instances, a dark place or a troubled background. By and large, the EML program was an outstanding success.

As the Minister for Education said, TAFE has been in crisis for a long time. Particularly in the Riverland there were 64 students caught up in the TAFE crisis after 16 TAFE courses were put into question. There were 64 students who were given a very uncertain future: 12 in cookery and 52 in aged care. That uncertainty drove many of those regional students out of the Riverland and down to Adelaide looking for another future, looking for a training opportunity so that they could get a job, could get a qualification and have a future.

A lot of these students will come back to their grassroots. They will come back to the Riverland or back to the Mallee because that is what they know so well. The Riverland and the Mallee are so reliant on the return of students and young adults to come back and be part of what regional South Australia is looking for so much, and that is a skilled workforce. Particularly in horticulture and agriculture, we see that there is a great future, and the value-adding of both horticulture and agriculture is as a result of the wine and food industry.

This motion is very important to this side of the house in understanding the need for a TAFE that has the confidence to continue. We also understand that what we have seen over a long period of time is that those on the other side, Labor, butchered TAFE and that we, as the Marshall Liberal government, are here to rebuild it. We are here to instil confidence. We are here to give lecturers and people within the institution, the leadership group, the support they need because we know that a good training institution is part of training our future. I commend the motion to the house.

**Mr PEDERICK (Hammond) (12:48):** I rise to support this motion by the member for Heysen:

That this house—

- (a) notes the reports of the Quality Review and the Strategic Capability Review into TAFE SA;

- (b) welcomes the government's response to these reports as outlined in A Fresh Start for TAFE SA;
- (c) congratulates those in the TAFE SA organisation who have contributed to improvements in training delivery for South Australian students; and
- (d) expresses serious concerns about the failures of government oversight that led to the concerning findings identified in the reviews into TAFE SA.

There were some serious findings, and it showed the lack of respect that the previous Labor government had for TAFE and in training future people to different trades and experience so that they could strengthen the South Australian economy and businesses.

It is such a disgrace that when a random audit was done 16 out of 16 failures happened from that audit. They have since been put on the way to being remedied or have been remedied. The issue we have is that in this space we have other training providers who obviously have to cut their cloth. They have to make it operate and they have to do it effectively within budgets and on time lines, yet under the previous Labor government we saw TAFE being put up like a bloated organisation that did not deliver outcomes and caused a lot of distress within other competing training providers in this space.

Thank goodness we have come into government. It is not just in regard to TAFE. The general state of South Australia is extremely pleased that we have come in to right the ship of this state so we can support business, so we can support home owners and so we can support training. As the Minister for Industry explained, we need to get that training back on track. We saw the previous Labor government let training go. Just as we have all these shipbuilding programs and submarine-building programs coming into South Australia, all of a sudden we find out that we have not had enough people trained up, because of the previous government's attitude to training, to take over these worthwhile projects and worthwhile jobs that will be such a boon for the South Australian economy for many years to come.

I was intrigued to hear the contribution of the Deputy Speaker, the member for Flinders, about on-farm training. Yes, I was part of that in the early 1980s as well. It was a good course that went through a whole range of procedures, whether it was sheep handling, wool handling, shearing or tractor driving. I just want to acknowledge Chris Trethewey—that is a good Kangaroo Island name. I ran into him a few years ago; it was very nice to catch up with him. He did excellent teaching for us as young men in that program, and he set us on our paths in the farming industry.

This is the type of training that needs to go on. I acknowledge the wool handling and shearing training that are so vital to this state. We have seen across the nation sheep numbers dropping probably something like 100 million from where they were at their peak. There were a lot of other breeds of sheep coming in that do not need shearing and that kind of thing. It is a vital industry that we need to support into the future.

It is almost amusing that the other day, as a former shearer, I told my staff I had to go down to a shearing school at Ki Ki, at the family shed of Trevor and Craig Watts, and have a discussion about wool handling with the students and the lecturer. 'Being a former shearer,' I said, 'I better shear a couple.'

*An honourable member interjecting:*

**Mr PEDERICK:** Well, I was pleased and a little bit surprised: I managed to knock them out in four minutes each. I did one and thought, 'Well, I've done one; I better do another one.' It was just nice to pick up the handpiece again, but my body felt like I had shorn 200, and I had only done two.

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

**Mr PEDERICK:** I did have a singlet. It was a big singlet. It is one of those vital rural industries that we really do need to support to make sure we get the right outcomes into the future, supporting our farmers and graziers at such a tough time in recent times. As we have pointed out, there is a clear need for reform in the vocational education and training system in South Australia. As I have indicated, the former government totally failed the training sector, highlighted by the Skills for All blowout and then the WorkReady mess.



At the same time, the former Labor government's oversight of TAFE SA and TAFE SA's leadership failed staff, students and the people of South Australia. The Australian Skills Quality Authority findings in 2017 of TAFE South Australia highlighted serious issues of quality across all qualifications that were audited. The failings of those audits have been mentioned in various speeches from this side of the house. It is good to see that TAFE South Australia is back on the right track. I, too, in my closing comments would like to acknowledge the fine work of Alex Reid and also the new board and the new leadership in TAFE. I wish them all the best in steering this ship into brighter outcomes in the future.

**Mr TEAGUE (Heysen) (12:55):** Conscious of the time, I thank all members who have contributed to the debate on this important motion. I indicate that I oppose the amendment proposed by the member for Port Adelaide, the Deputy Leader of the Opposition. Otherwise, I thank the members for Flinders, Port Adelaide, MacKillop, Bragg (the Deputy Premier), Unley (the Minister for Industry), Mount Gambier, Chaffey (the Minister for Agriculture and Regional Development) and Hammond, and especially the Minister for Education for his important contribution to this debate. I commend the motion to the house.

Amendment negated; motion carried.

### AUTISM

**Ms COOK (Hurtle Vale) (12:55):** By leave, I move my motion in an amended form:

That this house—

- (a) supports South Australians living with autism to fully participate in society using their fundamental rights and freedoms;
- (b) recognises World Autism Awareness Day on 2 April 2019;
- (c) recommits to ensuring South Australians living with autism are finally given every opportunity to participate at school, in the workplace and out in their communities; and
- (d) thanks all service staff and volunteers who help provide the support South Australians living with autism often call upon.

I am thrilled today to move this motion. Thank you for the opportunity today to speak on this motion. While it is a few months away, World Autism Awareness Day will certainly be one that is filled with autism-friendly events and educational activities. We will see a sea of blue lighting up many buildings and public places in South Australia and worldwide. It is a tremendous way to commemorate such an important occasion. I wish to thank all those involved locally in our autism community and also the global community.

As the shadow minister for human services, I have spent the past 12 months meeting with, listening to and advocating on behalf of many South Australians who are extraordinarily vulnerable and unable to advocate on their own behalf. It is our role as elected parliamentarians to make sure that we are available out in the community and that we are seeing and able to speak on behalf of people, particularly those who are vulnerable and living with autism.

Their homes, workplaces, community centres and schools are places where they are comfortable to talk with us, and that is why I am very grateful for the fact that I have an office out in the local community in order to access those people who live with such challenges. If I were here just in the city, I would not have that opportunity, so I am grateful for that. I am sure soon I will be in my electorate which will be even closer. I am thankful to those I have met with in my community and right across the state who have been so open and inspiring in the way that they have shared their stories.

I am very lucky to be able to use this opportunity to pay tribute to the board and the staff of Autism SA. The board is represented today by Tanya Lancaster, who is a constituent of the member for King, I understand. She does a great job with a dynamic and agile team at Autism SA, which is ably led by the chief executive officer, Jenny Karavolos, who I have spent many hours with in order to understand the intricacies and the challenges faced by those with autism. Their phone services, their advocacy and their programs contribute greatly to our community.

I place on record my support for their organisation and, in fact, all other organisations in our community that do great work in this space. I have met many hardworking and dedicated organisations that work in that space. With that, with the few seconds I have, I commend the motion to the house.

Debate adjourned on motion of Mr Pederick.

*Sitting suspended from 13:00 to 13:59.*

*Matter of Privilege*

### **MATTER OF PRIVILEGE**

**The Hon. A. KOUTSANTONIS (West Torrens) (13:59):** Sir, I rise on a matter of privilege. On 12 February the Leader of the Opposition asked the Premier the following question:

Supplementary question to the Premier: given the Premier's previous answer, will the Premier rule out reversing the deal his minister agreed with the upstream states, as called for by the royal commissioner Bret Walker QC? With your leave, Mr Speaker, and that of the house I will explain.

Leave was then granted, sir. The Leader of the Opposition went on to explain:

The royal commissioner states, on pages 414 and 415 of his report, and I quote:

'...no minister acting reasonably could consider these changes to the criteria to be anything but totally antipathetic to the interests of South Australia, and the South Australian environment. South Australia's agreement to these changes should be immediately reversed.'

In response, the Premier told the House of Assembly:

There was, sir, and most of it incorrect because—...

If there's just some chance I might be able to answer the question, I can explain to those opposite. The Leader of the Opposition said, 'Will you rule out the recommendation of the royal commissioner?' This was not a recommendation of the royal commissioner...

And now the guy who wants to be the leader thinks it was a finding. Look, the reality was—...

I know those opposite, busy with those by-elections, had no chance to actually read a report that was so critical to our state, nor the Australian Productivity Commission report. We did. The reality is there are 111 findings...

We have read it: 111 findings; none of them related to that issue...

There were dozens of recommendations; none of them related to that issue. Read the report.

His statement is incorrect and misleading. On page 62 of the royal commission report, in Key Findings, entitled Chapter 9: Efficiency Measures and the 450 GL, finding 9.10 states:

The recent criteria agreed at the Murray-Darling Basin Ministerial Council meeting on 14 December 2018, at the behest of the Victorian and New South Wales governments, is another example of the lack of commitment by the commonwealth, New South Wales and Victoria to delivering the 450GL. The South Australian government's agreement to changes to the socio-economic criteria for efficiency measures is antipathetic to the interests of South Australia, and the South Australian environment. It is doubtful that much of the 450GL of upwater will ever be actually recovered for the environment through efficiency measures, and especially under the new criteria agreed.

Further, the royal commission then, in Responses to Terms of Reference, Key Findings and Recommendations, on page 73 makes recommendation No. 11, and I quote:

If efficiency measures are retained as a means of recovering water for the environment, including the 450GL, no changes should be made to the test for determining neutral or improved socio-economic outcomes in sec 7.17(2)(b) of the basin plan. Insofar as the criteria agreed at the Murray-Darling Basin Ministerial Council meeting on 14 December 2018 alter that test, they should be abandoned as they were likely to result in the failure to recover that water.

I believe that the Premier has deliberately and intentionally—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —mised the House of Assembly and that a prima facie case exists for the establishment of a privileges committee. I ask you, therefore, to give consideration

to my matter of privilege and rule if a motion to establish a privileges committee should be given precedence over other business in the House of Assembly.

*Members interjecting:*

**The SPEAKER:** Order! Thank you, member for West Torrens. Obviously the Chair's role is confined to two aspects: (1) does the matter prima facie impinge on privilege and also deal with whether the matter is of such importance that precedent should be given to dealing with it as soon as possible. There is a fair bit in that, so I will defer my decision and come back to the house once we have processed it and asked for all relevant materials. I imagine most of them have been handed to me.

*Parliament House Matters*

#### CHAMBER PHOTOGRAPHY

**The SPEAKER:** I advise the house that we have given access to an accredited photographer for question time today to take photos as per the rules.

*Petitions*

#### MOUNT GAMBIER DRUG AND ALCOHOL SERVICES

**Ms BEDFORD (Florey):** Presented a petition signed by 3,771 residents of South Australia requesting the house to urge the government to provide funding for rehabilitation facilities for drug and alcohol addicts in the Mount Gambier electorate.

#### SERVICE SA MODBURY

**Ms BEDFORD (Florey):** Presented a petition signed by 100 residents of South Australia requesting the house to urge the government not to proceed with the proposed closure of the Service SA Modbury Branch announced as a cost-saving measure in the 2018-19 state budget.

*Parliamentary Procedure*

#### ANSWERS TABLED

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

*Parliamentary Committees*

#### LEGISLATIVE REVIEW COMMITTEE

**Mr TEAGUE (Heysen) (14:07):** I bring up the 13<sup>th</sup> report of the committee, entitled Subordinate Legislation.

Report received.

**Mr TEAGUE:** In accordance with the 13<sup>th</sup> report of the Legislative Review Committee, entitled Subordinate Legislation, I advise that I no longer wish to proceed with Private Members Business, Committees and Subordinate Legislation, Notice of Motion No. 1.

*Question Time*

#### WATER RECOVERY SOCIO-ECONOMIC CRITERIA

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:08):** My question is to the Minister for Environment and Water. Does the minister accept that he has been discourteous to the royal commissioner by not informing him of the change in the government's position on the socio-economic criteria for water efficiency? With your leave and that of the house, I will explain.

Leave granted.

**Dr CLOSE:** The senior counsel assisting the royal commission, in response to an answer given yesterday by the minister, made the following public statement: 'Minister Speirs submitted to the commissioner and to the Productivity Commission—

*Mr Duluk interjecting:*

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

**Dr CLOSE:** —the 450 gigalitre criteria should not change,' then did the opposite to that after the commission hearings had concluded, without the courtesy of a further submission.

*Members interjecting:*

**The SPEAKER:** The Premier and the member for West Torrens are called to order.

*The Hon. A. Piccolo interjecting:*

**The SPEAKER:** The member for Light is also called to order.

*Mr Malinauskas interjecting:*

**The SPEAKER:** The Leader of the Opposition is called to order.

*The Hon. Z.L. Bettison interjecting:*

**The SPEAKER:** The member for Ramsay is called to order. The minister has the call.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:09):** No, I do not.

#### MURRAY-DARLING BASIN ROYAL COMMISSION

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:09):** A supplementary question: does the minister accept that the onus is on him, as the responsible minister, to inform the royal commissioner about a change to the government's position?

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

**The SPEAKER:** Premier, please! The Minister for Environment and Water.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:09):** I absolutely do not agree with the position that either the deputy leader or Mr Beasley has been propounding over Twitter today. It is exceptionally interesting to me that a royal commission and the team around the royal commission cannot allow their royal commission report to stand alone and speak for itself and have to tweet from the sidelines—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —and have to tweet in their own defence.

*Members interjecting:*

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

*Members interjecting:*

**The SPEAKER:** The minister will be seated for one moment, please. I call to order the member for Badcoe and the member for Wright. The minister has the call.

**The Hon. D.J. SPEIRS:** Thank, you, Mr Speaker. I was just saying that I think there is a deep level of indignity in what we are seeing on Twitter today.

However, when we were negotiating—and that is what I was involved in in June at the ministerial council and in December at the ministerial council—we had a range of positions leading into those negotiations. We have been through this extensively yesterday. The position changed over time. It is no surprise because it was revealed here very clearly yesterday. That position changed over time because more information was presented to me from stakeholders, from departmental officials and also from the royal commissioner himself, because, as I watched the royal commission's transcripts unfold in June, July, August and September, the royal commissioner said at one point that, with respect to the delivery of that 450 gigalitres, you would sooner believe in fairies than see that delivered.

Senior counsel said at one point in the transcript that there was absolutely no hope—no hope, he said—of that 450 gigalitres being delivered. But they were making this comment, they were providing this commentary in their transcripts when assessing against the Labor government's standard, the Labor government's negotiating position.

So you have the royal commissioner and the senior counsel saying, 'Under Labor's pathway nothing is happening. It ain't working folks.' And I realised, as a result of many different pieces of advice, including from the royal commissioner and the senior counsel himself, that this was not working. For the royal commissioner to suggest that I should have provided my negotiating hand to him publicly in the lead-up—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —to the ministerial council is nonsensical and ludicrous to say the least. I was not going to hand over publicly my negotiating position because that would give New South Wales and Victoria and the other jurisdiction an insight into what we were hoping to achieve.

Now, of course, we went through many years of the negotiating position of the previous government being vomited up into the public domain, in media releases, in campaigns and T-shirts and Twitter feeds, completely disempowering our state. What I achieved—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —on 14 December 2018 was a historic pathway to water. Our pathway—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —leads to water. Their political games, grandstanding and gimmicks—no water.

*Members interjecting:*

**The SPEAKER:** Before I call the deputy leader—

*Members interjecting:*

**The SPEAKER:** Unfortunately, I must intervene.

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

**The SPEAKER:** The Premier is called to order! The deputy leader will be seated for one moment.

**The Hon. S.S. Marshall:** 'I wrote to the energy minister.' Give me a break!

**The SPEAKER:** Is the Premier finished? Thank you. I call to order and I warn for a first and a second time the member for Badcoe. The member for Ramsay is warned. The member for Kaurna is called to order. The member for Giles is called to order and warned. The Deputy Premier is called to order. The Minister for Primary Industries is called to order. The member for Lee is called to order. The deputy leader has the call.

#### MURRAY-DARLING BASIN PLAN

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:14):** My question is to the Minister for Environment and Water. Did anyone advise the minister that he should update his submission to the Productivity Commission so that it was operating with full knowledge of the SA government's position? With your leave and that of the house, I will explain.

Leave granted.

**Dr CLOSE:** The final report of the Productivity Commission's five-year assessment of the Murray-Darling Basin Plan states, inaccurately as it now turns out:

The Government of South Australia argued the legal requirement of voluntary participation in efficiency measures should be retained, as it does not inhibit projects being delivered on time and in budget to deliver the 450 GL.

**The Hon. R. Sanderson:** But you delivered none.

**The SPEAKER:** Minister for Child Protection!

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Member for West Torrens!

**The Hon. A. Piccolo:** The Productivity Commission got it wrong now, did they?

**The SPEAKER:** The member for Light is warned. The Minister for Environment and Water has the call.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:15):** These matters were all public. There was nothing hidden here. Our submission to the Productivity Commission was made public. Our submission to the royal commission was made public. Of course, we never heard anything, not a word—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —at any stage along the way—not a word. They didn't provide any information on their time in government. They didn't—

**Mr Malinauskas:** You changed the submission.

**The SPEAKER:** Leader!

**The Hon. S.S. Marshall:** We made it public.

**The SPEAKER:** Premier!

**The Hon. D.J. SPEIRS:** The submissions were public.

**The Hon. A. KOUTSANTONIS:** Point of order, sir: this is debate. The minister is talking about the opposition—

**The SPEAKER:** What is the point of order?

**The Hon. A. KOUTSANTONIS:** Debate, sir.

**The SPEAKER:** The point of order is for debate. I will allow the minister some preamble, but then I do expect him to return to the substance of the question. In the minister's defence, there is a cacophony of noise, as there has been for the last couple of answers—

*Members interjecting:*

**The SPEAKER:** —I haven't finished—on both sides. I ask for that to please cease. The minister has the call. I will be listening very carefully. Minister.

**The Hon. D.J. SPEIRS:** All this material was already in the public domain and when the negotiations between myself, Victoria, New South Wales, the federal government, the ACT and Queensland were delivered and we reached consensus, the pathway to water, on 14 December 2018, this was put out publicly as well. In fact, I stood at a press conference in Melbourne alongside ministers of multiple political persuasions and we announced that this decision had been reached, that this position had been reached. Did we hear anything from Labor that day? Nothing. There was nothing because—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —their eye was completely off the ball and no more so than the deputy leader's, whose full outrage arrived at the time of the royal commission's—

**The SPEAKER:** Minister, there is a point of order.

**The Hon. A. KOUTSANTONIS:** Point of order: again, sir, debating the question.

**The SPEAKER:** There is a point of order for debate. There was a fair bit in the question. The interjections have continued, despite me asking for them to stop, and I will have to deal with them very, very shortly. Minister, please return to the substance. You have finished? The minister has concluded his answer.

#### ELECTRICITY INTERCONNECTOR

**Ms LUETHEN (King) (14:17):** My question is to the Minister for Energy and Mining. Can the minister update the house on the progress of the interconnector?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:17):** Thank you very much—

*The Hon. A. Koutsantonis interjecting:*

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

**The Hon. D.C. VAN HOLST PELLEKAAN:** Thank you very much, Mr Speaker, and thank you to the member for King, who, like all MPs on this side of the chamber, is working very hard every day to deliver a lower cost lifestyle for people in South Australia: lower stamp duty, lower ESL bills, lower NRM bills, lower land tax and lower electricity costs as well.

Today is actually a fantastic day in regard to the delivery of the interconnector for South Australia and New South Wales. In fact, I was this morning with the Premier at the announcement at the office of—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** —ElectraNet.

**Ms Hildyard:** Not standing up for Service SA centres, not standing up for women.

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

**Ms Hildyard:** I haven't been warned a first time.

**The SPEAKER:** Now you are.

**The Hon. D.C. VAN HOLST PELLEKAAN:** It was a pleasure to be with the Premier at ElectraNet's office with their CEO, Steve Masters, and TransGrid's CEO, Paul Italiano, for ElectraNet to announce their final RIT-T report into this project. This was fantastic because it's such a strong and positive report into this proposal, this proposal that the Premier's team before the election announced as one of our key platforms of our energy policy to drive down electricity prices and improve reliability for all South Australians.

It is also consistent with other reports that have come on exactly this same project over the last 12 months or so. They are all very supportive. It is interesting to note that the only people—and they are not a credible voice—opposing this report are actually the Labor state opposition. It's a terrific day to have another round, ringing endorsement of this program that makes it very clear that if approved—

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

**The SPEAKER:** The Minister for Transport is called to order.

**The Hon. D.C. VAN HOLST PELLEKAAN:** —by the Australian Energy Regulator, as we are very optimistic it will be, as a regulated asset, which means that ElectraNet and TransGrid and their financiers will be the ones who put the money up to build this project, it will actually deliver a

net benefit in reduction of electricity prices to the average South Australian household of \$66 per year—an outstanding achievement.

We got something wrong in our initial policy costings. We were very conservative and we actually said that it would be a \$30 per year saving. We were cautious, we were careful, we wanted to do the right thing in our announcements.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** The most recent report was described today by the CEO of TransGrid, about the work of ElectraNet, as the most fulsome, detailed, comprehensive and best RIT-T report ever undertaken in this nation. It's actually going to deliver more than twice the benefit to South Australian taxpayers. Let me just tell you, if a person or a team doesn't support the interconnector, they don't want South Australians to have cheaper electricity. If a person or a team doesn't support the interconnector, they don't want South Australians to have more reliable electricity. If a person—

**The Hon. A. KOUTSANTONIS:** Point of order: this is debate. This is obviously debate, sir.

**The SPEAKER:** The point of order is for debate. The question was about progress on the interconnector. I believe the minister is going to come back to that very quickly.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Yes, sir, absolutely.

**The SPEAKER:** Thank you.

**The Hon. D.C. VAN HOLST PELLEKAAN:** And progress and the various public comments that have been made about it.

**The SPEAKER:** Let's wrap it up, thank you.

**The Hon. D.C. VAN HOLST PELLEKAAN:** If a person or a team is not supporting the interconnector, they don't—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** —support renewable energy. Very clearly—read the report. Very clearly, this is good for South Australia.

*Mr Duluk interjecting:*

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

**The Hon. D.C. VAN HOLST PELLEKAAN:** It's good for security of electricity supply, it will reduce the cost of electricity for South Australians and it will allow the ongoing growth of renewable energy generation in South Australia.

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

**The SPEAKER:** The Deputy Premier is warned.

#### **WATER RECOVERY SOCIO-ECONOMIC CRITERIA**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:22):** My question is to the Minister for Environment and Water.

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

**The SPEAKER:** The Premier is warned.

**Dr CLOSE:** Did the minister—

*Members interjecting:*

**The SPEAKER:** Order! Can I have the question from the start? Order, members on my left and right!



**Mr Malinauskas:** She is reading from the report you haven't read.

**The SPEAKER:** Notes are allowed.

**Dr CLOSE:** Did the minister read the final day of hearings in the royal commission, prior to the finishing of hearings? With your leave and that of the house, I will explain.

Leave granted.

**Dr CLOSE:** On that final day of hearings, the senior counsel to the royal commissioner said:

...it seems as though Mr Littleproud, the current Commonwealth Minister For Agriculture and Water, and the New South Wales and Victorian Governments want an amendment made to the Basin Plan in relation to the definition of socio-economic impacts...

Then he says:

I'm going to come to those proposed changes because if they are made to the Basin Plan, then the little prospect of South Australia ever getting this 450 gigalitres becomes zero. Zero.

*Members interjecting:*

**An honourable member:** A point of order.

**The SPEAKER:** No, time has expired for a point of order. The member for Ramsay can leave for one hour. There were so many interjections then between the answer being given and the question being asked. That is completely unacceptable. The member for Ramsay can leave for an hour. She was not the only one. If this continues, more will be departing the chamber.

*The honourable member for Ramsay having withdrawn from the chamber:*

**The SPEAKER:** The Minister for Environment and Water has the call.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:23):** Thank you, Mr Speaker. I am aware of all the commentary provided by the royal commissioner and I simply disagree. I disagree because the royal commissioner is not someone who knows everything on this matter. There are many.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** This idea that a royal commissioner's view and opinion and findings and commentary—

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

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

**The Hon. D.J. SPEIRS:** —cannot be challenged is ridiculous. It is completely appropriate, completely the right thing to do—

*Members interjecting:*

**The SPEAKER:** Premier and Deputy Premier, please!

**The Hon. D.J. SPEIRS:** —to challenge opinions that we don't agree with.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. D.J. SPEIRS:** South Australia—

*Members interjecting:*

**The Hon. D.J. SPEIRS:** The opposition have no faith in our regional communities. They have no faith in the Riverland.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** Point of order, sir.

**The SPEAKER:** There's a point of order for debate?

**The Hon. A. KOUTSANTONIS:** Yes, sir.

**The SPEAKER:** Please be seated again. The minister is being provoked by interjections on both sides. It is a bit rich to get that point of order up, but I will be listening carefully to ensure that he sticks to the substance of the question. Minister.

**The Hon. D.J. SPEIRS:** The great demonstration of our ability to succeed across the basin when it comes to water efficiencies, on farm or off farm, is South Australia's Riverland. The food producers there have demonstrated that they can achieve what New South Wales and Victoria have been asked to and have agreed to achieve, so they can do that. We have a model in the Riverland. We believe in those food producers. They—

**The Hon. L.W.K. Bignell:** We set it up. We did that. That was our model.

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

**The Hon. D.J. SPEIRS:** We have that model, and New South Wales and Victoria can follow that model. They can embrace the culture that has been proven in the Riverland over many, many decades. I have no understanding why the opposition can't back the food producers in the Riverland.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** Cannot back them. They were unable to deliver any extra water for those food producers.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** They were unable to deliver any extra water for our natural environment—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —and their complete misunderstanding of the negotiations and the deal done on 14 December, which will deliver water. It will deliver water across the border. Time will prove this deal correct.

*Members interjecting:*

**The SPEAKER:** Before I go to the member for Flinders, the member for Badcoe can also leave for half an hour.

*The honourable member for Badcoe having withdrawn from the chamber:*

**The SPEAKER:** Thank you. The member for Flinders and then the deputy leader.

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

**Mr TRELOAR (Flinders) (14:26):** My question is to the Minister for Energy and Mining. Can the minister update the house on the Grid Scale Storage Fund?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:26):** Yes, I can. I would be very, very pleased to. I thank the member for Flinders for this important question. The member for Flinders very regularly makes representations to me and to my staff with regard to seeking improvements for the people in his electorate with regard to their electricity supply, so that is exactly what we were doing with the Grid Scale Storage Fund. Again, it is another commitment from the Marshall Liberal government made before the election, which we are delivering on—a hallmark of our government. All of our MPs are committed to delivering on our promises to South Australians.

The \$50 million Grid Scale Storage Fund very specifically is about storage, not necessarily batteries. It could be batteries, could be thermal, could be pumped hydro, could be hydrogen, could be biofuel. It could be a range of different ways of storing energy at a large scale so that the often overabundant renewable energy that we have in South Australia can be stored and then used for the benefit of consumers, to be dispatched for consumers on demand when they need it.

Connecting consumers and renewable energy generation was something that the previous government failed to do, didn't consider. We are bridging that gap for their benefit. I don't have too many details of the specific proposals we've received. They are all with the department at the moment for their assessment but, in a manner of transparency, I will certainly share as much as I possibly can.

The fund closed last Thursday. We received slightly in excess of 50 applications to this fund, keeping in mind that we are not necessarily intending to give \$50 million in one lump to just one proposal. We'll make the best decisions on behalf of South Australians that we possibly can. There were over 50 applications and they came from Australia, China, Taiwan, Italy, Germany, France, Canada, USA and the UK, so worldwide interest in our government's program to fix the electricity and energy woes left to us by our predecessors. They all want to get on board. They see the value of this \$50 million Grid Scale Storage Fund.

Of course, not all of them will get to participate. We will pick the very best of those applications that we possibly can. Getting this right is very important. You will remember that the previous government finally listened to the pleas of the Premier, the then leader of the opposition, who said, 'Look, nothing wrong with renewable energy. We're great at making electricity from sun and wind in South Australia, but you have to make storage part of the picture'. He said that for two to three years.

Finally, the then Labor government announced the big Tesla battery at Hornsdale and, at the time, we supported it. We said at the time that it was a good thing to do and it has been. We are true to our word and we are going to do more of that. As I said, it doesn't have to be a battery, but it does need to be genuinely large, grid-scale storage that will allow consumers to receive electricity as and when they need to consume it, not just when it is sunny and it is windy.

This will be very positive for South Australia. It fits with our policy for interconnection, it fits with our policy that we are rolling out of small batteries for households and it fits with our policy of demand management and demand response trials. This will be an outstanding development for the people of South Australia. As I said previously, the department is assessing the details of the information. I don't know any of the companies that have or haven't put proposals forward but, as soon as I am in a position to share more information with this house about this outstanding policy development and policy delivery so that we can offer South Australians cheaper, more reliable and cleaner energy, I will certainly do that.

#### MURRAY-DARLING BASIN PLAN

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:31):** My question is to the Minister for Environment and Water. Will the minister guarantee that the 62 gigalitres of environmental water due by June this year will flow to South Australia?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:31):** Of course, this is the 62 gigalitres of the 450 that we got one-quarter of 1 per cent of under them and we have 62 gigalitres coming under us—62 gigalitres. Did the deputy leader just say that we have 62 gigalitres coming?

**The Hon. A. KOUTSANTONIS:** Point of order: this is debate.

**The SPEAKER:** The point of order is for debate. The question was about—

*Mr Pederick interjecting:*

**The SPEAKER:** The member for Hammond can leave for half an hour. I am trying to explain and adjudicate on this point of order. Half an hour, please.

*The honourable member for Hammond having withdrawn from the chamber:*

**The SPEAKER:** The question was something about 62 gigalitres of water due by June. I will allow the minister some preamble, but again there were many interjections. I ask them to cease so I can hear the minister.

**Dr CLOSE:** Mr Speaker, would you like me to repeat the question?

**The SPEAKER:** No, it's okay, I have it. The minister has the call. Thank you, Minister for Environment and Water.

**The Hon. D.J. SPEIRS:** Thank you, Mr Speaker. As I was saying, or as the deputy leader was saying actually, there is a pathway to 62 gigalitres that is coming by the middle of 2019— one gigalitre under 16 years of Labor, lots of noise, lots of T-shirts and baseball caps, tweets, social media campaigns and one-quarter of 1 per cent of the 450 gigalitres that we were to get. Because the opposition are having difficulty—

*Mr Brown interjecting:*

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

**The Hon. D.J. SPEIRS:** —remembering what I said yesterday, that one gigalitre, where did that come from? New South Wales? No. Victoria? No. The ACT? No. It came from South Australia. We offered it up.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** So 450 gigalitres—

*The Hon. C.L. Wingard interjecting:*

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

**The Hon. D.J. SPEIRS:** —and they delivered one. We now have a pathway, as the deputy leader concedes, towards 62 gigalitres by midyear—

**The SPEAKER:** Yes, 62; that's right.

**The Hon. D.J. SPEIRS:** —and it is progressing well and we are doing everything we can to ensure that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —that water is delivered. South Australia is doing its bit. We are making a contribution.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** Victoria and New South Wales are undertaking projects, and even the ACT—

*Mr Malinauskas interjecting:*

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

**The Hon. D.J. SPEIRS:** —the smallest jurisdiction within the basin, is undertaking urban water projects towards that 62 gigalitres. It is progressing, it is going well and we are doing everything we can to make sure that we get that.

#### MURRAY-DARLING BASIN PLAN

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:33):** My question is to the Minister for Environment and Water. Did the minister obtain a personal guarantee from the New South Wales minister that New South Wales would deliver any environmental water to South Australia in 2019?

*Members interjecting:*

**The SPEAKER:** The Minister for Child Protection is called to order and the Minister for Primary Industries is warned for a second and final time. Minister for Environment and Water.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:34):** Thank you, Mr Speaker. My negotiations with all the states, including personal guarantees, are not something that I will go into in detail here, but I know that New South Wales, Victoria—

*Mr Hughes interjecting:*

**The SPEAKER:** The member for Giles is warned for the second time.

**The Hon. D.J. SPEIRS:** —the ACT and South Australia are all working towards contributions towards that 62 gicalitres, real water—one gicalitre: 62 gicalitres. We are on a pathway—

*Members interjecting:*

**The Hon. D.J. SPEIRS:** The nonsense, the noise, it's unbelievable. By midyear, we have a clear pathway towards that 62.

**The Hon. A. Koutsantonis:** When?

**The Hon. D.J. SPEIRS:** By midyear.

**The SPEAKER:** The member for West Torrens shouted 'when' three times during that answer, and he is warned for a second and final time. The member for Newland. I will come back to the deputy leader.

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

**The SPEAKER:** The Minister for Transport is warned. The member for Newland has been patiently waiting. I will come back to the deputy leader.

#### LOT FOURTEEN

**Dr HARVEY (Newland) (14:35):** My question is to the Premier. Can the Premier please update the house on the business delegation currently visiting Adelaide from Silicon Valley and how Lot Fourteen is playing a role in connecting investors with local start-ups?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:35):** I thank the member for Newland for his question regarding one of two delegations that we have visiting South Australia this week. Interestingly, both those delegations have a real interest in cybersecurity. It goes without saying that there are an increasing number of attacks on our government and on all governments and on corporations and on individuals—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** It goes without saying that there are an increasing number of attacks on our government, on other governments around the world, on corporates and on individuals. These attacks are increasing; the threat is growing day by day. In fact, even within the South Australian government we had a double-digit increase in the number of attacks on our own state government systems.

That's why we are doing everything we can to improve the cybersecurity that we have here in South Australia. The threat is real and the threat is growing, but we also need to look at the flipside of this issue because I think that there is a business opportunity, a commercial opportunity, which exists to take our cybersecurity capability in South Australia and sell it to the world.

We are very lucky in South Australia to have enormously growing defence contracts coming to South Australia. This means that many of the primes are based here in South Australia. What we see from those primes is that they have very good cybersecurity themselves but long supply chains. This creates an opportunity for South Australian cybersecurity companies in South Australia to look at that opportunity for working on the defence companies but also taking that information and applying it to other companies, other opportunities, in South Australia, in Australia, APAC and, indeed, globally.

Most recently, I travelled to the US for the G'Day USA conference and activities. There were many, many high-tech companies that we met with, both high-tech in the defence sector, the cyber sector and the space sector. This was a great opportunity. I travelled with the Minister for Industry and Skills, and I also travelled with the Chief Entrepreneur in South Australia, Mr Jim Whalley.

As part of that delegation, we met with many of these companies, and we invited them to come back to South Australia. It's great to have a reciprocal visit back to South Australia so quickly. These people represent some very large companies and investors in this sector. I am very pleased to say that, as part of our activities in South Australia, there will be a pitch fest from South Australian companies looking to attract international investment and to grow their companies in South Australia.

I think there is just absolutely enormous opportunity in future industries, and that's why we as a government rejected the previous government's plan for the old Royal Adelaide Hospital site to put 1,300 apartments on that site. We said that a better use of that site would be to really create a very, very valuable site that would drive investment and drive innovation, start-up and scale-up and, most importantly, jobs for our future generation.

We are only 10 months into our time in government, but I see a new feeling of confidence in South Australia. I think Lot Fourteen is a big part of it, and we need to make sure that we can do everything that we possibly can to create those jobs for the future, and that's exactly and precisely what we will do every day that we are in government.

*Mr Brown interjecting:*

**The SPEAKER:** The member for Playford will leave for half an hour under 137A. Thank you.

*The honourable member for Playford having withdrawn from the chamber:*

**The SPEAKER:** The deputy leader has the call.

#### SA WATER

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:39):** My question is to the Minister for Environment and Water. Can the minister advise what volume of water allocations is being sold by SA Water to meet its budget savings task?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:39):** I will take that question on notice and get back to the deputy leader.

*Members interjecting:*

**The SPEAKER:** Deputy Premier and leader, please! The deputy leader has the call.

#### SA WATER

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:39):** My question is to the Minister for Environment and Water. Is the minister aware that SA Water has appointed Elders Rural Services, Ruralco Water and Waterfind Australia to sell SA Water allocations?

**The Hon. V.A. Chapman:** Isn't that the same one you guys used for Murray Bridge?

**The SPEAKER:** Deputy Premier, please! The Minister for Environment and Water has the call.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:39):** I am absolutely aware that SA Water undertakes water trading activities. They did so under the previous government and they will do so under our government. That is a normal part of the activity of a water corporation acting within the water trading market. There is nothing untoward or unusual about that whatsoever. It is a business decision for SA Water and the SA Water board to make those decisions—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —and to provide the recommendations, that might be—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —something we have to look at.

#### **SA WATER**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:40):** My question is to the Minister for Environment and Water. Has the minister directed SA Water not to sell any of these allocations to upstream states?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:40):** No, I have not.

*Members interjecting:*

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

#### **AERIAL FIREFIGHTING**

**Mr CREGAN (Kavel) (14:40):** My question—

*The Hon. S.C. Mullighan interjecting:*

**The SPEAKER:** The member for Lee is warned for a second time.

**Mr CREGAN:** My question is to the Minister for Police, Emergency Services and Correctional Services. Can the minister update the house on how the government's investment in aerial firefighting capability has assisted the state over summer?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:41):** I thank the member for Kavel for his question. I know he has a very, very strong interest in our emergency services and the wonderful work that they do. I have raised in this place before that in last year's budget the Marshall Liberal government provided additional funding totalling more than \$9 million over the next four years to boost the CFS fleet from 17 to 26 aircraft. That funding was yet another part of this government's commitment to deliver better services for South Australia. That is what we are here to do on this side of the chamber.

This funding was provided in addition to the government's much-needed changes, which led to lowering the cost of living by reducing the ESL bills for families. Better services and lower costs is a commitment we made going to the last election and it's what we are delivering for South Australians.

*Members interjecting:*

**The Hon. C.L. WINGARD:** I hear noise from the other side, Mr Speaker—

**The SPEAKER:** Yes, me too.

**The Hon. C.L. WINGARD:** They don't like it—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** —when we deliver—

*Mr Hughes interjecting:*

**The SPEAKER:** Member for Giles, you can leave for half an hour.

*The honourable member for Giles having withdrawn from the chamber:*

**The Hon. C.L. WINGARD:** —better services and lower costs, but I can tell you that the people out there I speak to when I am out doorknocking and when I am out speaking to people in my community really appreciate it. I know members on my side say the same thing.

*Mr Malinauskas interjecting:*

**The SPEAKER:** The Leader of the Opposition will cease interjecting.

**The Hon. C.L. WINGARD:** Throughout another hot summer—

*Members interjecting:*

**The Hon. C.L. WINGARD:** And again they complain about the better services, but I can tell you that people out there appreciate what we are doing.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** Emergency services are vitally important here in South Australia. It has been another hot summer and we have more ahead. I would like to take this opportunity to thank all of our CFS workers, our emergency service workers who put themselves at the forefront doing this wonderful work.

What I can talk about, too—and I think some of these facts need to be recorded in this place—is that up to the end of January there have been over 100 dispatches of aircraft throughout the state, with over 1.1 million litres of firefighting material delivered. In November, 156,000 litres were delivered, and in December 2018 there were 681,000 litres. In January 2019, 330,000 litres were delivered, and in February 339,000 litres were delivered from 83 drops.

Over the break, I was lucky enough to get out into the regions and meet some of our wonderful CFS volunteers. I also got up to Brukung, where a lot of these planes are based, and looked at the operation up there. It was a great chance as well to see the fixed wing planes but also, it is the home base of the Helitack air crane. A lot of people get confused about this air crane. They often call it Elvis. Elvis was a precursor. The one we have here in South Australia is named Elsie. It is great having Elsie parked up in the Hills, and the member for Kavel would know that it gives great protection and great cover to South Australia at times of bushfire.

I was also over in Port Lincoln with the member for Flinders. We were having a look at the planes out there at Port Lincoln Airport and having a look at the great work that they do. I also know that Finniss had a number of drops in and around Mount Compass. On 13 February, they had 67 drops there as well.

I can run through some of these because it is quite fascinating: on 16 November, Yalanda had eight drops; on 18 November, American River had 10 drops; on 3 December, in the member for Hammond's electorate, in Milang they had 27 drops; on 6 December, Saddleworth had 11 drops; between 7 and 9 December, Kangaroo Island had 109 drops; and Cummins, again in the member for Flinders' electorate, on 28 December they had 14 drops. That was just at the end of 2018.

In 2019 it continued: in Coomunga in the Flinders electorate in early January, eight drops; Montacute in the member for Morialta's electorate, 14 drops; Naracoorte as well, in the member for MacKillop's electorate, 13 January, 22 drops; Bute, in the member for Narungga's electorate, 14 January, 10 drops; Coombe in the member for MacKillop's electorate, four drops; Nairne in the member for Kavel's electorate, nine drops; and Aldinga, seven drops. This is vitally important for South Australia, another great service from the Marshall Liberal government.

### **WATER ALLOCATIONS**

**The Hon. S.C. MULLIGHAN (Lee) (14:45):** My question is to the Minister for Environment and Water. Is the minister aware of the budget savings measure requiring SA Water to sell water allocations?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:45):** Yes; I am—

*Members interjecting:*

**The Hon. D.J. SPEIRS:** Well, it is a business decision for the board of SA Water and the management of SA Water to provide recommendations to me as to what they should look like. It is a budget—



*Members interjecting:*

**The SPEAKER:** Minister, please be seated for one moment. The member for West Torrens can leave for half an hour. Thank you.

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

**The Hon. D.J. SPEIRS:** It is certainly an element of the budget savings program, but it is for the management of SA Water and the SA Water board to provide advice as to how that should be fulfilled. That is the role of a corporate organisation like SA Water. They have a very professional board in place, a board I was very proud to renew and revitalise when I became minister, in collaboration with the Treasurer and the cabinet. I will rely on their advice as to what the manifestation of any of those savings outcomes can and should look like.

#### WATER ALLOCATIONS

**The Hon. S.C. MULLIGHAN (Lee) (14:46):** A supplementary: did the board recommend to the minister that this would be an appropriate savings measure?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:46):** I am not going to go into details of my conversations with the board—

*Members interjecting:*

**The SPEAKER:** I am not sure what is so funny.

**The Hon. D.J. SPEIRS:** I will leave it at that. It is not funny at all.

*Members interjecting:*

**The SPEAKER:** Order!

#### WATER ALLOCATIONS

**The Hon. S.C. MULLIGHAN (Lee) (14:47):** A further supplementary: could the minister advise the house at which board meeting the board resolved this would be an appropriate savings measure?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:47):** I did not say that the board resolved anything. I did not refer to a board meeting.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** I receive advice and meet regularly with the chair of the board and the chief executive, and I am more than happy to talk to them about any of the savings strategies they are undertaking.

#### OLLI BUS

**Mr PATTERSON (Morphett) (14:47):** My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister inform the house about the Olli bus operating on the Glenelg foreshore in my electorate of Morphett?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:47):** I certainly can, and I would like to thank the member for Morphett for his support. He is somebody who was keen to help get this trial off the ground. It is sad that he couldn't be there on the day we went down there, although he did miss some of the hottest weather we have had this summer so maybe that was a blessing in disguise.

More broadly, South Australia has an opportunity here, when it comes to future mobility, to actually be ahead of the curve and stay ahead of the curve. In the last parliament, this parliament passed a piece of bipartisan legislation in relation to making sure that, when innovative opportunities such as this come around, regulation doesn't get in the way. The future mobility lab funding and the trials of autonomous vehicles are the best examples of that.

Essentially, we take a risk-based approach from a committee that looks at every angle and then provides advice to me to say, 'Go ahead and break the law.' We do allow these companies to break existing law, but to do so in a controlled environment that allows us to test new ideas. That is something this government is not scared to explore, and certainly not scared to explore in the transport space.

However, by far the biggest issue we have with emerging technologies is around community acceptance, and that is why having a trial on the Glenelg foreshore is important. It helps, in a very highly visible environment, to show the broader community how this piece of technology can work. This is a shared-use path and requires cyclists and pedestrians and now this Olli bus to live in harmony and work alongside each other, realising that whether it is a road corridor or a shared-use path, wherever it is, people of different abilities and with different modes, all need to work together to use the public infrastructure in a harmonious way.

Building this community acceptance is made all the more easy when people can see these things. What is interesting with this trial is that it is demonstrating a first mile, last mile solution that we need to get more innovative about. It is the part of our public transport network that South Australia as a low-density city has historically struggled with. This is a potential way to be able to deal with that problem.

It is also inclusive. It is why on the day Rachael Leahcar, who lives around the place down in Glenelg, was keen to lend her support to this trial, understanding that this is something that in the future can help people living with a disability or people living with a sight impairment to actually access public transport more easily. She does like Olli, if only because Olli actually tells some very bad dad jokes. We were listening to them on the trip and they got worse and worse as the trip went along. Again, Rachael lending her support helps to show the community how this can be a legitimate form of public transport into the future.

So there are a number of these trials existing all over the place. We have now also put one up into regional South Australia, up in the Riverland, combining with trials at the Lyell McEwin Hospital down at Tonsley and some of the work that Cohda Wireless is doing around trials in the city, which is a very different type of connected and autonomous vehicle, showing South Australians that this can work. I look forward to updating the house further as we go along about how these are progressing and how the community is coming to understand and grapple with these things.

In relation to this project, I also want to thank the Holdfast Bay council. Mayor Amanda Wilson was a great supporter of this. Again, where we as a state government were comfortable with the risk that we were taking to drive innovation, we brought Holdfast Bay council along with us, and I am very glad that they partnered with us and the local member to bring what is a fantastic opportunity to fruition on one of our busiest foreshores.

## SA WATER

**The Hon. S.C. MULLIGHAN (Lee) (14:51):** My question is to the Minister for Environment and Water. When was the meeting between the minister and the chair and CE of SA Water when they recommended to him that water sales be recommended as a savings measure?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:52):** I don't know if the shadow minister understands—

*The Hon. C.L. Wingard interjecting:*

**The SPEAKER:** Order! Minister for Police, please!

**The Hon. D.J. SPEIRS:** —what I said before. I did not say that there was a specific meeting. There would be a number of meetings when budget savings measures would have been worked through and discussed, and the strategy and direction planned by the management and the SA Water board. Water trading, those commercial water activities, have been part of SA Water for many years. There is absolutely no change in terms of the approach that occurred under the previous Labor government. I would think that—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —that approach towards managing the SA budget would be something that would be in place for some time to come.

#### SA WATER

**The Hon. S.C. MULLIGHAN (Lee) (14:53):** Did the leadership of SA Water also suggest to the minister that increased augmentation revenue be sought to meet budget savings?

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

**The SPEAKER:** Order! Could the ministers not interact with the member for Lee? I am trying to listen to the Minister for Environment and Water and this is not assisting. The Minister for Environment and Water has the call.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:53):** I am happy to provide a briefing to the shadow treasurer on the way that the SA Water board, the SA Water management and the team at SA Water work with this government to implement budget measures, whether they be savings—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —or re-investments in that very substantial government enterprise.

#### HOUSING TRUST

**The Hon. G.G. BROCK (Frome) (14:54):** My question is to the minister representing the minister for community housing. Can the minister advise the house as to the number of people who are waiting for Housing Trust homes in Port Pirie and Clare and the time period they have been waiting? Can the minister also please explain why the 36 homes in Port Pirie are vacant, which have been identified in my freedom of information request last month?

**The SPEAKER:** Minister.

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:54):** Thank you, Mr Speaker—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —and I thank the member for Frome for his question. There is obviously quite a bit of specificity in that question, member for Frome, and I am more than happy to take that on notice and have discussions with the relevant minister about that.

#### INDUSTRY SKILLS COUNCILS

**Mr ELLIS (Narungga) (14:54):** My question is to the Minister for Industry and Skills. Can the minister please update the house on the new Industry Skills Councils?

**The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (14:54):** Yes, I can, and I thank the member for Narungga for his interest in the progress that the government is making in changing the skills process—

*The Hon. S.C. Mullighan interjecting:*

**The SPEAKER:** The member for Lee will cease interjecting. He is on two warnings.

**The Hon. D.G. PISONI:** —and skills training emphasis on skills here in South Australia. The Marshall government has revitalised the Training and Skills Commission and re-established Industry Skills Councils. Why do we have to re-establish them? Because that mob over there closed them down. As part of their cuts to vocational education, they closed them down. They closed the avenue for those who are making decisions about the provision of training here in South Australia—their connection with industry. They closed it down. They closed it down in some mean-spirited pursuit of the private sector when it came to being involved in vocational education here in South Australia.

We are rebuilding the South Australian training system, and we are aligning training investment with industry priorities—a novelty in South Australia, a novelty which will become a matter of fact in South Australia ensuring a skilled future workforce critical for South Australia's economic growth. Our reforms will provide more South Australians with opportunities for training and skills development leading to rewarding lifelong careers.

The South Australian Training and Skills Commission will provide independent industry-led advice on skills and workforce development across sectors directly to government. Industries will now have a direct voice, a direct line, to the \$203 million of extra money that is being spent on skills training here in South Australia under the Skilling South Australia program. The revitalised commission, chaired by Michael Boyce OAM, will comprise the chairs of the newly established eight Industry Skills Councils to advise the government on workforce development needs.

Remember, that advice is coming straight from industry: from industry leaders, from their managers, right down to the factory floor. Right down to the factory floor that advice will be coming from. New commission appointments commenced on 1 January this year. The eight Industry Skills Councils are:

- construction, mining and energy. Marie Paterson is the chair of that council;
- defence, aerospace, IT and cybersecurity, chaired by Andy Keogh;
- agribusiness, chaired by Amy Williams;
- transport and manufacturing, chaired by Steve Shearer;
- food, wine, tourism and hospitality, chaired by Sally Neville;
- health, disability, community services and aged care, chaired by Juanita Walker;
- creative industries, business and digital platforms, chaired by Dino Rossi—a brand-new area. There are enormous opportunities for young people in South Australia in those digital and creative industries, and the government is right behind those industries here in South Australia;
- education and service sector, chaired by Adrienne Nieuwenhuis; and
- regional representation, chaired by Steven Griffiths and Maree Wauchope.

There are four members representing regional South Australia in the new Industry and Skills Councils because the regions matter to the Marshall government here in South Australia. We want to deliver more opportunity for young people in our regions here in South Australia. Broad consultation has been undertaken through the eight industry round tables and industry leaders meetings were held to inform the re-establishment of the Industry Skills Councils and the revitalisation of the Training and Skills Commission.

A public expression of interest process calling for members of the new Industry Skills Councils commenced last year and closed on 5 February, and over 150 applications were received. The Training and Skills Commission, together with the industry leaders, are currently assessing the applications.

#### **WATER RECOVERY SOCIO-ECONOMIC CRITERIA**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:58):** My question is to the Minister for Environment and Water. What advice did the minister receive from the Coorong and/or Alexandrina councils regarding the socio-economic criteria before he decided to agree to them?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:58):** Could the deputy leader repeat that question, please?

**Dr CLOSE:** I certainly can. What advice did the minister receive from the Coorong and/or Alexandrina councils regarding the socio-economic criteria before he decided to agree to them?

**The Hon. D.J. SPEIRS:** I have regular conversations with the Alexandrina Council and the district council of Coorong about a range of matters.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** Those councils represent communities where the river's health is of critical importance to them. Of course, those communities are communities that will benefit hugely from the 450 gigalitres of water, and that is why they are so relieved that we now have a pathway to that 450 gigalitres, exemplified by the deputy leader's statement that we have 62 gigalitres coming and that they got one gigalitre under Labor. In fact—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —it has been great, in particular—

*Members interjecting:*

**The SPEAKER:** Could the Premier and the Leader of the Opposition please cease interjecting at each other.

**The Hon. D.J. SPEIRS:** It has been great on numerous occasions to work alongside the Minister for Regional Development to visit not only the Riverland region that he is so closely associated with but the Alexandrina and Coorong region as well. Those Riverland regions, the Coorong regions and the areas surrounded by the Lower Lakes, represented by the member for MacKillop, the member for Finniss, the member for Hammond and, of course, the member for Chaffey, are so enthusiastic that we have this pathway towards the 450. I know that the feedback the member for Finniss, the member for MacKillop—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —the member for Chaffey and the member for Hammond are receiving is that thank goodness a government has come to power that has left the politics at the door, stopped the gimmicks, stopped the grandstanding—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —and stopped the political games because that is what we have had. We have sat down and negotiated because when you sit down and negotiate you get outcomes, you get real water and those communities are celebrating. In fact, I had the opportunity to speak just a couple of weeks ago with both the senior management and the elected representatives of both Alexandrina Council and the Coorong District Council about the Coorong project, the \$70 million that we managed to secure from those state funds. We were able to specifically argue that the Coorong was a landscape that needed extra resilience and extra support.

**Mr Picton:** It needs some water.

**The Hon. D.J. SPEIRS:** It absolutely needs water. You know what? It's getting 450 gigalitres. These communities are crying out—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —for the Coorong project to be unfolded in the coming years. Why? Because not only will it deliver them water, not only will it deliver these great communities—

*Members interjecting:*

**The SPEAKER:** The Minister for Primary Industries and the leader will cease interjecting. They will be talking about this outside.

**The Hon. D.J. SPEIRS:** Not only will it deliver these communities water but it will give them opportunities around economic development, whether that is tourism or establishing and expanding their visitor economy. I went just a few days ago with minister Ridgway to look at a Coorong Murray trail that is being developed, all things that will thrive and survive as a result of water coming into that area.

My regular discussions since I became a minister and before with the Coorong council and the Alexandrina Council absolutely help inform the decisions that I make as minister. There was fear and sadness that the previous government was completely unable to deliver any additional water to their backyards.

#### WATER RECOVERY SOCIO-ECONOMIC CRITERIA

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:03):** Supplementary: can the minister provide any evidence that the Alexandrina Council or the Coorong council have congratulated him on the decision on the socio-economic criteria?

**The SPEAKER:** It comes in many forms. Minister.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:03):** I have an absolutely excellent relationship with those councils. I speak to them regularly. Of course, these councils were very aware that this deal had been struck because they were paying attention on 14 December. There was silence from this side. The games, the gimmicks, the grandstanding—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —only began with the release of the royal commissioner's report. The communities that are going to benefit, the communities whose day-in day-out lifeblood is the River Murray, the Lower Lakes and the Coorong, were paying attention on 14 December 2018. It is these communities that are delighted that there is a pathway towards real water—450 gigalitres of it. It is these communities that will be able to access additional funding for water-saving projects. It is these communities that will benefit from the constraints measures package that was released on 14 December 2018.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** And of course around the Lower Lakes and the Coorong it is these communities that will benefit—

**The SPEAKER:** The minister has the call.

**The Hon. D.J. SPEIRS:** —from the \$70 million of investment.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. D.J. SPEIRS:** They have many times, many times—

*Members interjecting:*

**The SPEAKER:** Minister, please be seated. Member for Reynell, you can leave for half an hour under 137A. This chitchat across the chamber has to stop.

*The honourable member for Reynell having withdrawn from the chamber:*

*Dr Close interjecting:*

**The SPEAKER:** No, deputy leader, the minister has the call.

**The Hon. D.J. SPEIRS:** Thank you, Mr Speaker. I was just winding up by saying that these communities have told me—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. D.J. SPEIRS:** —on a number of occasions, on numerous occasions, that they are excited by the opportunities delivered, in particular by the Coorong project, but relieved that this government took the politics out of the River Murray, took the politics out of the Murray-Darling Basin Plan, stopped playing the games and started to represent them, started to represent the forgotten regional communities—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —that were completely forgotten by the previous Labor government as they played games with the precious River Murray. We are now a government that governs for all of South Australia and that means ending the games.

**Ms COOK:** Point of order.

**The SPEAKER:** There's a point of order, minister. Please be seated.

**Ms COOK:** I believe it's debate.

**The SPEAKER:** The question was about evidence of congratulations, from memory.

**Ms COOK:** Yes. I believe it's debate.

**The SPEAKER:** Yes, I uphold the point of order. Member for MacKillop has the call.

#### SCHOOL INTERNET SERVICE

**Mr McBRIDE (MacKillop) (15:05):** My question is to the Minister for Education. Can the minister update the house about the government's delivery of its election commitment for an improved internet service for schools—

**Mr Malinauskas:** Rat boy.

**The SPEAKER:** The leader will not refer to—

**Mr McBRIDE:** —and what impact will this have for the South Australian community?

**The SPEAKER:** The member for MacKillop, please be seated. Enough is enough. Leader, I ask you to withdraw the comment 'rat boy'.

**Mr MALINAUSKAS:** I withdraw.

**An honourable member:** And apologise.

**The SPEAKER:** He has withdrawn. No, I will determine whether he needs to apologise. He has withdrawn.

**The Hon. L.W.K. Bignell:** You apologise for selling out the river.

**The SPEAKER:** Member for Mawson, you are not assisting. I am trying to give the member for MacKillop a question, members on my right. Thank you.

**Mr McBRIDE:** Thank you, Mr Speaker. My question is to the Minister for Education. Can the minister update the house about the government's delivery of its election commitment for improved internet services for schools and what impact will this have for South Australia's communities?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:06):** It's with absolute pleasure and pride, in fact, that I am able to answer this question, and I thank the member for the question. I know that he's very concerned about the opportunities for support for this in our schools.

**Dr Close:** You can thank me for the budget.

**The Hon. J.A.W. GARDNER:** The shadow minister for education calls out, 'Thank me for the budget.' It's an extraordinary thing. When we came to power, the previous government said that they would go out to tender and we had said that we would go out to tender. Was there a budget? No. There was an education budget and we had made a conscious decision—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —as the Marshall Liberal government, taken to cabinet and everything, that we were going to make available the funds to deliver on this deal. We went through a process.

*Members interjecting:*

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

**The Hon. J.A.W. GARDNER:** There were a number of businesses that put forward their propositions. The education department worked with those businesses, and the cabinet decided—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —to support the recommendations from the department. We are now in a position where we can deliver fibre-optic cable, fibre-optic internet connection to all government schools—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —with four exceptions in very remote and specific locations in South Australia. Those four schools will have their own bespoke approaches that will meet their needs. Schools elsewhere will have speeds—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. J.A.W. GARDNER:** —up to 1,000 times faster than was available after 16 years of Labor administration. I congratulate the Labor Party on their election commitment, which we also had, to support increased internet speeds. We would not have had the slowest internet speeds for our schools on the mainland had it not been for the failure of Labor during 16 years to deliver better speeds and better infrastructure for our schools. But the Marshall Liberal government, like in so many other areas, like in TAFE, like in a whole bunch of other areas, is able to pick up the ball, pick up the game where it was left by those opposite, with the failures of those opposite, and improve the situation.

The member for MacKillop will be particularly pleased to know that schools in Beachport, Bordertown, Coonalpyn, Frances, Glencoe, Kalangadoo, Kangaroo Inn, Keith, Kingston, Lucindale, Meningie, Millicent, Mount Burr, Mundulla, Nangwarry, Naracoorte, Newbery Park, Padthaway, Penola, Rendelsham, Robe, Tantanoola and Tintinara will all benefit from this fantastic increase of speeds up to 1,000 times faster than they were.

The opportunity for professional development, the opportunity for curriculum delivery in all these classrooms will be vastly enhanced as a result of this decision by the Marshall Liberal government, that the school infrastructure for internet left by those opposite after 16 years in government, when they had 16 years of opportunities to do this work, will now, by the middle of 2020, be in place in all those schools.

The rollout is starting to commence. Every term from hereon in, more and more schools are being added. Indeed, whether it's the new Adelaide Botanic High School or if it's Golden Grove High School in the member for King's electorate, or if it's the Parafield Gardens R-7 School or Richmond Primary School in the member for Badcoe's electorate, already schools from Yalata to Bordertown, across this state, are going to benefit from this improved connection.



They will benefit from all the curriculum advantages and the education advantages that it will deliver. Delivered by a Liberal government by the middle of our—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —third year in power. Sixteen years? No. Three years? We will get it done, and we are very proud. Those communities in MacKillop—beyond just the schools—will benefit as well, and the member for MacKillop should be proud to be part of a government that is delivering for his community.

*Motions*

#### **MURRAY-DARLING BASIN PLAN**

**The SPEAKER (15:10):** Before we move on to grievances, I inform the house that there was apparently a mistake in the number of ayes reported in a division yesterday. I have been informed that, in respect to a division on the adjourned debate on the Murray-Darling Basin Plan motion, the number of ayes were incorrectly recorded as 21. I advise the house that the correct number of ayes is actually 22; therefore, I order that the Votes and Proceedings be corrected.

**The Hon. S.C. Mullighan:** Did you mistakenly include a pair?

**The SPEAKER:** I did not make the mistake, clearly.

*Grievance Debate*

#### **DUNSTAN, HON. D.A.**

**Ms BEDFORD (Florey) (15:11):** I attended an event last week, with many others, which was organised by the Don Dunstan Foundation. I commend David Pearson and his staff and volunteers, and the Don Dunstan Foundation Board, led by our former premier and parliamentary colleague Lynn Arnold. A large group of people gathered—

*Members interjecting:*

**The SPEAKER:** Leader of the Opposition, please! I am trying to listen to the member for Florey.

**Ms BEDFORD:** —to commemorate the 20<sup>th</sup> anniversary of the death on 6 February of Don Dunstan, the 35<sup>th</sup> Premier of South Australia. There was, to paraphrase former South Australian attorney-general Peter Duncan, sadness among us at his passing, tinged with gladness, almost joy, to have known and worked with this extraordinary man and to contemplate the wonderful legacy he bequeathed to South Australia. I will quote directly from a recent article by Peter Duncan, who was a contemporary of Don's in the parliament:

There is also anger at the shabby way he was treated by the South Australian political [leadership] after his resignation.

Don was a renaissance man among us...His political skills were without peer. His debating skills were legendary. Who else could have [led] the Labor Party of the late '50s and early '60s to abandon the White Australia policy? Aside from his political skills he was an accomplished classical pianist, an actor of some note and a chef of great skill.

It is beyond debate that he changed South Australia fundamentally. Prior to the election of the Dunstan governments, South Australia was socially conservative and inward-looking. It suffered from an inferiority complex and was the butt of national jokes...

[In] the 1960s Labor was seen as the permanent opposition—confronted with a seemingly insurmountable gerrymander, a dominant daily newspaper...which was a force nine gale against reform and modernism, and a conservative business establishment not afraid to expend resources to protect its class interests.

To confront this political juggernaut, Don Dunstan forged a political coalition consisting of Labor's industrial working class base onto which was grafted, the (at the time) small educated elite...and the growing Greek and Italian communities. Don became fluent in the Italian language and studied Italian culture...

This voting [coalition] became a majority and the bedrock of Labor electoral success particularly following the reform of the voting system prior to the 1970 election...

Once the 'Dunstan decade' began following the 1970 election, a whirlwind of change hit South Australia.

I add here that, along with my family, I moved to South Australia in 1969 and vividly recall meeting Don and Molly Byrne at the then tiny but state-of-the-art shopping centre, Tea Tree Plaza. I recall they were a much shorter couple than Gough and Margaret. Returning to the words of Peter Duncan:

Almost no facet of life was unaffected and [for a while] the majority seemed to relish the new broom. Despite the unpopularity of the Whitlam government nationally the [South Australian] Labor Government was re-elected in 1973 and...survived in 1975.

South Australia was at the centre of national attention, and South Australians exuded an air of confidence not previously seen. The best and the brightest from interstate and overseas flooded into Adelaide, which was the place to be.

Education was revolutionised—particularly following the election of the Whitlam government when money poured in...

In the health sector, services were improved out of sight and access was assured. New public hospitals were established at Modbury and Noarlunga.

When passionate about an issue, Don was a fearsome advocate. At the same time, he was a great democrat and the Labor caucus and cabinet during the 1970s were widely consultative and inclusive...

Don preferred to carry the team and only rarely were there bare-knuckle debates over weighty issues. Debates over nuclear power and uranium mining were examples. Another was Don's enthusiasm for industrial democracy which was opposed by the emerging economic rationalists in the cabinet.

Don also had a vision for a second South Australian city hub based on Port Pirie, Port Augusta and Whyalla and told me later in life that one of his greatest regrets was that he didn't get the Redcliff petrochemical project proposed by Dow chemicals across the line. Apparently, Dow wanted \$20 million more from the government for infrastructure spending and at the time that was an outrageous demand. He later regretted not agreeing and the moment of opportunity quickly passed.

Of course, the achievements of the Dunstan government for which it is in the main remembered are the social reforms that led the country and were subsequently adopted in other states...sensible liquor and gambling laws but no poker machines; laws that allowed adults to see, hear and read what they wanted without interference from the state...[and] removing the state from the bedrooms of consenting adults.

In consumer affairs, protections were introduced to level the playing field between large corporations and individual consumers. Sadly these were in many cases watered down or not enforced by subsequent governments.

I add here that Don would be heartbroken by the current state of affairs in consumer affairs. There were many other firsts and legislative achievements.

To Don's partner, Steven, and family on behalf of his many friends and fans, I extend our continuing condolences. To conclude, I mention that on Don's return from Victoria as a tourism director, I was lucky enough to work with him and to get to know him. Coming home from the parliament, I used to drop in to Don's Table for some basil ice cream and words of wisdom, and I once had the honour to speak with Don on the same platform on social reform issues. Don led the way on the important issues of Aboriginal rights and women's rights. Vale, Don Dunstan. You will always be remembered. Don, throughout his political life, was a wonderful servant to South Australia and its people.

**Honourable members:** Hear, hear!

### **AUSTRALIA DAY HONOURS**

**Mr CREGAN (Kavel) (15:16):** It was a very real pleasure to join other community representatives on Australia Day to recognise the service and dedication of those in our community who have materially improved the lives of others. National and civic honours help define, encourage and reinforce our aspirations and ideals. Making awards of this type in a public way also provides an important opportunity for all in our community to extend our thanks and gratitude.

Australia Day ceremonies were held throughout Kavel, and I was able to attend a number of them. I was delighted to learn that Mr Brian Hagger of Stirling, in the member for Heysen's electorate, was made a Member of the Order of Australia in the Australia Day Honours. Mr Hagger was recognised for his significant service to education. Nine other residents from throughout Kavel and the Hills received a Medal of the Order of Australia, including:

- Mrs Ann Buch of Hahndorf, for service to medicine as a neurological physiotherapist and for her long involvement with many health organisations in South Australia;
- Mr John Burston of Woodside, for his service to Australian politics;
- Mr Allan Campbell of Hahndorf, for his service to conservation and the environment, including his long involvement with the Hans Heysen Foundation as curator for 27 years and Trees Please Inc;
- Mr Stan Evans of Heathfield, for his longstanding and extraordinary involvement with so many community groups in the Hills and for his service in this place;
- Mrs Norma Keily of Strathalbyn, for her service to the community, including Scouts Australia, the Strathalbyn Garden Club, U3A Strathalbyn and the Holy Trinity Church in Mount Barker;
- Mr Robert Myers of Birdwood, for his service to conservation and the environment through his work with many preservation groups;
- Mr Leigh Radford of Crafers, for his service to broadcast media with the ABC in rural and regional areas;
- Mr George van Holst Pellekaan, for his service to the community, including the Hans Heysen Foundation, the Nora Heysen Foundation and Country Arts SA; and,
- Mrs Joan Zanker, a stalwart of Mount Barker, for her service to the community over many years, including as a councillor and mayor of the Mount Barker District Council, and her service to the Red Cross and Meals on Wheels.

Within the Adelaide Hills Council, civic awards were presented to Neil Mullard, Shaun Clarke, Chris and Irene Barry, Ron Nelson, Peter Holderness, Helen Atkinson, Brianna Green, Sheryl Collins, Ian Carpenter, Anne Cooper, and the h.ART Advocates Group. I wish to specifically acknowledge members Rose Kemp, Bronwen Klose, Kim Jordan, Kirsty Emery and Anne Griffith for their work with this group to facilitate and promote arts activities in the central Adelaide Hills.

The Adelaide Hills Council recognised Mr Robert Brooksby as Citizen of the Year, Mr Rhys Jarret as Young Citizen of the Year and the Uraidla Sustainability Fair as Event of the Year. Mr Brooksby has been volunteering since age 11 and trained and worked as a school teacher. His commitment to St John's Ambulance over many years, to Lions, the RSL and to other community causes, is extraordinary. Mr Jarret, the recipient of the Young Citizen of the Year award, has worked in community media and, amongst many other significant achievements, assisted his friend Sarah Hammond in establishing Kids Arthritis.

Within the Mount Barker District Council, the council's Citizen of the Year award was given to Mr Errol Crouch. Mr Crouch was instrumental in establishing the Mount Barker Men's Shed. The award was bittersweet because Mr Crouch's friend, Mr Graham Simmons, passed away recently from illness. Mr Simmons worked closely with Mr Crouch to develop and sustain the Men's Shed. Listening to Mr Crouch speak about Mr Simmons' life was very moving.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr CREGAN:** Mr Amos Washington was recognised as Young Citizen of the Year.

*Members interjecting:*

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

**Mr CREGAN:** Mr Washington has made a very significant contribution as the 2018 Australian Youth Representative to the United Nations. The council also recognised the Hahndorf Christmas Village as the event of the year. I wish to thank Jordana Ashcroft O'Sullivan and Jon Oertel and the efforts of many other volunteers at the village. Ms Sharon Johninke was recognised with a mayor's award. Ms Johninke has worked tirelessly to curate community art exhibitions for the Hills Arts Collective. At the same time, she has suffered from a very significant illness.

I record in this place my gratitude and the gratitude of my community for the work undertaken by the men, women and community groups whom I have mentioned.

### PAIRING ARRANGEMENTS

**The Hon. A. KOUTSANTONIS (West Torrens) (15:20):** Not all of us will remain in this parliament for as long as we would like. Some of us stay and some of us go; some of us are remembered, others are not. However, you can guarantee that two members will be remembered in the life of this parliament once we are all gone, and they are the current Government Whip and the Manager of Government Business.

I have had a bit of experience in dealing with a government whip. I was the last manager of government business in the former government. I have to say, if I were planning a vote that required an absolute majority, I would have had discussions with the Government Whip well in advance to say, 'Ensure you do not issue any pairs that would in any way inhibit the government from achieving that absolute majority required.'

However, if I had not spoken to my whip and told the Government Whip to do that, and he had then issued a pair to an ill member of parliament, and I then turned to that Government Whip and said, 'No, we need 24 votes; do not revoke the pair,' I would expect the Government Whip to turn to me and say, 'I'm sorry, I have issued a pair. That's bad luck; you should have spoken to me.'

The fault would have been mine. The fault would have been entirely mine, and I can tell you that the current member for Playford and the former member for Newland would not have allowed me to get them to break a pair because all that matters in this business, all we have in this business, is our name and our word. That is all you have, that is all you come here with and that is all you leave with: your word. Your word is your bond.

There are celebrated cases around the world. The most recent celebrated case is Brexit, where Tory whips were instructed by the leadership of the government to abandon long-term pairs to ensure that the votes were maximised for Brexit. What could be more important? What did those Government Whips say? No.

The integrity of this parliament requires those informal arrangements that bind us together for the smooth operation of this parliament to be honoured. Why? Because the parliament is elected once every four years on a fixed date, and it is very important that those votes and the reflection of the will of the people at that time is maintained for those four years, so that we cannot lock people out and we cannot trick them into not voting; so that if you are sick, your community is still represented in this parliament; so that your voice is heard here, regardless of whether you are pregnant, or ill, or have a sick father, mother or child; and so that pairing arrangements mean something.

The government washed away that practice of over 100 years. I am advised it is the only government in Australia to have done so. The only other example is an opposition in Victoria, the Guy opposition, and what great company they now keep. I know that the members opposite have been approaching me and the Government Whip almost apologetically, not understanding the strategy. What was gained from that yesterday? The Premier spoke on a motion that he had magnified, and it gave him one of the worst days in government. What an act of genius, to throw out 100 years of tradition for that!

What is the other reason? To cover up for a minister who quite frankly should not even be a minister anymore. We are not talking about someone who is accused of wrongdoing: we are talking about someone who has had a finding, a conclusion, a recommendation—any words you want, it is in the body of that royal commission for life.

Alongside that blackened name will be the names of the member for Morialta and the member for Hammond. I feel a bit of sympathy for the member for Hammond because I suspect he was not informed. Either way, they have changed this parliament now for the next three years. Indeed, they may have changed it forever. I understand that in Victoria pairs are still not issued between the opposition and the government. Why would you, given they are only a convenience for when the government needs them, rather than an act of giving your word? This parliament has been changed forever through the actions of 24 people and they will regret it.

### STUART ELECTORATE

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:25):** It is my pleasure to rise today on behalf of the people of the north of South Australia. We will all remember that three weeks ago tomorrow, the City of Adelaide, our capital city, experienced the greatest temperature in 80 years. It was very hard and very difficult. Lots of people were in a very difficult situation. Fortunately, we had no forced load shedding in South Australia that day. That was a great outcome for everybody in South Australia.

The purpose of my taking this opportunity to say a few words today is actually to ask the parliament to spare a thought for the people in the north of the state, further north than Adelaide. The electorate of Stuart that I represent covers from Kapunda and Truro at the southern end, a little bit of the Barossa Valley, all the way north to the Northern Territory. It may surprise some members of this parliament, but temperatures of 47° and 48°, as we saw here in Adelaide three and four weeks ago, are not at all uncommon in the north of the state.

So I ask people here just to spare a thought from time to time. When they think it is hot in Adelaide, and they think they are struggling to get from their office to the bus or their car, to the shop, to home or to where they might be going, whether they work in a factory or whatever they happen to do, spare a thought for the people in the north of the state. We have people north of Adelaide who, in some situations know that 50° happens a few times a year. These are very high temperatures that are very difficult. The hottest temperature I have personally ever been in is 54° at Innamincka, but towns like Port Augusta, and Peterborough, Jamestown, Burra and Gladstone have very hot days very regularly.

I ask members of this house to give a thought to Aboriginal communities in the north of the state who unfortunately do not always have the same amenity with regard to homes and lifestyle that the rest of the state often takes for granted. Not everybody in the rest of the state enjoys it, but the majority of people do. Spare a thought for people in Aboriginal communities like Davenport outside Port Augusta, or Nepabunna between Copley and Arkaroola. Those people are living in very hot temperatures without all the benefits that people in Adelaide have.

Think of people working in factories, with a fan if they are fortunate, in temperatures like that. Think of people working in shearing sheds, if they are lucky with a fan and occasionally a big mobile evaporative water cooler on wheels that gets moved around. If they are lucky, they have one at each end of the stand.

Think of the people working on mine sites dealing with those sorts of temperatures. Of course, if you are underground that is not an issue for you, but think of the people who work on the ground. An enormous number of people who work in mines work above ground and a lot of them are out and about in the field, whether it is in a production-type context at Roxby Downs or whether it is in a field-type context in the Cooper Basin where people could be out and about all day long. You get to leave in the morning with your smoko and your lunch and your whoopee and you come back at 4, 5, 6, 7 o'clock that night.

I ask people in this chamber always to consider those in the north of the state when they are contemplating how hot it is in Adelaide because it is hotter in the north of the state. Even in the most southern parts of the electorate of Stuart, like Kapunda, it will typically be hotter than in Adelaide. That is my purpose in speaking today, and I appreciate the opportunity to have these few minutes.

People in the north of the state are just as important as those anywhere else in South Australia, and when it is difficult in Adelaide because of extreme high temperatures it is even more difficult for the people in the electorate of Stuart, whether they be on farms, whether they be in a major regional centre like Port Augusta or in small towns or mining communities or in shearing sheds, whether they be retired, young or old, people going to school, people coming home from work or people in their living rooms trying to get through a hot day. This is an issue I ask all members of parliament to consider: when they think of Adelaide, think of the north of the state.

### MURRAY-DARLING BASIN MINISTERIAL COUNCIL

**The Hon. L.W.K. BIGNELL (Mawson) (15:30):** The 47 members of this place represent about 24,000 or 25,000 voters in our electorates, and the people in our electorates expect us to come

in here and stand up for them. When you are lucky enough to be in government and you make it into the cabinet, the people of all those 47 electorates expect each and every one of those cabinet ministers to stand up not just for their electorate but for the entire state.

As someone who went to a lot of ministerial council meetings over five years, I have to say that the bullying that goes on from Victoria and New South Wales by those who do not believe anything exists outside those states, and the bullying that quite often goes on by federal ministers, is something that has to be seen. You have to be tough. You have to stand your ground and stick up for the constituents in your own electorate and the constituents in your state.

What have we seen? We have seen a minister, the Minister for Environment and Water, who has sold out our state and who has been called out by a royal commissioner for breaching the Ministerial Code of Conduct for the way he has gone about it. However, instead of being chastised by the Premier, the Premier comes out and says, 'It wasn't just his decision. We all sold out South Australia. We all sold out the River Murray.' This is one of the most disgraceful things I have ever seen in this place by a government minister, and for the Premier to come in and support him, to back up his minister, is a further disgrace.

If any of those backbenchers over there I have watched over the past two days think they are on a winner by sticking with their environment minister and their Premier, they know what is right. They are hearing what is happening, and I know there is disquiet amongst them. They should stand up because what people want and what people will vote for are individuals who come into this place who stand up for the citizens of South Australia.

We have an environment minister who thinks that he is a genius. He thinks that he is the only person who knows what is good for South Australia, that he is the only person who knows what is good for the River Murray. We did go in and stand up for the River Murray. We did go in and stand up for South Australia in the 16 years we were in power.

We have been giving concessions on the river for decades; we are the ones who have always been giving things up. When then premier Weatherill went to the federal government to negotiate a deal to get more money so that we could make our irrigators even more efficient and get those environmental flows, it was a deal about which the Liberal Party then said, 'You should just go for the Mazda,' when we were going for the Rolls-Royce. We stuck at it, we stuck at it and we stuck at it.

Now we have an environment minister who went to Canberra, got a few cuddles from people and was told, 'This will be good. This will be good for you, and this will be good for the people of South Australia.' Rubbish, what an absolute load of rubbish. He went to a ministerial council meeting, a place where I have explained that you have to be tough, where you have to stand up for South Australia, but he wanted the cuddles. He wanted to be seen as a hero at this ministerial council meeting, and he has been absolutely sold a pup.

When a royal commissioner comes out and calls him on that behaviour, what do they all do? They have a go at this royal commissioner and say that he is some sort of Labor Party stooge. This is an eminent lawyer who has represented Barnaby Joyce, who was then the deputy prime minister, in the High Court. We saw the Attorney-General prevent him from expanding his inquiry. We saw the Liberal Party block this inquiry at every possible chance—an inquiry, by the way, that should have been conducted by the federal government.

Of course, the Coalition, the federal government, because they are in bed with the cotton growers and the big irrigators of New South Wales and Queensland and Victoria, because they are in bed with all these big irrigators, will not go near it. No, they will not go near it because the Liberal Party and the National Party do not have the best interests of South Australia at heart.

This environment minister is too scared to turn up and face the music. On Saturday night, he was meant to turn up and deliver a speech in McLaren Vale. He welsed on that invitation. I tell you what: a lot of people at the Fleurieu Film Festival were extremely disappointed because they wanted to boo him. They wanted to heckle him because that is how people feel in the electorate of Mawson about what this guy has done to our river and to this state.

But did he turn up and face the music? No, he stayed home with his rabbit. We have an environment minister who has a rabbit called Princess Pancake. What bigger opponent do we have of our environment than the rabbit? This guy has a rabbit that he brought in from the Netherlands. This big-eared thing has its own Instagram account. What sort of environment minister has a rabbit as a pet and sells out our state and sells out the once mighty River Murray?

### KING ELECTORATE

**Ms LUETHEN (King) (15:35):** People in our electorates do expect us to come in here and stand up for them. That is why I rise today to discuss an important issue that has developed within my electorate of King and is affecting constituents in the north and the north-east. I am extremely lucky and proud to have a number of fantastic, high-quality schools within my electorate. However, following conversations with many local residents, a distinct issue has arisen surrounding the areas of my schools. There are more traffic congestion issues developing around school pick-up and drop-off times.

Around Pedare Christian College, Gleeson College and Golden Grove High School, which are three schools co-located and accessible across one large campus area, each school utilises many of the same learning facilities. These co-located schools partner together to use these facilities, and they do so in such a productive way that people come from all over the country to see how these facilities are shared. These three schools have a wide catchment of students from across the King electorate and beyond, with many students coming from outside the local area to attend.

The road infrastructure in the immediate vicinity in this area has suffered from the success of these schools. Traffic flow along the Surrey Farm Drive—a small, council-controlled road within Golden Grove—is a primary access point to kiss-and-drop zones. It has become extremely congested and a solution needs to be considered in this area.

Following calls received from many concerned King constituents, I visited Surrey Farm Drive on a recent Monday morning to understand the extent of these concerns. Naturally, as it got closer to the start of school time, around 8:15, the area became full of parents and cars dropping off their kids at school, and cars were queued up along Surrey Farm Drive for almost 100 metres. The issue became apparent at the intersection of The Golden Way and also at the other end of The Grove Way.

The line of cars waiting to turn left from Surrey Farm Drive onto The Golden Way, and the queue turning right from The Golden Way onto Surrey Farm Drive, was extremely long. The issues were much the same at the exit of The Grove Way, with cars held up in many directions. Residents who live nearby in Surrey Farm Drive have also raised their concerns about being able to leave their houses and safely navigate through this traffic.

I felt this concern firsthand as I myself found great difficulty in being able to turn right out of the nearby streets. As I am a local and have had a child going to the Golden Grove schools, this has certainly been an issue that has been around but has built up as the success of these schools has increased. Surrey Farm Drive is on the electoral boundary of both the King and the Wright electorates. I hope that, rather than discussing politics, my nearby neighbour, the member for Wright, will work with me, with the schools and with the council on a solution.

I have outlined some concerns raised by residents to the Minister for Transport and Infrastructure about this particular situation, and look forward to working towards finding a solution. I have also written to the City of Tea Tree Gully chief executive to better understand measures being taken locally which may address these congestion issues.

I am also planning to meet in February with each of these school heads and will bring this up as a key point of discussion. I want to thank all the community members who have provided me with valuable feedback in relation to their issues but also their ideas to address this issue, and I continue to encourage anyone affected by this traffic issue to contact me and share their views. The King community is full of so many people who care about their local area and who are always willing to speak up to provide excellent feedback.

**The DEPUTY SPEAKER:** Member for King, there is a point of order.

**Mr BROWN:** Mr Deputy Speaker, I draw your attention to the state of the house.

**The DEPUTY SPEAKER:** Member for King, I do apologise, but the point of order has been made. It has been brought to my attention that there is not a quorum present. Ring the bells.

*A quorum having been formed:*

**The DEPUTY SPEAKER:** Quorum present. The member for King.

**Ms LUETHEN:** Thank you. I will just finish off by saying that I will always come in here and stand up for the people in my electorate. That is why I am bringing this particular issue here and asking for some support from nearby members to work on listening to what people are telling us is a problem in our local adjoining area.

I have held many listening posts, and just yesterday I mentioned the excellent feedback we have received from people in the north and the north-east speaking up about issues. I encourage them to continue to do that at coffee catch-ups with me, on Facebook, by email and at the community forums I will be holding. I will certainly be advocating addressing this issue for them.

### *Bills*

## **SENTENCING (SUSPENDED AND COMMUNITY BASED CUSTODIAL SENTENCES) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:43):** Obtained leave and introduced a bill for an act to amend the Sentencing Act 2017 and to make related amendments to the Correctional Services Act 1982. Read a first time.

### *Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:43):** I move:

That this bill be now read a second time.

Concerns have been raised in the media and in parliament regarding the categories of offenders in relation to whom home detention is available as a sentencing option for the court under the Sentencing Act 2017 (the Sentencing Act).

Specifically, the concerns relate to the availability of home detention as a sentencing option for child sex offenders. In response to the concerns raised, I have undertaken a considered review of home detention and related provisions. The safety of South Australians, particularly children, and the welfare of victims are our highest priorities for sentencing reform. This parliament has already seen a one-page proposal from the opposition, which is a flimsy bandaid fix to a much larger problem with sentencing in South Australia.

In contrast, as Attorney-General I have worked expeditiously to overhaul the home detention laws and to clarify for the court exactly what restrictions are placed on a serious sexual offender to ensure there is absolutely no doubt about how the laws that are intended to protect the community from serious sexual offenders should be applied.

Before turning to the details of the bill, it needs to be said that the conduct of the opposition in the past few weeks has been disgraceful. The opposition leader and his colleagues have deliberately set about instilling fear into South Australians. Labor's scaremongering knows no bounds, and the politicising of these issues has been shameless. Rather than scoring cheap political points—

**Mr PICTON:** Point of order: the Attorney-General is not actually referring to the bill. She is talking about the opposition. The second reading speech is usually to talk about the bill and I believe that is what the standing orders require.

**The Hon. V.A. CHAPMAN:** I suggest that there is no standing order that supports that basis and I seek that that be dismissed.



**The DEPUTY SPEAKER:** My ruling is that the Attorney does have the opportunity to bring context to the bill, but I would ask the Attorney to come back to the bill when she has given that context.

**The Hon. V.A. CHAPMAN:** The government, on the other hand, has been focussed on addressing legislative deficiencies in a sensible and thoughtful way. This bill, the Sentencing (Suspended and Community Based Custodial Sentences) Amendment Bill 2019, addresses community concerns about the ability of a court to permit offenders convicted of sexual offences to serve their sentence of imprisonment on home detention.

It clarifies the restrictions on the ability of a sentencing court to permit a serious sexual offender to serve a sentence of imprisonment pursuant to a home detention order, so that there can be no doubt about how the laws that are intended to protect the community from serious sexual offenders should be applied.

Further, the bill amends the Sentencing Act and the Correctional Services Act 1982 to address technical differences and policy inconsistencies between the provisions dealing with the imposition and operation of suspended sentences, intensive correction orders and home detention under the Correctional Services Act. It also addresses other issues that have been identified with the operation of the HDO and ICO schemes.

Finally, the bill will also repeal unnecessary provisions introduced by the former Labor government into the Sentencing Act. These provisions relate to 'taking matters into account' and have created uncertainty without introducing any benefit. They do not relate to home detention.

The current position is that a home detention sentence can only be granted to a person who is being sentenced for a 'serious sexual offence' if the court is satisfied that special reasons exist, namely, that by reason of the person being of advanced age or due to infirmity they no longer present a risk to the community and the interests of the community as a whole are better served by a home detention sentence.

Home detention is available as a court-ordered sentence and as a condition of an intensive correction order or a suspended sentence in certain circumstances. In short, there are three ways you can serve your sentence at home. It is also able to be granted to a prisoner who is serving a sentence by the chief executive of the Department for Correctional Services. While the issue that has received recent attention relates to court-ordered sentences of home detention, I considered it was important and indeed imperative to consider these other types of orders as well.

It is evident from the holistic comparison of each of these schemes that the application of the different options under the Sentencing Act is now a technical and complicated process. There are some differences between the schemes that are hard to justify or just make no sense. In addition, various operational issues arising out of the introduction of home detention as a sentencing option have been raised with me. Some of these issues equally apply to the operation of intensive corrections orders. The bill I present today:

- tightens up the 'special reasons' test in section 71 of the Sentencing Act;
- addresses the differences in terminology between the different options to ensure consistency in terminology;
- addresses the differences in the 'precluding' offences for home detention, suspended sentences, and intensive corrections orders (unless there is a clear policy basis for the difference). This includes removing the discretion on a court to impose a suspended sentence for sexual offences but making provision for a 'young love' exception for certain offences only, colloquially known as the 'Romeo and Juliet defence';
- addresses an issue in respect of the ability of both HDOs and ICOs to be made cumulative upon a sentence being served in prison, and also in respect of the interaction of the HDO and ICO provisions with provisions relating to unexpired parole in the Correctional Services Act;

- addresses a loophole in the provisions for dealing with breaches of HDOs and ICOs, which presently permit an offender to breach their order with impunity in some circumstances; and finally
- repeals unnecessary and confusing provisions that had been introduced for the first time into the Sentencing Act relating to the method for taking matters into account upon sentencing.

I propose to deal with each of these points in detail, but let me say this: the Sentencing Act, which was under complete review under the previous government and which, as the then opposition, we were happy to work with the then government to review, is always likely, with such a comprehensive review, to sometimes unearth some technical difficulties that will arise.

But this review that we have undertaken has really exposed structural weaknesses and deficits which, quite frankly, simply cannot continue and which we need to ensure, notwithstanding all the noise from the opposition now, are addressed to ensure that where there are weaknesses we do not create another route for people to access and exploit those opportunities that otherwise would be denied. The review has been comprehensive.

I want to particularly thank members of the Attorney-General's Department, including the DPP for his valued advice through this because, obviously, senior people in our department need to prosecute these matters and ensure that our law is abided by and that we have the safest possible regime to protect our community, as has been specified in our laws but which could be negatively exploited as a result of these weaknesses. I now deal with each of these points.

The bill amends the provision which created controversy in the recent matter of Mr Deboo. Presently, an offender being sentenced for a 'serious sexual offence' is precluded from serving that sentence on home detention unless 'special reasons' exist. Pursuant to section 71(4) of the Sentencing Act:

In deciding whether special reasons exist...the court must have regard to both of the following matters and only those matters:

- (a) whether the defendant's advanced age or infirmity means that the defendant no longer presents an appreciable risk to the safety of the community...
- (b) whether the interest of the community as a whole would be better served by the defendant serving the sentence on home detention rather than in custody.

I have considered whether it would be appropriate to remove any scope for a court to impose home detention for serious sexual offences at all. On balance, I am of the view that there is some merit in retaining very limited discretion for the court to permit home detention in the very limited circumstances of an offender who is genuinely no longer at risk of reoffending due to age or permanent infirmity, and where the interests of the community would be better served by permitting imprisonment to be served pursuant to an HDO.

There is little to be gained by imposing a genuinely infirmed prisoner on the correctional system (and thus the public purse) to maintain, in circumstances where the court does not otherwise form the view that the offending is so serious that the interests of the community require imprisonment. However, this of course must be balanced against other factors, such as the need to maintain public confidence in the criminal justice system.

Accordingly, I am of the view that it is appropriate to amend the provision relating to special reasons to tighten up how it applies. It was clearly intended that for a court to be satisfied that special reasons existed, they would need to be satisfied about both (a) and (b); however, I understand it has been suggested that the court does not need to be satisfied of both limbs. To remove any doubt about what was intended, this bill explicitly requires the court to 'be satisfied about' both limbs, and it will also require any 'infirmity' relied on to be permanent.

The list of 'precluding offences' is similar but not quite the same between suspended sentences and home detention. This just exposes another weakness. At the moment, there are more sexual offences excluded under home detention orders than there are potentially excluded from suspended sentences, and HDOs also preclude terrorist acts while suspended sentences do not. I

am of the view that the offence lists should be amended to be consistent, except for a few exceptions where there is a clear policy basis for the difference.

Flowing from the above, it follows that it is presently legislatively possible to get a suspended sentence for a sexual offence, while being precluded from getting a HDO (that is, a home detention order) for those same sexual offences unless 'special reasons' exist. Again, I make the point that there is no basis upon which we can come into this house and plug up a deficiency in one area and not deal with the gaping hole in another.

I am of the view that it should not generally be possible to obtain a suspended sentence or an ICO for sexual offences, in line with the prohibition on such offenders receiving a home detention sentence. However, I am of the view that it would be appropriate, in closing this loophole for suspended sentences, to make provision for the court to continue to permit 'young love' offenders to serve their sentence as a suspended sentence or on home detention.

The court must already be satisfied that good reason exists to suspend a sentence of imprisonment. It would not be expected that a court would ever find good reason exists in circumstances of violence or coercion. It is thus proposed to define the limits of this exception by reference to the age difference of the offender (being a maximum of three years' age difference) and applicable only to offenders aged 18 or 19 years of age. This is in line with similar safeguards for the cohort under the Child Sex Offenders Registration Act 2006.

Further, section 96(7) of the Sentencing Act specifically provides for a home detention condition as part of a suspended sentence where the reason for suspending the sentence is due to the ill health, disability or frailty of the offender making serving time in prison unduly harsh. This provision existed prior to the introduction of home detention as a sentencing option in 2016. In my view, the ability of the court to impose home detention as part of a suspended sentence should now be removed. Again, we need to make these standards consistent across the board.

The provision setting out when an offender is permitted to leave their place of residence when subject to a home detention condition is essentially mirrored in intent in each of the provisions relating to HDOs, ICOs and home detention under the Correctional Services Act; however, there are some differences in terminology. These arose following close consideration of the HDO provisions during passage of the Sentencing Act, resulting in some changes to the terminology that were not mirrored in the ICO provisions or the home detention provisions in the Correctional Services Act.

Essentially, those members who were in the parliament at the time will recall that there was much public and parliamentary debate on under what circumstances someone who was going to be on a home detention order should be allowed to leave: for medical purposes, to undertake employment, study—sometimes under the supervision and permission of a correctional services officer—to attend a family funeral, or something of that nature.

There was a considerable amount of debate on this, so I am not in any way casting any blame as to when amendments were made and not replicated in some of the other acts. Sometimes that does happen. As I said earlier, that can occur when there is a comprehensive review of legislation and there are amendments along the way. This is an example of that, and it is proposed to amend these provisions to ensure consistency.

The stated purpose and eligibility of the intensive corrections order (ICO, a new form of sentencing option under the sentencing law) presupposes that an intervention program will be undertaken. However, the imposition of a condition to undertake an intervention program is discretionary, not mandatory. It is proposed to ensure that all offenders on an ICO will be required to undertake an intervention program to address this issue.

It is currently possible for a court to order both home detention and ICOs to be cumulative upon each other but, more usually, upon a term of imprisonment to be served in a prison. There are various operational issues why this is not desirable. A related issue arises in the context of the imposition of an ICO or an HDO for a defendant who has unexpired parole to be served at the date of fresh offending. The bill will address this issue as well.

The implications of breaching a suspended sentence are markedly different from the implications of breaching an HDO or an ICO. Upon breaching a suspended sentence, the offender

is required to serve the entire sentence. However, upon breaching an HDO or an ICO, the offender is only required to serve the balance of the sentence outstanding after taking into account the period spent in compliance with the order.

There is an explanation for this difference. It reflects the different nature of a suspended sentence with very little supervision or restriction on autonomy compared with a sentence that is not suspended and is instead being served in the community with strict supervision and potentially severe restrictions on personal liberty and autonomy. However, I am told that an issue has arisen with the way the court has interpreted the provisions.

In short, the way the provision is currently worded permits an offender to remain in the community on home detention while breach proceedings are being determined, which may take some time if there are adjournments and delays, continue to breach their home detention, yet have virtually the entire period be taken into account to be deducted from the balance of the sentence to be served. Some may say that they have an opportunity to rort the system by ensuring that there are extra delays in the hearing of the determination on the breach proceedings. This interpretation undermines the intended consequences of breaching an HDO.

The bill addresses this by amending the legislation to be clear that the balance of the sentence as at the date of the breach should be served in prison, not from the date of the determination of whether the breach has occurred. The court will retain discretion to vary the balance to take into account time served in custody or on home detention in appropriate circumstances. Importantly, in undertaking a wholesale review of the home detention provisions, it was noted that there are unnecessary and confusing provisions, which I intend to deal with.

Firstly, sections 31 to 35 of the Sentencing Act were introduced in the Sentencing Act by the former Labor government. They were said to establish a framework for the court to take further charged offences into account in sentencing for a principal offence by imposing a greater penalty for the principal offence. Under this scheme, the defendant cannot receive a conviction for the further offences and does not receive a penalty for them at all. There appears to be absolutely no justification for this outcome. The provisions do not introduce any substantial benefit into the process and instead create uncertainty and the possibility of protracted legal argument about their operation. Given this, I propose to repeal them entirely.

To conclude, I remind the parliament that paedophiles and serious sexual offenders do not belong on our streets. This has long been a bipartisan position. Despite the opposition's efforts in recent weeks to instil fear into the community, I ask that members opposite work with us on the very laws the former government introduced so that we as a parliament close the loopholes, fix Labor's home detention mess and make sure that we have a comprehensive, clear and consistent set of legislation. I commend the bill to members, and I seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

#### EXPLANATION OF CLAUSES

##### Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Sentencing Act 2017*

4—Repeal of Part 2 Division 2 Subdivision 3

Part 2 Division 2 Subdivision 3 is repealed.

5—Amendment of section 52—Interpretation and application

The cross reference to the Commonwealth law in the definition of *terrorist act* is amended.

6—Amendment of section 70—Home detention not available for certain offences

The cross reference to the Commonwealth law in the definition of *terrorist act* is amended.

7—Amendment of section 71—Home detention orders

Currently, a court cannot make a home detention order in respect of a person being sentenced as an adult for a serious sexual offence unless the court is satisfied that special reasons exist for the making of the order. In determining whether special reasons exist, the court can only take into account the 2 matters referred to in existing section 71(4). One amendment substitutes section 71(4) so that it refers to the court being satisfied of the matters set out in section 71(4) (rather than the current language of taking them into account).

Another amendment provides for an exception (from the prohibition on making a home detention order in respect of a person being sentenced as an adult for a serious sexual offence) if the offence is a prescribed serious sexual offence that occurred in prescribed circumstances (both of which are defined).

Definitions of foster parent, prescribed serious sexual offence, prescribed circumstances and a position of authority are inserted for the purposes of these amendments.

8—Amendment of section 73—Orders that court may make on breach of condition of home detention order etc

Section 73(4) is amended so that this subsection (which relates to when a court revokes a home detention order and orders that the balance of the sentence be served in custody) only relates to the circumstances where the residence of a person subject to the home detention order is no longer suitable and no other suitable residence is available for the person's detention.

New subsection (4a) is inserted. It relates to when a court revokes a home detention order for breach of a condition of the order and orders that the balance of the sentence be served in custody. It clarifies (in conjunction with inserted subsection (4b)) when the balance of the sentence commences and the periods that may be taken into account by the court in reducing that sentence.

Another amendment repeals section 73(4)(b) (which provided for a reduction of the sentence to be served in custody if special circumstances justified the reduction).

9—Amendment of section 80—Intensive correction not available for certain offences

These amendments provided that the power to impose intensive correction orders (under the Subdivision) are not exercisable in relation to an offence involving a terrorist act. The cross reference to the Commonwealth law in the definition of *terrorist act* is amended.

10—Amendment of section 81—Intensive correction orders

Currently, section 81(3)(a) provides that an intensive correction order must not be made if the sentence is to be served concurrently with a term of imprisonment then being served, or about to be served, by the defendant. One amendment adds to that paragraph the circumstance where the sentence is to be served cumulatively on

another term of imprisonment (other than a term of imprisonment to be served subject to an intensive correction order).

Another amendment inserts section 81(3)(ab), which adds to the list of circumstances in which an intensive correction order must not be made. Inserted paragraph (ab) is identical to section 71(2)(b) (which relates to circumstances in which a home detention order must not be made). The only difference is that the power of the court to make an intensive correction order for a person being sentenced as an adult for a serious sexual offence if satisfied that special reasons exist is not limited in the same way as that power in respect of home detention orders.

Definitions are inserted for the purposes of these amendments.

11—Amendment of section 82—Conditions of intensive correction order

One amendment provides that a home detention order will be subject to a condition requiring the person to undertake an intervention program. The other amendment is consequential.

12—Amendment of section 83—Orders that court may make on breach of condition of intensive correction order etc

The amendments inserting subsections (3) and (3a) are consistent with the amendments inserting section 73(4a) and (4b).

The amendments to section 83(4) are designed to make this provision consistent with section 72(1)(a) (the equivalent provision relating to home detention orders).

13—Amendment of section 95—Interpretation and application of Part

One amendment provides that the powers under the Part (to impose non custodial community based sentences) are not exercisable in relation to an offence involving a terrorist act. Another amendment relates to the interpretation of the reference to an offence of murder (and aligns the provision with section 70 (which relates to home detention orders)).

14—Amendment of section 96—Suspension of imprisonment on defendant entering into bond

Currently, a court cannot suspend a sentence of imprisonment in respect of a person being sentenced as an adult for (among other things) a designated offence and, during the 5 year period immediately preceding the date on which the relevant offence was committed, a court has suspended a sentence of imprisonment or period of detention imposed on the defendant for a designated offence. Currently, the list of designated offences includes certain offences that are (in Part 3 of the Act) included in lists of serious sexual offences.

The amendment that inserts paragraph (ba) into section 96(3) provides that a court cannot suspend a sentence of imprisonment in respect of an adult being sentenced for a serious sexual offence. Consequential amendments are made deleting paragraph (i) from the definition of *designated offence* (this paragraph lists the designated offences that are (in Part 3) listed as serious sexual offences).

Another amendment then inserts a definition of *serious sexual offence* (which is consistent with the definition in section 72 (the equivalent provision relating to home detention orders)).

Certain serious sexual offences (listed in subparagraph (ii) of the definition) are excluded from the definition of serious sexual offence if the offence occurred in prescribed circumstances (which is defined).

Section 96(7) is deleted.

15—Amendment of section 106—Provisions relating to supervision in the community

16—Repeal of section 109

17—Amendment of section 114—Orders that court may make on breach of bond

These amendments are consequential on the deletion of section 96(7).

Schedule 1—Related amendments and transitional provisions

Part 1—Related amendments to Correctional Services Act 1982

1—Amendment of section 37A—Release on home detention

The amendments to section 37A(3)(a) are designed to make this provision consistent with section 72(1)(a) (the equivalent provision relating to home detention orders).

2—Amendment of section 75—Automatic cancellation of parole on imprisonment for offence committed while on parole

Currently, section 75(1)(a) provides that where a person is sentenced to imprisonment for an offence committed while on parole, the person is liable to serve in prison the balance of the sentence. This does not apply if the sentence is suspended.

One amendment provides that the provision also does not apply if the person is ordered to serve the sentence (for the offence committed while on parole) subject to a home detention order or an intensive correction order.

Another amendment provides that, if a person is sentenced to imprisonment for an offence committed while on parole and the sentence is suspended or the person is ordered to serve the sentence subject to a home detention order or an intensive correction order, the person's parole is cancelled.

Part 2—Transitional provisions

3—Transitional provisions

The amendments apply to the sentencing of a defendant after the commencement of the measure, regardless of whether the offence for which the defendant is being sentenced was committed before or after that commencement.

The amendments also apply to proceedings for a breach of a condition of a home detention order or intensive correction order regardless of whether the breach to which the proceedings relate was committed before or after that commencement.

Debate adjourned on motion of Mr Brown.

## **RESIDENTIAL PARKS (MISCELLANEOUS) AMENDMENT BILL**

### *Final Stages*

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 4, page 3, after line 21 [clause 4(2)]—Insert:

- (6) A reference in this Act to the *market value* of a dwelling or other asset is a reference to the estimated amount for which the dwelling or asset should exchange, at the relevant time, between a willing buyer and a willing seller in an arm's length transaction, after

proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

No. 2. Clause 6, page 3, line 28 [clause 6(1)]—Delete 'Section 7—after subsection (1) insert:' and substitute:

Section 7(1)—delete subsection (1) and substitute:

- (1) The residents of a residential park may elect residents from at least 5 different occupied sites in the park to form a residents committee to represent the interests they have in common as residents of the park, on the basis that—
  - (a) only a resident may be a member of the committee; and
  - (b) except as provided in paragraph (c), each resident has a right to nominate for election to the residents committee and to participate in the election of members of the residents committee; and
  - (c) any resident who is employed or engaged by the park owner to assist in the management of the residential park may not be a member of the committee.
- (1aa) A park owner or park owner's agent who unreasonably interferes with a resident's rights under subsection (1) is guilty of an offence.

Maximum penalty: \$1,250.

No. 3. Clause 6, page 4, lines 3 and 4 [clause 6(1), inserted subsection (1b)]—Delete:

'formed but an insufficient number of residents nominated for appointment' and substitute:

elected but an insufficient number of residents nominated for election

No. 4. Clause 6, page 4, line 5 [clause 6(2)]—Delete 'Section 7—after subsection (2) insert:' and substitute:

Section 7(3) and (4)—delete subsections (3) and (4) and substitute:

No. 5. Clause 6, page 4, after line 22 [clause 6(3)]—After inserted subsection (7) insert:

- (7a) The regulations may make provision for or with respect to the election, term of office, functions and procedure of residents committees.

No. 6. Clause 8, page 4, after line 33—Before subclause (1) insert:

(a1) Section 10—after subsection (2) insert:

- (2a) The Commissioner must ensure that a model residential park agreement, that may be used by park owners as a guide or template when preparing their own agreements, is published on a website determined by the Commissioner.

No. 7. New clause, page 9, after line 34—Insert:

12A—Amendment of section 43—Statutory and other charges in respect of rented property

- (1) Section 43(2)(b)—delete paragraph (b)
- (2) Section 43—after subsection (3) insert:
  - (4) A resident is not required to pay the park owner any amount for, or in relation to, the supply of electricity to the rented property unless the park owner has provided the resident (at no cost) with an account specifying how much the resident is being charged for the supply of electricity (and how that amount was calculated) and, if the resident is being charged for any other related matters, itemising those matters and specifying the amount of the charge in relation to each item.

No. 8. Clause 15, page 10, line 37 [clause 15, inserted section 50A(1)]—After 'dwelling' insert:

(for a market value agreed between the personal representative or other person selling the dwelling and the park owner)

No. 9. Clause 15, page 11, after line 7 [clause 15, inserted section 50A]—After inserted subsection (2) insert:

- (3) For the avoidance of doubt, nothing in this section obliges the personal representative or other person who has inherited property of the deceased to sell the dwelling to the park owner.

No. 10. Clause 18, page 12, line 11 [clause 18, inserted section 70A(3)(a)]—After 'owner' insert:

(and the proposed new residential park site agreement must constitute a reasonable offer in the circumstances)

No. 11. Clause 23, page 13, after line 24—Before the present contents of clause 23 (now to be designated as subclause (2)) insert:

- (1) Section 134—after paragraph (d) insert:
  - (da) maintaining the register under section 135;

No. 12. New clause, page 13, after line 29—Insert:

23A—Insertion of section 135

After section 134 insert:

135—Commissioner to maintain register

- (1) The Commissioner must establish and maintain a register including the following information:
  - (a) the name and address of each residential park in the State;
  - (b) the name of, and contact details for, each park owner;
  - (c) any other particulars prescribed by the regulations.
- (2) A park owner must, by notice in writing, provide the Commissioner with such particulars relating to the residential park as are required to be entered in the register under this section and must, if there is a change in any of those particulars, advise the Commissioner, by notice in writing, of the change within 10 business days after the change occurs (or such longer period as the Commissioner may allow).
- (3) The Commissioner must ensure that the information included in the register is published on a website, so as to be accessible to members of the public without charge.

No. 13. Clause 24, page 13, lines 34 and 35 [clause 24, inserted section 138A]—Delete 'the plan'

No. 14. Clause 24, page 13, after line 35 [clause 24, inserted section 138A]—Before paragraph (a) insert:

- (a1) the plan complies with any requirements prescribed by the regulations; and
- (b1) if the park has a residents committee—the residents committee is consulted in relation to the plan; and

No. 15. Clause 24, page 13, line 36 [clause 24, inserted section 138A(a)]—Before 'is provided' insert 'the plan'

No. 16. Clause 24, page 14, line 1 [clause 24, inserted section 138A(b)]—Before 'is reviewed' insert 'the plan'

Consideration in committee.

**The Hon. V.A. CHAPMAN:** I move:

That the amendments of the Legislative Council be agreed to.

I indicate that the government accepts the schedule of amendments presented by the Legislative Council. I should explain that they have been presented as a comprehensive set of amendments and essentially reflect a number of contributions by different members of the Legislative Council. As I understand it, the Leader of the Legislative Council undertook to consolidate a number of the proposals by other members in one comprehensive set of amendments, and this reflects that that has occurred.

I indicate, firstly, my appreciation to the Legislative Council for their wise consideration of the bill. It was certainly comprehensive, and I think the outcome will be an important advance as a total bill for the residential parks community.

**Mr PICTON:** I will just briefly make a few remarks in support of the bill and in support of the amendments. Firstly, I would like to recognise on behalf of the opposition the South Australian Residential Parks Residents Association, which has worked very closely with the shadow attorney-general, the Hon. Kyam Maher in the other place in relation to the bill and particularly in relation to the development of a suite of amendments to improve the protections for residents as part of this legislation.



I should note that, although the opposition was ready to pass the bill last year, consideration of the legislation was not able to continue because of the confusing way the government amendments were drafted. Over the Christmas break, a consolidated set of amendments was drafted, based significantly on the previous Labor amendments that were developed with the help of the residents association.

Thank you to the residents association for their hard work and commitment in terms of representing the rights of the residents. I would also like to thank the Attorney's staff for the cooperative and collaborative way in which they have worked to finalise those amendments, which provide important additional protections for residents. With those few words, I endorse the amendments and the bill to the house.

Motion carried.

### *Motions*

#### **MURRAY-DARLING BASIN PLAN**

Adjourned debate on motion of the Premier:

That this house—

1. Notes the following reports:
  - (a) the Productivity Commission inquiry report dated 19 December 2018, 'Murray-Darling Basin Plan: five-year assessment'; and
  - (b) the Murray-Darling Basin Royal Commission Report.
2. Supports the Premier's request to the Prime Minister for a meeting of COAG Murray-Darling Basin first ministers to consider these reports and a response to their findings and recommendations.
3. Endorses the South Australian government's position that the commonwealth, Queensland, New South Wales, Victoria, the Australian Capital Territory and South Australia must continue to work together in a genuinely bipartisan way to implement the current Murray-Darling Basin Plan in full.

(Continued from 12 February 2019.)

**Mr MURRAY (Davenport) (16:11):** I rise to speak in support of the motion moved by the Premier. In so doing, I am particularly pleased that the member for Mawson is here with us after his admonishing those of us from the backbench who should be doing the right thing by our constituents and speaking up. I, of course, have already done that. Doubtless, he has some photos on his phone in proof of it.

Before I plough on any further, I just make the point that I must have missed him doing much the same when the emergency services levy was increased, or when the Repat was closed—doubtless you stood up for your community then, did you—or Noarlunga Hospital being cut. You must have crossed the floor for that, surely.

**The Hon. L.W.K. Bignell:** I always stand up for my community.

**Mr MURRAY:** Yes. Anyway, in that spirit and just by way of setting the tone, this is what we believe in insofar as this issue is concerned. We firmly believe that if the river is to survive then a necessary precondition is that the Murray-Darling Basin Plan must survive. This reality is what drives our policy. No more spin, no more games, just water delivered by a bipartisan commitment to the outcomes envisaged under the MDBP.

Minister Speirs has the complete support of this side of the house in his efforts in this regard. He is highly regarded by me and many others as hardworking, focused and a competent advocate for the environment and for his electorate. By way of contrast to the minister and this government's outcomes-focused policy, I would invite consideration of the mythical bunyip.

**Mr Pederick:** That's at Murray Bridge: it's not mythical.

**Mr MURRAY:** Thank you to the member for Hammond for providing me with a lead-in. I am not referring to the creature of the Dreaming of the Ngarrindjeri people of the Lower Murray area but I am indeed referring to the former Murray Bridge bunyip, which the Murray Bridge council website tells us was built by Dennis Newell and launched in 1972.

The website helps outline the way it worked. You put 20¢ in the slot and this static mechanical bunyip emerged from below the water and gave a very loud roar twice. The roar could be heard up to one kilometre away. The ugly looking monster frightened many small children. His name was Bert the Bunyip.

In my view, in contrast to minister Speirs, Bert the Bunyip typifies Labor's approach to the securing of water for South Australia and Labor's response to the royal commission report: lots of noise, scary faces, much splashing about, lots of myth, anchored to the spot and going nowhere, with little else being achieved. Put another 20¢ in the slot and there is more noise and more splashing, repeat.

The minister and, by extension, this government are, by contrast, about practical outcomes that will help secure the 450 gigalitres in the plan for use in South Australia. We are about the 280 projects in our Riverland outlined by minister Whetstone that are aimed at driving water-use efficiency gains as opposed to buybacks. We are about saving communities, not selling them. We are about engaging upstream states and communities to embrace what South Australia has already done, and that is to cooperatively drive water-use efficiencies—in particular on-farm efficiencies, which enhance not only the farms' productive capacity but which also, in aggregate, strengthen local communities by increasing the adaptability of their farmers and families.

We are about taking the 450 gigalitres from what the royal commission concedes is a mere unenforceable note to the Murray-Darling Plan and, instead, turning it into a practical reality. No games or spin on this side but, instead, negotiated real-world outcomes and solutions: this side, cooperative outcomes with upstream states and users, and just buniyps opposite.

It is a matter of record that the royal commissioner has adversely commented on the minister—no finding, mind you, but something rather akin, in my view at least, to a drive-by comment. The good news for the minister—

*An honourable member interjecting:*

**Mr MURRAY:** I hear a bunyip speaking up—put another 20¢ in. The good news for the minister is that he is not alone; he is in august company. You will not hear this from the buniyps, but the royal commissioner also took some very hefty swipes at the MDBA, and especially the CSIRO. Regarding the CSIRO, on page 54 of the report the royal commissioner said:

In 2011, management of the MDBA improperly pressured the CSIRO to alter parts of the CSIRO's Multiple Benefits report. This rendered parts of that report misleading, as they no longer reflected the views of, at the very least, Dr Matthew Colloff, who was one of the authors. The CSIRO should not have agreed to the changes that were made.

I quote, in particular:

This conduct too represents maladministration.

What about this, on page 215? I quote:

Notwithstanding its status as Australia's leading, independent, scientific research body, the CSIRO declined to attend and participate in debate and discussion concerning matters of scientific controversy with national significance. The commissioner regards the lack of responsiveness, apparent lack of interest and presumptuous tardiness of the CSIRO in this regard as reflecting no credit on a once well-regarded institution.

On page 59, referring to a 3 May 2018 media release from the MDBA, the royal commissioner said:

This public statement by the MDBA is both misleading and inaccurate. Such is the evidence for the commission, including independent reviews referred to in this media release, that there are grave concerns that the MDBA could even generally hold the view outlined in this media release. The decision of the MDBA to issue the 3 May 2018 media release demonstrated deplorable judgement.

So more than two very large swipes by the royal commissioner against the Murray-Darling Basin Authority and the CSIRO. Perhaps unsurprisingly both those organisations have very publicly, rigorously and unambiguously rejected the royal commission's findings. The CSIRO defended itself on 8 February this year with the statement:

This statement responds to allegations published in the final report of the South Australian royal commission into the Murray-Darling Basin which was publicly released on January 31, 2019. The CSIRO has led research into the Murray-Darling Basin for decades, and continues to provide independent and rigorous science to inform the management of the Murray-Darling Basin.

The royal commission has upheld the value of science in general, and acknowledged CSIRO's contribution to range of key scientific inputs into MDB decision-making over a considerable period. However, CSIRO refutes statements that it was pressured to change a report in an improper and misleading way by the Murray-Darling Basin Authority. CSIRO uses rigorous processes to ensure the quality of our science including the robust governance and independent review processes used for this work.

We strongly reject suggestions that CSIRO scientific integrity was compromised, its independence undermined, or that it acted in secrecy.

The CSIRO has no doubt at all that it disagrees with the commissioner's findings. The Murray-Darling Basin Authority similarly defended itself on 31 January, in part releasing a statement saying:

The MDBA provided a comprehensive submission to the royal commission which outlined how the basin plan was developed, the integrity of the organisation, and the challenges to full and proper implementation.

The MDBA is confident that the basin plan has been made lawfully and is based on best available science. There is extensive documentation in our published reports to support this. The MDBA rejects any assertion by the commission that it has acted improperly or unlawfully in any way. The basin plan was passed six years ago by the federal parliament with 'strong bipartisan support and with the support of all Basin governments'. The MBDA concludes by saying:

It is vital that this work continues and that the Basin Plan is implemented in full. This is a once in a generation reform that corrects 100 years of overuse, and will take a generation to achieve. It deserves the support of all Australians.

I am sensing a pattern here that even a North Terrace bunyip could follow. The practical additional issue is that the royal commissioner is a buyback kind of guy. He does not want efficiencies. He sees them as a waste of public funds. At page 61 of the report, he asserts:

Recovering water for the environment through 'buybacks' is considerably less expensive than through irrigation efficiency upgrades (efficiency measures). There would need to be compelling reasons to justify the additional public expense of efficiency measures. There are none.

There was of course a slight problem for the royal commission with the MDBA being of the stated view that buybacks in fact have a negative impact on the towns and the regions in the basin where they are propagated. The commissioner deals with this inconvenience, in my view, by way of a simple possession to the contrary, namely:

The impact of water recovery generally in Basin towns and regional centres has been overstated. The reports authored by the MDBA, or commissioned by it, that suggest otherwise are deeply flawed. For example, the notion of some proportional relationship between a reduction in water and a reduction in farm production is rejected. It is accepted—

there is no mention by whom—

that such a relationship could be debunked by an economics undergraduate. There are many other more pertinent, contributing factors to decreases in population or jobs or farm revenue—these include technological change and mechanization, amongst a number of other relevant factors.

So any drop in population, jobs or farm revenue can be attributed to a large number of things other than, of course, a loss of water from a buyback. There was the additional problem of Ernst and Young report, which was commissioned in 2018. This is given some treatment at page 410 of the report in question, and I quote:

...the [Department of Agriculture and Water Resources], on behalf of the MinCo [Murray-Darling Basin Ministerial Council], commissioned the accounting firm Ernst and Young to provide a report on the recovery of the 450 GL of water through efficiency measures and to advise on, amongst other things, the potential socio-economic impacts of such measures. The report that resulted from this engagement...published in January 2018, reaches—

And this is the royal commissioner—

the conclusion that off-farm and urban efficiency measure projects generally have positive socio-economic impacts, and on-farm efficiency measures generally create at least positive socio-economic impacts for the participating farmers or farming/irrigation businesses. This is because those participating farmers can use water savings to increase productivity...Importantly however, the authors of the Ernst and Young Report found—

And I emphasise—

no evidence of such negative socio-economic impacts occurring [from these efficiencies].

Minister Speirs is prosecuting arrangements with other states that are themselves based on and around the same socio-economic principles outlined above in the Ernst and Young report. It is extraordinary to me that, when espoused by Ernst and Young, these principles are acceptable. There is no criticism of them in the report. They are quoted as I have presented them to you. But when espoused by the minister, the very same principles somehow become a dereliction of duty or a breach of code of conduct.

To reiterate, on this side of the house we fervently believe that if the river is to survive, then the necessary precondition is that the Murray-Darling Basin Plan must survive. We believe, as does the MDBA and the CSIRO, that the best way to achieve this is to derive upstream efficiencies, in particular on-farm efficiencies based in part on the application of the methods already applied by South Australian irrigators.

We believe that this is preferable to the wholesale decimation of communities by the application of the commissioner's preferred methodology of applying water buybacks. We think it is telling that there was no record or acknowledgment by the royal commission report of the achievement of the minister in securing the removal of supply constraints or of his success in attracting \$70 million in funding for the Coorong area.

Page 661 of the report we think is telling in that the royal commissioner acknowledged the evidence and submissions that there are, for example, 96 per cent of properties in South Australia being metered—that is to say that South Australian properties are accountable versus anywhere from 25 per cent to 51 per cent in the northern basin—yet, despite acknowledging that, the royal commissioner could not arrive at the assessment that more metering upstream would lead to more compliance and therefore more water returned to the river. 'Put some meters in. We'll do some buybacks. Let's do some buybacks.' Unbelievable!

We think it telling that an inquiry set up to report on water theft mentions the word 'theft' 11 times and the word 'maladministration' eight times in a 700-page plus document. We support the Premier's call for a bipartisan implementation of the pertinent points arising from the royal commission.

I grew up in Mannum, a Murray River town. A dad of one of my friends used to talk about how they could walk across the river in the 1930s when there was a drought. The eulogy in Mannum two weeks ago for my father-in-law recounted how he and his brother had the 10pm to 6am shift patrolling the levee banks in Mannum during the enormous 1956 flood. Dams, locks and weirs now help regulate the storage and flow of the system. Today's river is a construct that is built upon the cooperation of South Australia and upstream states and users. Without that we return to the 1930s, the 1950s or earlier. Environmental flows are no different.

Shouting demands for upstream buybacks is not going to get the environmental flows we need. It is a proven failure. It was the method employed by the bunyips when they were in office, and it appears to be the method favoured by the royal commission report. Only cooperative, socially beneficial upstream water efficiencies will deliver the water that South Australia requires. The minister is implementing this approach. He has our full support. I commend the Premier's motion to the house.

**Mr BROWN:** Mr Acting Speaker, I draw your attention to the state of the house.

*A quorum having been formed.*

**Mr PATTERSON (Morphett) (16:28):** The River Murray is of vital importance to all South Australia's 1.6 million people, the bulk of whom are concentrated in the south-eastern corner of this state through which the River Murray flows and beyond which the land gives way to arid, desert-like, dry conditions.

South Australia is the driest state in Australia, and so the River Murray is the state's most important natural resource. The health and future sustainability of the Murray River are critical to South Australia. It is therefore a key focus of this government, and this is why I support this very important motion that the Premier has brought before parliament in the first week of sitting for 2019.

The Murray River is Australia's longest river, at 2,508 kilometres in length. It starts its long journey down the western faces of the Australian Alps, then makes its way across Australia's inland

plains forming the border between the states of New South Wales and Victoria. Along this boundary, other tributary rivers join the Murray, including the Murrumbidgee and Goulburn rivers. Wentworth, in New South Wales, is the confluence of the significant Darling River, which itself is over 1,470 kilometres long and starts in northern New South Wales and is fed by tropical rainfalls in southern Queensland and northern New South Wales to the west of the Great Dividing Range.

From Wentworth, in New South Wales, the river continues before reaching South Australia. At Morgan, the river turns south for its final 315 kilometres, reaching the ocean at Lake Alexandrina near Goolwa. The Murray Mouth is the point at which the Murray River empties into the sea and is only a narrow opening that sees water build up in the Lower Lakes, being Lake Alexandrina and Lake Albert, as well as in the Coorong.

Being a downstream state, South Australia is in the unique situation where it is at the bottom of the river system and it has a number of environments that no other basin states have to support. The Lower Lakes are large wetlands that are reliant on river flows and support many waterbirds and native plants, so our state is the custodian of the Murray Mouth.

The Murray-Darling River is one of the largest river systems in the world, but the Murray carries only a small fraction of the water of rivers of comparable size in other parts of the world and flows very slowly. The basin is flat, low lying and far inland and receives little direct rainfall, with only 6 per cent of Australia's total rainfall falling into the basin. In most years, only half this quantity reaches the sea, and in dry years it is much less, so water flow is always an issue, with estimated total annual flows from the basin ranging from 5,000 gigalitres in 1902 to 57,000 gigalitres in 1956.

The river has always been the lifeblood of many communities for generations going back thousands of years, supporting the cultural, social, environmental and spiritual needs of more than 40 Indigenous nations whose traditional lands fall within this basin. The Murray-Darling Basin covers over one million square kilometres, including large areas of New South Wales and Victoria, the whole of the ACT and parts of Queensland and South Australia. It drains about one-seventh of the Australian land mass and supports over 30,000 wetlands. The Coorong is considered to be the most important waterbird wetland in the Murray-Darling Basin.

Since European settlement, the river has seen pumping plants begin drawing water from the Murray in the 1850s. The introduction of pumping stations along the river promoted an expansion of farming and led ultimately to the development of irrigation areas. During the 1920s, locks were introduced along various locations, starting at Blanchetown and reaching Echunga. This had the effect of supporting many towns and communities along the river.

In more recent times, these communities have benefited from tourism that has brought people into these regions. The irrigation that has occurred means that the basin is one of the most significant agricultural areas in Australia, outputting approximately 45 per cent of the entire nation's agricultural output. It is truly the country's food bowl. At the same time, over this period the river has been governed by five different jurisdictions, who have all acted in their own self-interest. This has led to an overallocation of the water resources to agriculture.

The basin and its water resources also support the supply of drinking water for approximately two million people who reside within it, as well as for many people outside of the basin. The river supplies critical human needs for South Australia, including Adelaide and other cities and towns throughout the state, including Port Pirie in the Mid North, Whyalla on the Eyre Peninsula, as far as Ceduna in the west and Keith in the South-East. In particular, Adelaide's drinking water requirements from the Murray average around 100 gigalitres per annum, but they can be as high as 150 gigalitres in years of low inflows into the Mount Lofty Ranges.

Being surrounded by desert, it is entirely understandable that the security of this water supply is etched into the psyche of all South Australians. We can see that over time the river has come to have many competing facets: the natural environment, sustaining agriculture, underpinning flourishing communities and providing critical water needs. The river's health has rightfully been a high priority for South Australia's political leaders of all persuasions since before Federation and, being a downstream state, we always took an active interest in the activities occurring upstream.

Unfortunately, the same cannot be said of the upstream states' care for the river once the water has left their jurisdiction. This was brought into sharp focus during the Millennium Drought in the 2000s, which saw the river decline to a trickle in parts. As a state at the end of this river system, South Australia felt the greatest environmental impact of a river under duress. I can remember being on Hindmarsh Island and walking out on platelets of mud to what could only be described as nothing more than a creek.

In 2006, the lowest flows into the Murray system were recorded, causing significant risk to the drinking water supplies of towns and cities, alongside the acidification of the Lower Lakes in South Australia. Salinity in the Coorong's South Lagoon rose to five times that of seawater, damaging this important ecosystem, from which it is still recovering today.

This jolted national action and forced the commonwealth and the basin states to come to the table and resulted in an initiative to reset the balance between environmental and consumptive water use and to establish a long-term and sustainable water management system for the basin overall. This included commonwealth legislation by the Howard government, the Water Act 2007, and, following on from this, the Murray-Darling Basin Plan was adopted in November 2012 after the commonwealth reached an accord with each of the basin states.

The Murray-Darling Basin Plan is an historic bipartisan agreement about how to use the water that flows down the nation's longest river system to ensure its long-term health. This plan restricts the amount of water that can be taken from the basin each year to leave enough for the rivers, lakes and wetlands, plants and animals that depend on it. The biggest beneficiary of these increased flows is South Australia and, in particular, the Lower Lakes and the Coorong.

This was a \$13 billion plan that meant communities would have certainty, with 2,750 gigalitres to be returned by 30 June 2019 and an additional 450 gigalitres to be returned by 2024. The motion moved by the Premier highlights that this government is committed to implementing the full Murray-Darling Basin Plan and will demand every drop of the 3,200 gigalitres of environmental flow agreed to by the commonwealth and basin states.

By securing the environmental sustainability of the river, the implementation of the Murray-Darling Basin Plan provides many benefits, including the delivery of critical human water needs, the ongoing sustainability of water-dependent industries and the communities that depend on them. Basin governments are now in their sixth year of a 12-year implementation program for the basin plan. The Water Act 2007 requires that the Productivity Commission undertakes five-yearly assessments of basin plan implementation.

The Productivity Commission handed its final report to the federal Treasurer on 19 December 2018 and subsequently it was published in January 2019. The report provides 37 recommendations and 29 findings to ensure timely implementation of the basin plan. The report also acknowledges that significant progress has been made in implementing the basin plan, noting that at the moment about \$6.7 billion has been spent to recover around 2,000 gigalitres of water for the environment, which is about 20 per cent of the water available for consumptive users a decade ago. Water recovery is within 5 per cent of the July 2019 target, and we are beginning to see evidence of improved ecological outcomes from environmental watering.

While this shows good progress of the basin plan, South Australians were outraged when water that had been recovered for environmental flows was subject to theft, and this resulted in the establishment of the Murray-Darling Basin Royal Commission by the former government, supported by this side of the house while in opposition. When first announced, the commission was to focus on compliance, water theft and corruption. The subsequent terms were broad ranging and led to a fundamental review of the basin plan.

The South Australian government received the royal commissioner's report on 29 January 2019 and publicly released this report two days later. It is a 746-page report containing 44 recommendations and 111 key findings. The report largely focuses on events, actions and decisions that occurred during a period when the Liberal Party did not hold office here in South Australia.

The central themes of the report include the need for increased transparency, a new determination of the environmentally sustainable level of take, better recognition of Aboriginal people,

the need to factor climate change into the plan, recovering the remaining water through buybacks from the market rather than efficiencies, the role and performance of the Murray-Darling Basin Authority and establishing an independent audit function.

It is important to note, as the commissioner himself recognised, that very few of the recommendations made in the report can be actioned by the South Australian government in isolation of the other basin jurisdictions, hence the Premier's request to the Prime Minister for a meeting of the COAG Murray-Darling Basin first ministers to consider these reports, and endorses the government's position for all basin states and the commonwealth to work together in a bipartisan way.

Since this government was elected in March 2018, the environment minister has been working constructively with other parties to reach outcomes that improve the overall health of the river and deliver much needed water to South Australia, in particular, the promised 450 gigalitres. His first step was to restore shattered relationships across basin states.

Although 450 billion gigalitres of vital environmental water had been promised by Labor, not one drop of water had been delivered from interstate. Further, there was no road map, no practical agreement on implementation and all the while, despite the noise, the petty politics and slogans, no plan for the delivery of the 450 gigalitres. There was only a stalemate and, worse still, other jurisdictions were walking away from the table. If they walked, it would have killed the basin plan, which is the only instrument to deliver water to the Lower Lakes and the Coorong.

Throughout the public hearings, the commissioner and senior counsel Mr Beasley made very clear and rather pessimistic statements about the future and hope for this 450 gigalitres. On 4 September 2018, senior counsel Beasley said:

That's in some way consistent with the evidence called before this Commission, although the scientists that have given evidence here express the view that there's no hope of achieving enhanced environmental outcomes from the so-called 450 gigalitres of up water related to these efficiency measures.

Then, on 5 September, the commissioner himself stated:

...what does it matter if a Plan at, say, 2100 or indeed 3200 if you believe in fairies and you think the 450 is going to be got.

Rather than more of the same fake fights and political games to draw media attention, a more constructive approach was required, with the long-term health of the river placed ahead of politics. In December 2018, an agreement was struck between the basin states and the commonwealth that broke this deadlock and provided a pathway to deliver the 450 gigalitres. In a significant moment for our state, Victoria and New South Wales finally agreed to participate in the full range of water-saving projects, including off-farm and, importantly, on-farm efficiencies projects that could deliver the 450 gigalitres.

In addition, the commonwealth had agreed to invest in specific initiatives in each jurisdiction to help accelerate return of the final 450 gigalitres. Critically, this government also secured \$70 million in investment for the Coorong and acknowledgement by all basin ministers of the Coorong to the overall health of the basin. The Coorong is a fragile landscape and this is a huge win for South Australia.

Finally, a basin plan that had been stagnating without hope and had previously delivered one gigalitre of the 450 gigalitres—none of which was from upstream states—is now a basin plan that can move forward with optimism. A critical pathway negotiated by the minister that delivers 450 gigalitres back to the environment is surely in the best interests of South Australia.

Unfortunately, in his report, the royal commissioner gave a brief commentary of his views on the recent negotiation of additional socio-economic criteria for the assessment of efficiency measures projects, despite neither he nor his senior counsel attempting to contact the minister to seek further information or justification following the December ministerial council meeting.

Respectfully, I have to disagree with the criticism towards the minister, which I believe is unjustified. Rather, the minister has acted strongly for our state and for the basin as a whole. The efficiencies projects, which will deliver the 450 gigalitres, because efficiency gets real water into the system. South Australia was the first state to cap the volume of water on licence for irrigation back

in the 1960s, and has since become a world leader in delivering these efficiency programs, especially in the Riverland. It has provided significant benefits to producers and their local communities.

If New South Wales and Victoria can participate in these programs, it will change the existing culture and overcome this fear. The member for Hammond spoke of the open canals that are currently used in New South Wales, with examples of nine gigalitres being required to send down the canal for distances of over 100 kilometres to deliver two gigalitres of stock water—massive inefficiencies. Once the upstream states get started, our view is that the fear will subside and increasing numbers will want to participate to gain the benefits of these programs on offer.

Another example of overcoming this fear to deliver real water is the Murrumbidgee Gunbar pipeline, which will replace open canals with piped water and save 10 gigalitres per annum. An example of how fear can be overcome can be found in the comments of the users group chair, Don Low, who farms just north of Hay and who was initially against the scheme. He stated:

We were faced with the fact that everyone wanted to keep the open channel system. We've had it for 70 years and it's a good way of watering stock. We came to the conclusion that we have a very low allocation and we were using six times our allocation to fill our dams.

I look forward to many more programs like this being put in place to return real water to the Murray.

The recovery of the 450 gigalitres remains non-negotiable. With the program criteria agreed at the ministerial council in December, there is now a pathway to deliver this water, with the minister taking a leadership role. We also expect basin first ministers to take action, which is why the meeting requested by the Premier will be so important. What we need, as South Australians and Australians, is strong bipartisan support and leadership to deliver the agreed basin plan and achieve the environmental and social outcomes that are in the best interests of South Australia and the broader basin community.

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (16:45):** I rise today to speak in support of this motion put forward by the Premier that notes:

That this house—

1. Notes the following reports:
  - (a) the Productivity Commission Inquiry report dated 19 December 2018: 'Murray-Darling Basin Plan: five-year assessment'; and
  - (b) Murray-Darling Basin Royal Commission Report.
2. Supports the Premier's request to the Prime Minister for a meeting of COAG Murray-Darling Basin first ministers to consider these reports and a response to their findings and recommendations.
3. Endorses the South Australian government's position that the commonwealth, Queensland, New South Wales, Victoria, the Australian Capital Territory and South Australia must continue to work together in a genuinely bipartisan way to implement the current Murray-Darling Basin Plan in full.

This is very crucial to South Australia, as has been pointed out by many people here today. We need to bring together all those jurisdictions to make sure that we work with the commonwealth to get a collaborative approach, to share ideas and to get a solution that is truly bipartisan and put to one side the petty party politics that we have been hearing about in the media and from those on the other side.

We need a solution for the River Murray. It is in our DNA to protect the River Murray here in South Australia, being a downstream state, as you have heard from many of my colleagues prior to my contribution today. We must put our differences aside and we must put the environment and the people of South Australia first. This is what the people of South Australia elected us to do after 16 years of being consistently let down, day after day. We are not interested in playing games. We want to deliver strong action for the Murray-Darling Basin, for the Murray-Darling river, and for the South Australian people, so they can continue to treasure and make use of this wonderful resource.

The Marshall government will continue to work to put South Australia first, to put our world class environment first, to put the South Australian people first and to put our regions first. Whilst those opposite may not agree, as the Minister for Primary Industries says, regions matter. This is



one of the most important ways the Marshall government is committed to supporting our regions. When the Labor government were in power, they never cared about the regions. South Australian people and the many wonderful, genuine people who live and work in our regions were left to suffer for too long under the former government. The Marshall government is committed to supporting and growing our regions.

We have not been in government for a year, and I am proud to say that I have been fortunate to travel to almost every corner of the state and chat and listen to local residents to hear what issues are affecting them. I have been to Port Lincoln and towns on Lower Eyre Peninsula, including Cummins, Arno Bay and Tumby Bay, with the local member for Flinders. It was great to listen to what the people in this community had to say. I have visited Yorke Peninsula with the local member for Narungga, and again, he is in touch with the people in his community. It was a pleasure to join him and talk with and listen to the people of his local community. In both these places, I had the opportunity to sit down with farmers and listen firsthand to their concerns, something those opposite never did.

I have been to Mount Gambier and the Limestone Coast several times and, importantly, I have been to the Riverland, the heartland of the member for Chaffey, the champion of the regions and the Minister for Primary Industries and Regional Development. I have been to the heart of the Murray-Darling in South Australia. I have been to Loxton and Renmark and met with the people there who volunteer their time and efforts to their local sporting clubs and to their local emergency services charities, like the CFS and the SES. These wonderful volunteers are the heart and soul of our Riverland community.

I was also in Waikerie about a month ago with the member for Chaffey, where I met with farmers, fruit growers and CFS volunteers. While speaking with them on a range of issues, their reliance on the river and the ebbs and flows of the mighty Murray were obvious. With the member for Finniss, I have also made my way to where the Murray finally meets the sea. I have been to Victor Harbor to meet the volunteers of the Victor Harbor-Goolwa Sea Rescue Squadron and to Goolwa to meet the volunteers of the CFS brigade there.

Again, it is hard to have a chat with anyone out there without coming back to the state of the river and what plans are in place for its health. I am not speaking for their conversation skills, as I am sure anyone would agree that, when you catch up with people in the regions, they love to tell a yarn. They love to chew your ear and they love to have their say about what is important to them in their community. I know from these firsthand conversations that the river is very important to these people, their community and every aspect of their life.

The river is the lifeblood of these people. It is how they make their money; it is how they put dinner on the table for themselves and their families. Through exports, both domestic and international, it is how other people put dinner on the table for their families. The export of resources grown on the River Murray plays a major part in South Australia's economy. The River Murray in South Australia plays a massive part in contributing to our state's tourist economy. Taking a houseboat or camping along the river, going waterskiing and having a barbecue or a bonfire on the riverside is an iconic Australian holiday, and we need to make sure that this pastime is a possibility for Australian families for generations to come.

Over the past few days, through the media and from those opposite, we have heard what I said at the start we do not need to do with this discussion about the River Murray: we do not need people playing petty politics. It has come to light that, in 16 years in government, those opposite were there at the table when the Murray-Darling Basin Plan was put together. We worked with them in a bipartisan manner to make sure that we could get the best outcomes for South Australia.

We have seen, and the minister has become aware of this in his time as minister of this portfolio, that the numbers are quite confronting and quite daunting. The minister has become aware that in their time—the Murray-Darling Basin Plan was put in place as a 12-year plan, and we are just over halfway through—the amount of water that they have had come down that river is one gigalitre, and that was actually sourced from within South Australia. So we are over halfway and those on the other side of the house delivered one gigalitre. That is the number that they are working on. The minister on this side of the house is focused on getting the 450 gigalitres.

In some quarters, he has been chastised by those opposite for wanting to get a better return for the River Murray. It makes me scratch my head, and it makes it hard for me to fathom how those on the other side can do the maths and think that their one gigalitre is a better return for South Australia than the 450 gigalitres that the minister is talking about.

I know that they will point to the royal commission report. It was some 746 pages long, with 44 recommendations and 111 key findings, but they will point to a couple of paragraphs in there. That is what they will point to, yet they do not point to the cold, hard facts that I have just stated: that in their time in government, working on this plan, all they managed to get the upstream states to do was nothing. One gigalitre came down the river on top of what normally flows, and that came from the South Australian jurisdictions.

The minister on this side has been working very hard to make sure we have a better return for South Australia. He watched very closely, and he saw the way the previous government operated. It had pushed away the upstream states from the table and from this negotiation. To his credit, he brought those states back, got them to the table and started working closely with New South Wales, Victoria, Queensland, the ACT and the commonwealth to get us the outcomes we need to improve the River Murray for all South Australians.

The commission's personal criticism of the minister, while not criticising the ministers involved in the negotiations of the entire plan, is inconsistent and unfair. We have to remember that this plan was put together as a 12-year plan. It has been in place for more than half its life and the previous government failed to deliver. It really is a point that must be stressed and must not go unnoticed. The Premier made it very clear that there are significant questions as to whether the minister received procedural fairness and I support his claims that the minister has been very open, very public and very up-front about what he has done and how he has delivered this.

I will wrap up my remarks and say that on this side of the house we are very aware across the regions that a healthy River Murray is good for everyone. We know that the minister has worked tirelessly to make sure that he gets a better outcome for South Australia, better results for South Australia, more water flowing down the river so that we can have a productive, prosperous River Murray for all South Australians well into the future.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (16:55):** I would like to thank all members for their contribution to this debate. We first, of course, received the royal commission's report into the Murray-Darling Basin plan when this parliament was not sitting. We were on our summer break. As members would be aware, some weeks before that, we also received the Australian Productivity Commission's report into progress with regard to the Murray-Darling Basin Plan. We have made it very clear to the people of South Australia that these were important documents and they needed to be considered as a matter of priority for the government this year. We made that statement on multiple occasions.

This was the very first item of business when the parliament resumed to make sure that we could table these two important documents for our state to consider at its earliest convenience. We tabled those documents. We moved the motion seeking support from members in this house to essentially require the Prime Minister, Scott Morrison, to convene a meeting of all of the basin jurisdictions' first ministers and, of course, to try to work in a bipartisan way to get all of the states and the Australian Capital Territory back at the table to deliver for the River Murray.

This, if you like, is an issue which has been bubbling away for more than a century. There has been a lot of fighting along the River Murray. There have been a lot of people who have put their own interests first and that is, of course, a major problem for us here in South Australia because we are at the end of the river. Of course, being at the end of the river we are in an unenviable position where, if the other states do not do the right thing, we are in a world of pain. That is why we were supportive of the former government's negotiation to arrive at the Murray-Darling Basin Plan, which arrived in 2012.

The motion that we have moved this week was not a political motion. It was a motion which was designed to have, if you like, one voice from South Australia receiving these reports, calling for a meeting of first ministers of the basin states and the ACT and, of course, making sure that we could work in a bipartisan way to get people back at the table so that we can, importantly, deliver those

environmental flows that have not been occurring because the other states had essentially decided that they were not going to participate.

It is somewhat disappointing that those opposite have decided not to participate in this debate. I do not think it sends the right message from our state to the other basin states and the ACT regarding our resolve in this parliament. From our perspective, we remain resolved to always act in the best interests of the people of our state, to make sure that we can maximise the amount of water that goes back into the River Murray so that we can have those environmental flows that will of course not only preserve the River Murray flow but, importantly, look after the Lower Lakes and the fabulous Coorong. For those reasons it has been disappointing that we did not hear from those opposite. They have had two days to make a contribution, but they have not had any speakers. It is very difficult to understand what their motivation is for not participating in this non-political motion.

We have said very clearly and repeatedly that we will be considering the recommendations provided in the Murray-Darling Basin Royal Commission Report. We will be considering those and making a response in due course. We would like to hear from the other jurisdictions—the Queensland government, the New South Wales government, the ACT government and the Victorian government—for the very simple reason that many of the findings and recommendations do not actually relate to actions we can take by ourselves in South Australia; they actually require a considered response.

Some of the recommendations relate to individual jurisdictions, some require different jurisdictions to work together, some relate to the federal government, some relate to the commonwealth Auditor-General and some relate to the Murray-Darling Basin Authority itself. It is not as if South Australia can respond to the Murray-Darling Basin Plan royal commission by itself.

I think what we have all realised during this process is that, being at the end of the stream, we do have to work in a way that is going to ensure we put the interests of the people of South Australia first. With those words, I again reiterate my grateful thanks to all the people who have contributed. I commend the motion to the house.

Motion carried.

**The Hon. A. KOUTSANTONIS:** A point of clarification, sir: the Premier just told us in his remarks that he had tabled the report of the royal commission into the Murray-Darling Basin in the parliament. Could the Clerks please advise the house where that document was tabled?

**The Hon. S.S. MARSHALL:** Can I just say that I do not know whether I said 'tabled' the report, but I have the motion in front of me that says 'notes the following report,' and that was the subject of the motion.

**The ACTING SPEAKER (Dr Harvey):** For the clarification of the house—

*The Hon. A. Koutsantonis interjecting:*

**The ACTING SPEAKER (Dr Harvey):** Member for West Torrens, for clarification, the report has not been tabled in the house.

**The Hon. A. Koutsantonis:** Why did you just tell the house you tabled it? Why? Just tell the truth.

**The ACTING SPEAKER (Dr Harvey):** Member for West Torrens—

*Personal Explanation*

#### MURRAY-DARLING BASIN ROYAL COMMISSION

**The Hon. S.S. MARSHALL (Dunstan—Premier) (17:02):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. S.S. MARSHALL:** Yesterday, I was asked a supplementary question by the member for Croydon regarding the findings of the Murray-Darling Basin Royal Commission, specifically:

Given the Premier's previous answer, will the Premier rule out reversing the deal his minister agreed with the upstream states as called for by the royal commissioner Bret Walker [SC].

The member then sought leave to read an explanation, and again I quote:

The royal commissioner states on pages 414 and 415 of his report, and I quote:

'...no minister acting reasonably could consider these changes to the criteria to be anything but totally antipathetic to the interests of South Australia, and the South Australian environment. South Australia's agreement to these changes should be immediately reversed.'

The explanation provided, which was used to assert that a statement regarding minister Speirs' conduct was, in fact, a finding, was only half a sentence in the body of the report. This is not a formal recommendation or finding. The beginning of the sentence, which was partially quoted by the member in explanation, relates to the conduct of the Minister for Environment and Water and the Ministerial Code of Conduct. When responding to the member, I responded to the assertion made in the explanation, which relates to the Minister for Environment and Water's conduct and not the question which preceded the member's explanation.

*Members interjecting:*

**The DEPUTY SPEAKER:** The Leader of the Opposition does not have the call.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

#### *Bills*

### **LABOUR HIRE LICENSING REPEAL BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 28 November 2018.)

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (17:04):** I rise today to support the Labour Hire Licensing Repeal Bill 2018. The former Labor government introduced the Labour Hire Licensing Repeal Bill in August 2017, following an investigation airing on an ABC *Four Corners* program, and it was passed through the Legislative Council with amendments on 28 November 2017.

Since the act was formally commenced and became law on 12 December 2017, significant issues relating to the scope and application of the legislation have become apparent. Some of the most significant impacts of this bill are on horticultural businesses, particularly growers who employ fruit pickers. Many of our farming businesses rely on labour hire services as a vital tool to manage their workforce needs, particularly during peak times of harvest. This licensing regime added uncertainty, administration and costs for businesses in our agriculture, food and wine industries. The citrus and wine industry have expressed to me their concerns with the licensing scheme and their support for repealing the act.

A number of small business owners have expressed concerns to Consumer and Business Services relating to the pressure they have received from big businesses with whom they currently have business arrangements on the basis that they will not continue to be engaged unless they obtain a labour hire licence. In some cases, this is irrespective of whether or not the business arrangement is strictly captured by the licensing scheme but, instead, because some business operators are taking an overly cautious approach due to the ambiguity surrounding the scope of the scheme in order to safeguard themselves against potentially offending against the act.

Prior to the state election, we committed to repealing the Labour Hire Act, and we are fulfilling that commitment. The Attorney-General has contacted over 700 industry groups and relevant industries to inform them of the intention to repeal the Labour Hire Licensing Act 2017. As the Attorney-General has said, 'The labour hire laws were established on ideology and they will be repealed on common sense.' Feedback from the industry during the consultation process on the repeal of this act included concern from industry that the labour hire licensing scheme did not target

high-risk industries, but instead added red tape and burdened businesses already doing the right thing.

What has been clear in the overall process is that when rushing this bill through the house Labor did not listen to what industry was saying and the arguments made at the time for significant amendments to the legislation. The feedback I received from industry labelled this piece of legislation as 'a draconian act'. Industries such as wine and citrus rely heavily on employment contractors to pick and prune. They saw this legislation as completely unnecessary and a burden on them being held responsible for someone else's action outside their control.

The citrus industry was also concerned that these changes did not line up with the Fair Work award at the national level. Another example of this bill being rushed through was feedback from the citrus industry that suggested they were not consulted on the proposed changes and were concerned that their pickers, who can have low levels of English in both language and literacy, would not be able to understand the changes straight from a website, creating even greater uncertainty and greater issues.

When the government announced their intention to repeal this legislation, Business SA said that the laws targeted businesses that were doing the right thing, rather than seeking out the bad, and in fact does not focus on the industries that have raised concerns about current labour hire practice such as those in horticulture. We end up with a situation where the innocent are punished for the very few who are doing the wrong thing.

To be clear, anyone who exploits someone in the workplace should be investigated and prosecuted accordingly. However, this regulatory regime was going to capture much more than was expected. I am advised that Consumer and Business Services have received 119 applications for a labour hire licence since the act passed but have determined, due to the ambiguity of the legislation, not to grant any of the applications.

Should the act be repealed, the labour hire task force that has already been established will continue to operate utilising existing legislative provisions to effectively address and prosecute unscrupulous labour hire providers here in South Australia. The task force has already met on a number of occasions and has developed a task force compliance strategy to enable cross-agency collaboration and the identification of high-risk labour hire providers.

If the legislation is repealed, the commissioner will refund all application fees that have been received to date. However, this does not include any other expenses associated with the licence application. The CBS will be the agency responsible for communicating this to the relevant stakeholders and those who lodged application for the licence under that scheme.

A small number of application fees have already been refunded to applicants upon their request, and the South Australian Wine Industry Association, the membership of which represents approximately 96 per cent of the grapes crushed in South Australia and about 36 per cent of the land under viticulture, fully supports the Labour Hire Licensing Repeal Bill 2018.

The South Australian Wine Industry Association (SAWIA) was concerned about the lack of genuine consultation on Labor's bill when it was first proposed, and points out that, when the Labour Hire Licensing Bill 2017 was before parliament, the former government had to introduce more than 30 amendments to attempt to resolve a number of serious issues that were brought to their attention by industry, including SAWIA. The concerns raised by SAWIA about Labor's current bill include:

- ambiguous coverage;
- excessive and disproportionate penalties;
- excessive, unfair, impractical and anticompetitive requirements for registration; and
- excessive and impractical reporting and information requirements.

Since the commencement of the act, SAWIA advised that it has received a large number of emails and phone calls from wineries, grape growers, vineyard contractors and labour hire providers across South Australia expressing alarm over the impact the act will have on business and compliance cost, access to labour and the uncertainty and confusion regarding its coverage.

Labour hire is a legitimate form of employment and means to supplement labour requirements on a temporary basis. Labour hire is one of many sources relied on by the South Australian wine industry to meet temporary labour demands. There is a genuine fear in the wine industry that, due to the heavy compliance burden under the act, labour hire providers will exit the market thereby putting even greater pressure on regional employers, including wineries and wine grape growers in my electorate to try to source labour during peak operational periods.

There are approximately 70 wine producers and 20,300 hectares of wine grape plantings within the Chaffey electorate. We should not be placing greater burden on these producers, and that is why it is important the parliament supports the repeal bill.

I also received correspondence on the bill from a peak South Australian citrus body, CASAR. There are more than 400 citrus growers in South Australia with 6,300 hectares and 2.5 million trees under cultivation; so, a significant employer with about 5,000 full-time and seasonal workers annually. Initially, the former Labor government proposed to bring the labour hire bill during the citrus industry's busiest period, and, without any consultation with the industry, contractors were unaware of these changes. This just shows how ad hoc and rushed the original bill was. I commend the repeal bill to the house.

**Ms COOK (Hurtle Vale) (17:13):** I am really pleased to be able to rise and actually oppose this labour hire repeal bill. In office, Labor could see the writing on the wall regarding the labour hire practices and the effects they were having on our—

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

**Ms COOK:** Do you know what? We sat here—

**The DEPUTY SPEAKER:** Order!

**Ms COOK:** —and we listened to the rubbish coming out of the mouth—

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

**The DEPUTY SPEAKER:** Order! The Member for Hurtle Vale has the call. The member does not need to respond to interjections. She will also be heard in silence. The member for Hurtle Vale has the call.

**Ms COOK:** Thank you very much. I am rising to speak on this ideological thought bubble that is the Labour Hire Licensing Repeal Bill. For those who may not know, labour hire is the facility of both skilled and unskilled labour for varying lengths of times to prospective employers. It is most utilised in the community for the recruitment of staff for non-ongoing positions; short-term contracts; and casual, typically blue collar, workers.

What separates labour hire from traditional direct employment is the pay and charge rates, the pay rate being the rate paid to the employee on a per hour basis and the charge rate levied against the client to whom the labour hire organisation provided the suitable employee.

As I said, in office, we could see the writing on the wall. We understood the practices that were happening out in the market and the effect that they were having on our jobs, so we took strong action. We understood the dignity of the work that is being done by people in our community. We understood the dramatic shift in the South Australian workforce, as our economy continued to transition into new and exciting industries. We put safeguards in place to protect the most vulnerable from being taken advantage of. These are protections that the Premier would now like to strip away.

While labour hire serves a role in our community by helping to facilitate workers to appropriate roles and positions, the checks and balances currently in place via the Labour Hire Licensing Act 2017 are critical in protecting the wages and conditions of South Australians employed through labour hire. This is most important for unskilled workers or young South Australians entering the workforce for the very first time, often through labour hire. It is these people—South Australians who might not have the necessary experience or confidence to stand up for their rights at work—who must be protected from these unsavoury practices that were festering in the sector before the implementation of the Labour Hire Licensing Act.

Sadly, we already know this government is a bad one. We have seen many examples over the past 12 months of the Premier and his government putting their own interests and ideology before vulnerable people in our community. We have seen it with the budget last year that jacked up the rents on Housing Trust houses, committed to the closure of Service SA centres and committed to privatising our health and incarceration services and facilities.

*Members interjecting:*

**Ms COOK:** We saw this with the—

**Mr PEDERICK:** Point of order: the leader is interjecting from out of his seat.

**The DEPUTY SPEAKER:** As are a number of others from both sides of the chamber. I ask—

**Mr PEDERICK:** I want to pick him up. I'm not picking on mine.

**The DEPUTY SPEAKER:** Thank you, member for Hammond. Your point of order is noted. It is usual practice for the member contributing to the debate to be heard in silence, so that will continue. You have the call.

**Ms COOK:** I am happy to help with the member for Hammond's hemianopia if he cannot see to that side of the chamber. Privatisation of our health and incarceration services has been committed to. We have seen it with the \$46 million cuts committed to public transport across our state, which will make it harder for thousands of South Australians to get to school, work, the shops and also medical appointments. Indeed, the member for Hammond might struggle for his eye check. What we have before the house today is the true nub—

*An honourable member interjecting:*

**Ms COOK:** That is what the hemianopia is about. What we have before the house today is the true nub of what the Marshall government is really about, what a Liberal government is really about, and that is the weakening and destruction of the labour hire laws: a decision that will cost South Australian jobs, damage South Australian businesses and lead to poorer safety outcomes and conditions in our workplace. Never mind that repealing the Labour Hire Licensing Act will hurt job security and job safety for thousands of South Australians who only want to get to work and back home to their families knowing they will earn a decent wage and be protected and safe while doing so.

South Australia, under the former Weatherill Labor government, was one of only three states, together with Victoria and Queensland, that acted to pass legislation to regulate and license labour hire companies. Repealing this act does nothing but give a leg-up to Liberal Party donors and supporters by allowing labour hire firms to operate with impunity, with very little protections and securities in place for South Australians looking for work.

Of course, should this repeal succeed, we can expect a race to the bottom when it comes to wages and conditions, with the Liberal Party setting the standard. Labour hire companies can offer less and expect more because they know the demand for work is so great. This of course will spill over into non-labour hire related employment, as industries are disrupted by firms offering cutthroat contracts, wages and conditions. We will also likely see an increase in imported workers at the expense of South Australian jobs. We know Premier Marshall is committed to ripping up the working conditions of South Australians because he is joined—

**The Hon. S.K. KNOLL:** Point of order: I ask the member to refer to members by their title, please.

**Ms COOK:** Thank you.

**The DEPUTY SPEAKER:** Member for Hurtle Vale, I uphold the point of order. We are not being unnecessarily pedantic. It is customary for us to refer to each other by our official titles.

**Ms COOK:** We know that the Premier is committed to ripping up the working conditions of South Australians—thank you for allowing me to repeat that—because he is joined at the hip to big business interests and lobbyists. But we also know that the Premier takes his marching orders from

the big banks and his Canberra overlords. He has clearly been brushing up on his understanding of WorkChoices before pursuing the repeal—

*Mr Pederick interjecting:*

**The DEPUTY SPEAKER:** Order! The member for Hammond is called to order. Member for Hurtle Vale, continue. You have the call.

**Ms COOK:** I think I have to go back. I think I have lost my spot. We know that the Premier is committed to ripping up the working conditions of South Australians because he is joined at the hip to big business interests and lobbyists. We also know that the Premier takes his marching orders from the big banks and his Canberra overlords. He has clearly been brushing up on his understanding of WorkChoices before pursuing the repeal of the Labour Hire Licensing Act in South Australia—what a disgrace!

*Matter of Privilege*

### **MATTER OF PRIVILEGE**

**The Hon. A. KOUTSANTONIS (West Torrens) (17:21):** On 13 February, at the conclusion of the motion moved for the suspension of standing orders into the Murray-Darling Basin, the Premier informed the House of Assembly that he had tabled, as a matter of priority, the Murray-Darling Basin Royal Commission Report to the House of Assembly and had tabled the Productivity Commission report. I have checked and that has not occurred. I ask you to report to the Speaker my matter of privilege and for the Speaker to consider whether a prima facie case exists for a privileges committee on the basis of the Premier wilfully and deliberately misleading the House of Assembly.

**The DEPUTY SPEAKER:** I have taken your matter of privilege and will pass that on to the Speaker, member for West Torrens. If you could provide any other relevant information to the Chair, please. Minister for Transport.

*Bills*

### **LABOUR HIRE LICENSING REPEAL BILL**

*Second Reading*

Debate resumed.

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (17:22):** I rise to wholeheartedly support the bill, especially as a member who sat through the labour hire inquiry. To say that this was an inquiry by the Economic and Finance Committee with a predetermined outcome in mind is an absolute understatement. What we saw was the fact that there was an agenda in mind, a union-driven agenda, by the Labor members of that committee to manufacture an outcome that would recommend what they ultimately put to parliament.

What was interesting, especially in the member for Hurtle Vale's contribution, was a lot of rhetoric but very little fact. There were no examples that she was able to give of issues that this labour hire licensing scheme would actually resolve. The reason she could not find those examples was that neither did the committee that did the inquiry. As somebody who sat there and read and listened to all the evidence that was put to the committee, I can say that there was not any example that was provided where a labour hire licensing scheme would have actually solved any of the issues that exist—none.

Also what is interesting is that this issue has also been taken up at a federal level. The federal Senate committee also concurred that a labour hire licensing scheme would only do damage to the ability for businesses to create jobs and work for people. What I found very interesting in my time on that committee, through the inquiry and subsequent report, was we received evidence from a whole host of current government agencies that have the jurisdiction and the enforcement capability to be able to deal with the issues that arise in the labour hire industry—not just in the labour hire industry but also in some of these temporary employment firms more generally.

In every instance where illegal activity was being undertaken, axiomatically those things were already illegal. Whether that be phoenixing by companies, whether that be sham contracting, whether



that be underpayment by employees, every single one of those instances was an example of already illegal behaviour.

What we heard time and time again was that the issue was not identifying the problem. The issue is getting enforcement. We heard about ReturnToWorkSA, which does a phenomenal job at enforcing the existing law. Staff go into some of these suspect businesses and ask for records. Through their own data analytics, they are able to understand whether there is the potential, for instance, of underpayment of workers. Where they see there are dodgy businesses, they use their enforcement mechanisms, primarily, for instance, asking for premiums up-front, so that a dodgy business that is here today and may not be here tomorrow actually has to pay their WorkCover premiums up-front, as opposed to finding ways to get out of it over time.

They are also able to use their data to show where margins being earned by these businesses are over and above what they should be and provide evidence of that to other agencies. RevenueSA is another government agency that, for instance, collects payroll tax, and should and does have enforcement mechanisms to be able to deal with this. There is also the federal Australian Taxation Office, the Australian Securities and Investments Commission and the department of immigration, especially in relation to migrant workers who are not Australian citizens. A lot of them are potentially on migrant visas.

In the end, there were around eight different agencies, task forces or bodies that had jurisdictions to delve into illegal behaviour. Again, the only evidence we had was that somewhere north of 95 per cent of labour hire firms do the right thing. There are existing enforcement mechanisms to deal with illegal behaviour. We heard time and time again that there are calls, especially federally, for increased resources to seek out, stop and enforce the punitive measures that are already in place to deal with this illegal behaviour.

However, that is not what the committee recommended. The committee recommended more regulation. That was the predetermined outcome of the committee. That is what it delivered. That was what I and members on my side of the chamber as members of the Liberal Party, were happy to sign a minority report into. The labour hire licensing scheme that the Labor Party put to the parliament in no way dealt with the issues that exist in the community. It is not a problem that can be solved by regulation: it is a problem that needs to be solved by better enforcement.

What is perverse about this is the evidence we heard that introducing a labour hire licensing scheme in South Australia would actually hurt employment in South Australia. To impose state-based regulation that puts state-based labour hire firms at a disadvantage to interstate firms is likely to see those firms move to jurisdictions that do not have this burdensome regulation. The absolute kicker for me is that the evidence we heard said that the vast majority of firms are doing the right thing. Do you know who gets punished by this act? The people who are doing the right thing.

Those who are existing outside the law will continue to exist outside the law, and this labour hire licensing scheme does not change that. For those who do exist inside the law, all they have is more punishing regulation. There is not a piece of legislation that the former government did not think was a good idea. What this is really about is the fact that they do not like the labour hire industry in the first place. It is much harder for their union mates to get their claws into those workers, and that is really what the labour hire licensing scheme was about.

It was all about members of the Australian Manufacturing Workers Union and others of that type finding it difficult to find and expand a membership base. They wanted a labour hire licensing scheme that would make labour hire more difficult and encourage and push businesses to move to other forms of employment.

There are many seasonal businesses out there that are crying out for workers, especially in regional communities. It is interesting that when we went up to the member for Chaffey's electorate in the Riverland they talked about screaming out for workers. In fact, the competition for labour there is such that businesses want to hold on to good workers. There is a strong market incentive for firms to look after their workers. Again, that is not what this inquiry was about and that is not what this labour hire licensing scheme is about.

Through that report, the Labor Party were not able to find instances of where their predetermined scheme was going to help. Subsequently, since this has come into place, there is still no evidence that it has done anything to actually help this situation. I have had representations from many in my electorate. Again, for those who do not understand, in the Barossa Valley our biggest employment industry is the wine industry. Grapes grow on vines and grapes grow only once a year, so it is only once a year that you need to prune after the harvest has finished and you are in that winter period, but it is also only once a year that you need to pick the grapes.

**The Hon. T.J. Whetstone:** Don't forget bunch thinning.

**The Hon. S.K. KNOLL:** Well, there is bunch thinning and various other things, but my point still stands: you pick the grapes only once. There is a significant ramp up and ramp down of work within vineyards at various points during the year, and the best way to facilitate that is through labour hire so that people can come and work across regions. We heard evidence of the fact that there are people who try to chase the seasons to be able to get work and balance out that work in different places.

What is really frustrating here is that we had a government that was more than happy to champion the wine industry as one of our export leaders and as a manufactured food industry that was able to compete on the world stage. On the one hand, the member for Mawson, as the minister, was happy to put his arm around whatever winemaker was heading overseas to try to bask in some reflected glory (except, of course, when he wanted to try some Argentinian malbec on the taxpayers' dime) but, on the other hand, they wanted to punish that same industry. It was absolutely incongruous.

On the one hand, they want them to go out, sell more, be efficient and effective, produce a great product and sell South Australia to the world. They want our wine industries—from down south in the Coonawarra through to the Barossa, Adelaide Hills, Limestone Coast, Langhorne Creek, Riverland, Clare Valley and all the way up, even into the beautiful wine region over in Port Lincoln—to develop and grow our state and our state's reputation. On the other hand, they want to punish that industry by giving them burdensome regulation.

**The Hon. A. Koutsantonis:** Burdensome? Pay wages—that's burdensome, is it?

**The Hon. S.K. KNOLL:** The fundamental misunderstanding of the way business operates by those opposite never ceases to amaze me. What I do not understand is how filling out a form enforces the law. How does filling out more paperwork enforce the law? It does not. What you need are agencies with enforcement capability to seek out illegal behaviour. It is not like those who are undertaking illegal behaviour offer that illegal behaviour up. A form that says, 'Tick this box if you have ever underpaid your workers,' does not work that way. Enforcement was what was needed, but that was not what was put on the table. It was regulation that was put on the table.

It was an absolutely disgusting misuse of what the Economic and Finance Committee should be looking at. It was a process that was stitched up from the beginning. We tried to inject some honesty or some balance into the debate, but essentially it was a witch-hunt to try to find some sort of excuse for why we needed to have a piece of regulation on our statute book that would encourage their union mates and give their union mates a leg up.

I am sorry, but that is not what this side of the house is about. We are about deregulating business in our economy so that, instead of filling out forms, they are out there selling goods and services to South Australians, Australians and the world and creating new jobs. Rather than punishing those who do—

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Order! The member for West Torrens is called to order. The minister is entitled to be heard in silence. Minister, continue.

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Member for West Torrens!

**The Hon. S.K. KNOLL:** The member for Hurtle Vale stood up and said that this is a matter of ideology, and for the Labor Party it certainly is a matter of ideology, a matter of patronage and a

matter of understanding whose thumb is sitting on which forehead. However, on this side of the house we are about what is practical and what is good to grow jobs in a practical, outcome-based sense. It is why we oppose this bill, it is why we oppose this act, it is why we will work to repeal this bill and it is why we are here to actually drive jobs growth, especially—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Minister, can you take a seat for a moment, please. The chamber has been a bit ratty this afternoon. That is the only word I can use to describe it. Standing orders have it that when a member is making a contribution he or she is entitled to be heard in silence; otherwise, you will be called out of order or warned. Minister.

**The Hon. S.K. KNOLL:** We will continue to stick up for deregulation of our economy. We will continue to stick up for the small businesses that are actually out there employing South Australians and will help to drive jobs growth. We will also stick up especially for those businesses in manufacturing industries and in agriculture industries in regional South Australia that are desperately crying out for an easier way to do business so that they can get on and do what they do best—that is, providing the majority of merchandise exports out of our state.

Oftentimes, the member for Dunstan, our Premier, remarks that we need to be looking after the biggest export industries in our state and helping them to grow and thrive, as that is where we are going to get significant jobs growth. What are those industries? Those industries are in agricultural food exports: sheep meat, lamb, wool, wine, seafood exports and fresh fruit exports. All these things come out of regional South Australia, and almost all these industries are punished by the Labour Hire Licensing Act.

I am very proud to stand on this side of the house with a bunch of people who are committed to growing our economy, getting outcomes rather than playing politics and actually looking after jobs in South Australia.

**The Hon. S.C. MULLIGHAN (Lee) (17:37):** I rise to speak on the Deputy Premier's bill to repeal the act, which was introduced last year, to provide for a labour hire licensing regime. This act, as it currently stands, has as one of its objects the protection of vulnerable workers. When it comes to looking after workers in South Australia, there could not be a more noble cause than protecting those most vulnerable workers.

If we cast our minds back, the genesis of this was not just the member for Schubert's personal experience and what evidence he had heard about what was going on in the employment sectors across the South Australian economy.

**The SPEAKER:** Member for Lee, are you the lead speaker?

**The Hon. S.C. MULLIGHAN:** Am I the lead speaker?

**The SPEAKER:** Yes. Reserve the right to be—

**The Hon. S.C. MULLIGHAN:** No, 20 minutes will do me fine. As I was saying, the genesis of this was media report after media report, all reporting firsthand on the outrageous experiences of workers across different sectors of the economy. Perhaps the most notable that members might recall—perhaps not so much on that side, given the anti-ABC stance of so many in the Liberal Party—was a *Four Corners* report in 2015, titled *Slaving Away*. It told the story of labour hire workers who in some instances were being paid \$3.95 an hour, in some instances were required to work 22-hour shifts, in some instances were required to sleep on dog beds in between shifts and in some instances were required to trade sexual favours in order to gain shifts of employment.

That is what can happen when labour hire companies behave as poorly as you could possibly imagine and exploit workers. That is the experience that has been the case in South Australia and has been the case in other parts of the country. That is why governments, not just here but elsewhere, are continuing to look at licensing regimes for labour hire companies.

It is not that there is a fundamental problem with labour hire companies. I think we will all admit that they have their place to provide workers who are not employees of a specific company to that company so that they can continue to produce the goods and the services that they need to.

There is no problem in concept with having a labour hire industry. It is the behaviour and the standards that can occur within that industry that are widely reported to be occurring within the industry which led to the introduction of this act.

The member for Schubert is absolutely right: this is a matter of ideology. This is a matter of bloody-minded ideology by those opposite in the Liberal Party who abhor the protection of workers, who do not believe it is their role in this place to look after the rights of workers, to make sure that they are paid the legislated minimum for their labour, that they are being afforded the legislative protections around occupational health and safety and that they are being afforded all of the rights that they have been given over many decades in this state when it comes to providing your labour for reward.

What is more important? Is it the rights of more than 800,000 South Australians who are engaged in paid employment, or is it protecting the rights of those businesses that have enjoyed, to date, engaging exploited workers? That is the fundamental question. That is the delineation between the Liberal Party's ideology and the Labor Party's ideology. It could not be clearer. Any false arguments that the member for Schubert comes up with where he says, 'This is all about regulation. We are the party of deregulation,' is rubbish. In the most recent state budget, the Attorney-General herself is introducing a licensing regime for the property management industry. The party of regulation and red tape seems to be over there—not over here, over there.

In fact, the simplify bill before this parliament was introduced by the Labor Party to reduce red tape, not by the Liberal Party. In fact, it has now just been dusted off because, once again, they have run out of ideas and run out of legislation, so they have had to rush in some Labor-initiated bills back into the parliament. It is extraordinary.

Of course, it is not surprising to hear that sort of ill-directed comment from the member for Schubert. This is the person who of clutches the biography of Sir Thomas Playford to his chest, yet abhors state intervention in the economy. Could you have it more wrong in your own mind than the member for Schubert does when it comes to the stewardship of a state economy? So confused is he that he does not even understand the role of the South Australian government and the South Australian parliament during those Playford years.

It is remarkable that we would have member of parliament after member of parliament standing up to support the bill knowing that the rights of workers are likely to be trodden all over as a result if labour hire companies continue to engage in the practices that put employees and workers in situations where they are exploited. It should not be acceptable to anyone under any circumstances that a worker is not paid what they are meant to be paid by law.

It should not be acceptable to anyone in this place that they could be exploited when they are forced to work in an unsafe working environment. It should not be acceptable to anyone in this place that a worker could be forced into a situation where they are working up to 22 hours out of a 24-hour period. It should not be acceptable to anyone that the environment that that worker is forced to live in, in between providing their labour for reward, requires them to sleep in substandard accommodation or even on a dog bed.

It certainly should not be acceptable to anyone in this place that a worker might be forced into a situation where the only way they can feel comfortable that they are going to be guaranteed future shifts of paid employment is if they trade sexual favours for it. That is what has been going on in the labour hire industry but that is apparently not a problem for these people, and the reason why is, once again—

**The Hon. D.C. VAN HOLST PELLEKAAN:** Point of order—

**An honourable member:** You want to make a personal explanation?

**The Hon. D.C. VAN HOLST PELLEKAAN:** No, I ask—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** I ask the member to withdraw that comment. I take personal offence at that comment.

**The SPEAKER:** Which comment was that?

**The Hon. D.C. VAN HOLST PELLEKAAN:** That members opposite, including myself, would think it was okay for a worker to be forced to trade sexual favours for employment. He said we would find that acceptable, and that is a disgraceful comment.

**The SPEAKER:** Yes, I ask that that last comment be withdrawn.

**The Hon. S.C. MULLIGHAN:** I withdraw it. It is outrageous that members opposite would think it acceptable that workers can continue to be exploited by those people who misbehave in the labour hire industry.

Licensing labour hire providers are an obvious solution to this, creating a set of standards and a set of accountabilities and some transparency about those people engaged in this industry. That is an obvious legislative response, and the legislative response that this parliament took. If there are gripes, and legitimate gripes, that need to be raised, aired and addressed by members of parliament then, again, the obvious response is to come into this place with an amendment bill—not a bill of repeal but an amendment bill.

It is funny I should raise that because I am advised that when the opposition was briefed on this bill the officers who provided that briefing admitted that there were amendments that had been drafted in order to make sure that this regime was doing exactly what was intended and nothing more. That is an appropriate response of this chamber and of the other place if there are unintended consequences of this act; it is not to try to satisfy some ideological longing by those opposite to throw away the whole regime, to leave workers in a place where they can continue being exploited by those people who are deliberately putting workers out into the community to be exploited.

The fact that they will not do this to my mind raises further questions. Who were those companies, in particular, who were raised in that *Four Corners* report? Who were those companies that were alleged to be engaged in this sort of behaviour? Let us take the retail sector: Coles, Woolworths, Aldi and Costco. Why do they ring a bell? That is right, they are the parties that so strongly desire shop trading hours reform. The pieces are starting to fit together, are they not?

The party of selective big business, those opposite, have their eyes out purely for the interests of those large businesses, not for South Australian workers. That is the clear delineation on ideology: you choose between a handful of large businesses that have the strength, money and power to make their voices heard—repeatedly heard and, apparently, listened to by those opposite—or you take the side of the more than 800,000 South Australians who provide their labour for reward. I know who I back: it is the more than 800,000 South Australians. It is not the handful of big businesses that want further deregulation in their favour.

Maybe the minister for agriculture is right. Maybe those people who have petitioned him about the impact of this law have legitimate grievances. Maybe the way in which they run their businesses, maybe the way in which they harvest their fruit or process it or package it or provide it for market means that maybe there are consequences on them which are unintended in the application of the act. That, of course, should lead to the minister—either directly or via the Deputy Premier—coming in here with some amendments to make sure we can still protect vulnerable workers, prevent the exploitation of workers in the South Australian economy—

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

**The Hon. S.C. MULLIGHAN:** You have had your chance, and you were unconvincing. The right thing to do would be to come in here with some amendments—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —and try to deal with those unintended consequences, but unfortunately we see this Liberal government keep returning to type. It would not be the first time that we have seen these ideological frolics against the rights of workers. Of course, we had the Minister for Industry and Skills, on the rare occasion he was allowed to speak in this place, come in and try to move legislation to rewrite some of the industry and skills board.

**The Hon. D.G. PISONI:** Point of order: I believe the member is reflecting on a vote of the house.

**The Hon. S.C. MULLIGHAN:** I am not reflecting on the vote of the house at all. How was I reflecting on the vote of the house?

**The SPEAKER:** I will listen carefully. I did not hear it, but please continue.

**The Hon. S.C. MULLIGHAN:** He came in here with amendments to the act, which would have entitled him to pick and choose who he could appoint to the Training and Skills Commission. We know how controversial that was.

**The Hon. S.K. KNOLL:** Point of order: the member is referring to a bill that is currently before this place.

**The Hon. S.C. MULLIGHAN:** That is also incorrect. It is in the other place. Are there any other tedious, tenuous points of order to try to disrupt me?

**The SPEAKER:** Member for Lee, just be seated for one moment. It is not before this house at the moment. Please continue. I will listen carefully. Thank you.

**The Hon. S.C. MULLIGHAN:** Maybe there is a 'three strikes and you are out' policy over there, who knows? The reason he wanted to change that act, as we were told in the second reading speech, was to give the minister the prerogative over who was appointed to that board. Of course, we have seen that prerogative exercised, and exercised not so well, haven't we, minister?

*Members interjecting:*

**The Hon. S.C. MULLIGHAN:** No, I should not say any more. Legally, I do not think I am able to. I should not say any more. That is another reflection of the ideological approach against workers by this government. It would almost be understandable if they were shooting the lights out in economic performance, if they were shooting the lights out in employment growth, and if they were shooting the lights out with the number of jobs being created across all of these sectors that they claim are so important to them.

**The Hon. A. Koutsantonis:** Zero jobs growth.

**The Hon. S.C. MULLIGHAN:** Zero jobs growth this financial year. What a shocking performance!

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** The great delivery from this government—

*Members interjecting:*

**The SPEAKER:** Leader and the Minister for Transport, order!

**The Hon. S.C. MULLIGHAN:** Let's move to erode—

*Members interjecting:*

**The SPEAKER:** Order! The member for Lee has the call.

**The Hon. S.C. MULLIGHAN:** —workers' representations, let's move to erode workers' protections and, while we are doing it, let's have no jobs growth across the economy. You have to ask: why are they even here, if it is not to represent that small clutch of large businesses that it seems they continue to do the bidding of? Even as we have had a federal royal commission into the banking sector handed down, they still stand by the protections they gave to the banking industry here in South Australia.

Even as they are so proud of deregulation in the financial services industry and the banking industry, nearly 50 bank branches across regional Liberal electorates have been closed, and they are still cheering for the ANZ, CBA and Westpac. They think they are doing a great job. Here they

are again, when it comes to labour hire, singing off the song sheet of those businesses who have been found time and time again in the media to be exploiting workers.

**The Hon. V.A. CHAPMAN:** Point of order: I do not know how relevant this is to the debate, particularly as I am not aware that banks are labour hire companies for 457 visas or whatever the current equivalent is.

**The SPEAKER:** So it is irrelevance?

**The Hon. V.A. CHAPMAN:** Totally irrelevant.

**The SPEAKER:** I have the point of order. I believe the member for Lee is summing up.

**The Hon. S.C. MULLIGHAN:** I was, but I am grateful as always to hear from the Deputy Premier. There would not be five minutes in this place without it. So that is the choice: the choice between big business and more than 800,000 South Australian workers. To my mind, we can never really get to the bottom of this, given the way the Register of Members' Interests legislation is drawn; however, I do wonder to what extent we would need to consider whether anyone in this place has any interests in the companies which we are contemplating may be involved in labour hire industries. I do wonder that, Mr Speaker. How would we know?

**The Hon. D.G. Pisoni:** This is an outrageous allegation.

**The Hon. S.C. MULLIGHAN:** How would we know?

**The Hon. D.G. Pisoni:** That is an outrageous allegation—outrageous! That is outrageous.

**The Hon. S.C. MULLIGHAN:** In fact, the member for Unley calls it outrageous.

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** We would never know—

**The Hon. D.G. Pisoni:** That's outrageous.

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —because he has not even completed his register of interests. Apparently, he does not receive superannuation.

**The Hon. D.G. PISONI:** Point of order, sir: I would like that withdrawn. That is a false statement. My register of interests is complete.

**The SPEAKER:** The member for Lee, the minister has taken offence and has asked that you withdraw that statement. Would you like to withdraw?

**The Hon. S.C. MULLIGHAN:** I am happy to furnish the house with a copy of his register of interests.

**The SPEAKER:** No, the minister has taken offence and I am required, under standing orders, to ask you to withdraw.

**The Hon. S.C. MULLIGHAN:** Okay, I withdraw—

**The SPEAKER:** Thank you.

**The Hon. S.C. MULLIGHAN:** —and I will come back to the point in another debate.

**The SPEAKER:** Thank you.

**The Hon. D.G. Pisoni:** You are not required to present that.

**The Hon. S.C. MULLIGHAN:** No, you are by law, actually.

**The Hon. D.G. Pisoni:** It was a parliamentary super fund. Read the paperwork.

**The SPEAKER:** The member for Lee, let's just get on with this debate and then you might want to deal with anything else after that.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker.

**The SPEAKER:** Thank you. The member for Lee has withdrawn that comment.

**The Hon. S.C. MULLIGHAN:** That is the choice between those opposite—those steadfast defenders of deregulation who are introducing more regulations, as we have heard; those steadfast defenders of the ideology of protecting big businesses over the legal rights of South Australian workers—and those on this side who think that those 800,000-plus South Australians deserve at least a fighting chance when they are in low-paid or insecure work, or vulnerable work, or working on farms, or put in a situation where they are not being paid their legal dues. That is our view, and that is their view.

I look forward to communicating to my constituents how we all vote on this legislation because I know what is important to them. They support my view, not the view of a small clutch of large businesses who stand to benefit from this legislation being passed.

Debate adjourned on motion of Mr Pederick.

*Sitting extended beyond 18:00 on motion of Hon. V.A. Chapman.*

*Matter of Privilege*

**MATTER OF PRIVILEGE, SPEAKER'S STATEMENT**

**The SPEAKER (17:58):** I rise to make a statement regarding the privilege matter regarding the Premier on the Murray-Darling Basin Royal Commission Report. I can advise the house that I have listened to what the Premier has had to say about the matter of privilege raised earlier today, and I do note the personal explanation that has been made by the Premier.

I have also considered the first matter of privilege—not the second one; I will get to that one—raised by the member for West Torrens earlier today and make the following statement. However, before addressing that matter, I wish to outline the significance of privilege as it relates to the house and also its members. Privilege is not a device by which members or any other person can seek to pursue matters that can be addressed by debate or settled by the vote of the house on a substantive motion.

We are reminded of McGee in *Parliamentary Practice in New Zealand*, in my view, which makes the test for whether or not a matter is a matter of privilege by defining it as a matter that can 'genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties'. Generally speaking, any act or omission which obstructs or impedes the house in the performance of its functions, or which obstructs or impedes any member or officer of such house in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such a result, may be treated as a contempt and therefore be considered a matter of privilege even though there is no precedent of the offence.

I refer to the matter raised by the member for West Torrens in relation to an answer given by the Premier to a question in the house on 12 February 2019. More specifically, the Leader of the Opposition asked the following question:

Supplementary question to the Premier: given the Premier's previous answer, will the Premier rule out reversing the deal his minister agreed with the upstream states, as called for by the royal commissioner, Bret Walker QC? With your leave, Mr Speaker, and that of the house, I will explain...

'...no Minister acting reasonably could consider these changes to the criteria to be anything but totally antipathetic to the interests of South Australia, and the South Australian environment. South Australia's agreement to these changes should be immediately reversed.'

The Premier provided the following response:

If there's just some chance I might be able to answer the question, I can explain to those opposite. The Leader of the Opposition said, 'Will you rule out the recommendation of the royal commissioner?' This was not a recommendation of the royal commissioner.

Further, the Premier went on to say:

I know those opposite, busy with those by-elections, had no chance to actually read a report that was so critical to our state, nor the Australian Productivity Commission report. We did. The reality is that there are 111 findings... There were dozens of recommendations; none of them related to that issue. Read the report.



The member for West Torrens alleges that the Premier has deliberately and intentionally misled the house in his answer to a question. The member for West Torrens, in raising this matter of privilege, relies on the following extracts from the Murray-Darling Basin royal commission report to substantiate the allegation. On page 62 of the royal commission report in Key Findings, titled Chapter 9: Efficiency Measures & the 450 GL, finding 9.10 states:

The recent criteria agreed at the Murray-Darling Basin Ministerial Council meeting on 14 December 2018, at the behest of the Victorian and New South Wales Governments, is another example of the lack of commitment by the Commonwealth, New South Wales and Victoria to delivering the 450 GL. The South Australian government's agreement to changes to the socio-economic criteria for efficiency measures is antipathetic to the interests of South Australia and the South Australian environment. It is doubtful that much of the 450 GL of upwater will ever be actually recovered for the environment through efficiency measures and especially under the new criteria.

Further, the royal commission then, in response to the terms of reference, key findings and recommendations, on page 73 makes recommendation number 11:

11. If efficiency measures are retained as a means of recovering water for the environment, including the 450 GL, no changes should be made to the test for determining neutral or improved socio-economic outcomes in sec 7.17(2)(b) of the Basin Plan. Insofar as the criteria agreed at the Murray-Darling Basin Ministerial Council meeting on 14 December 2018 alter that test, they should be abandoned as they will likely result in the failure to recover that water.

I have noted the Premier's answer to the Leader of the Opposition's question and I have also noted the extracts from the Murray-Darling Basin Royal Commission Report provided by the member for West Torrens. While some may believe that at first glance there has been a contradiction between those positions, I have listened to the Premier's personal explanation and, in my opinion, the matter does not warrant precedence being given to a motion allowing the house to continue on this path. However, my opinion does not prevent any member from pursuing the matter by way of substantive motion, if they wish.

### *Bills*

## **LABOUR HIRE LICENSING REPEAL BILL**

### *Second Reading*

Adjourned debate on second reading (resumed on motion).

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (18:03):** Thank you for that sensible, practical, no-nonsense and quite appropriate judgement on the privileges motion. It is not going to surprise anybody here that we are not, from these two sides of the chambers, going to agree on this issue with regard to labour hire licensing, so let's just cut all the nonsense and get through it. One of the pieces of nonsense I heard just a few minutes ago—

**The Hon. A. KOUTSANTONIS:** Point of order: if my memory serves me correctly, the Government Whip moved that the bill be resumed on motion. Was there a vote of the house?

**The SPEAKER:** Yes, there was.

*Members interjecting:*

**The SPEAKER:** Order! It was definitely seconded. Please continue.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Another great example from the member for West Torrens of his focus and contribution here.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** One of the things I just heard from the member for Lee was his trying to simplify the bill as if it were some contest, as he said—and I think I have this pretty close to his words—a contest between those who support a small clutch of big businesses versus those who support 800,000 employees across the state. What rubbish, what absolute rubbish. It is stark nonsense from the opposition to try to break it down that way. I do not think that anybody, even Labor supporters, would think that it was nearly that simple.

Do all of us here in this house want to support employees to be sure that they have a safe and fair workplace? Of course, absolutely every single one of us does. But we have different views about how it ought to be done. Those opposite think that the labour hire licensing approach, which is a blanket approach, is the way to go. They do not have any concern for the extra cost, extra red tape, extra time and effort or the drag on the South Australian economy associated with that blanket approach. The fact that we do not agree with that blanket approach does not in any way suggest that we support the abuse or exploitation of workers. That is absolutely untrue.

I come to this debate not only as a member of cabinet, as a member of the Liberal Party, but as a person who has been an employee and an employer. I have worked for very small companies and I have worked for very large companies. I have been an employer in a small and a medium context. I have never been an employer for a large company, but 50 to 60 people I think give me some very good insight.

As an employee, I can tell you that I have done some of the very worst jobs around, and I have had some outstanding, fantastic jobs as well. I will not bore the house with the things that I have done to earn a crust over the years. I have sympathy and a great understanding for the plight of low-paid workers doing very difficult and/or unattractive jobs. To try to suggest that those of us on this side of the house do not care for workers is completely inappropriate.

We need to address the problem and not throw a blanket over all labour hire companies as if every single one of them is doing the wrong thing. That is an inappropriate, economy sapping, employment opportunity-reducing way to do things. We need to deal, as is proposed, with the task force to make sure that those companies that have done or would do the wrong thing are dealt with appropriately, that those companies that have done or would do the wrong thing by their employees deliberately, knowingly or wilfully pay very high penalties in that regard. We are largely talking about people who work in regional and seasonal types of employment.

To try to assume that they can be thrown into the same bucket or the same way of licensing, regulation or treatment through red tape as other forms of employment, including labour hire, is not appropriate and it is not practical. For those opposite to assume that—

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

*A quorum having been formed.*

**The Hon. D.C. VAN HOLST PELLEKAAN:** Resuming where I left off just before the call for a quorum, one of the grave mistakes that those opposite have made is to try to turn a bill about labour hire licensing regulations into some call for protection of every single employee in the state. It is completely inappropriate—absolutely and completely inappropriate—and it is false. People deserve protection and employees deserve protection; there is no doubt about that. Whether they are—

*Members interjecting:*

**The SPEAKER:** Order! The Minister for Energy has the call. He will be heard in silence. Minister.

**The Hon. D.C. VAN HOLST PELLEKAAN:** To try to suggest that this labour hire licensing bill is somehow attached to protection for all employees, regardless of where they work, what they earn, what their conditions are or their capacity to stand up for themselves, is completely inappropriate. Wherever people work, whether they work through a labour hire company or whether they work for the lowest paid or the highest paid jobs in the state, they still deserve to be treated fairly. I reject any suggestion that those of us on this side of the house do not want workers to have all of the protection that they are due. We do want that—we absolutely do want that. What we do not want to do is put a handbrake on the economy by holding back employers—

**The Hon. A. Koutsantonis:** You have zero jobs growth.

**The Hon. D.C. VAN HOLST PELLEKAAN:** —and/or labour hire companies so that it makes it more difficult. It is another example of ridiculous argument coming from the member for West Torrens when he complains that jobs growth is not high enough, but he wants to leave this shackle on labour hire companies.

**The Hon. A. KOUTSANTONIS:** Point of order: I made no contribution to this debate and the minister is implying that I have.

**The DEPUTY SPEAKER:** Could you repeat what you said, please, minister?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I take that point of order and I should correct it: the member for West Torrens contributed through interjection, not through debate.

**Mr Brown:** You can't contribute through interjections; it's disorderly.

**The DEPUTY SPEAKER:** But it may be right. It is only recorded if there is a response, I think.

**The Hon. D.C. VAN HOLST PELLEKAAN:** And I did respond to that interjection, so it is in *Hansard* for everybody to see.

**The DEPUTY SPEAKER:** Back to the bill, minister.

**The Hon. D.C. VAN HOLST PELLEKAAN:** For the member for West Torrens to suggest that employment growth is too low and at the same time want to leave this shackle on the good labour hire firms is completely ridiculous. Of course we need to get onto those companies that are suspected of or are actually doing the wrong thing with their employees, but we need to do it in a targeted way. We need to do it in a way that actually will achieve something, not just by causing extra fines, extra red tape and extra hassles for the good employers. That blanket approach does not work.

We need to target through the task force, as is proposed. We need to make sure that we stop any actual, proposed or contemplated exploitation of workers, however that happens. We do not need to do it by putting another handbrake on the economy and doing more to actually thwart employment in industries where it is already difficult to attract people anyway. As I said at the start, the two sides of this chamber are not going to agree on the outcome of this debate or this bill.

Let's be very clear: do not let those opposite imply, whether deliberately or accidentally in any way whatsoever, that we do not care for employees, whether they are hired directly or hired indirectly through a labour firm. We will stick up for those people, but we will do it in a way that does not further diminish their employment opportunities.

**Mr McBRIDE (MacKillop) (18:14):** I rise to speak in support of the Marshall Liberal government's Labour Hire Licensing Repeal Bill, which is a final step to address the unnecessary, confusing and ambiguous aspects of the Labour Hire Licensing Act 2017. The introduction of this bill delivers the government's commitment to repeal the act. Importantly, our government has ensured that the repeal of the act has followed work on a range of pieces of legislation that addresses many of the matters relating to labour hire providers, in particular in relation to remuneration and work safety issues. These laws protect vulnerable workers and provide appropriate powers for ongoing management of labour force conditions, including pay and safety.

Workers that may be considered vulnerable include migrant workers. These workers are vulnerable to being disadvantaged in the workplace by unscrupulous workplace hire operators. Issues such as language barriers, being new to the country and, understandably, not being familiar with the workplace rules and culture of Australia make these people vulnerable. Some of these people have come from great hardship and are seeking to adjust to different living conditions and working conditions. These people are often desperate for work to improve their financial situation for themselves and their families and in some cases do not want to rock the boat if their visa applications are pending. These people often come from very different work environments that do not have the checks and balances relating to safety and conditions that we have in our state.

For many parts of this state, migrant workers form a very welcome and important part of the workforce. In the MacKillop electorate, migrant workers provide a valuable and critical workforce for the wine industry in our important grape growing areas of Mundulla, Mount Benson, Padthaway, Wrattobully and Coonawarra. These workers undertake key seasonal work in our vineyards, including pruning and vine training. Without these workers, our regional wine businesses would struggle to meet the seasonal workload. In particular, business owners involved in the viticultural industry interact with labour hire businesses on a daily basis.

The South Australian wine industry has advised me that there are more than 60 wine producers and more than 246 registered wine grape growers within my electorate. These businesses play a role in generating local jobs in winery operations, in vineyard and cellar-door sales and also in attracting visitors and tourists to the region, who shop and eat locally—in short, providing flow-on benefits to local businesses. If brought to full operation and enforced, the act would place an undue burden on wineries and wine grape growers in MacKillop through additional red tape and compliance costs, without having any positive impact on overall compliance.

Migrant workers are also an important source of labour for intensive industries such as vegetable growing, for labour-rich industries such as the sheep and wool industry and for the important meat processing sector in my electorate. Our regions have a shortage of both skilled and unskilled workers. When we attract people to our region, we want them to stay and we want them to be paid and treated fairly. It is in everyone's best interests to ensure this happens, as it benefits workers, businesses and our towns and communities.

We know that when the Labour Hire Licensing Bill was introduced to parliament in August 2017, the Marshall Liberal team, then in opposition, made a commitment to repeal or heavily modify the act. It is pleasing to see the delivery of this commitment. The reasons for this commitment have become all too evident since the commencement of the act; in particular, the interpretation of the scope and application of the legislation has proven to be unarguably difficult and unworkable.

Further to my earlier reference to the viticultural sector, the South Australian Wine Industry Association, an organisation whose membership represents around 96 per cent of the grape crush in South Australia, has shared its view with me in relation to its support for the repeal of the bill, some of which I am pleased to share with the house in the time I have available.

They have indicated to me that, should the act continue, there is a genuine fear in the wine industry that due to the heavy compliance burden under the act, labour hire providers will exit the market, thereby putting even greater pressure on regional employers, including wineries and wine grape growers in MacKillop, to try to source labour during peak operating periods.

They have further concluded that the act is poorly drafted and open to a number of different interpretations. They have also highlighted to me that it is their view that the financial penalties for being an unlicensed operator and their clients being subject to penalties of \$140,000 or three years' imprisonment in the case of an individual, and \$400,000 for a body corporate, are disproportionately high for a breach of an administrative licensing scheme.

I have been advised that the introduction of the act coincided with the introduction of similar laws at the time in Queensland. Time will tell if they got it as badly wrong as this Labor government did here in South Australia. The lack of proper engagement in relation to the preparation of the Labour Hire Licensing Act is concerning. The Labor government at the time did not listen to the considered submissions of industry stakeholders, some of whom provided feedback to me about their deep frustration in relation to the then Labor government's lack of genuine consultation, rushed approach and unwillingness to properly consider and listen to the industry. Rather, the government of the time ran with an approach that provided more power to unions.

The Marshall Liberal government is a government that understands that policy needs to be targeted and effective, encourage business, provide adequate rights and protection for workers, and assist and support our regions to thrive. The problems identified with the Labour Hire Licensing Act are many. The definitions in the act of 'labour hire provider' and 'worker' are unclear when applied to today's business operations.

In many cases, the definition captures businesses that were not originally intended to be regulated under the new licensing scheme. This inadvertent overreach is made more concerning when you consider that the legislation also includes an inherent fault in that operators of businesses within known problem industries such as fruit picking are not captured as was originally intended. In this respect, the act is a basket case.

There is confusion about requirements for obtaining labour hire licences due to the ambiguity of the legislation. I am informed that Consumer and Business Services have not issued labour hire licenses under this act. What we can do now that this repeal is underway and reaches a conclusion is work with the current piece of legislation and its rules that can work to protect workers. Existing

legislation that addresses the checks and balances that need to be in place to protect these workers includes the Work Health and Safety Act 2012 under SafeWork SA, the Return To Work Act 2014 under ReturnToWorkSA, the Payroll Tax Act 2009 under RevenueSA, and the commonwealth Fair Work Act 2009 under the Fair Work Ombudsman.

These acts variously carry the ability to prosecute a labour hire agency or host employer, or implement significant penalties for breaches. Importantly, we can take action to empower employees to know their rights and the awards they are working under and understand the conditions and checks and balances that are in place.

I would like to take the opportunity now to reflect on the current members who have already spoken to the bill. The member for Hurtle Vale and also the member for Lee talked about ripping up working conditions, working for lobbyists and big business. They mentioned Coles, Woolworths and Aldi. They tried to relate it back to shopping deregulation and shopping hours. This is how overreaching Labor Party can be, and I would say this reflects the misunderstanding they have between employees' needs and employers' requirements.

What I mean by that is that I think Australia has always been based on a fair go for everyone. It goes way back to the first union in Australia, which was created in the shearing industry because it was not fair back in those days. It literally was not fair. It took massive changes to see that industry actually survive nearly 150 years later, where they work under the act that is in today without the changes that the Labor Party were trying to bring in. The changes the Labor Party was trying to impose on this state were actually going to hurt that industry, an industry that has survived 150 years without its interference, or even further interference. That is why it was so far overreaching what it was trying to achieve.

If you ask yourself why Labor would try to do that, a lazy reason might be to say 'They're just trying to build up their union base. They're trying to make it sound to the workers like they are looking after them, that if they join this code, this legislation's working boundaries, if they join the union, if they belong to the Labor Party, they will look after you.' In the end they make it so hard for these people to be employed, and they forget about looking after the employer, who is such an integral part of employing these people.

Why would you make it so much harder to employ people if employees needed to be looked after? Sometimes you have to ask whether Labor really advocates for the employee or whether it likes to move them aside so that they need to be managed by Labor and the government, and they find themselves on the unemployment roll, find themselves without work and find themselves without employers out there to employ them. They become more dependent on unions and Labor governments and that is a no-win situation.

This is a government I want to belong to and a government I hope will bring about economic benefits. Mention was made earlier today about this government not having a higher rate of employment at the moment—in fact, they say that employment growth is on the way down—but we have been in this job for only 12 months and we have four years to prove ourselves. We want a stronger economy, and we want more employers out there looking after employees, being fair employers. Most importantly, if the employers are not fair we want the rules and regulations to be managed so that they work today rather than impose more rules and regulations, as was the Labor Party's ambition when they were previously in government.

What is most important with these regulations, if we do make any amendments to this legislation, is to have some sort of arbitrator who actually manages this so that if employers are going to take advantage of the system—and they will be out there, just like there are employees out there today who take advantage of employers, with all the bonus types of claims—then it has to be the same on the other side. It has to be a balanced approach. I am hoping that this government looks after employers and employees so that they both work together for a stronger South Australia.

The other point where the Labor Party could not help themselves was in coming back to the unions and what it means if you have employees who belong to more regulation, who go to unions to seek this information. They do not talk about actually educating people to get on with life. No, what they do is tie them up to a union membership and tell them what their rights are. They do not tell them what the other side of the equation is if they were to get a job: save money, buy a house,

educate your children, get your children through university or some sort of tertiary education and continue that cycle of wellbeing and people looking after themselves.

The Labor Party does not connect up all those dots. In fact, it actually puts in a line or puts a wall in place so that they come up against a brick wall, and it is easy to stay on welfare rather than get into the workplace. The Labor Party's act was consistent with doing that, so I am pleased that we have a government in place that is going to make it easier for employees to work under rules and regulations and be looked after.

In my electorate of MacKillop, we have a lot of itinerant migrant workers come into our workplaces, and they do not know all the rules and they do not know English as well as they should. It is about educating them and making sure that they do. The regulations those opposite were imposing earlier with this bill did not help that problem, did not solve that problem. It is a wonderful thing that we have migrants wanting to come to this country to better themselves and get a job, and help employers and employees alike.

I look forward to our government continuing its work to support workers, in particular our vulnerable workers, through existing legislative mechanisms to ensure fair and safe work conditions. Common sense is prevailing on this matter. I commend the Labour Hire Licensing Repeal Bill to this house.

Debate adjourned on motion of Mr Pederick.

At 18:29 the house adjourned until Thursday 14 February 2019 at 11:00.

*Answers to Questions***HOSPITAL PRESENTATIONS**

**542 Mr PICTON (Kaurna)** (13 February 2018). What is the total number of hospital presentations, statewide and for each metro hospital and country in total, for 2016-17 and 2017-18?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

In 2017-18, hospital presentations were 605,730 across the state.

In 2016-17, hospital presentations were 587,466 across the state.

Hospital	2016-17	2017-18
Flinders Medical Centre	85,778	88,890
Lyell McEwin Hospital	71,850	73,475
Modbury Hospital	36,864	40,804
Noarlunga Hospital	40,470	40,886
Royal Adelaide Hospital	77,625	77,693
The Queen Elizabeth Hospital	44,725	45,256
Women's and Children's Hospital	46,581	45,931
Country	183,573	192,795
Total of all presentations	587,466	605,730

**OUTPATIENT APPOINTMENTS**

**545 Mr PICTON (Kaurna)** (13 February 2018). What was the number of outpatient occasions of service, statewide and for each metro hospital and country in total, for 2016-17 and 2017-18?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

In 2017-18, public hospitals undertook 1,832,579 outpatient occasions of service across the state.

In 2016-17, public hospitals undertook 1,766,160 outpatient occasions of service across the state.

Hospital	2016-17	2017-18
Women's and Children's Hospital	220,311	222,453
Flinders Medical Centre	251,030	295,231
Hampstead Rehabilitation Centre	17,761	18,663
The Queen Elizabeth Hospital	162,322	181,885
Repatriation General Hospital	114,400	52,751
Royal Adelaide Hospital	368,560	308,499
Lyell McEwin Hospital	188,415	202,017
Modbury Hospital	55,059	69,236
Noarlunga Hospital	17,623	35,164
All Country	370,679	446,680
Total all occasions of service	1,766,160	1,832,579

**CENTRAL HEALTH DEPARTMENT STAFF**

**547 Mr PICTON (Kaurna)** (13 February 2018). What is the breakdown, by location and job title, of positions that have been abolished across the central department's staff?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

In the 2018 calendar year, 40 ongoing positions were abolished across the Department for Health and Wellbeing.

Appendix A lists location and job title of the positions that have been abolished across the central Department for Health and Wellbeing.

Appendix A

LOCATION	JOB TITLE	Number
EHEALTH SYSTEMS	BUSINESS ANALYST	1
	EHEALTH SYSTEMS ASO5	1
	EHEALTH SYSTEMS ASO7	1
	EHEALTH SYSTEMS ASO8	1

LOCATION	JOB TITLE	Number
	EXEC SUPPORT OFFICER	1
	ICT CHANGE & INCIDENT COORDINATOR	1
	RESOURCING OFFICER	1
	SENIOR ANALYST PROGRAMMER	1
	SENIOR ANALYST/PROGRAMMER	1
	SENIOR OPERATOR	3
	SENIOR SYSTEMS PROGRAMMER	1
	SERVICE DESK OFFICER	3
	SENIOR MANAGER DESKTOP SERVICES	1
	SENIOR PROJECT NURSE/MIDWIFE	1
	SENIOR SYSTEMS PROGRAMMER	1
	TECHNICAL SUPPORT OFFICER	1
	FINANCE	FINANCE ADMINISTRATION CLERK
FINANCE OFFICER		2
FINANCIAL ACCOUNTANT		1
GROUP MANAGER FINANCIAL ACCOUNTING		1
UNATTACHED EMPLOYEE (FINANCE)		1
PRINCIPAL FINANCIAL ACCOUNTANT		1
SENIOR ASSET OFFICER		1
SUPERVISOR DEBT MANAGEMENT		1
HEALTH AND COMMUNITY SERVICES COMPLAINTS COMMISSION	DISABILITY PEER OFFICER	1
	EXECUTIVE ASSISTANT	1
POLICY AND GOVERNANCE	SENIOR POLICY OFFICER	1
PROCUREMENT AND SUPPLY CHAIN MANAGEMENT	BUSINESS SERVICES OFFICER	1
PUBLIC HEALTH AND CLINICAL SYSTEMS	MANAGER INFORMATION SUPPORT	1
	SCIENTIFIC OFFICER	1
	SENIOR PROJECT OFFICER	1
SERVICE DEVELOPMENT	ADMINISTRATION SUPPORT OFFICER	1
	PROJECT MANAGER TRANSFORMING HEALTH	1
	SENIOR PROJECT OFFICER	1
MINISTER'S OFFICE	SENIOR MINISTERIAL LIAISON OFFICER	1
TOTAL		40

#### AUSTRALIAN CLINICAL LABS

**550 Mr PICTON (Kaurna)** (13 February 2018). On what dates has the minister had meetings, discussions or correspondence with Australian Clinical Labs since March 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The Minister for Health and Wellbeing has not met with Australian Clinical Labs.

Correspondence from Australian Clinical Labs was received on 19 April 2018, and a response sent on 21 July 2018.

#### CHELTHENHAM PLACE

**551 Mr PICTON (Kaurna)** (13 February 2018). Who provided advice to the minister that the needs of Cheltenham Place's clients could be fully covered by mainstream services?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The Department for Health and Wellbeing does not consider that the needs of Cheltenham Place's clients will be fully met by mainstream services.

People living with HIV who accessed Cheltenham Place are also eligible for, and often do access, other HIV community services, such as, MOSAIC Counselling and Case Management, enhanced primary care coordination provided by Royal District Nursing Services SA and peer support provided through the HIV women's service at PEACE Multicultural Services, Positive Life SA and the SAMESH program at SHINE SA.

Additionally, the government considers that any person living with HIV should be able to access any government or non-government service they require in order to meet their mental and physical health needs, free of stigma and discrimination. An HIV diagnosis should never be a barrier to access, and would not be tolerated by this government.



**SHINE SA**

**553 Mr PICTON (Kaurna)** (13 February 2018). On what basis did the government conclude that SHINE SA's services cut in the 2018-19 budget would be covered by the medical benefits scheme, as stated in the minister's budget day media release on the topic?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

SHINE SA has been working toward sustainability of their clinical services through the medical benefits scheme since 2014.

Medical benefits scheme clinic earnings have increased every year from \$381,000 in 2015-16 to \$419,344 in 2016-17 and \$638,477 in 2017-18.

**SEXUAL HEALTH SERVICES FUNDING**

**554 Mr PICTON (Kaurna)** (13 February 2018). Will the minister provide a list of all the organisations to be affected by cuts to blood-borne virus and STI prevention programs?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

Effective 1 January 2019, the following organisations received a reduction in funding levels for blood-borne virus and STI care and support, and prevention programs:

- SHINE SA
- Hepatitis SA
- Relationships Australia SA
- Royal District Nursing Service SA
- Centacare Catholic Family Services
- Sex Industry Network; and
- Aboriginal Health Council of SA.

**SEXUAL HEALTH SERVICES FUNDING**

**555 Mr PICTON (Kaurna)** (13 February 2018). Will the government redirect the funding cut from HIV and STI services to other programs aimed at improving sexual health?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

In state budget setting processes, the prioritisation of funding is assessed on a whole, therefore, there is no specific reallocation of funding that was otherwise directed to HIV and STI services.

However, in line with other savings initiatives from the 2018-19 state budget, the funding has been reinvested back into the health system with such operating initiatives, including the \$800 million investment over the forward estimates to establish a sustainable, efficient health system.

**AUSTRALIAN CRANIOFACIAL UNIT**

**557 Mr PICTON (Kaurna)** (13 February 2018). How many overseas patients have been treated in the Australian Craniofacial Unit since March 2018? What are the ages of the patients? What countries did the patients come from?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

Since March 2018, the Australian Craniofacial Unit has treated one overseas patient, a two-year-old child from Vietnam.

**HEALTH CONSUMERS ALLIANCE**

**558 Mr PICTON (Kaurna)** (13 February 2018). Where is the funding cut from the Health Consumers Alliance being reallocated?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

In state budget setting processes, the prioritisation of funding is assessed on a whole, therefore, there is no specific reallocation of funding that was otherwise directed to the Health Consumers Alliance.

However, in line with other savings initiatives from the 2018-19 state budget, the funding has been reinvested back into the health system with such operating initiatives, including the \$800 million investment over the forward estimates to establish a sustainable, efficient health system.

#### HEALTH BUDGET

**562 Mr PICTON (Kaurna)** (13 February 2018). By how many paramedics has the government increased the FTE count in the 2018-19 state budget, and over the forward estimates?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

There was no increase in paramedics announced as part of the 2018-19 state budget.

#### LYELL MCEWIN HOSPITAL

**564 Mr PICTON (Kaurna)** (13 February 2018). How many budgeted ICU beds are at Lyell McEwin Hospital currently and over the forward estimates?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The Lyell McEwin Hospital has 14 funded intensive care beds.

#### NATIONAL DISABILITY INSURANCE SCHEME

**566 Mr PICTON (Kaurna)** (13 February 2018). As at 1 December 2018, how many public hospital beds are currently occupied by patients waiting to transition to the National Disability Insurance Scheme?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

As at 23 December 2018, SA Health was monitoring 118 general patients in hospital beds who are eligible for NDIS support services, of whom 70 are discharge ready. The only matters delaying the discharge are pending NDIS decisions and processes. In addition, there are 23 mental health inpatients, who are discharge ready awaiting NDIS processes to be completed.

In summary, a total of 93 discharge ready patients are unable to transition to community because they are awaiting NDIS supports.

#### NATIONAL DISABILITY INSURANCE SCHEME

**568 Mr PICTON (Kaurna)** (13 February 2018). Has the minister made representations to the federal government to speed up the process of transitioning South Australian patients to the National Disability Insurance Scheme? If so, what representations has he made?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has advised:

I refer the member to the answers provided to questions on notice.

#### SA HEALTH

**570 Mr PICTON (Kaurna)** (13 February 2018). What is the difference between FTE positions in the Public Health Directorate roles across SA Health as at the end of June 2017, end of June 2018 and under the 2018-19 state budget?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The reduction between end of June 2017 and end of June 2018 was 5.0 FTE.

The impact of the 2018-19 state budget on roles in the Public Health Directorate is yet to be finalised.

#### SA HEALTH

**571 Mr PICTON (Kaurna)** (13 February 2018). Will any reduction in SA Health FTE positions under the 2018-19 state budget apply to public and preventative health roles? If so what roles?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The impact, if any, to public and preventative health roles has not yet been finalised.

#### CHIEF PUBLIC HEALTH OFFICER

**572 Mr PICTON (Kaurna)** (13 February 2018). On what date will there be the establishment of a stand-alone Chief Public Health Officer?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

As part of the restructure and devolution process of the Department for Health and Wellbeing, the creation of a separate Chief Public Health Officer role will be implemented.

#### HEALTH FUNDING

**577 Mr PICTON (Kaurna)** (13 February 2018). What is the expected impact on South Australia from changes to the National Funding Pool allocations to states under national health funding arrangements that the state health ministers have objected to?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The 2018-19 impact of funding determinations that have only recently been settled but are associated with the 2015-16 and 2016-17 activity years incorporating decisions that South Australia objected to, is a \$12.2 million reduction.

#### SA HEALTH GRANTS

**578 Mr PICTON (Kaurna)** (13 February 2018). What is the full breakdown of grants, by type and by funding, that are being cut because of the SA Health grant and service contracting arrangements measure contained in the 2018-19 State budget, and how many organisations will this budget measure affect?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The following breakdown of grants and service contracting arrangements that are being terminated as a result of the 2018-19 state budget measures, are as follows with planning continuing:

Organisation	Type	Program Name	Contract Start Date	Contract End Date	2018/19 Sum (GST exc)
Local Government Association	Grant	Support for Public Health Functions of Councils	01/01/2012	30/04/2019	\$122,500

#### OUTPATIENT APPOINTMENTS

**580 Mr PICTON (Kaurna)** (13 February 2018). Have there been any instances of CALHN outpatients receiving letters indicating they had not attended appointments, when in fact they had? If so, how many such instances is the Minister aware of?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The Central Adelaide Local Health Network has not identified any documented instances where patients have attended appointments and then been sent a letter indicating otherwise.

#### QUEEN ELIZABETH HOSPITAL

**584 Mr PICTON (Kaurna)** (13 February 2018). When will the stage 3 redevelopment for QEH be completed?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

Planning is ongoing.

#### SILVERCHAIN

**585 Mr PICTON (Kaurna)** (13 February 2018). What contracts or arrangements with the State Health System does Silverchain or RDNS have and what are the costs?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

There are no contracts or arrangements with Silverchain other than as guarantor to certain contracts in its capacity as parent company to RDNS.

There are a few contracts with RDNS for mostly community based medical, allied health and nursing services, most of which are long standing arrangements with RDNS. While two contracts commenced in 2018, they replaced contracts with RDNS that were in place since 2015 supporting long standing clinical programs, Community Care Program and Transition Care/Care Awaiting Placement Programs. The two contracts with RDNS are panel contracts that resulted from an open market approach.

**CARDIOLOGY SERVICES**

**588 Mr PICTON (Kaurna)** (13 February 2018). Why did SA Health not provide CALHN with funding for the Cardiac Service at TQEH as outlined in the KordaMentha Diagnostic Review?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The government has delivered on its election commitment to restore cardiac services at TQEH downgraded by the previous government.

**QUEEN ELIZABETH HOSPITAL**

**589 Mr PICTON (Kaurna)** (13 February 2018). By what date will the catheter labs at The QEH be established and operational?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The refurbishment of the existing Cardiac Catheter Laboratory facilities at The Queen Elizabeth Hospital is underway and due for completion by mid-2019.

**AGED-CARE FACILITIES AUDIT**

**603 Mr PICTON (Kaurna)** (13 February 2018). When will the audit of accreditation for state-run aged care facilities be completed? Will the Minister release a copy of the contract signed with the external provider who has been engaged to conduct this audit?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The audit for all state-run aged-care facilities began on 22 October 2018 and is scheduled to be completed by 18 April 2019, with a full report due in June 2019.

The member has been provided with a copy of the contract.

**HOME CARE PACKAGES WAITING TIMES**

**604 Mr PICTON (Kaurna)** (13 February 2018). What advocacy has the minister undertaken to address the waiting times for home-care packages?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The wait list for home-care packages is managed by the Commonwealth Department of Health through the administration of the My Aged Care referral pathway and Aged Care Assessment program.

The state government does not provide home-care packages in metropolitan areas. As a result, the minister does not have visibility of waiting times for home-care packages for clients in metropolitan Adelaide as these are managed by the Commonwealth Government.

Country Health SA Local Health Network is a large provider of Commonwealth Home Care Packages with 597 packages in operation as at 31 December 2018, across six regional locations.

The issue of aged care package waiting times is discussed by Country Health at its monthly meetings with the Commonwealth Department of Health South Australian delegates from Country Health's perspective as a provider.

As a service provider, Country Health has no control over the number of clients on the national wait list for home-care packages, nor do they have visibility of those on the national wait list.

**AGEING WELL DIRECTORATE**

**605 Mr PICTON (Kaurna)** (13 February 2018). Has there been any reduction of staff in the Ageing Well Directorate of the department, and if so what positions have been abolished?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

No.

**AGED-CARE PROVIDERS**

**606 Mr PICTON (Kaurna)** (13 February 2018). Does the government support calls for aged-care providers to publish their staff to resident ratios?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The Minister for Health and Wellbeing wrote to the Chair of the Standing Committee on Health, Aged Care and Sport in October 2018 to provide feedback on the Aged Care Amendment (Staffing Ratio Disclosure) Bill, before the Commonwealth Parliament.

In the letter to the chair, the Minister for Health and Wellbeing welcomed the intention of the bill to improve the quality of care for older Australians living in residential aged care, suggesting, however, some points for further consideration. These included consideration to be given to the proposed methodology for determining staff ratios, and clarity for the general public.

#### AUSTRALIAN NURSING AND MIDWIFERY FEDERATION

**607 Mr PICTON (Kurna)** (13 February 2018). Does the minister support the Australian Nursing and Midwifery Federation's campaign to implement minimum staffing ratios at aged-care facilities?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

Staffing levels and skills mix in SA Health residential aged care accommodation is governed by relevant enterprise agreements.

The staffing levels and skills mix must be driven by the actual care needs of individual residents. Changing residents' care needs, the changing levels of occupancy, the differences in geographical layout of the aged care facility, and the clinical support such as Palliative Care, Behaviour and Diversional Therapists are all important factors that make a difference to the determination of appropriate staffing and skill mix levels. Ratios and skill mix alone are not the only factors to determine the quality of aged care health care provision.

The Royal Commission into Aged Care Quality and Safety has commenced its important work to establish nationwide reform to ensure the current and future aged care system delivers the care that older Australians need and deserve.

#### OFFICE OF THE AGEING

**608 Mr PICTON (Kurna)** (13 February 2018). With respect to the rebranding of the Office of the Ageing to the Office for Ageing Well:

- (a) Have there been any costs associated with the rebranding?
- (b) Are any staff allocated to the rebranding? If yes, how many of these staff were taken off other projects to facilitate this rebrand?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

There are only minimal administrative costs associated with rebranding the former Office for the Ageing to the Office for Ageing Well: approximately \$200 for new office signage. All printed stationery and documents will be rebranded as existing stocks require replenishing.

#### PRISON HEALTH SERVICES

**609 Mr PICTON (Kurna)** (13 February 2018). Will the Adelaide Remand Centre privatisation include the privatisation of prison health services?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The management of the Adelaide Remand Centre, including how health services are delivered, is a matter for the Minister for Correctional Services.

The Minister for Correctional Services is not responsible for the SA Health unit 'Prison Health Services.'

#### PRISON HEALTH SERVICES

**610 Mr PICTON (Kurna)** (13 February 2018). Has the minister provided any written advice to any SA prison health staff regarding the future of prison health services at the Remand Centre?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The management of the Adelaide Remand Centre, including how health services are delivered, is a matter for the Minister for Correctional Services.

#### OSTOMY ASSOCIATION

**611 Mr PICTON (Kurna)** (13 February 2018). Is the minister aware of any concerns that the Ostomy Association of South Australia has been running short of supplies? If so, what has been raised with him and what has he done about it?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The Ostomy Association of South Australia has not raised with me any concerns about running short of supplies.

#### FLINDERS BRAIN BANK

**612 Mr PICTON (Kaurna)** (13 February 2018). Is the Flinders Brain Bank closing?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

The Flinders Brain Bank is still active under the auspices of Flinders University, not the government of South Australia.

#### HOSPITAL SLEEP SERVICES

**613 Mr PICTON (Kaurna)** (13 February 2018). Has the Minister received a copy of the Carramar report on sleep services in CALHN? If so, when—and when will he be releasing this report to the public?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

A copy of the Carramar report has been provided to employees and employee representative organisations, and is publicly available on the SA Health website.

#### HOSPITAL SLEEP SERVICES

**614 Mr PICTON (Kaurna)** (13 February 2018). Have the contractual arrangements between CALHN and the Riviera Hotel for beds now concluded—and if so, when?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

Yes. The arrangements concluded on 19 August 2018.

#### CENTRAL ADELAIDE LOCAL HEALTH NETWORK

**615 Mr PICTON (Kaurna)** (13 February 2018). What (if any) contractual arrangements with commercial hotels is CALHN currently engaged in?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

None.

#### EMERGENCY DEPARTMENTS

**616 Mr PICTON (Kaurna)** (13 February 2018). Given that there is no historical information available on the SA Health Dashboard website, what is the number of mental health admissions in metro Adelaide public hospital emergency departments in:

- (a) July 2017?
- (b) August 2017?
- (c) September 2017?
- (d) October 2017?
- (e) November 2017?
- (f) December 2017?
- (g) January 2018?
- (h) February 2018?
- (i) March 2018?
- (j) April 2018?
- (k) May 2018?
- (l) June 2018?
- (m) July 2018?
- (n) August 2018?
- (o) September 2018?

- (p) October 2018?  
 (q) November 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

Number of Mental Health presentations to Metropolitan SA Public Hospital Emergency Departments	
Jul-17	1,449
Aug-17	1,517
Sep-17	1,386
Oct-17	1,492
Nov-17	1,479
Dec-17	1,407
Jan-18	1,576
Feb-18	1,373
Mar-18	1,622
Apr-18	1,391
May-18	1,493
Jun-18	1,500
Jul-18	1,503
Aug-18	1,534
Sep-18	1,438
Oct-18	1,560
Nov-18	1,544
Dec-18	1,533

#### ELECTIVE SURGERY

**617 Mr PICTON (Kurna)** (13 February 2018). Given that there is no historical information available on the SA Health Dashboard website, what was the number of people waiting for an elective surgery operation in SA public hospitals on:

- (a) 1 March 2018?  
 (b) 1 April 2018?  
 (c) 1 May 2018?  
 (d) 1 June 2018?  
 (e) 1 July 2018?  
 (f) 1 August 2018?  
 (g) 1 September 2018?  
 (h) 1 October 2018?  
 (i) 1 November 2018?  
 (j) 1 December 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has been advised:

Number of People waiting for an Elective Surgery Operation (OnList) in SA Public Hospitals	
Mar-18	16,764
Apr-18	16,963
May-18	16,901
Jun-18	16,544
Jul-18	16,497
Aug-18	16,740
Sep-18	16,890
Oct-18	16,913
Nov-18	17,272
Dec-18	17,737

**EMERGENCY DEPARTMENTS**

**618 Mr PICTON (Kaurna)** (13 February 2018). Given that there is no historical information available on the SA Health Dashboard website, what was the longest wait (in hours) recorded for a patient in emergency for:

- (a) April 2018?
- (b) May 2018?
- (c) June 2018?
- (d) July 2018?
- (e) August 2018?
- (f) September 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has advised:

Longest visit (in hours) (95 <sup>th</sup> percentile) recorded for a patient in a SA Public Hospital Emergency Department – Major Metro and Country	
Apr-18	36.7
May-18	34.5
Jun-18	48.6
Jul-18	36.9
Aug-18	44.5
Sep-18	43.3
Oct-18	36.4
Nov-18	46.3
Dec-18	45.2

Note about ED longest visit time:

- ED data is for major metro and major country hospitals only
- Excludes Repatriation General Hospital, Lyell McEwin Hospital—Women's Assessment Service and Women's and Children's Hospital—Women's Assessment Service

**EMERGENCY DEPARTMENTS**

**619 Mr PICTON (Kaurna)** (13 February 2019). Given that there is no historical information available on the SA Health Dashboard website, what was the number of patients waiting over 24 hours in emergency during:

- (a) April 2018?
- (b) May 2018?
- (c) June 2018?
- (d) July 2018?
- (e) August 2018?
- (f) September 2018?
- (g) October 2018?
- (h) November 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has advised:

Number of patients with a visit time (*) greater than 24 hours in major metropolitan and country SA Public Hospital Emergency Departments	
Apr-18	226
May-18	334
Jun-18	371
Jul-18	369
Aug-18	383
Sep-18	371
Oct-18	274
Nov-18	365
Dec-18	337



- (\*) visit time is inclusive of waiting for treatment, treatment and waiting for bed (if required)

#### EMERGENCY DEPARTMENTS

**620 Mr PICTON (Kurna)** (13 February 2018). Given that there is no historical information available on the SA Health Dashboard website, what was the percentage of patients seen within clinically recommended times in emergency departments during:

- (a) April 2018?
- (b) May 2018?
- (c) June 2018?
- (d) July 2018?
- (e) August 2018?
- (f) September 2018?
- (g) October 2018?
- (h) November 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has advised:

Data is collected by triage category, rather than by clinical diagnosis, and are published by the Australian Institute of Health and Welfare.

#### HOSPITAL BEDS

**621 Mr PICTON (Kurna)** (13 February 2018). Given that there is no historical information available on the SA Health Dashboard website, what was the average number of available overnight beds in Adelaide metro public hospitals during:

- (a) April 2018?
- (b) May 2018?
- (c) June 2018?
- (d) July 2018?
- (e) August 2018?
- (f) September 2018?
- (g) October 2018?
- (h) November 2018?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** The Minister for Health and Wellbeing has advised:

Overnight inpatient bed numbers for demand management, as used for the SA Health Dashboard, fluctuate by seasonal change, system redesign and service reconfiguration. The most reliable method for understanding bed utilisation is to examine the number of beds occupied by a patient at a census time point. This is referred to as a midnight census of occupied beds.

Average Midnight Census Point Overnight Occupied Beds, Adelaide Metro Public Hospitals	
Apr-18	2471
May-18	2513
Jun-18	2563
Jul-18	2568
Aug-18	2582
Sep-18	2579
Oct-18	2547
Nov-18	2541
Dec-18	2458

#### *Estimates Replies*

#### PUBLIC SERVICE EMPLOYEES

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

**The Hon. R.I. LUCAS (Treasurer):** I have been advised of the following:

(1a) The total number of FTEs in each department or agency in the South Australian Public Sector.

The Office of the Commissioner for Public Sector Employment (OCPSE) collects workforce data for the South Australian Public Sector. Information on the number of FTEs in each department or agency is published in table 1 of the annual Workforce Information Report, which is available on the OCPSE's website at:

<https://publicsector.sa.gov.au/about/office-for-the-public-sector/workforce-information/>.

(1b) The number of FTEs by division and/or business unit within each department or agency

OCPSE does not collect information on the number of FTEs at the division and/or business unit level within a department or agency.

(1c) The number of FTEs by classification in each division and/or business unit within the department or agency

OCPSE does not collect information on employee classification at the division and/or business unit.

The Workforce Information Report includes information on the number of employees within salary brackets across the sectors. This information can be found in table 13 of the Workforce Information Report.

### **PUBLIC SECTOR EMPLOYEES**

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

**The Hon. R.I. LUCAS (Treasurer):** I have been advised of the following:

The Office of the Commissioner for Public Sector Employment (OCPSE) publishes the Workforce Information Report (the Report), the official record of the size and composition of the South Australian Public Sector workforce as at June each year.

Workforce information for the 2018-19 financial year will be published in the second half of 2019. Information for the previous year is available in the 2017-18 report accessible at:

<https://publicsector.sa.gov.au/about/office-for-the-public-sector/workforce-information/>.

The size of the public sector workforce as at 30 June 2018 is presented in table 1 of the report. Table 1 reports workforce data as headcount and Full Time Equivalent, and for each individual agency in the public sector.

Table 3(b) breaks down the public sector workforce by appointment type (ongoing, short term, long term, or other). This table presents the number of employees as headcount. Data aggregated by FTE and agency is not published in the report.

Table 9 details the number of executives across the public sector, by headcount. A breakdown of executives by FTE, agency and appointment type is not published in the report.

The report and interactive dashboards with selected workforce data for each agency are available on the OCPSE website at [publicsector.sa.gov.au](https://publicsector.sa.gov.au).