HOUSE OF ASSEMBLY

Wednesday, 20 March 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 this parliament is assembled and the custodians of the sacred lands of our state.

Bills

PARLIAMENTARY COMMITTEES (PETITIONS) AMENDMENT BILL

Introduction and First Reading

Ms BEDFORD (Florey) (10:31): Obtained leave and introduced a bill for an act to amend the Parliamentary Committees Act 1991. Read a first time.

Second Reading

Ms BEDFORD (Florey) (10:31): I move:

That this bill be now read a second time.

A petition is a request by a group of citizens for parliament to take action to solve a particular problem. It is the oldest and most direct way citizens can draw attention to a problem and ask parliament to act. The right to petition dates back to the reign of King Edward I in the 13th century in Britain, where grievances were considered by the monarch in meetings of the King's Council. The origins of parliament, as we know it, can be traced back to these meetings. Many of the earliest laws were actually petitions that had been agreed to by the king.

As parliament evolved from a primarily judicial to a predominantly legislative body, with its judicial functions taken over by the courts, the character of petitions changed. By the end of the 14th century, legislative remedy was sought by individuals and corporations who petitioned parliament or the House of Commons. At the same time, petitions from the Commons to the Crown—these being of a general nature and expressing national grievances—became frequent.

The British parliament's first legislative acts occurred with the Commons petitioning the king for certain amendments to the law. This was the precursor to legislation by bill, as later the Commons assumed the task of drafting the desired statute, which could then be accepted or rejected but not amended by the Crown. The 17th century saw the development of what may be considered the modern form of petition: addressed to parliament, drawn up in a prescribed manner, usually dealing with public grievances.

As outsiders are not permitted to address the house directly, petitions are presented by members. Therefore, groups and individuals with petitions for the house must enlist the aid of members to have their petitions presented. Members are not bound to present petitions and cannot be compelled to do so; nevertheless, members consider it a duty to present to the house petitions brought forward by citizens. The member, who makes the presentation on behalf the petitioners, is not required to agree with the content of any petition he or she may choose to present, and no such inference should be drawn.

We are governed by the rule of law, and parliament has the power to change the law. Voters have the right to vote, which can ultimately change the parliament, but how can they exercise any influence between elections? There needs to be another mechanism.

Anne Davies, in the *Guardian Australia* on 12 December 2017, tells us about a survey on Australian attitudes to democracy, suggesting faith in Australia's system of government is waning in the face of short-term, knee-jerk politics and a growing scepticism about whether politicians have voters' interests at heart. The survey was undertaken by Essential in October 2017 and was based

on an online panel of 1,025 respondents. It was overseen by Glenn Withers from the Australian National University and sought to replicate similar polls undertaken in 1994 and 2015.

Mark Triffitt, a Fellow with the Centre for Policy Development at the University of Melbourne, tells us in The Conversation on 10 July 2018 about the same survey, saying 73 per cent of people surveyed think politics is fixated on short-term gains, not addressing long-term challenges. Around 34 per cent surveyed thought politicians were good at making difficult decisions when representing their communities, and just 39 per cent thought that parliaments were effective in tackling the major challenges facing their communities.

The paper goes on to say that nearly every indicator of a healthy western democracy is failing globally. Public trust and voter engagement have declined over the past decade in established core democracies around the world, including in the US, across Europe and in Australia where, here, public interest and satisfaction in democracy have fallen to a record low over the past 10 years. We need to reinvigorate democracy to begin to meet the expectations of citizens as to how a 21st century democracy should engage and perform. Democracy should happen every day, not only on election day.

In South Australia, women won the vote with a petition, while today the standing and relevance of petitions is in question. Currently, in South Australia, on presentation to the House of Assembly, a petition becomes a public document. No debate takes place at the time of the petition presentation, although a member may move a motion to note the petition or refer it to a standing committee, which would result in a debate on the subject matter of the petition during private members' business time in the house. The moving of any of these motions is rare. To my recollection, it has never happened in 22 years and it would be a very problematic course to pursue these days.

A member may also address the subject of a petition during grievance or adjournment debates. After a petition has been announced to the house, its presentation is recorded in the minutes of the house, called the Votes and Proceedings, and in the *Hansard* for that day. Standing orders also require that the Clerk of the House refer the petition to the minister responsible for the matters raised.

Ministers may respond to a petition in any way they see fit—for example, by writing to the petitioners or a selection of them or by ordering some administrative action to be taken. The House of Assembly Procedure Office sends a copy of the front page of petitions to the relevant minister for their attention; however, there is no requirement for a response to the petition. While petitions produce no immediate or obvious results, they are considered by some to be a method of informing all members and the government, in a public way, of the views of sections of the population. I have sought advice from the Parliament Research Library about petitions in other jurisdictions and quote from their research paper 2556:

> A variety of approaches are taken interstate and elsewhere in the world and include:
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> - petitions being referred to relevant Ministers for their response;
> - debates on petitions being scheduled;
> - formal inquiries being undertaken in relation to petitions; and
> - dedicated Parliamentary Committees to consider petitions.

In the ACT, time allocated for debate on petitions after their tabling is 30 minutes, with each speaker having no more than five minutes. Petitions of more than 500 signatures are referred on the same date to one of the standing committees. In New South Wales, petitions of 10,000 signatures are set down for an order of the day on a future date—4.30pm on the next sitting Thursday—for various times per speaker, amounting to 30 minutes in total, and 500-signature petitions require a response.

In Western Australia, every petition presented is referred to the Environment and Public Affairs Committee; however, no response is required. The Northern Territory requires a referral to the minister with a response needed within 12 sitting days. Tasmania refers petitions to the minister via the Premier for a response within 15 sitting days. Queensland refers to the minister with a response within 30 days, and Victoria is very similar to South Australia in almost every respect.

Federally, the role of petitions is under review. Currently, there is a standing committee on petitions that can inquire into and report on any matter relating to petitions and the petition system but does not make recommendations on or implement any actions requested in petitions. As you can all see, this means that the response to petitions throughout Australia, nationally, is very ad hoc and seems designed to slow any public action on issues of concern.

Internationally, in New Zealand a conforming petition is referred to a select committee for consideration and report. I witnessed a committee deliberation during my recent time in Wellington and was impressed by the scrutiny afforded to the topic on the day, which was affordable public housing.

In the Canadian House of Commons in the late 18th century, petitions were routinely debated. Since 1986, their standing orders have provided that the ministry shall respond within 45 calendar days to every petition referred to it. Government responses to petitions are generally tabled in the house during routine proceedings, and any member who has presented a petition is provided with a copy of the response at the time it is tabled. In the US, the petition clause of the First Amendment to their constitution guarantees the right of the people to petition the government for a redress of grievances, and petitions are commonly used in the US to qualify candidates for public office to appear on a ballot paper.

It is time for change here in South Australia. Voters in Florey have demanded action on some issues recently and questioned the value of the petition process, which has resulted in this private member's bill—democracy in action. This bill proposes modest changes and does two main things: first, in clauses 3 and 4 it expands the functions of the Legislative Review Committee so that the committee is tasked with inquiring into, considering and reporting on eligible petitions referred to it under new section 16B. The mechanism seeks consideration of community issues by referring petitions to a committee for examination.

To avoid creating a new committee, use of existing committees is the obvious solution. The Legislative Review Committee appears to have capacity, which would avoid further backlogging the Social Development Committee. In the past 20 years, only 19 petitions have reached 10,000 signatures, and none since 2015, so the burden is unlikely to be especially great. Given that petitions are often tabled in order to achieve a change in law or policy, the Legislative Review Committee provides the most appropriate medium. The new section defines what an eligible petition is—namely, one that has 10,000 or more signatures and conforms to the requirements of standing orders and/or parliamentary practices.

The second thing the bill does (in clause 5) is to amend existing section 19 of the Parliamentary Committees Act to provide a slightly different response requirement once the report of the Legislative Review Committee is referred to the minister for response under section 19 of the current act. In all other respects, a report of the Legislative Review Committee into a particular petition is treated the same way as any other matter referred to the committee under the act. The prescribed minister (or the minister with the portfolio responsibility in their house) and the Leader of the Government in the other house must address their house on the petition within six sitting days after the response is made and identify what action is to be taken or why no action is to be taken, as the case requires.

Requiring the minister to respond to the petition serves to improve transparency and allows the government to show accountability for its decisions. It also allows the minister to explain the reasons for any action they plan to take and correct any apparent deficiencies or unforeseen circumstances. This will restore the public's faith in their ability to inform and influence the policymaking process, restoring the reputation of the parliament as an institution.

The four-month timetable in the existing legislation for a response to be formulated is retained to allow for a comprehensive reply from the minister. The requirement thereafter to address parliament will facilitate debate on the substance of the petitioners' request. Defined instructions on debate on petition reports is not included, as these measures are not legislated; rather, it is a change in practice in standing orders. This means that this measure cannot be undertaken until the bill is enacted and so will need to be addressed when and if the bill is passed.

In closing, I have been convinced by electors over many years, and more recently in the past few months, that they want to participate more fully in the parliamentary and law-making process and feel that current restrictions in comparison with other jurisdictions leave them disenfranchised. They did not need much encouragement to become active because they feel—and obviously so as things stand today—that petitions have lost their relevance.

This bill will, I hope, change that perception and begin to help restore faith in our system of democracy. I acknowledge the assistance of parliamentary counsel in drafting this bill, the Parliament Research Library for its paper and my staff for their continuing dedication to our community and the importance of participation in our participatory democracy. I commend the bill to the house.

The SPEAKER: Is the member for Wright listening to some device in his chair?

Mr Boyer interjecting:

The SPEAKER: That's better; thank you. The Deputy Premier.

The Hon. V.A. CHAPMAN: Point of order, Mr Speaker: during the course of the honourable member's contribution to an important bill that she is presenting to the parliament, the member for Reynell proffered a display in the chamber. I note that the displays have now been removed. I suggest that is contrary to practice in this chamber, that those displays have now been covered and placed—still in the chamber—and I would ask that there be some indication from the member for Reynell as to whether she is going to remove those posters from the parliament, which currently, unfortunately, show considerable disrespect to the chamber and to the mover of the legislation.

The SPEAKER: I have the point of order. I respectfully ask the Deputy Premier to raise the point of order at the time the point of order arises, not after. I was trying to deal with this matter privately but, since it has been aired, for the benefit of all interested parties I can say that when I entered the chamber I did sight what I believe was a certain display that may have been used as a prop.

I have clearly invited the member for Reynell to speak with me and asked her not to have those items on display in this house while the house is sitting. She has abided by that request. I have also been given a dossier of information by the Clerk in relation to displays, and I think you will find that over time these decisions have gone each way. However, I have asked the member for Reynell to abide and she has abided. I hope that will be the end of this matter.

Ms Hildyard: It is okay to have them on our streets, though.

The SPEAKER: That is correct. I do not have jurisdiction over the streets, member for Reynell—but maybe give it time; we will see how we go.

Debate adjourned on motion of Mr Pederick.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call on the Clerk, I welcome to parliament today students from Charles Campbell College, particularly student leaders and their teacher. Welcome to parliament, and thank you for your company this morning.

Bills

CONTROLLED SUBSTANCES (DRUG OFFENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 December 2018.)

Mr PEDERICK (Hammond) (10:46): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes 23
Noes 20
Majority 3

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)	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

Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
Brock, G.G.	Brown, M.E. (teller)	Close, S.E.
Cook, N.F.	Gee, J.P.	Hildyard, K.A.
Hughes, E.J.	Koutsantonis, A.	Malinauskas, P.
Michaels, A.	Mullighan, S.C.	Odenwalder, L.K.
Piccolo, A.	Picton, C.J.	Stinson, J.M.
Szakacs, J.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) (10:51): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes 23
Noes 20
Majority 3

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)	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

Bell, T.S.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brock, G.G.	Brown, M.E. (teller)
Close, S.E.	Cook, N.F.	Gee, J.P.

NOES

Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Michaels, A.	Mullighan, S.C.
Odenwalder, L.K.	Piccolo, A.	Stinson, J.M.
Szakacs, J.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 13 February 2019.)

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (10:57): I would like to speak briefly on this bill—briefly because I do not really see that there is very much to be said, other than it is baffling to me that the government has not agreed to the bill. I cannot understand. No argument has been put forward—there has simply been adjournment after adjournment—but other states have managed to do this.

Surely no-one on the other side of the chamber thinks that these statements on vans that are driving around our streets are acceptable. They are highly offensive. In the absence of any argument, I remain completely mystified as to why we cannot for once simply have agreement on a private member's bill, do something the community is clearly supportive of and is clearly upholding the kinds of standards that we all like to think we adhere to in this place and move on. Instead, we have this week-by-week incessant adjournment of what is an absolutely reasonable proposition.

Yesterday, we had a very moving and beautiful series of speeches on both sides of the chamber about the tragedy that occurred in Christchurch, and some of us got into the beginnings of a discussion about the nature of freedom of speech and the curtailment of freedom of speech that we all agree occurs from time to time. The way in which we control what is able to be screened on public television and the way in which we constantly have to have discussions about what has become acceptable and what remains unacceptable are examples.

I cannot imagine that anyone in this chamber thinks that the kinds of slogans that are on these vans ought to be seen by children, yet they are being driven around on vans in the streets. It is simply impossible for children not to see them should they be out in public at the time when they are being driven past.

I know that children are becoming in some ways more adult, more sophisticated, some might say, but they are also still very innocent. We all, as adults, have a responsibility to maintain and protect that innocence for the period that is appropriate and suitable for young people as they grow up. I know for sure and for certain that I never want my children to see those slogans, never think that people find those sayings amusing, but I certainly do not want them to see them before they reach adulthood.

Sometimes, I speak in this chamber more in sorrow than in anger. This time, I speak in sheer puzzlement at the very fine people I know on the government benches remaining silent while we continue to allow the registration of these appalling vehicles with appalling statements, and we do not even have a debate about it; we simply adjourn, adjourn, adjourn. That is not what this chamber is for, and if something is happening now, brilliant. I look forward to the vote.

Members interjecting:

The SPEAKER: Order!

Dr CLOSE: I have not heard—

Members interjecting:

The SPEAKER: Order!

Dr CLOSE: —from the government what the government position is.

Members interjecting:

The SPEAKER: Members on my right, please tame yourselves.

Dr CLOSE: I would love to hear the government contribution.

Members interjecting:

The SPEAKER: Order!

Dr CLOSE: I would love to understand how this could not be supported by the decent people who sit on the benches opposite. I look forward to our moving towards a vote and I look forward to that being a bipartisan vote.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:01): I speak on the Motor Vehicles (Offensive Advertising) Amendment Bill, which has been introduced by the member for Reynell. It proposes a statutory remedy of quite offensive slogans that currently—I am aware of at least two—have been identified in South Australia in recent times. My understanding is that both registered vehicles are from Victoria, so the proposal, which the opposition would raise as a remedy, for a deregistration model of management of this issue is one which was a little puzzling to the government, given the capacity for it to be ineffective in relation to vehicles that come from another state.

Members interjecting:

The Hon. V.A. CHAPMAN: Members on the opposite side chorus, 'What are other states doing?' Let me just indicate—

The Hon. Z.L. Bettison: They haven't done this.

The SPEAKER: Order, member for Ramsay!

The Hon. V.A. CHAPMAN: —that a deregistration process, at first blush, is something worth having a look at. Indeed, the state of Queensland looked at that. They are facing exactly the same problem of dealing with offensive material on vehicles coming into their state that might be registered from Victoria, New South Wales, the Northern Territory or, indeed, from South Australia. What has been comprehensively and publicly identified is whether in fact there should be some national approach to dealing with the matter.

My understanding is that transport ministers, who have responsibility for registration and motor vehicles, have been looking at that matter. The question then arises about a number of constitutional and jurisdictional matters as to who would have the power to do that, to be effective across the state. We do not have barbed wire fences between us and other states. We do not have them between us and Victoria. I have often thought about—

Members interjecting:

The SPEAKER: Members on my left! I will be calling members to order as of now.

The Hon. V.A. CHAPMAN: Nevertheless, the state of Victoria, the Labor government of Victoria, apparently had a look at this matter. They identified—

There being a disturbance in the gallery:

The SPEAKER: The gentleman in the gallery, please sit down, sir. Thank you.

The Hon. V.A. CHAPMAN: They identified the weakness in the model that implies a proposal for deregistration. They were looking at a question of the Summary Offences Act and whether there should be an amendment to that legislation, which I understand has been under consideration in Victoria, which is run by a Labor government. They obviously are concerned about the issue. They have obviously identified weaknesses in the model that is being presented here—

Members interjecting:

The SPEAKER: The Minister for Child Protection and the member for Reynell are called to order.

The Hon. V.A. CHAPMAN: —and they, too, are looking at how we might deal with it. I would invite members, if they are following the concern about this matter, which I think everyone in this house should be, to have a look at the Summary Offences Act, which already deals with offensive conduct and behaviour. I do not think it will probably be adequate to cover what is here, and there may be—

Ms Hildyard: No, it won't be. That's why we need to pass this.

The Hon. V.A. CHAPMAN: The member for Reynell interjects to tell us that they will not be. She may already have had advice on this. I am getting advice on it because I think it is worthy of our having a look at that, just as the Labor government in Victoria have done. So we are certainly having a look at it.

But let me say this: I do not know what planet the members of the opposition have been living on, but Wicked Campers and persons who have these offensive slogans, two of which have been identified by the member for Reynell in her contribution—offensive and disgusting as they are—have not just appeared on our landscape in the last 12 months. No, they have been operating over a sustained period of time. I do not know what action the former government—

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —took in relation to this matter, but clearly nothing came to the parliament.

Mr Pederick interjecting:

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

The Hon. V.A. CHAPMAN: Nothing came to the parliament, not a single thing. The member for Reynell, when she was a cabinet secretary or appointed as a parliamentary assistant minister to the premier, in my recollection, was active in relation to dealing with matters of domestic violence, matters of offensive conduct towards women—and I applaud her for doing that—but was absolutely silent on this issue while we had these examples of disgraceful statements being published on vehicles.

When members have a look at the Summary Offences Act, they will see that it can relate to the publication of material on ships and other vessels, so obviously we may need to look at trucks, heavy motor vehicles, campervans, etc. There is another thing we need to look at, because understand this: it would not be beyond the wit of the people who publish such slogans to recognise that if they cannot display them on the back of a campervan or they cannot display them on the back of a utility or panel van, as we used to call them in my early days, let me tell you that they will look for the local pizza bar, or they will look for the private enterprise who wants to advertise outside their cafe or wherever else they might find that they can do it.

What is very important, though, is that we look at this issue comprehensively and effectively. In the meantime, I am putting out a request to the Victorian representatives to see how they are also managing it. It seems on the face of it that they have comprehensively rejected this model because it is ineffective—

Members interjecting:

The SPEAKER: Order! Let's settle down.

The Hon. V.A. CHAPMAN: —and we need to do something about this reprehensible conduct but not just on vehicles. It should not have to have four wheels or two wheels—

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —to qualify; it should be when it is displayed anywhere in the state.

Mr SZAKACS (Cheltenham) (11:07): This debate has been an interesting one to observe since I came to this house. There seems to be tacit if not begrudging acceptance from those on the other side of the house that Wicked Campers are a disgrace. The filth emblazoned on those vehicles causes deep offence, and any reasonably minded member of our community would and does find this deeply unacceptable.

The vehicles and content we see are perverse, and this is a view, insofar as this bill is concerned, and a course of action being proposed by the member for Reynell and supported by various advocacy groups, some of whom I note in the gallery today: Collective Shout, Plan International, Women's Legal Service, the Working Women's Centre SA, the YWCA and the Zahra Foundation.

This bill will stamp out in a small part, albeit an important part, homophobic, racist and sexist content on our roads. This is undeniably an issue most felt by and targeted towards women, but I stand in this place proudly to support this as a man, not only because my electorate has entrusted me with this duty to stand up and be heard, and not only because this is demanded of us all in this place, but because when it comes to matters of community safety and wellbeing these are matters of importance for us all.

This is not about men and women: this is about community safety. On 13 March, I attended the launch of *Colouring for Peace* by the Circle of Women. It is a colouring book created by women of culturally and linguistically diverse backgrounds who have experienced family and domestic violence. What message does this parliament send to those women, survivors of domestic violence, with whom I met and spoke, that this bill is simply not supported for progress? Opponents of this bill argue that it is hard to implement and that state-based licensing and protections are simply not effective. I say that it is better to do something rather than nothing at all.

There is a striking similarity in the approach this government is taking to this issue and the way they deal with other matters of critical community importance. When it comes to new anti-discrimination protections for those individuals accessing family and domestic violence leave—nothing. Protections for those workers facing exploitation at the hands of dodgy labour hire operators—nothing.

The Hon. V.A. CHAPMAN: Point of order: it is a matter of the subject of a bill before the house.

The SPEAKER: I have the point of order. I will listen carefully to the member for Cheltenham.

Mr SZAKACS: Licensing is about attaining and retaining a social, moral and legal contract. Be it this matter, be it driving on our roads or be it other matters, it is for this place to grant and this place to implement laws to take away. That is precisely what this bill is about. It is this parliament on behalf of our community drawing a line in the sand when it comes to this trash, the offence it causes and the message that it sends our boys and our girls.

When it comes to this opportunity to stamp out messages of disrespect and violence against women, doing anything is better than doing nothing. Opponents of this bill are incredulous at the notion that it is incumbent upon this place to do what we can when we can, because the standard that you walk past is the standard that you accept. We on this side of the chamber simply will not do that.

Members interjecting:

The SPEAKER: Order! Member for Hammond.

Mr PEDERICK: I move:

That the debate be adjourned.

The SPEAKER: The member for Hammond has moved that the debate be adjourned. Is that seconded?

The Hon. S.C. MULLIGHAN: There is one more speaker.

The SPEAKER: Sorry, the member has moved that the debate be adjourned and it has been seconded.

The house divided on the motion:

Ayes 23
Noes..... 20
Majority..... 3

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)	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

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

Motion thus carried; debate adjourned.

Members interjecting:

The SPEAKER: Members on my left and right, order!

Members interjecting:

The SPEAKER: The member for Lee and the Minister for Primary Industries might want to take it outside over a coffee.

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) (11:17): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes 23
Noes..... 20
Majority..... 3

AYES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.

AYES

Cregan, D.	Duluk, S.	Ellis, F.J.
Gardner, J.A.W.	Harvey, R.M. (teller)	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

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

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 2019.)

Mr PEDERICK (Hammond) (11:22): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes.....23
Noes 20
Majority 3

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)	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

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

Motion thus carried; order of the day postponed.

LOCAL GOVERNMENT (RATEPAYER PROTECTION AND RELATED MEASURES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 November 2018.)

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:28): I love the opportunity to talk about rate capping because it is a critical policy that the Liberal Party took to the election. The opposition's failure—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —to recognise the overwhelming will—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. J.A.W. GARDNER: —of the people of South Australia to support that rate capping policy is a stain on their time in opposition. This bill is a fig leaf—

Dr CLOSE: Point of order.

The SPEAKER: Minister, I am not sure what you have done, but there is a point of order. I will hear the point of order.

Dr CLOSE: Relevance: the minister is talking about the wrong bill.

The Hon. J.A.W. GARDNER: This was in direct response—

The SPEAKER: Minister, one moment.

The Hon. J.A.W. GARDNER: —to the overwhelming popularity—

The SPEAKER: Minister, be seated. I will listen carefully. I will allow the minister some preamble, but then I do expect him to come to the substance of the bill. It is a bit early, but I will listen carefully. Thank you.

Mr Duluk: I would say that it is very germane.

The Hon. J.A.W. GARDNER: Well, the member for Waite argues that it is germane, but I will defer, sir, to your expertise in the matter. The fact is that I am going to the purpose for which this bill was moved: to cover the Labor Party's embarrassment that they are not supporting things that the people of South Australia want and they are instead trying to construct this fig leaf of a bill to cover their embarrassment. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Motions

SA PATHOLOGY AND SA MEDICAL IMAGING

Mr PICTON (Kaurna) (11:30): I move:

That this house—

(a) notes the vitally important work of SA Pathology and SA Medical Imaging in public hospitals across the state in saving the lives of countless South Australians;

(b) condemns the state government for its savage cuts to SA Pathology and SA Medical Imaging in the 2018 budget;

(c) condemns the state government for its move towards the privatisation of SA Pathology and SA Medical Imaging;

(d) expresses grave concerns that the privatisation of these vital services could mean fewer labs, fewer clinicians and longer processing times—potentially leading to life-threatening delays for patients; and

(e) calls on the government to immediately reverse these cruel cuts to SA Pathology and SA Medical Imaging and to rule out the privatisation of these services.

Pathology services are integral to our health system as a whole, particularly for our public health system. They are used in more than 70 per cent of medical treatment plans. Most visits to a doctor, most visits to hospital, will involve pathology samples being taken, and SA Pathology is a vital element of that.

SA Pathology does the most complex work in South Australia. They undertake the bulk of the complex pathology tests. Private providers do not have the capacity to perform complex tests, as generally this is the type of work that does not turn a profit, so they rely on sending their complex work to SA Pathology or interstate to be done. They do not have the capacity to do it themselves.

SA Pathology are the people we turn to when there are public emergencies, when there are outbreaks. Only SA Pathology have the plans in place, the capacity and the testing capability to be able to respond to emergencies such as disease outbreaks, the identification of potentially dangerous unknown substances like white powder, as well as many food outbreaks that happen in this state. For example, only a few weeks ago we saw outbreaks in regard to some of our bakeries, and they were quickly identified thanks to the work of SA Pathology, the public pathology provider.

SA Pathology provides a vast amount of training in this area in South Australia. They train the people who work as pathologists and scientists. They are the ones who do that. The private sector relies on SA Pathology to train the next generation of staff. They do a vast majority of the research. If you look at the work being undertaken at SAHMRI, the work being undertaken throughout our hospitals and universities on developing the next big advances in medical science is being done by SA Pathology with those expert pathologists and medical scientists. It is not being done by the private sector. It is being done by SA Pathology.

If you look at regional South Australia—and this is something the member for Stuart and the member for Chaffey have been on the public record about—SA Pathology is relied upon in regional South Australia to make sure that we have those tests available when and where people need them across the entire breadth of this state.

So, if you look at all those reasons why SA Pathology is so important, what is the government's response? Months after coming into office, in their first state budget, their response has been to slash SA Pathology, with $105 million worth of cuts, brought in the Marshall government's first budget, directed at SA Pathology, directed at cutting these services that South Australians rely on. There was no mention of this before the election, no mention that they would be bringing in these cuts beforehand, and what happened?

The Hon. S.S. Marshall interjecting:

Mr PICTON: And you said you wouldn't do anything.

The SPEAKER: Order!

Mr PICTON: The Premier says there was a report previously.

The Hon. S.S. Marshall interjecting:

The SPEAKER: Order!

Mr PICTON: The Premier condemned the report.

Members interjecting:

The SPEAKER: Order, members on my right!

Mr PICTON: The Premier condemned that report. His then shadow minister—

Members interjecting:

The SPEAKER: Do not provoke the member for Kaurna.

Mr PICTON: —went out and said—

The SPEAKER: He doesn't need provocation.

Mr Cowdrey interjecting:

The SPEAKER: Member for Colton!

Mr PICTON: The Premier broke his promise to South Australia because the Premier's shadow minister, before the election, went out and said—

The Hon. S.S. Marshall interjecting:

The SPEAKER: Premier, please!

Mr PICTON: —that he would not be bringing in any changes like this without a lengthy consultation with clinicians. There was no mention of privatisation.

The Hon. S.S. Marshall interjecting:

Mr PICTON: You said you didn't have a privatisation agenda.

The Hon. S.S. Marshall interjecting:

The SPEAKER: Order!

Mr PICTON: You said you didn't have a privatisation agenda and now what we see in the budget in black and white is a privatisation agenda from this Premier for SA Pathology, and he laughs. He laughs at this issue, but this is not a laughing matter—

Members interjecting:

The SPEAKER: Order!

Mr PICTON: —for the people who rely on these services in South Australia. The Premier thinks that privatising SA Pathology is a laughing matter, but it is not a laughing matter. It is vitally important that SA Pathology stay in public hands. We on this side of the house will fight for that and you on that side of the house have brought this in in your first budget. They said, 'We are going to bring in $105 million worth of cuts to SA Pathology and, if they don't meet those cuts, we are going to privatise those services,' just like they privatised yesterday a high security prison, just like ETSA was privatised the last time they were in government, and now we are seeing these vital public health services—

The Hon. S.S. Marshall interjecting:

The SPEAKER: Order!

Mr PICTON: Again, we see the Premier saying that this is a laughing matter. He thinks it is a laughing matter to privatise SA Pathology.

Members interjecting:

The SPEAKER: Order!

Mr PICTON: Go to the people of South Australia. See what they think about privatising SA Pathology.

The Hon. S.S. Marshall: Is this a freak act? Is this over from the Fringe?

The SPEAKER: Premier!

Mr PICTON: The Premier is now sitting on a report from PwC—

Members interjecting:

The SPEAKER: Order!

Mr PICTON: —that he is refusing to release, outlining the ways in which he is going to cut $105 million from the work that SA Pathology does in our hospitals, in our communities.

Members interjecting:

The SPEAKER: Order, members on my right!

Mr PICTON: He should release that report. He should tell South Australians which services are going to be cut from SA Pathology. He should tell South Australians which clinics will be closing. He should tell South Australians which labs he is going to be closing. He should tell South Australians how much longer they are going to have to wait to get their samples done under the Marshall government. He should tell South Australians what the impact is going to be on South Australians in public hospitals and how much longer they are going to have to wait for their samples.

Under his leadership, we have already seen closures to clinics at Flinders Medical Centre; we have seen closures of immunology there. We have seen closures of a whole range of other important services at Flinders Medical Centre under his government. That is just a taste of what is going to come because within three months the first $25 million of cuts to SA Pathology will be about to hit. He might think it is a laughing matter, but these cuts are going to impact South Australians.

These cuts are going to reduce the number of scientists and pathologists who are working to benefit South Australians, to cure South Australians. It is going to lead to longer processing times, and he has held out the threat of privatising those services. He said, 'If you don't make these cuts of $105 million over three years, then we are going to outsource these services to private providers who don't have the capabilities to perform those tests.' We will see more tests going interstate. There already has been the signal from SA Pathology in the last couple of months that they are going to be sending more samples interstate to be tested rather than using our pathologists and our medical scientists here in South Australia.

We know that PwC has been asked by the government to do a report, and the government is sitting on this report. The Premier has it with him. He could release that and South Australians could see what is going to be coming down the line from the middle of this year, but we have not seen that released. When questioned by a select committee of the other place, the head of SA Pathology and the Deputy Chief Executive of SA Health said they had no idea how that first $25 million worth of cuts to come in July were going to happen, and we had excuses such as, 'We are going to wait to see this PwC report,' which we know that the government now has, 'to work out how those cuts are going to be brought in from July'.

We also do not know what the test is for when things are going to be privatised. Is it six months down the track, if those cuts are not met, when it will be privatised? Is it a year? Is it 18 months or two years? The government does not say. What we have heard is that all the representatives of the doctors and clinicians—expert people in this area—have said that it all looks as though the government is setting up SA Pathology to fail. It looks as though this is being set up to fail so that they can privatise this service because they are obsessed with privatisation and they are obsessed with the private sector.

These are vital public health services. These are essential services that should be staying in public hands. Only a few weeks ago, we saw the shock resignation of the head of SA Pathology, Glenn Edwards—someone who described himself as very passionate about public pathology and the important role it plays. So the head of SA Pathology, who is passionate about public pathology—

Members interjecting:

The SPEAKER: Order!

Mr PICTON: —and the important role it plays, months before these cuts come in, months before the privatisation plan of the Marshall government is going to come in, has bolted. He has gone out the door and the government does not know who is now going to run SA Pathology. The defender of public pathology, who was the head of SA Pathology, is out the door and going to Victoria.

There are many unanswered questions about the role of Michael Stanford, who was part of the KordaMentha review, while he was a board member of Australian Clinical Labs. This government brought in KordaMentha to review CALHN health services, which includes SA Pathology, and, as

part of that review, it did not go to public tender. They had Michael Stanford there, who was on the board of a private pathology company. While that review was undertaken, the government comes out with the idea, 'Well, we're potentially going to privatise public pathology now.'

What involvement did Michael Stanford, a private pathologist on the board of a private pathology company, have as part of that review? Questions remain unanswered about that. He was on the board of Australian Clinical Labs, which is building a new lab at Adelaide Airport and recently opened a new collection centre at Elizabeth.

Despite the fact that these cuts have not yet come in, we have seen many cuts so far. We have had no idea from the government about how they are going to bring in their next round of cuts, but we have seen services axed at Flinders Medical Centre; immunology, genetics, molecular pathology and chemical pathology have been moved to Frome Road, away from the patients in the south who are using those services. This has led to concerns from clinicians that this will lead to more delays. We are particularly talking about kids who have cancer; they are going to experience delays in terms of getting that diagnosis. It could mean that there will be a delay in getting the treatment they need. Clinicians at Flinders say that those delays in services will lead to impacts on patient safety.

In January, we heard that more tests are being sent interstate. There is no justification or business plan about how that will work. More work sent interstate means more risk to patients and more delays in test results coming back to patients. That means that more patients will be stuck waiting in hospital, using beds, waiting for results, when we have professionals right here who could be doing the job.

Employee organisations are hearing from their members—scientists and clinicians at SA Pathology—that these cuts are dangerous and will risk public safety. These organisations have also been told directly by SA Pathology that the purpose of the recent changes is to cut jobs. They report that staff at SA Pathology are afraid to speak out about the impact of cuts because they fear being punished or potentially losing their jobs. It is hard to contribute to making efficiencies or consistently delivering good patient outcomes if staff are constantly living in fear of budget cuts and job losses.

If the government goes ahead with privatising SA Pathology, as it seems clear is the ultimate goal here, the impacts will be dire. Complex work that is currently undertaken by SA Pathology would need to be sent interstate or overseas; there just is not the capability for a private pathologist to do that work. There will be obvious delays in patients getting their results and increased risks of errors in those test results. South Australia would be left with no coordination and no expertise to deal with disease outbreaks, biohazard attacks or other statewide emergencies. Privatisations would likely mean that the junior workforce would have to go interstate to train and gain the necessary skills in the pathology field.

Staff are warning about the impact privatisation would have on research in South Australia—such an important growing area of work in this state and part of the future that we want for South Australia; that is why we invested in the biomedical precinct in South Australia. If you privatise SA Pathology, you are pulling out a huge chunk of the work that is needed. There is not a lot of work that happens in the research field without some involvement from SA Pathology. It will be hard to attract the next generation of pathologists and scientists with research capabilities and opportunities to develop their skills in the state and it will be very hard for our researchers to get the grants that they need if we do not have a public expert pathology laboratory service here in South Australia.

Taking SA Pathology services out of our public hospitals, as has happened at Flinders and potentially would happen at other hospitals like Lyell McEwin, The QEH and others if it were privatised and centralised, would mean worse patient outcomes and longer waits for patients. It would mean that we will ultimately see patients who need those results fast having to wait longer in hospitals. It is going to lead to more pressure on emergency departments and more ramping.

For instance, we have heard that immunology at Flinders has been tied to $1 million in hospital research funding, and now the government has cut that service. Not only is it impacting patients but it is also impacting the research revenue tied to it. If SA Pathology is privatised, regional communities will suffer the most. We know that because we have heard the member for Stuart and

the member for Chaffey come out against the privatisation. They know that, if SA Pathology is cut and privatised, those regional areas that rely on SA Pathology and the public sector to provide those services are going to be hit the hardest. Regional health services, which are not as profitable as other services, would easily be the first in line to be hit.

I encourage the house to support this motion. We know that privatisation of essential services like SA Pathology is the wrong move. It is going to impact patients and it is going to impact our medical research in the state. The government need to reverse their cuts and reverse their privatisation agenda.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:46): On behalf of the government and the Minister for Health and Wellbeing in the other place, let me just say what an unfortunately politically charged, misleading and uninformed motion this is.

Mr Picton: You're not cutting and privatising? I will show you the budget paper.

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: I move to amend the motion, as follows:

Delete paragraphs (d) and (e) and amend paragraphs (b) and (c) to read:

(b) notes the actions of the former Labor government to pursue efficiencies in SA Pathology;

(c) condemns the hypocrisy of the opposition, in particular former health ministers, in opposing efficiency measures in this parliament;

To put a bit of fact into the debate, it is terribly unfortunate that the shadow minister wants to try to confuse people and pretend that seeking efficiencies is automatically about imposing privatisation—it is not.

Mr Picton: That's what your budget paper says. Look at the budget paper.

The SPEAKER: The member for Kaurna is called to order.

The Hon. D.C. VAN HOLST PELLEKAAN: It is absolutely not about an automatic imposition. In fact, the Minister for Health in the other place, myself here during question time—

Mr Picton: Did you call the Premier to order?

The SPEAKER: Yes, I believe I did.

The Hon. D.C. VAN HOLST PELLEKAAN: —and the Premier could not have been clearer about the government's intentions. It is deliberately misleading for the shadow minister to try to paint it in any other way. There is one thing that we agree on, though. We agree very strongly on the importance of the work done by SA Pathology and SA Medical Imaging. Pathology and medical imaging work is a vital part of a contemporary health system. South Australian pathologists, radiologists, scientists, technicians, radiographers and phlebotomists are an integral part of the state's public health network.

In 2014, Labor commissioned Ernst and Young to review SA Pathology. Minister Snelling received the EY report in December. Among its six recommendations were the cutting of more than 300 FTEs and the privatisation of country pathology services. It took minister Snelling more than two months to rule out the privatisation of country health services. In 2015, Labor developed their efficiency improvement program, which aimed to cut 200 FTEs from SA Pathology as well as beginning the consolidation of tests that they now oppose.

The savings program was paused in 2017, with minister Snelling announcing that it would be revitalised after the 2018 election. Labor were going to revitalise their previously failed program after the election if they had been successful. Significant damage was done to staff morale through Labor's arrogant and unconsultative approach. This government has taken a distinctly different approach. Like the former Labor government, we will pursue efficiencies in SA Pathology and SA Medical Imaging but, unlike the former government, we are engaging clinicians. Unlike Labor, we have engaged with staff and unions on a regular basis following the budget announcement.

Mr PICTON: Point of order, Mr Speaker: the amendment moved by the Minister for Energy includes an unparliamentary term, so I ask you to rule that his amendment is out of order.

The SPEAKER: I have the point of order. To deal with an individual as a 'hypocrite' has been ruled unparliamentary; however, in this instance, we do have condemnation of the hypocrisy of the opposition in its entirety. At this stage, I am going to allow the motion, but we are still confirming.

The Hon. D.C. VAN HOLST PELLEKAAN: Unlike Labor, we have engaged with staff and unions on a regular basis following the budget announcement. Our government has made a commitment to release the data underlying the PwC report. Our government is committed to delivering quality and sustainable health services to South Australians. We are duty-bound to deal with inefficiencies where they are to be found. Labor and Professionals Australia thought they could be found before the election. Labor try to pretend that they have no interest in this matter, but it is entirely inappropriate for them to do that.

PwC and SA Pathology have been working together to identify potential opportunities for savings and ways to ensure that those savings will enable the organisation to reform the way it operates and to become a modern, sustainable service. SA Medical Imaging have provided advice that they will be able to meet their $6.2 million savings target. They will achieve this because they have identified more efficient and cost-effective ways to deliver their services.

The Marshall Liberal government is committed to fixing the health system that Labor broke, including delivering contemporary, sustainable and high-quality pathology and medical imaging services. Having had the opportunity to put those facts very clearly on the record for this chamber and for anybody following this issue, let me say again that it is extraordinary to me that the member for Kaurna would come to this chamber—

The SPEAKER: Excuse me, minister. I might pause you for just a moment. We have found a ruling from Speaker Snelling, believe it or not, in 2008, which is most ironic, where he noticed that the word 'hypocrisy' is not unparliamentary but that it is unparliamentary to refer to another member or members as hypocrites. However, 'hypocrisy' was not found to be unparliamentary. Therefore, I thank former Speaker Snelling and will allow the minister to continue. Thank you to the member for Kaurna for raising that point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you very much, Mr Speaker.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: Former minister Snelling wanted to privatise SA Pathology. Then he said that he was not going to privatise SA Pathology and then, before the last election, he said that possibly the government would privatise SA Pathology after the election, if they were successful. Nonetheless, no doubt his ruling as Speaker is consistent, and I appreciate that.

The reality is that we are looking for efficiencies. It is inappropriate for the opposition to try to pretend that seeking efficiencies automatically means a deliberate, sneaky intention of privatisation, and it is also not very smart. When you look at MAC, when you look at the Lands Titles Office, when you look at the Repat hospital and when you look at SA Lotteries, it makes no sense why on earth anybody in the opposition would even want to raise this topic in the broader form with regard to privatisation.

We are fully committed to high-quality—the best possible quality—medical care that this state can afford for the people of South Australia and those who visit here. As the member for Stuart, I am committed to the very best care possible in the electorate that I represent. I was asked in question time many months ago whether I retract the things that I have previously said on this topic. No, absolutely not. The position of the government as a whole is that we need to seek efficiencies where we can find them, but they will not be at the expense of high-quality care. SA Pathology and SA Medical Imaging are part of that high-quality care, but we make no excuse for seeking sensible efficiencies where we can find them.

We make no excuse for engaging directly with clinicians and other medical service providers, and with unions, in a way in which the previous Labor government did not do. We are engaging with those people to work with them to find out where sensible savings can be made.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: We are working with these organisations. If the member opposite would like to check *Hansard*, he will understand that what he just interjected with is completely the opposite to what I said.

Let us get on with the work is what I say to members opposite. Understand that we are doing it in a very straightforward and transparent way, and we are doing it in an effort to get the best possible medical care that we can for South Australians. We value the work that SA Medical Imaging and SA Pathology do extremely highly. On that, we agree with the opposition.

Ms COOK (Hurtle Vale) (11:55): I rise to support the member for Kaurna's motion which, in a nutshell, condemns the state government for its outrageous budget cuts and movement towards the privatisation of SA Pathology and SA Medical Imaging. I will try to stay to what is ostensibly the clinical reasoning behind why we should maintain state services in state hands. However, before that, I would like to point out that the one privatisation that has not been mentioned today, which was a complete disaster for health care in South Australia, was Modbury Hospital. That was a disaster and it will never be the same again. It was a complete disaster.

When people present to our emergency departments, they are often suffering from a complex range of symptoms and need an expert team of clinicians enabled to order a wide range of investigations, and results need to come in a timely fashion. By 'timely' I mean minutes. To achieve this, we need a world-class pathology and imaging service at hand, ready to respond, which is what we currently have in our major hospitals.

Public pathology and imaging services provide for comprehensive access for all patients, with an extensive network of laboratories and technologies engaging in a 24-hour service for tests and analysis that patients need, regardless of their incomes. This is for all people all the time. Public pathology, and also imaging services, provide high-quality services across all settings, from in the community to the hospitals, providing integrated care and great continuity. This leads to efficient diagnosis and timely access to care needed to achieve the best possible outcomes for all South Australians. This is what we need in the heart of health care and clinical pathways. It must be part of the healthcare journey, part of an integrated clinical team.

Public pathologists, radiologists, radiographers and scientists are the experts in diagnosing patients with the most complex and life-threatening conditions. In the public hospital emergency departments, intensive care units, oncology units and more, we must have these quality clinicians and technicians available. In the case of public pathology, they develop and are often the sole providers of specialised testing, which is not funded by the Medicare Benefits Schedule (MBS). Who will do this if these systems are privatised?

Public pathologists are the most prestigious and highly regarded experts in their field, leading to streamlined, personalised care for patient management. Public pathology plays a major role in responding to public health emergencies, as the member for Kaurna talked about recently with the food poisoning that happened. Public pathology is essential. Public imaging is essential. All these services protect our communities.

Public pathology and imaging are both innovative. They translate research into new testing methods that improve our healthcare outcomes. Their collaborative teams ensure appropriate and timely use of their services. We want our clinical experts engaged in teaching and training. We want them to support new staff, medical specialists, graduates and science students; to become clinical leaders in technical innovations; and to improve service quality and patient outcomes. This is what public providers do. This is what the pathologists and the medical imaging specialists do: they play a role in teaching all students, and this includes nursing students as well. They are leaders in clinical and treatment innovation.

Public pathology and imaging are committed to patient safety, quality-assured services and improving health outcomes for patients. Our public pathology and imaging teams are always seen ensuring timely, accurate diagnoses leading to better clinical decisions. They focus on rational, evidence-based testing, driving efficiency and providing value for money. Public pathologists and imaging specialists provide direct care to patients on the wards and in outpatient clinics. There is a wider clinical governance, health policy and management responsibility in the health system.

Front-line clinical services are patient focused. Decisions must be made with patients at the heart of this, not profit. Public pathology and imaging providers also provide objective advice to governments. This is essential. They are free from commercial bias. I completely oppose the privatisation. I completely oppose the budget cuts that have been put in place to both imaging and pathology services. There will be risks to patient safety if these cuts continue. If privatisation occurs, it will create further problems with ramping, longer stays in hospital and greater emergency presentations. In 70 per cent of the times when a patient presents to the emergency department, they need the pathology service in place to deal with disease diagnosis and manage their complex conditions.

Health care statewide, but especially in my southern community, has always been a priority for me during my working life. I have met with, talked with and liaised with public pathology providers. I have also done the same with the imaging service down at Flinders. Staff members have come to me, very concerned about the future. These are the key points they talk about in regard to maintaining the public service in Flinders Medical Centre:

- it is one of the busiest hospitals in South Australia;
- as a group, the clinicians at Flinders are demanding a reliable and efficient diagnostic service with access to pathology on site to discuss the unities resulting from these diagnostic services;
- currently, there are strong associations between diagnostic services at Flinders and the world-leading research units. The centralisation of these diagnostic units from Flinders Medical Centre to Frome Road would destroy that nexus. This is really dangerous; and
- centralisation would lead to Flinders losing accreditation status for the training of their medical school and their pathologists. They are very concerned that this is going to lead to poorer outcomes for our southern community.

Public pathology needs to be produced from an integrated service located on hospital sites and also preferably as part of a health precinct such as SAHMRI, such as we have at Flinders. We urge you to keep your hands off public services.

Dr HARVEY (Newland) (12:02): I rise today in support of the amendment moved by the Minister for Energy and Mining to the motion moved by the member for Kaurna. Undoubtedly, pathology and medical imaging work is an essential part of a modern health system. SA Pathology is a key partner in protecting the health of South Australians through the high-quality diagnostic and specialist work in the area of public health and food safety. The organisation is a teaching, training and research leader, training the vast majority of pathologists in South Australia, including many who go on to work interstate in the public and private sectors.

In fact, many years ago, I did some work experience at what was then the old institute of medical and veterinary science (IMVS). We were working on a project for genotyping hepatitis C infections. Knowing what the genotype is has implications for the kind of treatment that you give. What we were working on was actually a new and more efficient test for doing this. The existing method had been quite labour intensive and had many, many steps and took a number of days. What I was looking at was a new method that was much quicker.

Rather than having to actually sequence the genotype, you could use a hybridisation method that would allow you to basically count the number of bands and work out what the genotype was based on that. It was a very interesting project. The point I want to make from that is probably also an example of an efficiency. As technologies develop, tests for a lot of these important processes can be refined and done much quicker and much more easily.

In addition to SA Pathology, SA Medical Imaging provides specialist medical imaging across South Australia, with more than 700 full-time equivalent staff, and provides timely and accessible services for the whole community, with more than 600,000 scans performed each year by the team. Both SA Pathology and SA Medical Imaging play an important role in our health system, and I am certainly sure everyone in here would agree with that. However, what is truly breathtaking is Labor's hypocrisy on this issue, particularly what we have heard this morning. It is really quite incredible.

In fact, in 2014, Labor commissioned Ernst and Young to review SA Pathology. Among the six recommendations was a recommendation to cut more than 300 full-time equivalent staff and another recommendation to privatise pathology services in the country. At the time, it took the minister more than two months to finally rule out privatising services in the country areas.

In 2015, Labor developed their efficiency improvement program, which aimed to cut 200 full-time equivalent staff from SA Pathology, as well as beginning the consolidation of tests, which now they have suddenly decided to oppose. At the time, Labor did not properly engage with staff as part of this efficiency program, nor did they release the underlying data behind the Ernst and Young report, which drove the efficiency program.

The savings program was paused in August 2017, with the then minister announcing that it would be revisited after the election. Now, of course, it seems that the Labor opposition would like to pretend that that was not the case. It is completely disingenuous for those opposite to come in here and carry on in a holier than thou manner and attempt to completely whitewash history. Given their record, it is difficult to comprehend how members opposite can possibly look the affected people in the eye and say the kinds of things we have heard this morning.

They are talking about privatisation and centralisation. Really, I cannot even think of the words to describe someone who could just turn around within 12 months and start talking about these things. This talk of privatisation is from a party that privatised the Motor Accident Commission, the Lands Titles Office, the forests. Basically, anything that was not stuck down was privatised under those opposite, including the outsourcing of many services within the health system.

We just heard the member for Hurtle Vale talking about centralisation. That was the cornerstone of Transforming Health, which meant that—

Mr Pederick: Don't forget the Repat.

Dr HARVEY: The Repat was closed, which of course they said they were not going to close. In my part of Adelaide, we had Modbury Hospital being significantly downgraded and services being centralised into other hospitals. It is breathtaking to hear those opposite come in here and talk about privatisation and centralisation, given that their record on that is far and above anything that is being contemplated on this side.

It is also worth noting that Sarah Andrews of Professionals Australia, at the time the Labor government decided to pause their savings program until after the 2018 election was quoted on the ABC as saying, 'I think invariably when you introduce new technologies to the workforce, efficiencies can be gained, and we're happy to be part of the working party to oversee that process.'

Significant damage was done to staff morale and to SA Pathology as a service through Labor's arrogant and unconsultative approach. This government has taken a very different approach. Where we are similar to the Labor government is that we are pursuing efficiencies because they are necessary to ensure that the system is sustainable, but in stark contrast to that we are actually engaging with clinicians. Also, unlike Labor, the government has engaged with staff and unions on a regular basis following the budget announcement.

The new government has committed to release the data underlying the PricewaterhouseCoopers report, and the government is committed to delivering quality and sustainable health services to South Australians. The government is duty bound to deal with inefficiencies where they are to be found. Labor and Professionals Australia thought efficiencies could be found before the election.

PwC has been reviewing SA Pathology to provide advice on achievable, sustainable and realistic health savings, and PwC and SA Pathology have been working together to identify potential

opportunities for savings and ways to ensure those savings will enable the organisation to reform the way it operates and become a modern sustainable service. It is also worth noting that SA Medical Imaging have indicated they will be able to meet their savings target, and they will achieve this because they have identified more efficient and cost-effective ways to deliver their services.

The Marshall Liberal government is committed to fixing the health system that was left to us broken by the former Labor government, including delivering modern and sustainable pathology and medical imaging services.

Mr HUGHES (Giles) (12:10): I rise today to strongly support this motion and oppose the amendments proposed. I rise, especially, to flag that any move to privatise SA Pathology will have a disproportionate impact on regional communities. A number of things have been said by those opposite about the previous minister Mr Snelling and proposals to privatise, and I will get on to that in a few minutes because the position has been grossly misrepresented.

Unfortunately, privatisation, when it comes to SA Pathology, has a long history. Members opposite might recall, although probably not, in 1993, when the Liberals were in opposition, a previous Liberal member of parliament the member for Adelaide, Dr Michael Armitage, and rumours that were going around—and that was his word, 'rumours'—that if the Liberals were to come into government SA Pathology would be set up to be privatised.

At the time, the member for Adelaide completely rejected those rumours and said there was no intention on the part of the incoming Liberal government to privatise SA Pathology. It is worth quoting what the member for Adelaide had to say at that time in a letter, given that the member for Adelaide had a particular degree of expertise when it came to the health system, given he was a doctor and actively involved in both teaching hospitals and public hospitals. I quote from the letter:

> As someone who has spent many years in teaching hospital environments [and public hospitals], I recognise the inherent dangers of such a proposal, and it is not my intention, or that of the Liberal Party, to follow that course.

He was referring to privatisation at the time. When the Liberals did come into government during that period, they were incredibly busy when it came to privatisation, and it was essential services that they privatised. They did not get around to SA Pathology, so here we are, all these years later, and the privatisation of SA Pathology is back on the agenda. If those opposite say, 'No, no, we are not talking about privatisation; we are just talking about efficiency gains,' then rule it out. They can rule it out, here and now, and say that SA Pathology will not be privatised, but I have not heard anyone opposite do that today so it is clearly on the agenda.

Reference has been made to the consultant's report back in 2014. Indeed, in that report there was a recommendation. The recommendation was not to privatise regional pathology services: what it did flag was to carry out a review to explore the idea of privatisation. I was fairly newly elected at that time but, representing a regional community, I knew what the impact of privatising SA Pathology would have on regional communities. I think that is why the member for Stuart at the time, as well as the member for Chaffey, had something to say.

I had a meeting with the minister for health at the time, as a regional member, and I asked him to rule out even looking at or even exploring the issue of privatisation. Within a short period of time, that was the course of action that was taken and we went on ABC television to give a totally unambiguous ruling out of any intent to privatise the service.

Mention has been made of efficiency gains. We should always be looking for efficiencies, but $105 million worth of cuts goes beyond mere efficiency gains—they are savage cuts. Technology does improve and the pace of research and development picks up. There are ways of doing things that will save us money and we should embrace those things and we should look at legitimate efficiency gains. I do not think there is any opposition to that on this side of the house, but there is strong opposition to the massive cuts proposed.

Because of SA Pathology, regional South Australia has a system integrated with the metropolitan area. SA Pathology employs people in Port Lincoln. In my community of Whyalla, there are close to 20 people employed by SA Pathology. There are about 10 people employed in Port Pirie and around another 10 in Port Augusta. SA Pathology also employs people in Victor Harbor. They employ up to 20 people in Mount Gambier and they also employ people in Wallaroo and Berri. We

have an integrated system that carries out a whole range of functions that the private sector would not be interested in.

Reference was made to the last major privatisation of a health service by a Liberal government, Modbury Hospital. What we saw there, once that was privatised, was the constant bailing out of that particular service and a degradation of that service.

The range of services that SA Pathology provides in regional South Australia is incredibly significant. It provides a 24-hour, seven days a week, 365 days a year service. The private sector will not do that. It is intimately involved with communities such as the APY lands. The private sector would have absolutely no interest in doing that sort of work. There is a whole range of public service functions carried out by SA Pathology that a privatised system would not be interested in.

This is simple: if those opposite believe it is not going to be privatised, rule it out now in the same way that we did when we were in government. In response to that report in 2014, we ruled out the privatisation of SA Pathology. We made it very clear that that was not our intent. Go back and look at the media of the day. In those discussions, Jack Snelling fully accepted the argument. We were not coming out and opposing a policy of privatisation; we came out and cut off at the knees a review into looking at privatisation. We sent a clear message to regional communities that we would not privatise SA Pathology. I challenge those opposite and I challenge regional members opposite to come out and give that incredibly clear message: we will not privatise SA Pathology.

The Hon. G.G. BROCK (Frome) (12:18): I also rise to speak on the motion brought by the member for Kaurna. The Port Pirie region has been serviced by a very prompt and efficient radiology and medical imaging service for many years and it is well respected and admired by the community of not only Port Pirie but also the vast surrounding regions, including the northern areas, the Clare Valley and also Yorke Peninsula.

I see no reason for the government to contemplate the idea of privatisation of these services when there has been no indication that the people operating these greatly appreciated services have had issues expressed to them by the hundreds of thousands of patients who have been provided with the relevant service. It is my understanding that the latest ultrasound machine in the hospital at Port Pirie is valued at over $1 million, is of the highest standard and was successfully argued for by many passionate people involved with the community and those who work in these areas.

I understand that the consultation paper issued to staff in February 2019 asked for submissions, which closed yesterday, 19 March 2019. The consultation paper is titled 'Statewide Clinical Support Services, SA Medical Imaging, Port Pirie Medical Imaging, Private provider full service model'. I would be interested to ascertain when the local group was given the invitation to supply any documents regarding this organisational change.

For such a dramatic move, I would certainly hope that sufficient time was allowed for the submissions to explain the great and efficient service that has been undertaken by this very dedicated working group. It would be very interesting to know whether this consultation paper was also sent to local government councils. There are several that have many thousands of residents who live in the areas who utilise these services. To answer that, I made inquiries of the councils involved. To their dismay, they knew nothing about this proposal. The first indication they had was a phone call from me.

It is interesting that, according to my information, this consultation paper was only directed to staff and unions. I would have thought that the consultation for a service that affects thousands of people across a wide range of locations would have been promoted to these people. However, during my discussions with people across my electorate who utilise these services, and also with people I visit in areas outside my electorate for social and family events, they are amazed that the government is even contemplating such a move.

Their comments include 'stupid', 'heartless', 'money grabbing', 'typical of government' and 'no consideration for people'. One of the most common comments is, 'Does not surprise me as we are north of Gepps Cross.' These comments are coming from people who supported this government in the last state election, and I would comment that their views of the party have changed since this proposed move.

It is a well-known fact that many families in Port Pirie and the surrounding areas may have to utilise these services, but what will the case be if it is privatised? Will there be any concessional or bulk billing for those who cannot afford to have these life-saving treatments? It is interesting to note comments in the consultation paper, such as:

> Engagement has already commenced with video conferencing with stakeholders, which included the opportunity for affected employees to speak with Employee Assistance Program providers.

Why is this, if a decision has not been made? Another comment is:

> A further site visit will be held that will include the opportunity for affected employees to speak with Human Services staff from Statewide Clinical Support Services.

Again, I ask why if no decision has been made? Another statement is:

> Following consultation etc., further communication will occur particularly as it relates to an implementation plan and the associated impact on staff, followed by engagement with stakeholders around planning for the implementation.

Again, why are we talking about that in a consultation paper if no decision has been made? Another part of the consultation paper states:

> The Employees Assistance Program provides that free confidential and professional counselling will be available.

Again, why is that in a consultation paper if the decision has already been made? The FAQs brochure also states:

> The benefits of the proposed model include improved access to medical imaging diagnostics and a more effective and value-for-money service.

It is also very interesting that the government spruik their support for the regions and the provision of more and better services, yet here we are again making decisions that will affect the regions. I strongly urge all members in this house to support this motion and for the government to allow the current systems to prevail.

I heard the member for Giles say that if, for argument's sake, it is not going to be privatised, please say so because privatisation is an issue that I believe is very detrimental to the people of regional South Australia. I certainly support the member for Kaurna's motion.

Mr MURRAY (Davenport) (12:24): I rise in support of the amended motion. I do so with particular interest, given that my electorate holds all the Flinders precinct, including the Flinders Medical Centre, which is the biggest teaching, clinical and training hospital in South Australia. I will focus my remarks primarily on SA Pathology, and I will do that because I have had extensive interaction with a large number of SA Pathology employees both as the member for Davenport and, prior to that, as a candidate in 2017. I have met with pathologists, technicians, teaching staff and union reps, and part of what I have derived as a result is germane to this discussion.

Insofar as the nature of pathology services themselves are concerned, the Grattan Institute put out a report in 2016 that talked about the ongoing increase in pathology services per patient. This is a reality for all health providers. We have a situation where, from 2004-05 and in the intervening decade to 2014-15, there was an increase of 40 per cent in per person pathology services provided, 15 per cent of which was due to an increase in the number of people deriving a test and 25 per cent was due to extra tests per person. That is the landscape, and I will return to that because it is germane to the way in which SA Pathology is funded and, in particular, the state of its books and processes that we as a government inherited.

SA Pathology is in many respects the best public pathology service in Australia. Some of the indicators for that are, for example, a report of the Primary Immunodeficiency Diseases Committee compiled in 2007 as an article written on behalf of the Australasian Society of Clinical Immunology and Allergy. In talking about primary immunodeficiency diseases in Australia, it made the point that the prevalence per 100,000 of population was 5.6 in Australia but 12.4 for the state of South Australia and, as a result, the presumed Australian rate was bumped up. That is one measure of the strike rate, if you will, of SA Pathology services in conducting their tests and isolating these particular types of diseases.

This is data is provided to me by the people I talked about before: members of SA Pathology—technicians, scientists and the like. The latest set of statistics published by the Australian government's Australian Institute of Health Welfare pertain to 2016-17. If they are to be believed, where diagnostic and allied health professionals costs are concerned, South Australia has the lowest per capita cost diagnostic (including pathology) recurrent expenditure in Australia, and South Australia has the highest efficiency diagnostic (including pathology) workforce in Australia, serving more than double the number of people per person employed on an FTE basis than, for example, New South Wales.

To recap, in 2016-17 the Australian federal government's statistical reports indicated that, on a per capita basis, South Australia had the lowest per capita costs and the highest efficiency. That is the system that existed in 2016-17. I will deal with that later. One of the other factors I have become aware of as a result of the very extensive involvement I have had with SA Pathology is the advent of a practice known as coning. Coning was introduced in 1992 as a means of offsetting the cost of providing the ever-increasing number of per patient tests. It works by means of the federal government only paying for the three most expensive test items.

Dr Michael Harrison, the CEO of Sullivan Nicolaides Pathology in Brisbane, was quoted in the Royal College of Pathologists of Australasia in 2015 pointing out that there are potentially 20 per cent of all potentially rebateable tests being performed for free in Australia. The evidence is that SA Pathology is performing, and has performed over a long period of time, most of the free tests for the private sector and as a result has by any measure a substantial deleterious revenue result. The practice of coning, as I said, results in there being no dollars paid for the remaining tests that are conducted and also no entry of the work conducted into the official statistics that are kept for the hospital system.

What we have seen with Labor and SA Pathology is Olympic-class hypocrisy. As other speakers have alluded to, in 2014 they commissioned an EY report, which recommended cuts of 300 full-time employees, and in 2015 they implemented a 200-FTE cuts program, all without any engagement with staff or any release of the data. As I alluded to, in 2017 it was my very great pleasure to be in a meeting of SA Pathology staff as they were being told of the pending cuts made by the prior government.

There was absolutely no doubt what was occurring—no consultation and lots and lots of fear. We heard discussions earlier today about fear. These people were threatened about speaking out. There was lots of slashing without any consideration of the low costs that SA Pathology has and the lost revenue as a result of the poor practices put in place by the previous government. We have moved from having Olympic-class privatisers when in government, and we now have Olympic-class hypocrites in opposition.

I might also point out that, in direct contrast with what staff wanted, the previous government implemented the EPLIS system so that the impact on SA Pathology and its processes and staff output, as well as safety, was such that the safety concerns incidents rate rose alarmingly. It is worth pointing out that in this context what we are working with is an SA Pathology system which has been busted—historically broken as a direct result of the ignorance and lack of detail and transparency from the previous government.

At the Flinders Medical Centre in 2011, the emergency department had 60,000 people processed in a facility designed to do 70,000 people. In 2018, they pushed through 92,000, a 50 per cent increase in seven years. This was foisted on them by Transforming Health. This was and is a direct result of the closure of the Repat and the services it provided in this respect, as well as the gutting of Noarlunga Hospital.

This government will continue to work to fix these issues. This government has undertaken to release the underlying data, and I look forward to analysing that data and continuing to fight for the best possible outcomes for SA Pathology, Flinders Medical Centre and my constituents.

Ms BEDFORD (Florey) (12:34): I am only going to speak briefly. I speak in support of the original motion, the motion as printed. At the outset, I declare that a family member works for SA Pathology. That being the case, I can attest to his dedication to the services provided by South Australian Pathology and, indeed, South Australian Medical Imaging.

He has been a committed and diligent medical scientist since his graduation from the University of Adelaide and works nearly every hour of the day, from what I can see, to make sure that the lab he works in runs efficiently and smoothly. He has made more efficiencies throughout his long employment there than anyone I can ever remember talking to me about.

I am at a loss to see how transferring work to Victoria can help keep South Australia's youngest and brightest here. I believe that that will be the result: the already limited options for medical science graduates in this state will diminish. It has always been Premier Marshall's mantra that he wants to keep our young and brightest here in this state, and this really appears to be the beginning of a backflip or a broken promise.

The long history of pathology services in South Australia really deserves full scrutiny, and you will be pleased to know that I am not the oracle on the subject, nor do I have my copious notes here today. What I can say is that any move to privatise these services will be viewed in the future as the worst possible decision, worse than anything that we have ever seen before.

Perhaps more than anybody else in this place, as the member for Florey I have witnessed every single writhing motion of Modbury Hospital, from the beginning of the outsourcing experiment to what we have today. Whatever has happened under previous governments, two wrongs will not make a right. Budget cuts have to be measured. I understand and appreciate all of that, but we do not have to throw the baby out with the bathwater.

I implore the government to think really long and hard about the unnecessary angst they are forcing on everybody who works in the medical area; I see it all the time. It is apparent with my family member, and he is just one of hundreds of people. I will definitely have no trouble in making sure that I do everything I possibly can to make sure that everyone in my electorate is right up to date with everything that is going on in this particular debate.

I can speak on behalf of the constituents who have already approached me. Not only the people who have family members working in SA Pathology but people in the street come up and say that this is one of the worst decisions they have ever heard about. I certainly hope the government knock it right on the head and make sure they find a better way to ensure that our medical services stay at the forefront, rather than selling them off to the other states.

Mr PEDERICK (Hammond) (12:36): I rise to support the motion as amended by the Minister for Energy and Mining. Everything that needs to be said from the government side has been said, but I just have a few comments in regard to the hypocrisy of the people on the other side. It was those people, when they were in government, who commissioned reports and commissioned the privatisation of medical services throughout South Australia.

Not only that, there is what they did in regard to the Daw Park Repatriation General Hospital. When in government, the Labor Party said, 'We will never, ever sell off the Repatriation General Hospital.' Guess what? What happened to 'never, ever'? That is exactly what they did.

Mrs Power: Shame!

Mr PEDERICK: It is exactly what they did, and it is shameful, as the member for Elder rightfully exclaims. It is shameful, and it is why we had good people out here on the steps for well over 100 nights campaigning for services at the Repatriation General Hospital to be kept. Thankfully, under the Marshall Liberal government and the guidance of minister Wade from the other place, we are setting up a whole new health precinct there.

In regard to the discussion around medical imaging, you would think fire and brimstone were going to fall on us if this were privatised across the state. Yes, there is a discussion from this side, just as there was on the other side under former minister Snelling. The difference with what is happening on this side of the chamber under a Liberal government is that we are actually talking to clinicians about what to do, unlike Labor did when they built a $2.2 billion lemon: the new Royal Adelaide Hospital. Millions and millions of dollars of work was needed to repair the hospital long before it was opened because of poor planning decisions, putting rooms in the wrong places, putting doors the wrong way around, putting light switches behind doors so you could not get to them when you opened the door and fire services having to be replaced.

There is a litany of problems with that build, but what do the Labor Party care? As long as they are spending taxpayer money, they do not care two hoots. They hate success, but they also do not care two hoots about taxpayer money. That is why, since coming into government 12 months ago—and the state of South Australia thanks us, as they showed in the polls the other day—we have had to inject an extra $900 million into health. The budget is sitting at $6 billion already and it takes up 30 per cent of the state budget. We have had to pump in hundreds and hundreds of millions of dollars to fix that up.

As the member for Frome indicated, we are looking at medical imaging at Port Pirie and we are looking at a tender process to ensure services deliver value for the taxpayer. Yes, it did begin under the former Labor government and, as I indicated, the option of a full service medical imaging model delivered by a private provider is being considered. Reporting services at sites are already provided privately, as is the case in another 14 sites across Country Health SA. The proposed model would provide improved access to medical imaging diagnostics, particularly after hours, for Murray Bridge and Port Pirie. This is what happens when you consult with staff: opportunities for current staff will be explored with the successful private provider.

I am really excited about what could happen in Murray Bridge where, after neglect of that hospital by Labor, we have managed to secure a $7 million full emergency department upgrade. The option for the medical imaging could turn into a seven days per week option, which would provide far better services for my constituents not just in Murray Bridge but across the Murraylands.

In winding up, I am not going to listen to those hypocrites on the other side. They talk about privatisation when they gave away the forests for $650 million. Most commentators would say they were worth $1 billion.

Mrs Power: Shame.

Mr PEDERICK: It is a shame. They were selling the Repat, they sold the Lands Titles Office and they sold the Motor Accident Commission (MAC). How much more? Do not ever lecture us about privatisations, and do not ever lecture us about hypocrisy, because when I look over at the other side I look at the member for Light and other members and see hypocrisy all over the other side.

Ms Bedford interjecting:

Mr PEDERICK: With those few words, I support the amended motion—I love the Independents, for the record—and I will not listen to the hypocrisy of the other side.

The Hon. A. PICCOLO (Light) (12:43): I would just like to make a small contribution to this debate. I will not cover the areas that have been covered quite well by my colleagues, but I need to mention a couple of things because they have not actually done the issue justice.

One of the things that we have learned from this government is to deflect the issue before us. They never actually debate the issue before us. They do not want to debate it because they cannot handle what the issue we are debating is, so they try to deflect. They try to deflect the issue by talking about other things, and this morning they have done it here on a number of occasions; in fact, they have done it in this debate as well. They have talked about everything else except the issue of their seeking to privatise Pathology SA. The pros and cons have been mentioned by my colleagues so I will not go into that.

Suffice to say, and I think it is worth putting it on the record, *The Advertiser* editorial of yesterday talked about this government's inability to accept responsibility of being in government. A year on, they are still here and still talking about the past. What the editorial says is interesting and quite instructive; that is, from here, meaning yesterday, 'the time for Premier Steven Marshall and his ministers to blame the ALP is over'. In other words, it is about time the Liberal Party and the government actually grew up, started acting like adults and took responsibility. The editorial goes further:

> But now is the time to end this rhetoric. They are the government of the day and must assume full responsibility for the issues…

Mr PEDERICK: Point of order, Mr Deputy Speaker.

The DEPUTY SPEAKER: There is a point of order. Member for Light, you will need to sit down. The member for Hammond.

Mr PEDERICK: After being lectured about being relevant to the debate, this has been completely irrelevant.

The DEPUTY SPEAKER: I do not uphold that point of order, member for Hammond. It was a good try, but the member for Light is making a contribution to this motion.

The Hon. A. PICCOLO: Mr Deputy Speaker, it is relevant because this government seems to be incapable of doing what is required. It is very important. When we talk about SA Pathology, it is a bit like a person who does not like a tree that much but they do not have permission to remove it. That is what they do. They prune it so much that the tree dies, and that is what this government is going to do: they are going to prune SA Pathology so much that it will have to die and be sold off. That is what their agenda is. It is not about genuine efficiencies to provide the consumer with better services.

This is about pruning SA Pathology so much that they would have to sell it off or close it down because this government does not believe in public services. They do not believe in them. They want to close Service SA and a whole range of other public services. They want to privatise the public services because they do not believe in them. What they do is remove another player from the market and in the end the consumer will pay more. In the end, the people of South Australia will pay for this government's poor decisions to wind down SA Pathology.

Mr PICTON (Kaurna) (12:46): I rise to close the debate and indicate that the opposition will not be supporting the government's amendment. We will be supporting the original motion. I support all the members on this side, and the Independents as well, who spoke on this debate and made very good contributions. They have deplored what was said by those opposite and their ridiculous amendment to this motion.

We had the Minister for Energy, the member for Stuart, making some comments, and it drew me to look back at what the member for Stuart said when he was in opposition, talking about the very same subject. In *The Transcontinental* of Port Augusta, the member for Stuart said:

> Generally I am a strong supporter of private industry, but I do not expect that a private pathology company would provide the same level of service in Port Augusta as SA Pathology currently does.

Hear, hear to that! He also said:

> Privatising SA Pathology in Port Augusta would have been a very poor move so I think that the minister [the then minister in 2015] has made the only sensible decision available to him and I welcome it. Port Augusta is now assured of continued high quality service from our own SA Pathology lab and staff.

Funnily enough, the member for Chaffey, now also a minister in the government, made some comments at the time. In fact, he made a submission to a review at the time against privatisation. He said:

> I applaud the decision [which was to rule out privatisation in 2015]. My concerns were that it wasn't a level playing field comparing pathology in metropolitan Adelaide with pathology services in the regions. Regional pathology go above and beyond. They're on call and they come out at any hour to provide a service and that's something that if pathology were to be privatised, may not occur anymore. Potentially, we could have also seen higher charges for pathology tests.

I support those comments from the member for Stuart and the member for Chaffey, who are now ministers in a government which, in its 2018 state budget, has set about the path for the privatisation of SA Pathology. It is not something those members were very keen to talk about, although I appreciate that the member for Hammond set it on the table pretty clearly that they are considering privatising SA Pathology. But for members who were more reluctant to speak about this, I will make clear what is in the actual budget papers where it states:

> With the implementation of local health network boards from 2019-20, the public pathology service will be accountable for its performance. Should efficiencies not be achieved, it will be open to those boards to procure services from alternative providers.

That means that if $105 million of cuts that the government has put in are not met the government is saying that health services are free to ditch SA Pathology and go to private providers across the

state to get those services. It is going to lead to the death of SA Pathology. It is going to lead to cuts in services in metro, but particularly in the country, and will impact not only on research and teaching but also on the services people encounter in this state.

I think that the hypocrisy in this argument is actually from those opposite, particularly country members who are now ministers, who went out of their way four or five years ago to say how bad privatising SA Pathology would be but who are now enthusiastic supporters of the state government's budget that says that they will embark upon cuts and then potentially the privatisation of SA Pathology. That will hit those communities they represent particularly hard. I encourage the house to support the original motion and oppose the ridiculous amendment from the Minister for Energy.

The house divided on the amendment:

Ayes 23
Noes 21
Majority 2

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)	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.	Gee, J.P.
Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Michaels, A.	Mullighan, S.C.
Odenwalder, L.K.	Piccolo, A.	Picton, C.J.
Stinson, J.M.	Szakacs, J.K.	Wortley, D.

Amendment thus carried.

The house divided on the motion as amended:

Ayes 23
Noes 21
Majority 2

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)	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.	Gee, J.P.
Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Michaels, A.	Mullighan, S.C.
Odenwalder, L.K.	Piccolo, A.	Picton, C.J.
Stinson, J.M.	Szakacs, J.K.	Wortley, D.

Motion as amended thus carried.

Sitting suspended from 13:01 to 14:00.

Matter of Privilege

PAIRING ARRANGEMENTS

Mr BROWN (Playford) (14:00): I rise on a matter of privilege. Yesterday, during the grievance debate regarding pairing arrangements, the Leader of Government Business said:

> The government's view was then and remains now that the pairing conventions that have been operating in this house for decades and that have been applied as far as I am aware since I have been here—although the question has rarely arisen—do not apply to votes that require an absolute majority of 24 members any more than they do for quorums.

The Leader of Government Business also quoted no less a personage than Don Dunstan to illustrate his assertion that pairing arrangements have never applied to votes requiring absolute majorities. The Leader of Government Business also said in respect to the question of whether pairing arrangements applied of votes requiring an absolute majority:

> To my and the government's understanding, the application has always considered a suspension of standing orders.

Following yesterday's contribution from the Leader of Government Business, I was curious to look at previous votes that require an absolute majority of this house and whether it was correct that pairing arrangements have not applied, as was asserted by the Leader of Government Business, to votes on the suspension of standing orders.

On 3 May 2018—indeed, the first sitting day of this parliament and the first vote in which the Leader of Government Business operated in that role—the Leader of Government Business moved that standing orders be suspended in order for him to change the sessional orders. This motion required an absolute majority. A division was then required. The then member for Cheltenham was unable to be present in the parliament, and a pair was requested by the opposition and granted by the government. *Hansard* shows that the then member for Cheltenham was paired for this vote with the Premier.

Clearly, it was the view of the government at this time that a pair should be honoured in the vote on a motion to suspend standing orders, yet the Leader of Government Business, with complete knowledge of what occurred on that day, yesterday asserted the opposite had always occurred in this house.

The Hon. V.A. CHAPMAN: Point of order: the member is presenting that there is a question of privilege in respect of misrepresentation. That does not give the member the opportunity to come in and make a speech about his rebuttal in relation to a proposal.

The SPEAKER: I have the point of order. I respectfully ask the Attorney-General to sit down. I will listen to the member for Playford. I can see it is only a one pager. I will listen to the end of it and I will make a decision.

Mr BROWN: In my opinion, there can be no graver offence than a man who has responsibility for the government business in this house providing information on the operation of this house to members—

Members interjecting:

The SPEAKER: I have taken matters of privilege, at least listened to them on both sides of the house, with some scope. I will listen to the entirety of the matter and I will bring an adjudication back to the house.

Mr BROWN: I will start that paragraph again. In my opinion, there can be no graver offence than a man who has responsibility for the government business in this house providing information on the operation of this house to members which is incorrect. It can only be seen as impeding or obstructing the house in the discharge of its duties by misrepresenting the conventions of this house and government policy.

Therefore, I submit that a prima facie case exists for the establishment of a privileges committee. I ask that you give consideration to this 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.

The SPEAKER: I understand the matter that has been raised by the member for Playford. I ask him to provide me all relevant details that were covered in his deliberation, and I will come back to the house at the first available opportunity to notify the house whether I consider the matter to, prima facie, be a matter of privilege.

Petitions

SERVICE SA MODBURY

Ms BEDFORD (Florey): Presented a petition signed by 500 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.

SCHOOL ZONING

The Hon. A. KOUTSANTONIS (West Torrens): Presented a petition signed by 256 residents of South Australia requesting the house to urge the government to immediately reverse its decision to exclude from the Adelaide High School and Adelaide Botanic High School zone the children of the families residing in Torrensville, Mile End, Hilton, Richmond, Marleston, Kurralta Park, Black Forest, Glandore and Clarence Park and to recognise the immediate and adverse impact of its decision on families, students, educational outcomes and property values in the impacted suburbs.

Parliamentary Procedure

ANSWERS TABLED

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr TEAGUE (Heysen) (14:06): I bring up the 15th report of the committee, entitled Subordinate Legislation.

The Hon. A. Koutsantonis interjecting:

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

Report received.

Question Time

ADELAIDE REMAND CENTRE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:07): My question is to the Minister for Correctional Services. Will the privatised Adelaide Remand Centre be subject to the full set of accountability measures that currently apply to public prisons, including coverage of the ICAC Act, the Freedom of Information Act and the South Australian Ombudsman's office?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:07): I thank the member for the question and note firstly that we have outsourced the management of the Remand Centre: it has not been privatised. The actual body itself, the Remand Centre—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —because of the building will remain, of course, in state government hands. I am intrigued to get the question from the opposition leader, given that he would know the answer to a lot of these questions because he was the minister at the time when he put the deal together for Mount Gambier Prison, a privatised prison down in Mount Gambier. In fact, he put together the contract—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —to renew that, and he signed off on it. I think I have the pen from his office where he signed that contract, and I used it to sign mine as well. I thank him for leaving the pen behind. It was greatly appreciated.

Members interjecting:

The SPEAKER: Order!

The Hon. A. Koutsantonis: You signed the contract.

The Hon. C.L. WINGARD: Yes, I did.

The SPEAKER: Order! The member for West Torrens is still interjecting.

The Hon. C.L. WINGARD: You would think the Treasurer would know that, too, given the size of the contract and how that has to work.

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. C.L. WINGARD: Within the contract, a number of KPIs are stipulated for the new company that is taking over the running of the ARC. They will be subject to all the appropriate due diligence requirements. They are outlined in the contract, and they will meet them. It is very much hinged around, as you know, the 10by20 program. Those KPIs are written into the contract, along with—

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

The SPEAKER: There is a point of order, minister. Please be seated for one moment.

The Hon. A. KOUTSANTONIS: We haven't asked about key performance indicators.

The SPEAKER: What is the point of order?

The Hon. A. KOUTSANTONIS: Relevance, sir, debate.

The SPEAKER: The point of order is for debate. I have the question. I believe the minister's answer was germane to the question, but I will listen attentively to ensure that it sticks on that path.

The Hon. C.L. WINGARD: Thank you very much, Mr Speaker. The question was about the requirements within the contract—

The SPEAKER: Yes.

The Hon. C.L. WINGARD: —and the obligations they have to meet, and I have outlined that there are a number of KPIs—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —built into that contract to make sure that they deliver what we want here in South Australia, and that is funded—or shaped, rather—around the Better Prisons program. I have spoken about that before in this place when I came into this job—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —and, again, it is interesting that the Leader of the Opposition raises this point—

The Hon. A. Piccolo interjecting:

The SPEAKER: Member for Light!

The Hon. C.L. WINGARD: —because he was the one who, along with the member for Kaurna who followed him in that position, left us in quite a precarious state.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: He left us with the projection—

The Hon. A. KOUTSANTONIS: Point of order, sir: clearly this is debate now.

The SPEAKER: I have the point of order. In fairness to the minister, there are several interjections coming from mainly my left and some from my right. I have listened to the minister's answer. He did start on the straight and narrow. He is starting to move away from the substance of the question, and I am listening to his answer. I won't be taking any more points of order on this issue, but, if he does move away from the substance of the question, I will uphold the point of order. The minister has the call.

The Hon. C.L. WINGARD: Thank you, Mr Speaker. I do appreciate that; with all the interjections, I have lost my train of thought, other than to say that we have—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —got the contract in place. The procurement process was exactly the same as it was when those on the other side privatised or continued to privatise the contract of the prison down in Mount Gambier with G4S. The same process was followed.

The SPEAKER: Before I call the Leader of the Opposition, I call the following members to order: the Leader of the Opposition, the member for Light, the member for Wright, the member for Cheltenham, the member for Elizabeth, the ministers for primary industries and education, the member for Hammond and the member for Reynell. The Leader of the Opposition.

ADELAIDE REMAND CENTRE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:11): Supplementary question to the minister: is Serco, now running the Adelaide Remand Centre, subject to the ICAC Act?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:11): I thank the member for the question. I have outlined the contract that we have signed. It will be available on the website for the leader to see.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: It will be there but, obviously, for the confidentiality clauses. It will all be there to see on the website, as the G4S contract is.

Mr Malinauskas interjecting:

The Hon. C.L. WINGARD: You know how the process works. I've got your pen, I've got your desk—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. C.L. WINGARD: Please check the website.

The SPEAKER: You may not like the answer, but the answer was in order. The Leader of the Opposition has call.

ADELAIDE REMAND CENTRE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:12): Thank you, Mr Speaker. My question is to the Minister for Correctional Services. Did the minister review the official public sector cost comparator before awarding the contract to Serco for the management of the ARC?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:12): I thank the member, again, for the question. We went through a very thorough process in putting this contract in place. We have ticked off all the boxes we needed to and we are very happy with the deal we have and what we are going to deliver for the South Australian people.

POPULATION GROWTH

Mr COWDREY (Colton) (14:12): My question is to the Premier. Can the Premier update the house about recent announcements made by the Prime Minister regarding population growth and what it will mean for South Australia?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:12): Can I thank the member for Colton for his excellent question, a very important question about population growth here in South Australia. I would like to acknowledge and thank the Prime Minister of Australia, the Hon. Scott Morrison, a great friend of the people of South Australia, for his understanding of the great opportunity that exists—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —to review the migration setting for Australia. For a very long period of time, there has been one set of migration policies put in place that have disadvantaged our state. We didn't hear anything from those opposite when they were in government, and the fact that they slowed the economy by pulling on that massive handbrake to slow our economy for such a long period of time resulted in the fact that our population growth fell way behind the national population growth rate.

In fact, over the 16 years of the previous Labor maladministration here in South Australia the national population growth rose by 1.7 per cent, while South Australia grew by just 0.6 of a per cent. Some think that this is not a problem. Some don't like migration. In fact, we have heard a lot from different politicians recently who are not keen for migration. In fact, we heard the Deputy Leader of the Opposition today on the radio saying that South Australia is not a good place—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —to come to at the moment. I don't know why she is talking down—

Members interjecting:

The SPEAKER: Order, members on my left and right!

The Hon. S.S. MARSHALL: —South Australia. I think it is a great place to come to.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: I think it is a great place to come to.

Members interjecting:

The SPEAKER: Order! The Premier will not provoke the opposition.

The Hon. S.S. MARSHALL: We are encouraging population growth here in South Australia. What the Prime Minister has done is put a nuanced set of migration policies in place, and that's good for South Australia, because—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —we don't want to continually fall behind the national population growth rate. The consequences of that are a slowing economy, fewer jobs, more people moving out of South Australia. At the next federal election, we are losing further influence at the national level, losing a seat in the federal parliament. Those opposite turned a blind eye to this. We will not take such a hopeless, laid-back attitude; in fact, we're doing everything we can to advocate for sensible targeted population growth in South Australia.

I would love to take this opportunity to put on the record exactly and precisely our priority areas. Number one: keep more South Australians here in South Australia. The reality is that under those opposite we saw more and more people giving up hope of ever finding a sustainable job here in this state. In fact, the net interstate migration rate—the difference between those leaving and those coming back to South Australia—was growing every single year. We were seeing 4,000, 5,000, 6,000 and sometimes 7,000, in a net term, leaving our state.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Those opposite say, 'Well, that's what happens in a low-growth state,' but it's not. Tasmania had a net migration to Tasmania; South Australia had a massive migration away from it. That is not acceptable, and that's why everything we do is about growing the size of our economy, setting our ambition much higher—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and keeping those young people here in South Australia. More than that, we want more international students. I applaud and commend the Prime Minister for the incentives that he is going to provide for international students to come to South Australia to study. That's good news. We want to grow the size of our international student population because we know that this is great for jobs in our state.

More than that, we want to see targeted migration—skilled migration—to South Australia to deal with some of the very significant skills shortages that we have in our state. There are some in regional South Australia and some in metropolitan Adelaide, especially around critical areas that we want to focus on in the future, like defence, space, blockchain, cyber and artificial intelligence. These are the critical areas.

We want more people to come to South Australia and make this their home because we know that this will remove those constraints to the overall productivity of our state, grow our population and keep even more people here, enjoying our wonderful state.

The SPEAKER: Before I call the leader, I warn the member for Reynell for the first time, and I call to order the deputy leader. The Attorney-General is also called to order—

The Hon. S.C. Mullighan: Blockchain tassels.

The SPEAKER: —as is the member for Lee. Leader of the Opposition.

ADELAIDE REMAND CENTRE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:17): My question is to the Minister for Correctional Services. Can the minister guarantee that the current prisoner to staff ratios at the Adelaide Remand Centre will not change as a result of Serco's appointment to manage the centre?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:17): I thank the member for the question, and I do remind him that any contracts entered into are commercial-in-confidence, so I'm not going to go into the detail of the contract. What I can say—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: What I can say is—

The Hon. S.S. Marshall: Don't worry; it'll be over soon.

The SPEAKER: Premier!

The Hon. C.L. WINGARD: —that the new contractor has signed on to run the ARC as part of our Better Prisons program, and that is because of the mess that you left our state in. That's fine, and we have to deal with that—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: We have to deal with that, and the outsourcing of—the management of the Remand Centre is step 1 in what we have to do to fix the problem that you have left us with. The other part—

Members interjecting:

The SPEAKER: The Premier is called to order.

The Hon. C.L. WINGARD: —is actually putting more beds in at the Northfield site, so we are investing in that as well. That's 310 more beds at the Northfield site, 270 at Yatala—

Members interjecting:

The SPEAKER: The minister has the call. Members on my left, be quiet!

The Hon. C.L. WINGARD: —and 40 into the Women's Prison.

Members interjecting:

The SPEAKER: The member for Lee is warned.

The Hon. C.L. WINGARD: This is a very big project to get better prisons in South Australia because of the problem, again, that you left us with.

Mr Malinauskas: What are the staffing ratios? Just answer the question!

The SPEAKER: The Leader of the Opposition is warned.

The Hon. C.L. WINGARD: I did answer the question. I told you very clearly that that is commercial-in-confidence within the contract and that's not to be discussed in this place, but we need to look at—

Members interjecting:

The SPEAKER: The member for Elizabeth is warned.

The Hon. C.L. WINGARD: We need to look at the solution and what we're delivering here. We are delivering better prisons. We're outsourcing the ARC and we're having a private contractor come in to run the operations. Serco was the bidder—

Mr Malinauskas: What's happening with the staffing ratios?

The SPEAKER: Leader!

The Hon. C.L. WINGARD: —and they were the successful bidder and they will be delivering that project for us. Having said that—

Mr Hughes interjecting:

The SPEAKER: Member for Giles!

The Hon. C.L. WINGARD: —at the Northfield site we're growing beds there and investing heavily in that to put the extra 310 beds in because, as I've pointed out many times in this place before—and it's probably been overlooked a lot, I think, by people on the other side—we were in a position where, by 2020, we would have more prisoners than prison beds. That's the situation you left us with.

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

The SPEAKER: There's a point of order. Minister, please be seated for one moment. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: The question was about staffing ratios, Mr Speaker.

The SPEAKER: Yes. What is the point of order?

The Hon. A. KOUTSANTONIS: Debate, sir.

The SPEAKER: Debate: it's about whether he can guarantee a staffing ratio at the ARC. I have the question. I have the point of order. I am listening carefully. Please stop interjecting and I will hear the answer. Thank you.

The Hon. C.L. WINGARD: I did outline that that was a part of the contract that is commercial-in-confidence, so I won't be divulging that here, but I was going on to outline our Better Prisons program, which is the bigger picture of what we are delivering here for South Australia—and again I stress the point—because of the mess we were left in by those on the other side. They wanted to put up the 'no vacancy' sign. They wanted to rack 'em, stack 'em and pack 'em. That is what they wanted to do within our prison system, but we knew that we had to put a better prison system program in place.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: What we are doing is we are outsourcing the management of the Remand Centre. We have signed that contract and we are moving forward with that. We are very excited about getting Serco in place and they will be running that by the end of the year. August, I think, is the time line that was set for that. Then we are going to build more beds at Yatala Labour Prison and the Women's Prison, as I have outlined: 310 more beds going into the system, so that we can have places to put people—

Mr Malinauskas: Can you please just answer one question.

The SPEAKER: Order!

The Hon. C.L. WINGARD: —because you didn't put it in place. You didn't deliver.

The SPEAKER: Please direct your remarks through the Chair.

The Hon. C.L. WINGARD: We are delivering. It's a real shame. I understand the Leader of the Opposition is getting upset because he left such a mess and we are fixing the mess.

The Hon. A. KOUTSANTONIS: Point of order: how is this not debate?

The SPEAKER: Yes, I uphold the point of order. Is the minister finished?

The Hon. C.L. WINGARD: Yes. To answer the question, it's commercial-in-confidence.

ADELAIDE REMAND CENTRE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:21): My question is to the Minister for Correctional Services. How will privatisation at the ARC actually see a saving of $5.6 million to the benefit of Serco?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:21): I thank the member for the question. He has no doubt read the press release and seen the information that has gone out. The savings have been outlined as to what will be a return for the contract that we have signed and the money that will come back to the state government. I hear—

Members interjecting:

The SPEAKER: Members, please cease interjecting. Members will be leaving today. I was very tolerant yesterday—probably too tolerant.

The Hon. C.L. WINGARD: —the Leader of the Opposition again getting upset because we have delivered a better deal than he could. I understand his frustration because he was in the chair for a long time and we have outlined—

Members interjecting:

The SPEAKER: The Leader of the Opposition is warned for a second and final time.

The Hon. C.L. WINGARD: Do you want your pen back? Is that your problem? Do you want your pen back?

The SPEAKER: Minister, please let's get on with it.

Members interjecting:

The SPEAKER: Order!

Mr Malinauskas: Have you read the brief?

The SPEAKER: Leader of the Opposition, the minister has the call.

The Hon. C.L. WINGARD: You do need to calm down or your eyes are going to pop out of your head. It's not a good look. We have signed the contract. The Leader of the Opposition knows that there are elements of that that are commercial-in-confidence. The contract will be put up on the website, as all government contracts have to be, except for the details that are commercial-in-confidence, and he knows and understands that. We have put—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —a plan in place. I need to emphasise that we put the Better Prisons plan in place to actually fix the mess you made.

Mr Malinauskas: That's all you've got?

The Hon. C.L. WINGARD: Yes, and it's really important.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: We signed on Serco to run the Adelaide Remand Centre. They will be doing that. They will be in place by August and we will roll out the rest of it. I can talk to you more about the rest of the Better Prisons program, but you don't want to hear it.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: It's all on the website. It will all be on the website. You can access all the information you want. The contract will be put on the website, like all contracts have to from government, and you can read it all there.

Mr Brown interjecting:

The SPEAKER: The member for Playford is called to order and warned. The member for King and then I will come back to those on my left.

The Hon. S.S. Marshall: Not everybody is just in a union.

The SPEAKER: Premier, I am trying to give the member for King a question.

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Minister for Industries, I am trying to give the member for King a question.

Members interjecting:

The SPEAKER: The Leader of the Opposition and the Premier are warned. At least, if I eject both of them, no-one will complain.

The Hon. A. Koutsantonis: If I want Singapore noodles, I will give you a call.

The SPEAKER: Member for West Torrens, you are not assisting and you are warned. Member for King.

ENERGY POLICY

Ms LUETHEN (King) (14:23): My question is for the Minister for Energy and Mining.

The Hon. A. Koutsantonis interjecting:

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

Ms LUETHEN: Can the Minister for Energy and Mining please update the house on the progress of this government's energy solution from the past 12 months?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:24): Thank you to the member for King—

Mr Brown interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: —who, on behalf of her constituents, is extremely active with regard to a whole range of matters, but certainly in engaging with my office with regard to energy. She is a fantastic advocate for the people—

Mr Pederick: Yes, they don't like it because we keep the lights on.

The SPEAKER: The member for Hammond is on two warnings.

The Hon. D.C. VAN HOLST PELLEKAAN: —of the north-eastern suburbs. This is a very good question and guess what? There is a very good answer.

Mr Malinauskas: Less public transport.

The SPEAKER: The Leader of the Opposition can leave for 10 minutes.

The honourable member for Croydon having withdrawn from the chamber:

The SPEAKER: Thank you. Cool down.

The Hon. V.A. Chapman: Atkinson would have named him.

The SPEAKER: Atkinson is not here. The minister has the call.

Members interjecting:

The SPEAKER: Order! Members on my right will be following. Minister.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you, Speaker. The first thing to say is that what we have done in the first 12 months is exactly what we said we would do in the first 12 months. We put together a very comprehensive energy policy to address the very serious problems that we knew we would inherit. We announced that on 10 October 2017. It was very clearly articulated, extremely well received by everybody except those opposite, and we are delivering on that policy.

One of the first things we did was make a decision to retain the Tesla virtual power plant program. Most people thought that we would just exclude it, be petulant and get rid of it. We assessed that as being in the best interests of people in South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: We decided that we would not be petulant the way the Labor Party would have been. We both took a household battery program to the election. Everybody assumed that whoever was successful would do theirs and theirs only. I'm sure that's what those opposite would have done. We decided that in the best interests of South Australians we would do both. So we are rolling out the largest, on a per capita basis, home battery scheme anywhere in the world, and we will deliver 90,000 batteries to low-income people in Housing SA properties all the way through to people in larger homes with larger electricity demands. It is going to be a fantastic program.

From the home battery scheme perspective, we have 1,200 homes signed up already and the uptake is growing all the time. On the virtual power plant side of things, by 30 June this year we will have 1,100 Housing SA homes, so people on lower incomes getting these benefits. Of course, we have the grid-scale storage scheme—$50 million—and we hope to announce that in June. All the tenders are in. We received 52 or 53 tenders that the department is currently working its way through. Just like the Home Battery Scheme, that will support all electricity consumers in South Australia.

The interconnector: we have a very clear and positive plan for the interconnector which we articulated well in advance of the election. Since then, commentator after commentator has come in in support of that, understanding that not only will it provide backup electricity into South Australia when it's built but, equally as importantly, it will provide export opportunities for our often overabundant renewable electricity. We will export more to New South Wales than we will import through this interconnector.

We already have $11 million out for tender for distributed demand response programs that will help give consumers the tools that they need so that they can commercially benefit from helping themselves with their own demand management opportunities. We have much more coming in our energy plan. We will make electricity more affordable, more reliable and cleaner in South Australia.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:28): My question is to the Minister for Correctional Services. What are the contractual arrangements in place for Serco to have access to government facilities, other than the Adelaide Remand Centre, to house prisoners?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:28): I know that the member for Elizabeth will be appreciating the fact that the leader has gone because he gets to ask a question. Good to have that happen.

The SPEAKER: Yes, that is out of order, minister.

The Hon. C.L. WINGARD: As I have outlined, Mr Speaker—

The SPEAKER: Minister, please do not reflect on the whereabouts of members in your answer.

The Hon. C.L. WINGARD: I do apologise, Mr Speaker. As I have outlined to the leader and I outline to the member for Elizabeth, it's all in the contract. There are elements that are commercial-in-confidence. The others parts we have put up on the website and you can read them.

Members interjecting:

The SPEAKER: The member for Playford, as usual, began that chorus, and he is called to order and warned. Member for Elizabeth.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:28): My question is again to the Minister for Correctional Services. Why was the London Stock Exchange informed of the decision to award Serco the contract to operate the Adelaide Remand Centre before South Australians were?

The SPEAKER: I am not sure whether the minister is responsible for information given to the London Stock Exchange, but I will listen to the answer.

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:29): Thank you very much, and, yes, I am not responsible to the London Stock Exchange. I probably wish I was. The London Stock Exchange probably doesn't wish that.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Again, it was a commercial contract. It followed all the proper due diligence processes. They are a company based in London. They would have had to inform the stock exchange, and the staff at the ARC were informed as soon possible. If I go back to September last year, they were informed that this process was in train. This is no surprise to anyone. It might be a surprise to you, but it's not a surprise to anyone else. We have delivered on our commitment and we are delivering better prisons for South Australia.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:30): My question is again to the Minister for Correctional Services. Minister, was the Independent Commissioner Against Corruption consulted before the contract for the management of the Adelaide Remand Centre was awarded to Serco?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:30): Not as far as I am aware.

HORTICULTURE INDUSTRY

Mr CREGAN (Kavel) (14:30): My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house on how the state government is supporting the state's horticultural industry?

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:30): I thank the member for Kavel for his very important question. This morning, I was joined by the Minister for Education, the member for Newland and the member for Kavel. This government has stood side by side with the apple and pear industry, particularly in the Adelaide Hills, over the recent hailstorm that it went through in November of last year. What we saw was the devastating impacts of what hail has done to an industry for two years running. In consecutive years, it has put a serious dent in the balance sheet of the majority of the operations.

This morning, we learnt that the majority of fruit in the Adelaide Hills has been impacted by hail and has been marked. This morning, the state government committed a $60,000 support package through the Hailstorm Heroes campaign. We had the CEO, Susie Green, join us this morning, as did representatives from the Lenswood Co-op, as well as growers, down at the Central Market. We know that the Central Market is celebrating its 150th year, and we would like to stand side by side with them and the apple and pear growers to give them the ability to sell some of their product that has been impacted by the hailstorms over two consecutive years.

What we see now is that the Gala apples are about to hit the shelves. We would like South Australian consumers to come forward and understand that they are buying a beautiful piece of fruit. Internally, they are juicy, fresh, sweet, delicious. Externally, they do have a few marks on them. I

would urge every apple consumer in the state to go out and purchase some of the Adelaide Hills apples. They are second to none. They are an outstanding product, and we need people to understand that when they buy that product they are actually not only buying a beautiful piece of fruit but they are also supporting our Adelaide Hills apple and pear growers, who have been dealt a harsh blow.

The 30,000 tonnes of apples here in South Australia are worth about $63½ million, and the Adelaide Hills represent about 85 per cent of the apple industry in South Australia. It is about how we help those growers after receiving a damage bill of about $30 million. The Hailstone Heroes campaign last year generated about $1 million, helping additional sales of around 1,000 tonnes. What I would say is that with every Hailstone Heroes bag of fruit that people consume they are helping our apple growers get along the way. We know that they can't continue to go to the bank and continue to ask for money, and that is why the government has put that $60,000 of taxpayers' money—well spent—into supporting our apple industry.

What I will say is that we have also stood side by side not only at community meetings. We have been up there and put financial support to the Lenswood Co-op, one of the largest apple co-ops in the country. We have also put part of the regional growth fund, standing side by side with the apple and pear growers, particularly with them dealing with high power pumping costs. We put $400,000 into 20 growers to reduce their electricity bills.

We have also appointed extra FaB scouts into the Adelaide Hills to help them deal with mental health, making sure that they are making good, informed decisions and that they have the support of not only the government and not only the community. The FaB scouts mentor program is outstanding. We have also stood side by side with the regional business support program, putting extra money into regional business support so that we can give them the best advice so that they can get through.

The financial burden of the hailstorm, and the headache that it gave the apple and pear growers, is significant. This government will stand side by side with the apple and pear growers to make sure that they can continue to produce world-class products because #RegionsMatter.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:34): My question is again to the Minister for Correctional Services. Was the SAPOL corrections investigation unit consulted before the awarding of the Adelaide Remand Centre contract to Serco?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:34): I thank the member for the question, and I understand that he would like to get to every nitty-gritty detail of the contract that I have outlined is commercial-in-confidence. I can say that we put together—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —a very robust procurement team, and they worked their way through the process. The process has been very public. There have been expressions of interest taken, people put in their applications and Serco was the successful applicant.

Mr Odenwalder interjecting:

The SPEAKER: The member for Elizabeth is warned—and has another question.

Mr ODENWALDER: In that order?

The SPEAKER: Yes.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:35): My question is again to the Minister for Correctional Services. Can the minister guarantee that the pay and conditions of corrections officers who choose to remain at the privatised Adelaide Remand Centre will remain unchanged under the new operators?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:35): That's a commercial decision for the new provider at the Adelaide Remand Centre.

Members interjecting:

The SPEAKER: Order!

Mr Boyer interjecting:

The SPEAKER: The member for Wright is warned.

The Hon. C.L. WINGARD: I thank the member for giving me the opportunity in this question to talk about the Better Prisons program again and outline the detail. I want to stress the point that this all began back in September last year. We were going through this process and we said—

Members interjecting:

The SPEAKER: The Deputy Premier and the member for West Torrens, please!

The Hon. C.L. WINGARD: —we would be outsourcing the management of the Adelaide Remand Centre, but we also said that we would expanding the prison beds because of the fiasco left by those opposite and that we will putting more beds into the Northfield site. I have made it abundantly clear—

Mr Picton interjecting:

The SPEAKER: Member for Kaurna is warned.

The Hon. C.L. WINGARD: —that there would be 310 extra beds. With that, I went to the Remand Centre on budget day and spoke to the workers there and told them that their jobs within the public corrections system are guaranteed. So they've got their jobs, and they are more than welcome to stay in the public corrections system and work at the Northfield site—

Mr Odenwalder: For less pay. You can stay for less pay.

The Hon. C.L. WINGARD: No, listen, listen.

The SPEAKER: The member for Elizabeth is warned.

The Hon. C.L. WINGARD: Unblock your ears and listen.

Mr Picton: You said it was commercial-in-confidence.

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

The Hon. C.L. WINGARD: There is a problem with them. They don't want to hear what is going on.

Members interjecting:

The SPEAKER: The Minister for Industry and Skills said something about unions. Please!

The Hon. C.L. WINGARD: Again, I will go over old ground because they are not listening, Mr Speaker. When we said we would outsource the management of the Remand Centre, I went down and spoke to every worker there and said, 'Your job within the public corrections system is safe. You will have a position at the Northfield site.'

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Stand by. Now you are wanting to listen. I like it. You are starting to get the hang of how this job works now.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Good man. Be quiet and listen on that side of the house. We'll talk, you listen—you're getting the hang of it.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: I'm trying to be nice, but it is just going a step too far, Mr Speaker. I'm trying to—

Members interjecting:

The SPEAKER: I am trying to listen to the minister's answer.

Ms Stinson interjecting:

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

The Hon. C.L. WINGARD: Let me make the point again, just so that it is clear—and they will probably ask me another question and I will probably have to give the same answer again, but I am okay with doing that.

Members interjecting:

The Hon. C.L. WINGARD: Because you don't listen to the answers.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Again, everyone at the Adelaide Remand Centre is guaranteed their job within the city at the Northfield site. They can transfer there and work there; that's fine.

An honourable member: We know that.

The Hon. C.L. WINGARD: Good. Well, he didn't, so have a chat to him because he's not listening.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Give him a brief.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: You've been gone for a bit. You've handed him the piece of paper, but he's got no idea what's going on because you take the questions from him—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —whenever you think he can't handle it. We all know what you're doing; it's fine. Anyway, let's get back to it. They can get their positions at the Northfield site. They can keep their jobs at the Northfield site. The new contractor will advertise for people to go.

Someone could choose to go there. They might want to go and work for Serco and think, 'You know what? This is a great opportunity, a multinational company. We can go and work anywhere in the world. We can advance our career.' That may be their choice, and they have the choice. We like to give people choice on this side of the house.

The Hon. A. KOUTSANTONIS: Point of order.

The SPEAKER: Minister, please be seated for one moment. The member for West Torrens has a point of order.

The Hon. A. KOUTSANTONIS: The minister is clearly debating the answer.

The SPEAKER: The question was about whether there was some kind of guarantee of pay conditions moving forward. I have the point of order. In fairness to the minister, he was being interjected on. He is starting to go a little bit off track and I ask him to come back to the substance of the question.

The Hon. C.L. WINGARD: Thank you, Mr Speaker. Again, I stress the point that what we are talking about are the working conditions—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —that the question was aimed at. Again, I stress the point that they can go and work at the Northfield site and stay with the public corrections system. That is a guarantee given to them in September last year, and we are delivering on that guarantee. They don't like it when we deliver on a guarantee, either; it upsets them greatly.

As I stressed, they could actually decide, 'You know what? I am going to apply and work with Serco and try to work my way through that company and progress my career.' That is entirely their choice. We want to give them choice. They could also sit down and have a chat and say, 'You know what? I might go and work in one of the regional prisons.' We've got some great regional prisons: Murray Bridge, Port Augusta, Port Lincoln. They might choose to do that, too. That's choice. They get the choice. I hope that those on the other side understand what that means. So, that's the position we promised, that's what we have delivered, and we are moving forward with our Better Prisons program.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:39): My question is again to the Minister for Correctional Services. Was the minister aware that the New Zealand government had revoked Serco's contract to manage the Mount Eden Prison before the contract was awarded to Serco to manage the Adelaide Remand Centre?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:40): I thank the member for the question. I know he likes to google a lot; I know he likes to get on the internet, and that's fantastic. If he actually looked a little bit further, he would know that Serco runs another prison in New Zealand, a prison that is very focused on reducing reoffending, which I know the Leader of the Opposition is very keen on. They actually just got a $1.1 million bonus for achieving their targets in reducing reoffending, so they are delivering on what we put into the contract.

Members interjecting:

The SPEAKER: Will the Premier please stop provoking the Leader of the Opposition?

Members interjecting:

The SPEAKER: Order! The minister has the call. Members on my left, I am trying to hear the answer.

The Hon. C.L. WINGARD: The member will be happy to know that that is what this company does. They have a very big focus on reducing reoffending and it's a very big part of the contract they are taking forward.

The Hon. A. KOUTSANTONIS: Point of order, Mr Speaker.

The SPEAKER: I believe the minister has finished his answer.

The Hon. A. KOUTSANTONIS: He hasn't answered it at all, sir.

The SPEAKER: He has finished his answer, so I am going to switch to the member for Hammond and then the member for Frome and then the member for Elizabeth, if he's still here. Member for Hammond.

PRISONS, COMMUNITY PARTNERSHIPS

Mr PEDERICK (Hammond) (14:41): My question is to the Minister for Police, Emergency Services and Correctional Services.

Members interjecting:

The SPEAKER: Order!

The Hon. A. Piccolo: It might be commercial-in-confidence.

The SPEAKER: The member for Light is warned.

Mr Boyer interjecting:

The SPEAKER: The member for Wright is also warned for a second and final time.

Mr Brown: Spell it out.

The SPEAKER: The member for Playford can leave for half an hour under 137A.

The honourable member for Playford having withdrawn from the chamber:

The SPEAKER: The member for Hammond has the call. I would like to hear the question.

Members interjecting:

Mr PEDERICK: I'll just wait a bit longer.

The SPEAKER: Time is ticking, member for Hammond.

Mr PEDERICK: It doesn't bother me. I've got all day, mate. It's your question time. Can the minister inform the house how community partnerships are delivering better services in our prisons?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:42): I thank the member for Hammond for his question. What a great question from a great local member, a man who cares about his community. It was wonderful to be in Murray Bridge the other week with the member for Hammond to have a tour of Mobilong Prison—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —to have a look at what is happening up there. We were both very impressed with the facilities there, the way that they are engaging with the people at Mobilong Prison with the inmates there and some of the programs they are running. The music program, in particular, was absolutely outstanding. The educational offerings as well in this facility were wonderful.

Also, we were both impressed with the Greyhound Adoption Program that is running out of Mobilong Prison. The people we spoke to there, the prisoners we had a chat to, were over the moon with being involved with the animals, the dogs. They are there for about a six-week period and then they are fostered out. It's a wonderful win for the greyhounds and also a great win for the prison. As you have heard time and time again in this place, the Marshall government is committed to delivering better services.

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. C.L. WINGARD: That's what we are very focused on. It's the commitment we took to the election, and I know that the member for Hammond, too, is very insistent on making sure we have better services in the regions.

Within the correctional services department, we have some wonderful workers working in this space. It was a pleasure to be at the 2019 DCS merit awards at the Town Hall recently to look at some of the community partnerships that are going on within DCS and the community. It's great how these partnerships get really good outcomes for all of South Australia. We want people to break

that cycle of reoffending that I know the Leader of the Opposition is very focused on. We have a bipartisan approach on that, and that is what we are working towards delivering on.

One of these programs that won an award was the National Disability Insurance Scheme (NDIS) Working Group, a partnership between the NDIS and DCS. This partnership is focused on addressing the needs of people with disabilities to support DCS's transition to the NDIS. The NDIS Working Group includes representation from DCS's rehabilitation programs branch, Sentence Management Unit and Statewide Operations. The NDIS Working Group meets fortnightly to discuss individual prisoner offenders, NDIS applications and status, and to coordinate NDIA access to prison sites so that the commonwealth can conduct NDIS planning sessions face to face with prisoners. Again, that is a great group doing great work within our prison system.

The Work Ready, Release Ready partnership again partnered with Workskil. This is fantastic, giving people work experience so that when they are released out of prisons they can get a job, which we know is vitally important to making sure that we break that cycle of reoffending, and I know that the Leader of the Opposition greatly supports our moves in these areas. I am proud to have launched this partnership last year at the Women's Prison and having Workskil involved in this. It is taking place now at Mobilong, Port Augusta, Cadell, Adelaide Women's Prison and the Pre-release Centre.

Connecting with People was another partnership that won an award. That involves the corrections department, the SA Prison Health Service, the Southern Adelaide Local Health Network, UniSA and the Office of the Chief Psychiatrist. This is connecting people with an internationally recognised evidence-based suicide and self-harming mitigation and prevention training program for both clinical and non-clinical staff. The community partnership bases of this program mean that staff gain the knowledge, skills, competence and confidence required to deliver high-quality care to people at risk of suicide.

The Greyhound Adoption Program I mentioned—again, at the Mobilong Prison—was outstanding. Matt Corby, the Chief Executive of Greyhound Racing SA, was there to accept that award. I do recommend that if anyone gets the chance to go to the greyhounds, you can often see the GAP dogs out there. I am sure that the member for Hammond will agree that it's not uncommon nowadays to walk around Murray Bridge and see one of the greyhounds; or down on the beaches along our coast, you will see people with the greyhounds. Coco is a favourite, as the member for Waite attests.

LYMPHOEDEMA SERVICES

The Hon. G.G. BROCK (Frome) (14:46): My question is to the minister representing the Minister for Health and Wellbeing. Can the minister please advise the number of people who have a lymphoedema condition in the electorate of Frome, including but not limited to the surrounding areas of Port Broughton, Wallaroo and Kadina? Can the minister also advise what is the waiting time and the waiting list for people who are going to the Port Pirie GP Plus to see the physio to support these people who have lymphoedema?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:46): No, I don't think I can advise the member on the spot how many people have lymphoma in Port Pirie, Wallaroo, Kadina or Moonta but I would be happy to get that answer for him. And, no, I don't think that on the spot I can tell him exactly what the waiting list is for each of those people who may have lymphoma or lymphoedema in Port Pirie, Wallaroo, Moonta and Kadina, but I would certainly be happy to go to the Minister for Health and Wellbeing and get as specific an answer as he is able to furnish me with for that extremely specific question.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:47): My question is again to the Minister for Correctional Services. Was the minister aware of the fight club videos filmed on illegally obtained mobile phones by prisoners before the government awarded the contract to manage the ARC to Serco?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:47): I thank the member for the question. He might want to have a chat to the Leader of the Opposition because what he will

know is that prisons are a tough place. They've got bad people in them, just so that you know, and they do things that—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —people don't accept, be it a public prison or be it a private prison, and there have been incidents the world over. Have I checked every incident online as you have had the time to do? I haven't checked every incident online.

The SPEAKER: I have not had the time to do that.

The Hon. C.L. WINGARD: Incidents happen under a number of guises, as I said, be they public or private.

The Hon. A. Koutsantonis interjecting:

The Hon. C.L. WINGARD: I'm sorry, what was your question? Did you have a question? Stand up and ask one.

The SPEAKER: Member for West Torrens, please do not provoke the minister.

The Hon. C.L. WINGARD: The question about the video is: did I know about that? Had I watched that video? I hadn't watched that video. Do I know what Serco's history was? Yes, I know what happened with them, and they tendered and they were the best offering.

Mr Hughes interjecting:

The SPEAKER: The member for Giles is called to order. The member for Elizabeth has the call.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:48): My question is again to the Minister for Correctional Services. Was the minister aware that prison officers at Acacia Prison in WA had described the understaffing and undercrowding at that prison as a powder keg waiting to explode—

The Hon. S.S. Marshall: What is undercrowding?

Mr ODENWALDER: Overcrowding.

The SPEAKER: The Premier is warned.

Members interjecting:

The SPEAKER: Members on my right, be quiet! I don't even have the entire question yet.

Mr ODENWALDER: —before he signed the contract with Serco to manage the Adelaide Remand Centre?

The SPEAKER: Did you catch that, minister?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:49): Yes.

Mr ODENWALDER: What was the answer, sorry?

An honourable member: Yes.

Mr ODENWALDER: Yes, you were aware of that. Excellent.

The SPEAKER: If you were quiet, you would have heard it.

Mr ODENWALDER: I was so surprised to receive an answer that I forgot to listen.

Members interjecting:

The SPEAKER: Order!

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:49): My question is again to the Minister for Correctional Services.

Members interjecting:

The SPEAKER: Order!

Mr ODENWALDER: Are any upgrades or expansions of the Adelaide Remand Centre included as part of the contract awarded to Serco?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:49): Yes.

The SPEAKER: I will come back to the member for Elizabeth. The member for Davenport has the call.

GAMBLING BARRING ORDERS

Mr MURRAY (Davenport) (14:49): My question is to the Attorney-General. Can the Attorney-General update the house on the changes to barring orders for problem gamblers?

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens can leave for 20 minutes under 137A.

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

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:50): I would be delighted to provide that information to the house. Members might recall that, last year in the budget measures bill, the independent gaming authority was dissolved. The authority's responsibilities were absorbed by the liquor and gambling commissioner. This was necessary to comply with the strong recommendations of the Anderson review, which of course had been kept secret for some years by the previous government. Having got into government, we read it, we made it public and we actioned it.

One of the important things was to deal with the previous barring system. Members might be surprised to know that, if you thought you had a problem as a problem gambler and you needed to self-bar, it would take 10 days for you to be barred from gambling, that is, to advise the agencies in nearby locations. You are saying, 'I need help. I need to be prevented from being able to go in and access poker machines or some other form of gambling.' That was completely unacceptable to us. It was clearly unacceptable to Mr Anderson.

So the voluntary barring orders were reviewed. I am pleased to say that the consequence of this is that the commissioner has confirmed that the voluntary barring orders provided are now on the same day whether by telephone or attendance in person. There is a system to ensure that the person with the gambling problem cannot attend another venue to continue gambling. Obviously, it is important to have simplified and expedited this process if it is going to be effective and actually help people.

The second aspect of this is that the commissioner has advised that there has been an incident where a help service provider contacted Consumer and Business Services about a person facing significant financial harm associated with gambling. The help provider was able to immediately contact the office, obtain the details about the barring order, conduct a teleconference and have the person barred immediately. This initiative particularly will go a long way in assisting our regional communities.

It is terribly important that, if someone wants to be barred from venues, they should be able to do so. If they visit the commissioner's office, they will be leaving with a barring order. It is going to be as simple as that. I am also advised that the commissioner in his work has now approved over 200 individual barring orders since 1 December last year. It is very important that we maintain this. The hotel industry has made compliments, such as:

> Hotel staff have always been required to process a barring request while the patron is in the venue or on the phone, so it is pleasing that the Commissioner has taken the same approach.

A Gambling Help Service representative stated:

> Consumer and Business Services has made it easier for patrons of gambling venues to have themselves voluntarily barred.

It is great to be able to update the parliament. I thank the member for the question and commend this information for the benefit of those who might need assistance in the community.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:53): My question is to the Minister for Correctional Services. Minister, did Serco or any participants in the tender process attend any FutureSA events before or during the tender process?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:53): I wouldn't know.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:53): My question is again to the Minister for Correctional Services. Given that the tender to privatise the Adelaide Remand Centre has now been awarded, will the minister tell the house how many companies tendered and who they were?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:53): No.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (14:53): My question is again to the Minister for Correctional Services. Why is the Serco contract not listed on the government's tenders and contracts website?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:54): As I have outlined a number of times, it will be in due course. You will be able to read it.

The SPEAKER: Anyone on my right? The member for Elder has the call. I will come back to the member for Elizabeth.

HERITAGE GRANTS

Mrs POWER (Elder) (14:54): My question is to the Minister for Environment and Water. Can the minister please update the house on how the community has responded to the first round of the heritage grants that have been reinstated by the Marshall Liberal government?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:54): I thank the member for her question and her commitment to preserving heritage in her electorate. She obviously represents the electorate of Elder, which includes that important state heritage area in the suburb of Colonel Light Gardens, and she regularly speaks to me in my role as the state's Minister for Environment and Water as to how we can work better to preserve our state's heritage.

We know that, under the previous government, the heritage grants, which had been in place for a long time, were cut in 2014, and we went to the 2018 election saying that, after five years without those grants, we would reinstate them, giving people who have stewardship of heritage assets within this state the great opportunity to partner with the government and for government to give them a small helping hand towards caring for and revitalising those heritage assets that they have care and control of.

Many people enjoy living in heritage buildings, but we know that they do come with an added financial burden from time to time when it comes to the upkeep of those heritage buildings. So, it is the Marshall Liberal government's show of good faith and goodwill towards people who have the care and control of these buildings that we want to partner with them and help them with a series of fairly small grants, but we hope that they will be able to be built on by those people who have those buildings and who can contribute matching funding and undertake these important works.

Not only are we putting faith in people who have these heritage buildings and valuing these buildings but we are also sending a signal to those who are involved in heritage trades. That is a

fairly small area at the moment, which, unfortunately, was let wither by the previous government but which we do see very substantial opportunities in. It has been good to talk with the Minister for Industry and Skills about the opportunities that lie to develop heritage trades to ensure that we have those skills in South Australia so that when heritage works do need to be undertaken, we don't need to buy in that expertise from other jurisdictions but we have it here. We see substantial opportunity in South Australia to develop a heritage trade sector, and I look forward to working with my fellow ministers as we do that.

With respect to the first round of heritage grants—$250,000, part of an amount of $500,000 in total over two years—applications for that round closed last week on 15 March. We had, as I mentioned, a budget of $250,000 but it was very heavily oversubscribed, and that is not a surprise because people who have these heritage buildings had that access to support curtailed under the previous government, and people have been putting their hands up in droves to be involved this time around.

We have had a very high level of subscription to these grants: 68 applications in total, requesting $855,000 worth of support. Obviously, that is oversubscription, but there will be another round opening up in the very near future and there will be another opportunity for those property owners to access the support. Funding will be made available in the coming weeks under several categories: simple grants, under $5,000; complex, under $10,000; and then major projects, $10,000 to $20,000.

These are an exciting opportunity for people who have heritage assets under their care and control. We see this as putting faith not only in the heritage trade sector but also supporting people who own heritage buildings, who want to invest in them and who want to contribute to the unique character of our state.

MURRAY-DARLING BASIN PLAN

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:58): My question is to the Minister for Environment and Water. Has South Australia requested a delay for its water resources plan under the Murray-Darling Basin Plan, which was due in June this year?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:58): South Australia submitted its water allocation plan to the federal government for assessment on 28 February 2019.

MURRAY-DARLING BASIN PLAN

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:59): My question is again to the Minister for Environment and Water. What action has the minister taken since Friday's meeting of the Murray-Darling Basin Authority to place pressure on those states that have requested a delay in their water resource plans?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:59): Several months ago, I made it very clear to the other jurisdictions that I expected them to do what they could to ensure that their water allocation plans were submitted on time. That included speaking to both minister Neville in Victoria and minister Blair in New South Wales to emphasise the importance of doing all we can to get plans to the Murray-Darling Basin Authority for assessment.

I have had a number of conversations with those ministers about this. Obviously—and particularly in the case of New South Wales, which is currently in caretaker mode leading into Saturday's election, and the period of uncertainty before the election and potentially after the election, depending on the outcome of that poll—that state has that added challenge at the moment. I have made it very clear that it is so important for the River Murray and the communities that rely on a healthy, working river, that these plans are in place as soon as possible.

ENVIRONMENT AND WATER DEPARTMENT

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:00): My question is to the Minister for Environment and Water. How many staff in the Department for Environment and Water have applied for TVSPs since the budget, and how many, specifically rangers, have applied for TVSPs?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:01): I am not aware of the operational aspects of targeted voluntary separation packages within the department. That is a matter for the chief executive to work through, as the deputy leader is fully aware.

VOCATIONAL EDUCATION AND TRAINING

Mr McBRIDE (MacKillop) (15:01): My question is to the Minister for Industry and Skills. Can the minister update the house on how the state government is supporting training providers?

The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (15:01): I thank the member for MacKillop for his question. I know he is a strong advocate for vocational education and training. Friday a week ago, at the first vocational education and training provider forum, I announced the state government's $1 million Building Capacity program.

Almost 250 training providers, educators and stakeholders were involved in the Training Provider Forum held at the Adelaide Convention Centre. The forum was also broadcast via live stream, so those who couldn't make it we were happy to accommodate through their computers at home to ensure wide involvement across the training sector. Through registered training organisations, group training, vocational education, training providers have a key role to play in the Marshall Liberal government's work to rebuild the training system in South Australia.

We remember, of course, the outcomes of the two TAFE reviews, which the education minister is now working to repair, and the cuts in government services that were reported in the February report. Nearly $12 million was cut from vocational education in the last year of the Labor government. The Marshall Liberal government is revitalising the training sector in South Australia, creating greater choice for employers and students and, more importantly for the modern workforce, more flexibility in the training sector.

Importantly, we're providing new opportunities for more South Australians to learn new skills, enter the workforce and enjoy rewarding careers. The Building Capacity program has been developed under Skilling South Australia to strengthen the capacity of teachers and trainers, as well as the assessors of apprentices and trainees—of course, all very important roles in part of the training process of apprentices and trainees. We are ensuring that our training system is ready and able to deliver the 20,800 apprentices and trainees over the next four years.

The federal government and state government are investing $203 million to deliver 20,800 new trainees and apprentices so that we're ready for the challenges and opportunities that come to South Australia through the $90 billion of defence spending over the next 40 years here in South Australia. On top of that, we're preparing South Australians to participate in the new technologies and new economies that are coming to South Australia through Lot Fourteen.

Previously, before the election of the Marshall Liberal government, the only way you could enter the cybersecurity space was through university. Now we have introduced a cybersecurity traineeship: Certificate IV in Cyber Security. The industry has said to us, 'We want to see additional pathways into our industry,' and that is exactly what we're doing.

This year, a series of professional development programs will be available to support and inspire excellence in promoting best practice in training, assessment and educational leadership. We have increased funding contestability, almost doubling the fewer than 400 subsidised training programs that were available under the previous government. Under their round of cuts, there were fewer than 400 subsidised training programs in the system. There are now 700 subsidised training opportunities in the system.

Under Labor, there were fewer than 400 and only 30 per cent available to the non-government sector. Now, under the Marshall Liberal government, there are 700 subsidised training opportunities, with 90 per cent available to the non-government sector. So you see, Mr Speaker, we have been out talking to industry, asking universities—

Dr Close interjecting:

The Hon. D.G. PISONI: TAFE, there was a comment about TAFE.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: From the Pauline Hanson of the Labor Party over here, there is a comment about TAFE. From taking foreign students last week and migrants today, sir, this is outrageous, as the Deputy Leader of the Opposition—

Members interjecting:

Dr CLOSE: Point of order: I understand that I was likened to Pauline Hanson. That is outrageous and I ask for an apology and for it to be withdrawn.

The SPEAKER: The deputy leader has taken offence at being called the Pauline Hanson—

The Hon. D.G. PISONI: The Pauline Hanson of the Labor Party, sir. That was—

The SPEAKER: Could you please withdraw that statement?

The Hon. D.G. PISONI: I withdraw, sir. I withdraw.

The SPEAKER: Thank you.

Members interjecting:

The SPEAKER: The minister has withdrawn.

Members interjecting:

The SPEAKER: Order! I'm on my feet. The member for Lee and the member for Mawson will leave for 15 minutes because I'm on my feet and this is ceasing.

The honourable members for Lee and Mawson having withdrawn from the chamber:

The SPEAKER: I heard the comment. I asked the minister to withdraw it. He withdrew it. He has withdrawn the comment. The member for Mawson will leave. If anyone else comments while I'm on my feet, they will be leaving the chamber. There is one question left. It's the 21st question today, I believe. It will go to the member for Elizabeth.

ADELAIDE REMAND CENTRE

Mr ODENWALDER (Elizabeth) (15:07): My question is to the Minister for Correctional Services. Minister, who managed the tender process for the privatisation of the Adelaide Remand Centre?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:07): I think I outlined before that there was a procurement team put together that followed the tender process, and it was a combination and—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: It was a combination of departments that were in a procurement team that brought the tender to me and I signed the document after it was ratified.

Grievance Debate

SCHOOL ZONING

Ms STINSON (Badcoe) (15:08): I rise today to talk about the broad impact of the city school zone cut on families across Badcoe. Four suburbs from the seat of Badcoe were suddenly slashed from the zone a few weeks ago, four suburbs remain in the zone and the rest of Badcoe has always been allocated to other school zones.

I have spoken before in this place about the huge disruption and grief that this decision, with no consultation, has caused to affected families, students and the extended community, but I have also been heartened, while joining parents who are passionately campaigning against this decision, to find that support for their plight comes not just from those who are directly affected but from people

across Badcoe and much further still. That is because this decision revolves around major life decisions that we all make—where we live, the home we invest in and the education of our children.

People can readily empathise with parents for whom those decisions have now been thrown into disarray. People feel the intrinsic injustice in this decision. They feel that this could happen to them—a broken promise, no consultation and no warning—and they know how devastating that would be. People in Badcoe also feel another injustice. In the wake of the cruel school zone announcement, stumbling to find a fig leaf to cover their nonsensical decision, this government belatedly preached about the need to avoid the creation of elite public schools.

They told parents that all our schools are just as good as Adelaide High School or the brand-new Botanic High School. I agree that all our schools should be excellent. We should continue to strive for that, but actions speak louder than words. Days after retracting the city school zone, this government invested $185 million not into schools about to receive the students kicked out of the zone but into schools that many would already refer to as top-tier public schools.

Badcoe families are not stupid. People in my area know that you cannot complain about creating an elite public education system and then work to create such a system. One parent described it to me as having salt rubbed into a very fresh wound. It is great to see those schools getting more funding. Of course, as I mentioned, many students in Badcoe already attend Adelaide High School and some have now commenced at the beautiful Adelaide Botanic High School. But what about schools like Plympton International College, Hamilton Secondary College and Springbank Secondary College—the schools to which those excluded families are now being encouraged to send their children?

These schools are equally or even more deserving of the government's support. In government, Labor did just that: it invested in these schools. Labor supported Plympton International College, injecting $3 million of Building Better Schools funding into that school. Under Labor, that funding was slated for new drama and art facilities, upgrading the gym, additional class space, a resource centre, digital learning resources and asbestos removal. I was delighted to attend the opening of the new $3.5 million STEM centre at Plympton International College just a few weeks ago.

At Hamilton Secondary College, Labor injected $9 million from Building Better Schools. That was to be spent on extra and upgraded learning areas, a multipurpose art centre and improving the school's frontage. All that adds to the terrific Mike Roach Space Education Centre opened in 2017 at the school. At Springbank Secondary College, Labor allocated $10 million. That is hoped to be spent on extra class space, upgrading outdoor areas, boosting the arts centre, building a new sports science, technology, engineering and maths centre, as well as a sensory learning space and new entrance. Labor also contributed $250,000 towards rebranding the school and investing in marketing and signage to let the whole community know about the strides that are being made at this school.

That is what we did. But where is the commitment from the Liberals? There is none. It is fine to say that you support these schools, but you will be judged on your actions. This Liberal government's action is to expand the zones for these schools without expanding their resources and infrastructure or investing in further lifting teaching quality or curriculum. Worse than that, this government's failure to plan for its year 7 into high school pledge means the money Labor committed to improving these schools is now being scraped away.

These schools are being asked to pay for maintenance, including the floor collapse of a set of classrooms, out of the Building Better Schools funding. That is funding designed to improve the school's offering, not for general maintenance. Once again, this government has been found out. If you promise a policy like year 7 into high school, you need to fund it. If you change a policy, like the school zone, you need to provide the necessary accommodation for that shift. I urge this government to live up to its promises, to reverse the school zone cut and fund all our public schools properly.

The SPEAKER: The member for King.

Mr PICTON: Point or order, sir: I draw your attention to the fact that there are no ministers in the chamber at present.

The SPEAKER: That is definitely not a requirement of standing orders, so I will hear the member for King.

HILLBANK COMMUNITY

Ms LUETHEN (King) (15:13): I rise today to share some—

Members interjecting:

The SPEAKER: I am listening to the member for King.

Ms LUETHEN: —incredibly exciting news from the Hillbank community, which I care deeply about—the Leader of the Opposition might not, but I do—in the King electorate.

Members interjecting:

The SPEAKER: Order, members on my left! If you are not speaking, please leave.

Ms LUETHEN: Prior to the 2018 state election, while doorknocking in my community I was told of the importance of improving road safety along Black Top Road, particularly on the western end, after the intersection of Main North Road. Hillbank residents living on Skyline Drive and the surrounding backstreets pleaded with me for the delivery of a dedicated slip lane so that they would be able to safely turn left from Black Top Road into the road leading to their homes.

I took to the election this position to fight for the delivery of a safer turn-off and promised my community that this much-needed infrastructure development would indeed be provided and that I would fight for this as hard as I could. Construction on this project began last month and followers of my Facebook feed may have seen that I visited this site last weekend, once again to check on the progress being made. To my excitement, the slip lane was already being driven on and nearing completion. As I took an up-close look, I received several friendly waves and thumbs up as residents drove around this very corner.

I really thank the Hillbank community for taking their time to share with me their feedback on this important safety concern and I am so pleased to be able to deliver this safety improvement for them. For those not familiar with this turn-off, it has been hazardous because large trucks and cars start to accelerate at this spot before they battle up the hill near Skyline Drive. Often, this provides insufficient time for local residents to safely turn off Black Top Road and into their local area. These safety issues have now been mitigated thanks to the swift action of our Marshall Liberal government.

One of my local residents, Denis Facey, who lives in the immediate vicinity of the area, called my office recently to pass on his elation that the slip lane had been completed in such a short amount of time. Recently, when I visited the site with the Minister for Transport, one local resident pulled her car up on the verge of the road to personally pass on her thanks to both of us for working on delivering this incredibly important upgrade. She had just had a recent car accident on this very spot.

It is projects like this that can make the difference day to day in the experience of King residents and businesses. I encourage my constituents in King to continue to raise their ideas and their issues—

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

A quorum having been formed:

Ms LUETHEN: Again, on one of the Minister for Transport's regular visits to King, we had a look at this problem that existed for Hillbank residents and we have fixed it. This is an example of good, strong democracy and a swift government listening and delivering on residents' concerns. I thank the hundreds of residents along Skyline Drive, Brooker Drive, Rhodes Court, Hilltop Boulevard and Sunset Court for raising this issue with me.

The minister has previously described the upgrade at Skyline Drive as an easier solution to a road infrastructure issue. This was because no land acquisition was required and there was ample room to provide this additional turn-off lane. I have been advised that the project has been relatively simple to complete. This highlights just how important it is for the community to share their feedback with local representatives like me right across the state.

Each time I visit a shopping centre for my listening posts, each time I am out doorknocking and each time I hold my weekly coffee catch-ups on Mondays, I always ask my community what is most important to them and what would improve their quality of living. Please continue to provide your feedback to me and pass on what is most important to you because I am certainly listening. I look forward to utilising the new slip lane at Skyline Drive as I return to my doorknocking in this local area of King in the very near future.

STATE ECONOMY

Ms HILDYARD (Reynell) (15:19): I rise today to reflect on the past year since this government commenced its ridiculous and damaging agenda of cuts, closures and privatisation. It has been a year of overpromising and underdelivering and a year that stands in stark contrast to their baseless slogans. It has been a year of fewer jobs, fewer services and higher costs.

Our state must always strive to be fair and to include all in every aspect of South Australian community life. It should value and empower everyone's contribution, and it should thrive in terms of jobs and economic growth. Sadly, the people of South Australia are not being treated fairly, nor are they being included and empowered, nor is our state economically thriving and nor are employment opportunities growing.

Alarmingly, South Australia's unemployment rate is at an 18-month high, with 6,600 more South Australians unemployed compared with March 2018—a figure that makes a mockery of the prolific number of DLs from those opposite promising more jobs. If you are employed, given this government's desire to trash protections for vulnerable workers and the fact that they are lock-step with their mates in Canberra who are obsessed with slashing penalty rates and championing wage inequality, you can rightly be very worried about your job security into the future. They are already making threatening noises about cutting public sector jobs—

Mr ELLIS: Mr Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Ms HILDYARD: People can be very rightly worried about their job security into the future. Those opposite are already making threatening noises about cutting public sector jobs on top of the 880 jobs they so proudly announced they would cut from Health in their cruel, cutting first budget.

On the economic front, debt continues to rise, and it is becoming very clear that they will go nowhere near delivering a surplus anytime soon. Millions of dollars of bus cuts have seen South Australians all over our state, and particularly those in outer suburbs, disadvantaged and deeply worried about their ability to get to work, to school, to medical and other appointments, to their Service SA centre (if it still exists) or just to participate in the activities that connect them to social life in our community.

Just a few weeks ago I was speaking with Elias as he waited for a bus on South Road at Morphett Vale to get to a regular appointment at Flinders Medical Centre. As he waited and waited at the bus stop, he was deeply shocked and worried about how he would continue to get to his regular appointments on time, given this government's delivery to South Australia of cruel, heartless cuts to services that people should be able to rely on, and given that the bus he was about to catch was one on the hit list of those opposite. The $46 million of bus cuts are not to be celebrated as some grand first-year achievement.

I shudder to think what will happen to Elias and others who not only have to attend medical appointments but who also have to have tests handled by SA Pathology, which those opposite are about to sell off, who are waiting for elective or other surgery, or who call an ambulance. Ambulance ramping is dangerously at its worst with our courageous, front-line ambulance officers and other health workers calling on this government to unblock the health system as people's lives are put at risk. The elective surgery waiting list has blown out, with 1,100 more people now waiting, often in pain, for some much-needed medical intervention.

If people are feeling vulnerable about their ability to access health care, with this government's cuts to Crime Stoppers, the selling off of our Remand Centre, cuts to community safety grants and access to CCTV, including at our managed taxi ranks, which are relied on by many, particularly women, late at night, they are not going to be feeling safe either at home, in the

community, or when they are out and about in the city—not that this government seems to have too much regard for the role of women in our community here in South Australia.

The $24 million dedicated the Female Facilities Program has been cut, the Female Participation Grants have disappeared, targets around equality no longer exist and the government has refused to support legislation that would have seen women who are discriminated against at work as a result of their experience of domestic violence able to make complaints and seek redress via the Equal Opportunity Commission.

But none of that is surprising because this is a government with four women members out of 25 in this house, an appalling number that speaks to whom they value and whom they do not and to the fact that, despite their rhetoric about strong plans, they have no plan whatsoever to achieve gender equality, with multiple women from their own party now calling out this failure of the boys' club. Those on this side of the house will be there for South Australians and will ensure their voices are heard as we brace for the horror of what those opposite will bring forward as we head into their second 12 months.

STATE LIBERAL GOVERNMENT

Dr HARVEY (Newland) (15:25): Twelve months ago, South Australians had the opportunity to decide what they wanted for the future of South Australia. The choices were clear. They could re-elect a tired, dysfunctional, spin-obsessed government, or they could vote for a team that would not accept such mediocrity. They could vote for a team that had put in the work over the previous four years to develop a comprehensive vision for what South Australia could become—a team that had a plan to improve our state, to facilitate the creation of more jobs, to provide hip-pocket relief for South Australian households, and to make sure that our health, education and community services are as good as they can possibly be.

It is no surprise then that the South Australian people elected the Marshall Liberal government. After 16 years of scandal and financial mismanagement under Labor, we have had a big mess to clean up but we have hit the ground running. The promises we made at the election are being delivered. We have abolished payroll tax for small businesses. We have cut the emergency services levy for households and businesses. Our Home Battery Scheme is up and running and beginning to deliver cheaper and more reliable power for South Australians.

We are delivering record investment in education so that our young people are as well placed as possible to take full advantage of the extraordinary opportunities that will result from exciting projects that are based in South Australia, such as the naval shipbuilding projects and the national Space Agency. These are just some of the policy achievements we have delivered that are making a real, positive difference to the lives of South Australians.

Of course, with the 12-month anniversary of the Marshall Liberal government comes the 12-month anniversary of my election as the member for Newland. Having my community place its trust in me was a truly humbling experience. To represent my community is a significant privilege and I am acutely aware of the enormous responsibility that comes with being a member of this place. It is a responsibility, not just to promise outcomes, but my community expects and deserves that promises are delivered and that positive outcomes are achieved.

In the 12 months since the election, I have been incredibly proud to see the delivery of my local election commitments. The Tea Tree Gully Toy Library is receiving $100,000 so that it can continue to provide children in the north-east with access to toys and games to aid their development. Lyn and her team of volunteers work hard in the toy library and it was great to be able to provide them with funding certainty. Tea Tree Gully Gymsports, one of the largest and most successful gymnastics clubs in Australia, has now installed their new sprung floor with the assistance of $20,000 from the Marshall Liberal government. The member for King and I visited the club only a couple of weeks ago and saw the new floor in action.

It has been terrific also to be able to deliver funding for the upgrade of the Kersbrook Primary School crossing. The school community at Kersbrook contribute so much to their local school and absolutely deserve to have confidence that their kids can safely cross the road on the way to and from school. We all know how important it is that our communities have local facilities that allow them

to be active, particularly for children. I promised at the election $350,000 for six new multipurpose tennis and netball courts at the Tea Tree Gully Sports Hub, and I was thrilled that the Minister for Recreation, Sport and Racing was able to join me last year to hand over that funding.

But the biggest issue that had been facing my community in Newland, and more broadly across the north-east, was the disgraceful downgrading of Modbury Hospital that occurred under the previous government's Transforming Health cuts. These downgrades were a significant betrayal of our community. The north-east deserves to have a local hospital that is modern, well resourced and, importantly, respected by government. I am very proud to have worked with the member for King and the Minister for Health and Wellbeing to secure funding not just to stop the cuts that those opposite so eagerly imposed but to upgrade the hospital to ensure its future viability.

The first year the Marshall Liberal government has been full of positive achievements, but we know that South Australians will not accept us resting on our laurels. There is certainly a lot more work to be done, and those of us on this side of the house will not take a backward step in continuing to deliver for our state and for our communities.

STATE LIBERAL GOVERNMENT

Mr BOYER (Wright) (15:30): It has now been 12 months since this government was elected, and today I want to look at what has and has not been delivered in the north-east. The member for Newland's electorate was ground zero for cuts, closures and privatisations in the September state budget. We saw the announcement that Service SA in Modbury would shut, the third busiest Service SA centre in the state and one that saw transactions increased by more than 10,000 between the 2016-17 and 2017-18 financial years alone.

We saw the announcement that Tea Tree Gully TAFE would close, too—the axe has already fallen on that site—and the indefinite postponement of the new park-and-ride at Tea Tree Plaza, a development funded by the previous Labor government that progressed so far as to have the contract signed. We also saw the privatisation of patient transfers between Modbury and Lyell McEwin hospitals.

Ms LUETHEN: I draw attention to the state of the house.

A quorum having been formed:

Mr BOYER: This is from a party that swore it would never, ever again privatise Modbury Hospital or any of its services—and it took them just six months to break that promise.

On the weekend, the members for King and Newland posted some very polished and produced videos designed to look back at their first year in government and what they had achieved. When I consider all these cuts and closures in the seat of Newland, I can understand why the member chose to focus so heavily on his life before politics in the video. The video he posted was basically a recap of what he did for a job before entering parliament. Whilst what the member did before coming into this place is commendable, he must have been a little light on footage showing what he had actually delivered for the people in his seat over the last 12 months.

The member for King, however, took a very different tack. The member for King's previous work history is inextricably linked to Service SA because she actually managed two of the three service centres that this government is closing. What an extraordinary thing to be elected to this place and to come in here quietly, meekly and complicitly and sit by while your old workmates are thrown under the bus one by one and you have done nothing! You have done nothing. A true and accurate video of the member for King's first 12 months in this place would be an endless loop of footage showing her standing by meekly as one by one the people she used to manage get chucked under the bus. Under they go!

You can imagine the conversations between the gurus in the Liberal Party HQ when they were putting together the member for King's video: 'Well, we can't tell punters that the member for King managed the Modbury Service SA centre because that would be political suicide. So what is more popular than that? I know, we'll tell people she worked in banking and finance. People love that.' Genius, absolutely genius. What action did the member for King take after learning that her government would close her old workplaces? Did she stand up and fight for her community and

demand that the Modbury Service SA centre stay open? Did she personally write to the Premier, the Treasurer or the transport minister asking that the closures be reversed? No, she did not.

We know now, though, after obtaining FOI documents, that the member for King did not even bother to write personally to the Premier, the Treasurer or the transport minister, as the member for Adelaide did, arguing that those cuts should be reversed. Instead, she had an electorate officer send a very short email to the Treasurer's office that said:

> Dear Treasurer,
>
> A resident has approached us with some issues surrounding the proposed closure of Service SA at Modbury—

Surprise, surprise—

> Are we able to request some further information behind that decision?

This incredibly meek email tells us a couple of things. It tells us that speaking up in the Liberal caucus is not encouraged. In fact, when I first read that email, it brought to mind the iconic line from *Oliver!*: 'Please, sir, may I have another bowl of gruel?' But, most importantly, it tells us that the member for King was apparently so unaware of the reasons for the closure of Service SA Modbury that she had to write to ask. She did not even have an answer: she had to write to ask why it was being closed—shameful. Nineteen minutes later, the same electorate officer emailed the Treasurer again:

> Following my earlier email, we have received numerous correspondence from many other concerned residents in King about the issues surrounding Service SA.

I bet the phones were running hot that day. It might have reminded the member for King of a day back in the Service SA centre at Modbury, in fact.

Returning quickly to the carefully stage-managed videos, some have suggested, upon watching the videos, that they were slowed down for effect, but this is not so. This is actually the pace at which the Liberals in the north-east move. It is glacial: opening Hope Valley Reservoir, nothing; upgrading the park-and-ride, nothing; an alternative to Service SA, crickets; and Tea Tree Gully Toy Library, delivered, but it was cut.

The DEPUTY SPEAKER: Member for Wright, please be seated. Time has expired.

Members interjecting:

The DEPUTY SPEAKER: There will be no banter across the chamber. The member for Wright has finished. The member for Elder has the call.

The Hon. J.A.W. Gardner: They sent me a very nice letter of thankyou.

The DEPUTY SPEAKER: Minister for Education!

Mr Boyer: They know what you did, minister.

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

The Hon. J.A.W. Gardner interjecting:

The DEPUTY SPEAKER: The Minister for Education is also called to order. The member for Elder has the call.

SPRINGBANK SECONDARY COLLEGE

Mrs POWER (Elder) (15:36): I rise today to talk about an important school in my electorate, Springbank Secondary College, and its recent transformation. Opened in 1965 as Daws Road High School, the school underwent a name change in 2002 to what many may know the campus by: Pasadena High School. As Pasadena High School, the school was best known in the community for its great basketball program and its superb support for students with a disability through the Pasadena Disability Unit.

On Friday 8 February, I was delighted to attend the official launch of the new identity of the school as Springbank Secondary College alongside the Minister for Education; the federal member for Boothby; Uncle Tamaru, Aboriginal elder; Mitcham council members; and other key community

members. Driven by principal Wendy House, partnerships have been forged between Springbank Secondary College, Flinders University and the Australian Science and Mathematics School with a shared vision to re-create the school as a science, technology, engineering, arts and mathematics (STEAM) school.

These partnerships present a great opportunity to demonstrate the value of collaboration with leading-edge, research-informed teaching practice for the 21st century. This is an exciting move for our local community. Principal Wendy House, and the governing council, currently chaired by Mrs Jody Moate, are to be commended for their efforts to reimagine what education can mean for their students at Springbank Secondary College. I would also like to pay special tribute to the previous governing council chair, Helen Shepherdson, whose leadership and hard work were also instrumental in the school's transformation.

When speaking with principal Wendy House, she has been very clear in highlighting that this is not just a new name and a new logo for the school; rather, it reflects a complete overhaul of the school's culture and pedagogy. Springbank Secondary College's new motto, 'Igniting inquisitive imagination', is a strong reference to the new teaching practice and approach to learning now being offered, with themes of creativity, research and forming new ideas and a strong knowledge base.

The redesigned school will look to emphasise learning approaches with a special STEAM focus embedded into the curriculum. Specifically, the school will integrate interdisciplinary curriculum design, inquiry and collaboration, along with research-informed teaching pedagogies, driving innovation, applied knowledge and entrepreneurship to achieve the best possible outcomes for students and to provide opportunities for growth. Plans to establish a new senior school will enable curriculum choices to be expanded to include arts, design, support, recreation, food and hospitality.

In the future, it is envisaged there will be an opportunity for students to prepare for careers and life after school by embedding local industry internships, VET and school-based apprenticeships as a core component of the new senior school curriculum. Learning spaces are also set to receive an upgrade to equip the school to support its STEAM curriculum. This will require integrating appropriate digital resources and facilities, colourful, flexible and appealing spaces and flexible furniture that can easily be adapted to meet the learner's needs.

In addition to its academic focus, Springbank Secondary College will also seek to grow its existing sports academy, in particular its special interest basketball program. The new sports academy will be supported through partnerships with Flinders University Sport, Health and Physical Education; the education department; and local sporting bodies, such as Basketball SA and the Sturt Basketball Club. These partnerships will provide a high-quality program, including sports sciences, strength, conditioning and player management.

The principal, governing council, school staff, students, community members and local residents have all been instrumental in driving this change and new direction for Springbank Secondary College. As technologies evolve and people assume multiple careers in the future and new careers emerge, the school is really equipping its students for careers of the future.

Well done and congratulations to all involved. I look forward to continuing to support this important and valued school community in my electorate as this new school steams ahead.

Bills

LANDSCAPE SOUTH AUSTRALIA BILL

Introduction and First Reading

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:42): Obtained leave and introduced a bill for an act to promote sustainable and integrated management of the state's landscapes, to make provision for the protection of the state's natural resources, to repeal the Natural Resources Management Act 2004, and to make consequential amendments to other acts, and for other purposes. Read a first time.

Second Reading

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:42): I move:

That this bill be now read a second time.

I am pleased to introduce a bill to repeal the Natural Resources Management Act and replace it with a new landscape South Australia act. This fulfils the government's pre-election commitment to introduce a bill into parliament by March 2019 that puts people back at the heart of managing our natural resources and delivers a system that is more focused on working in partnerships, practical programs and on-ground works.

South Australia's landscapes—our rivers and plains, forests and hills, coasts and seas—are some of the most beautiful in the world. The sustainable management of natural resources is vital to our state's economy, primary production and other industries, including mining and tourism, as well as our regional communities and metropolitan Adelaide. Natural resources are also of critical importance to Aboriginal communities—with Aboriginal people's spiritual, social, cultural and economic priorities and practices coming from their relationship with their traditional lands and waters.

We need a landscape that is more resilient towards the impacts of climate change. South Australia is already experiencing less rainfall, warmer conditions with prolonged heatwaves, sea level rise and increased frequency of natural hazards, including drought, bushfires and extreme storms and flooding. We also need a biodiverse landscape with healthy native fauna and flora. We have learned what works and what does not, and we have heard loud and clear that people are looking for a simpler, more effective system.

The bill establishes a new framework for how we manage our state's natural resources based around this vision that provides a simpler and more accessible system by removing unnecessary bureaucracy, simplifying procedures to improve responsiveness and providing greater flexibility for improving best practice over time. Key elements of the reforms are:

- replacing regional natural resource management boards with new arms-length regional landscape boards and giving communities and landholders a greater voice in how natural resources are managed;
- a new Green Adelaide board focused on seven priorities that will help Adelaide become the most ecologically vibrant city in the world;
- a cap on increases to land and water levies to reduce cost-of-living pressures for all South Australians; and
- more action on ground, with a focus on partnerships, a simpler approach to planning and creating opportunities for natural resources management focused programs and initiatives in regional communities.

These reforms have been the subject of extensive community engagement, and I would like to thank everyone who contributed through their feedback on their future vision for South Australia's landscapes. Over 1,000 people attended 60 community, stakeholder and staff workshops held across the state between August and October 2018. Over 250 written submissions were received from the community and stakeholders on the discussion paper, 'Managing our landscapes: conversations for change'.

I personally attended many of the workshops and spoke with people from across South Australia about what the future of natural resources management should look like and what was important to them. What I heard was that people want a productive and biodiverse landscape. Our regional communities have said that they want a system of managing natural resources that focuses on the basics: delivering effective water management; pest, plant and animal control; soil and land management; and support for broader sustainable primary production programs.

People want a simpler system, a greater voice in decision-making, as it impacts on the ground, and board members who reflect their communities. What is clear is that people seek less red tape to reduce administrative burden and less repetitive planning and more on-ground delivery through partnerships with other organisations, groups and individuals.

More broadly, landscape education remains an important part of connecting urban and rural communities with nature, building awareness of the importance of sustainable primary production,

and managing natural resources sustainably. When people fall in love with nature, they put more effort into conserving and revitalising it and making sure it is there to pass on to future generations. People also want the new boards to be able to have a continued role in delivery of nature education in South Australia's schools.

Embedding climate change in how we manage our natural resources is fundamental to further coordinating adaptive practices we undertake now to build a climate-resilient landscape thriving with biodiversity. I was delighted to see the level of enthusiasm embracing a bold climate-resilient vision for greening the metropolitan area through creation of Green Adelaide. There was overwhelming support for the government's commitments to establish Green Adelaide and cap levies.

During consultation, great efforts were made to connect with all who care for land, including traditional owners. I am committed to ensuring that cultural, scientific and specialist expertise and learnings are respected and embedded into the decision-making processes at regional board level to achieve the practical outcomes that our communities seek. Together, these conversations have shaped and informed the bill.

I want to emphasise that, while the simpler system in the bill moves away from prescribing detailed consultation processes, collaboration and consultation with key partners and communities remain at the heart of natural resources management. I now turn to some of the bill's key features. New regional landscape boards will replace the current natural resources management boards, with a new approach to setting regional boundaries that place more emphasis on economic, social and cultural connections and local government boundaries and areas.

For the first time, regional communities will have a say on who sits on a regional board through community elections. Community elections align with the principle of decentralised decision-making as a mechanism for empowering regional communities. Regional boards will have three elected and four ministerial-appointed members to ensure there is a good mix of skills, knowledge and experience, as well as broad community representation, including from young people. Eligibility to stand and vote in elections will be based on eligibility to vote in local government elections, providing an opportunity to leverage off local government election arrangements where it is cost effective to do so.

There may be some situations where issues specific to a particular region mean that community elections are not practical or desirable at a given point in time. To manage this, the bill provides flexibility for all board members to be appointed by the minister in special circumstances. Boards will have greater control over day-to-day decision-making, including setting their own budgets through an annual business plan. Boards will have greater autonomy over their staffing arrangements, with general managers being accountable to their boards and responsible for employing staff.

The new landscape boards will be bodies corporate and, as instrumentalities of the Crown and being subject to audit by the Auditor-General, will be public authorities for the purposes of the Public Finance and Audit Act. They will be required to consider and promote the act's objects in exercising their functions. The new boards will be required to work collaboratively and have the ability to establish committees, reflecting the importance of ongoing discussion with communities and landholders so that boards have a good understanding about what the issues are in their region.

Managing natural resources, with an emphasis on soil quality, water management and pest plant and animal control, will be a function of the new boards to build resilience in the face of change and facilitate integrated landscape management. Our coasts and seas immediately adjacent to land comprise part of the features included in the landscape, such that the impacts of on-land practices on our coasts are considered in an integrated 'hills to sea' approach to natural resource management, as appropriate. Boards will be able to support community efforts to restore and maintain the landscape, such as through revegetation and other nature stewardship initiatives. There is also continued alignment with commonwealth funding programs, including for biodiversity outcomes.

Each board, including Green Adelaide, will be required to establish a grassroots grants program based on a proportion of their budget or amount determined by the minister. Grants will be available to small grassroots community organisations, volunteer groups and individuals. Reflecting

the feedback that people wanted boards to have a closer connection with their local communities and stronger relationships with community organisations, grassroots grants programs will be administered by each regional landscape board, rather than being centrally administered.

Boards will also have a mandate to look at opportunities to deliver programs and projects through partnerships with organisations, including local councils, as well as groups and individuals. This will create jobs and drive further investment, empowering and reinvigorating regional communities in the management of natural resources. Each board will have a high-level, five-year regional landscape plan that sets out five priorities for managing the region's landscapes.

Rather than prescriptive consultation requirements, each board will set their own consultation processes, informed by best practice engagement guidelines. This simpler approach to regional planning aims to refocus effort and resources on delivering outcomes on-ground for the benefit of the community. Boards will also remain responsible for water allocation planning in their region but with provision for the minister to step in if there are delays in water allocation planning processes.

During consultation on the landscape reforms, many people in the community wanted regional landscape boards to play a role in assisting in the management of native animals that adversely affect the natural or built environments. Currently, there are different approaches to this across the state. The bill will establish this as a function for all boards through activities such as connecting landholders and relevant authorities and providing information. Permits issued under the National Parks and Wildlife Act will still be required and the existing functions of the other bodies and people involved in this area will continue.

In giving boards greater autonomy and empowering local communities through a greater role in delivery, the bill also provides other mechanisms to ensure both accountability and cross-regional and statewide coordination and delivery. Consulting with people interested and affected by plans will still be a fundamental part of the process of all levels of planning, with a new state landscape strategy providing a statewide strategy for natural resources management in this state that is shaped and informed by regional issues and perspectives.

As minister, I will have the ability to set policies on common issues related to natural resources management, such as pest plant and animal control, as well as the administration of the act. This provides for a coordinated approach and minimises duplication of effort. The bill also provides for the continuation of statewide coordination of the monitoring, evaluation and reporting on the state and condition of natural resources—supporting the state's broader environmental reporting framework and the ability to connect this with regional monitoring and reporting efforts.

Green Adelaide: the bill delivers the government's commitment to establish Green Adelaide—a new board charged with delivering on the exciting vision of Adelaide as a climate resilient and ecologically vibrant city that is a world leader delivering innovative solutions. While Green Adelaide will be a landscape board—with the same functions and powers—it will focus on seven priorities:

- coastal management;
- water resources and wetlands;
- water sensitive urban design;
- green streets and flourishing Parklands;
- fauna and flora in the urban environment;
- controlling pest animals and plants, and
- nature education.

These priorities will in turn support other outcomes, including climate resilience, climate change mitigation and community wellbeing, with the recent heatwave highlighting the importance of greening our city to ensure it is a livable city that residents and visitors enjoy into the future. Green Adelaide will also have scope to share this expertise across the state, for example, by collaborating with other landscape boards or local councils wanting to pursue initiatives related to these priorities.

As a regional landscape board, Green Adelaide will have a mandate to collaborate and partner with councils and other bodies. Its activities and investment will be guided by a regional plan, developed in consultation with the community and other stakeholders. Given the need for board members to have specialist expertise, all members will be appointed by the minister.

Levies: increases to natural resources management levies have become an additional cost-of-living pressure for South Australian households. The government originally intended capping levies at a rate set by an independent body. After consulting on whether levies should be capped by an independent body or by reference to the consumer price index rate set by the Australian Bureau of Statistics, the cap on levies is enshrined in the bill by reference to the consumer price index rate, being the most cost-effective option.

In exceptional circumstances, the minister will be able to approve increases to the land levy above CPI. Increases to the water levy above CPI will also need to be approved by the minister. Any increase to land or water levies above CPI, imposition of a levy in an area of the state where it has not previously applied or a change in basis to the levy, must be tabled in parliament and may be subject to disallowance.

There will also be greater transparency about how levy money is spent, with each board being required to have an annual business plan outlining the board's budget for the forthcoming financial year and to report annually on actual expenditure of the levy. In council areas, the land levy will continue to be collected by councils, with boards setting the amount to be collected each year under the CPI cap. This is a cost-effective way to collect the levy, maximising the funding available for on-ground delivery.

There was overwhelming community support for distributing some levy money from the Adelaide metropolitan area to regional South Australia. Residents of Adelaide value our regional landscapes and enjoy the benefits that they provide, from meeting our most basic needs for clean and safe water and healthy food to being able to enjoy our unique natural landscapes, including coastlines and beaches for tourism and recreation.

To recognise this, a percentage of levy money collected in the Green Adelaide region will be invested in landscape scale projects and works across the state through a new statewide landscape priorities fund. The bill establishes the new landscape priorities fund for investment on large-scale integrated landscape projects, such as Wild Eyre, taking into account high-level principles identified in the state landscape strategy.

Land, water and pest plants and animals: the boards' functions reflect a renewed focus on land and water management and pest plant and animal control. In relation to land, sustainable primary production and improvements to land management are important ways to achieve a productive, climate resilient and biodiverse landscape. To do this, landscape boards will work alongside landholders and provide support, advice and a helping hand where needed. This is embodied in the legislative functions of the landscape boards.

Measures will continue to be available under the act to ensure land is managed appropriately and to protect against degradation, but there is a new emphasis on taking into account local conditions and industry best practice to get the right outcome. This reflects a fairer approach for landholders, and reflects the variability of land across our state and within a region, by making sure contemporary and locally relevant best practice on the ground is taken into consideration.

The focus of the landscape reforms is resetting how boards operate to deliver a simpler, more transparent system overall. As a result, water management has not been a focus in the consultations that have shaped the landscape reforms. We were very clear about this from the outset of our extensive consultation process and publicly available discussion papers.

As such, most water-related provisions in the act have been carried over unchanged to the new bill, continuing the existing role of water allocation plans and providing for the sustainable management of water resources and existing licensing and permit arrangements to manage water resources. Water allocation plans will continue to be subject to a minimum two-month public consultation, as well as boards being required to follow contemporary and effective engagement and consultation practices in engaging with water users and other stakeholders.

Water-affecting activities, such as building a dam or drilling a bore, will continue to be regulated. To enable the simplification of regional landscape plans and give greater consistency and clarity for customers as to where policies on water-affecting activities are, these rules will be set out in a water-affecting activity control policy or a water allocation plan. Minor changes will reduce red tape for applicants for works approvals and clarify how works and site use approvals operate. Water allocation plans will be able to provide that a consumptive pool need not be limited to a specific purpose and for a watercourse to be managed together with surface water as a single resource. These small changes will enable water allocation plans to better reflect how water is managed.

During community engagement, strong interest was raised in seeking reforms across a range of areas, including for water, coasts and native vegetation. All these areas are substantial, involving complex legislative issues in their own right. Any water reform needs to be carefully considered and should be the subject of extensive consultation with all those potentially impacted in the community.

Pest animals and plants threaten agricultural, pastoral, industrial and public enterprises, as well as conservation and biodiversity. All livestock and plant production industries are at risk from pest animals and plants, with introduced pest species and plants costing South Australian agriculture millions of dollars each year in damage, lost production and control efforts. The current regulatory framework will continue to apply for pest plants and animals, where penalties apply for moving, possessing and releasing declared pests.

In response to feedback that people want healthier soils and timely processes for invasive pests, current requirements for landholders to prepare and implement action plans to control pest plants and animals will be replaced by a requirement for landholders to comply with action orders that require the owner of land to take action specified by the authority issuing the order. A principle to achieving ecologically sustainable development is that before taking remedial action, and where reasonably practicable and appropriate, to encourage persons responsible to take such action before resorting to more formal processes and procedures.

Accordingly, before requiring a landowner to undertake an action plan, boards will need to make reasonable attempts to resolve the matter by working with the landholder. Regional landscape boards will provide support, education and advice to work with landholders to develop sustainable-based solutions that meet local requirements. As a result, there will also be a more structured approach to the current practice of granting exemptions. Going forward, authorised officers will have a clear authority to issue a written exemption, subject to conditions, providing certainty as to what is required to remedy breaches.

A new expiation will apply for possession of a category 2 plant or animal—noting there are only a handful of animals in this category. Where a minor offence has occurred, such as the keeping of one animal, currently the only option is a warning or a prosecution. Other enforcement arrangements are largely replicated in the new legislation, with existing powers and civil remedies being replicated in the bill.

The current distinction between state and regional authorised officers, whereby regional authorised officers can only exercise certain powers within their region, can cause practical issues on the ground, particularly in managing cross-regional issues. The bill removes this distinction by the minister being responsible for appointing all authorised officers. The powers of individual authorised officers will be limited through their instrument of appointment as required. This will increase compliance capacity and enhance responsiveness to issues on the ground, particularly in remote areas.

Penalties for a number of offences that have not been increased since the introduction of the natural resources management legislation in 2004 have been increased by up to 40 per cent, which equates to CPI over the same period. Penalties have not been increased if they have been set relatively recently—for example, in relation to forestry—or where they are similar to those for similar state offences under other legislation.

The bill also provides transitional arrangements for the winding up of existing natural resources management boards and the transfer of any assets and liabilities, with options to ensure continued delivery of services on-ground. Critically, options to ensure a smooth transition from natural resources management boards to regional landscape boards have been provided for,

including so that Green Adelaide may commence its vital preliminary work as a leading expert board in the interim phase.

Together, these reforms will deliver a fundamental change in how natural resources are managed in this state for the benefit of all South Australians and will move South Australia towards a productive and sustainable natural landscape, upholding the landscape for both our environment and the economic development of our state. I commend the bill to members and seek leave to have the explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

Division 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause defines terms used in the Bill.

4—Interaction with other Acts

This clause provides that the Bill is in addition to, and does not limit or derogate from the provisions of any other Act. The clause also provides that the Bill is subject to certain other Acts and agreements described in the clause. Further, subclause (3) provides that clause 8 and Part 7 do not apply in relation to certain substances and activities associated with mining Acts.

5—Territorial and extra-territorial operation of Act

This clause provides that the Bill applies to the whole of the State, however the Governor may, by regulation, exclude parts of the State. The Bill also applies outside of the State if an activity or circumstance undertaken or existing outside the State may affect the natural resources of the State. The Bill may also operate extraterritorially to give effect to an intergovernmental agreement to which the State is a party.

6—Act binds Crown

This clause provides that the Bill binds the Crown in right of this State, and also, so far as the legislative power of the State extends, the Crown in all its other capacities, but not so as to impose any criminal liability on the Crown. Agencies and instrumentalities of the Crown must endeavour to act consistently with the State Landscape Strategy, along with all other relevant plans under the Bill.

Division 2—Objects, principles and general statutory duties

7—Objects and principles

This clause sets out the objects of the Bill and the principles that should be taken into account in connection with achieving ecologically sustainable development for the purposes of the measure.

8—General statutory duties

This clause requires a person to act reasonably in relation to natural resources management within the State, and to take into account the objects of the Bill. The clause also sets out factors to be taken into account in determining what is reasonable for the purposes of the section. The clause provides that a person acting in pursuance of a requirement under this or any other Act, in a manner consistent with a regional landscape plan, a water allocation plan, a landscapes affecting activities control policy, a water affecting activities control policy, or any other policy approved by the relevant regional landscape board for the purposes of this section, or in circumstances prescribed by the regulations, will be taken not to be in breach of the section. A person who breaches subclause (1) is not, on account of the breach alone, liable to civil or criminal action, but the person may be required to do certain things, or certain orders may be made, as set out in subclause (5). In addition, if a person can demonstrate that they acted in a manner consistent with any best practice methods or standards, or any guidelines, in the relevant industry or sphere of activity recognised by the regional landscape board as being acceptable for the purposes of subclause (1), after taking into account any local circumstances as described in subclause (8), then no action can be taken against the person in relation to the operation of this section. The clause also provides that a person is not to be held responsible for any condition or circumstance existing before the commencement of the *Natural Resources Management Act 2004*.

Part 2—Administration

Division 1—The Minister

9—Functions of Minister

This clause sets out the functions of the Minister.

10—Powers of delegation

This clause provides that the Minister may delegate a function or power of the Minister under the Bill, or any other Act, to a body or person, and sets out requirements for such delegations. However, the Minister may not delegate the function of making recommendations to the Governor. The clause also provides for an offence where a person to whom functions or powers have been delegated under this section, fails to disclose an interest in certain matters.

Division 2—Landscape regions and boards

Subdivision 1—Establishment of regions

11—Establishment of regions

This clause provides that the Governor may, by proclamation made on the recommendation of the Minister, divide the State into landscape management regions, and sets out the procedure and requirements for doing so. The Governor may, by subsequent proclamation on the recommendation of the Minister, vary the boundaries of a region or abolish a region on the basis that a new division is to occur. The operation of this clause is subject to clause 12 which establishes Green Adelaide.

12—Green Adelaide

This clause provides that there is to be a landscape management region known as *Green Adelaide* or the *Green Adelaide Region*, established as a region under clause 11 of the Bill. The area of Green Adelaide is to be based predominantly on the urban areas of metropolitan Adelaide. The boundaries of Green Adelaide may be varied from time to time by proclamation made by the Governor on the recommendation of the Minister.

Subdivision 2—Establishment of regional landscape boards

13—Establishment of boards

This clause requires the Minister, by notice in the Gazette, to establish a regional landscape board for each landscape management region (other than Green Adelaide), and sets out related procedures and requirements. In relation to Green Adelaide, the clause establishes the Green Adelaide Board and provides that the Minister may, by notice in the Gazette, set out any functions of the Board that are additional to those set out in the Act.

14—Corporate nature

This clause provides that a regional landscape board is a body corporate, sets out the corporate nature of the boards and provides that a board is subject to the direction and control of the Minister.

Subdivision 3—Membership of boards

15—Composition of boards

This clause sets out requirements relating to the composition of regional landscape boards. The Green Adelaide Board is to consist of between 6 and 10 members appointed by the Minister. A regional landscape board will be made up of 4 members appointed by the Minister and 3 members elected by eligible electors. However, a regional landscape board (other than Green Adelaide) may be constituted of between 5 and 9 members all appointed by the Minister if the Minister considers that it is preferable, due to special circumstances that apply in the relevant region.

16—Qualifications for membership

This clause provides that the Minister will determine the collective skills, qualifications, knowledge and experience required in order for a regional landscape board to carry out its functions effectively. These may vary in relation to different boards, and must be published in a manner determined by the Minister. In order for a person to be eligible for appointment or election as a member of a regional landscape board, the person must demonstrate that they have any skills, qualifications, knowledge or experience, and satisfy any other requirements, determined by the Minister. The Minister may put in place processes to ensure this occurs and publish information about any such determinations or processes under this clause.

17—Board elections

This clause provides that the regulations may make provision for various matters relating to the nomination and election of members of regional landscape boards, including who is eligible to be nominated, who is an eligible elector and the various procedures and processes for the conducting of elections. The clause also provides that the Minister may, if the Minister considers that a candidate nominated for election does not have the necessary skills, qualifications, knowledge and experience, determine that the person is not eligible to stand for election. If the region of a regional landscape board is within the area of a council, then a person who is enrolled on the voters roll for the area of the council under the *Local Government (Elections) Act 1999* at the relevant time, will be an eligible elector. To the extent to which the region of a regional landscape board is outside the area of a council, then recognition of persons as eligible electors will be determined under a scheme based on qualification for enrolment under section 14

of the *Local Government (Elections) Act 1999* as if the relevant area were within the area of a council (subject to any modifications prescribed by the regulations). The eligibility of a person nominated as a candidate for election will be based on eligibility to be a candidate for election as a member of a local council under section 17 of the *Local Government (Elections) Act 1999*, and to the extent that an area of a board is outside a council area, the scheme for eligibility will be based on those provisions as if the relevant area were within the area of a council, subject to any modifications prescribed by the regulations. The Minister will appoint a person to conduct an election or elections for the purposes of this Part.

18—Conditions of membership

This clause sets out the conditions relating to membership of a regional landscape board, including the terms of office, procedures for removal of members, and casual vacancies.

19—Allowances and expenses

This clause provides that a member of a regional landscape board is entitled to fees, allowances and expenses determined or approved by the Minister.

20—Validity of acts

Under this clause an act or proceeding of a regional landscape board is not invalid simply because there is a vacancy in its membership or a defect in the appointment of a member.

21—Conflict of interest under Public Sector (Honesty and Accountability) Act

This clause provides that a member of a regional landscape board will not be taken to have a direct or indirect interest in a matter for the purposes of the *Public Sector (Honesty and Accountability) Act 1995* by reason of the fact that the member has an interest in a matter that is shared in common with persons in the region of the board generally, or in common with a substantial group of persons who have an interest in the administration of various aspects of this measure.

Subdivision 4—Procedures at meetings

22—Procedures at meetings

This clause sets out the procedures in relation to meetings of regional landscape boards.

Subdivision 5—Functions of boards (general)

23—Functions of boards (general)

This clause sets out the general functions of a regional landscape board and the factors a board should take account of in performing its functions. A regional landscape board will, with respect to the performance of its functions, report to the Minister.

Subdivision 6—Functions of Green Adelaide Board (additional provisions)

24—Green Adelaide Board (priority areas)

This clause sets out the additional provisions that relate to the functions of the Green Adelaide Board. The clause also sets out the 7 key priorities to be adopted by the Board.

Subdivision 7—Funding and grants

25—Funding support

Under this clause, a regional landscape board should work to provide or to facilitate or support the provision of funding and grants to councils and other bodies, organisations and groups to achieve outcomes that promote the objects of this Bill and to assist the board to deliver its priorities, and to improve the state of natural resources, after taking into account the board's regional landscape plan and its annual business plan. The provision of financial assistance by a regional landscape board under this clause does not extend to the provision of a loan.

26—Grassroots Grants Programs

This clause provides that a regional landscape board must establish and maintain a *Grassroots Grants Program* for its region. The clause sets out the general purposes of such programs and provides that the Minister will, from time to time, determine the amount to be made available on an annual basis by a regional landscape board (which may be a percentage of contributions received by the board from levies under Part 5). For the purposes of this clause, the Minister may establish requirements, including in relation to applications for grants and criteria for assessing and awarding of grants, under this clause. A report on grants provided under this clause must be included in the annual report of a regional landscape board.

Subdivision 8—Powers of boards

27—General powers

This clause sets out the general powers of a regional landscape board in relation to the Bill.

28—Special powers to carry out works

This clause sets out special powers that a regional landscape board has to carry out the works specified in the clause.

29—Entry and occupation of land

This clause provides that a regional landscape board, or person authorised by them, may enter and occupy land for the purpose of carrying out an investigation or survey, or carrying out any work in an emergency. The clause also sets out the procedures required in the exercise of the powers conferred by this clause. A person may use force to enter land (other than residential premises) under this section, but only with the authority of a warrant issued by a magistrate, or in circumstances requiring immediate entry upon the land.

30—Special vesting of infrastructure

This clause enables the Governor by proclamation, on the recommendation of the Minister, to vest certain things in regional landscape boards, and sets out procedures for such vesting.

31—Landscapes affecting activities control policies

This clause provides that a regional landscape board may prepare a *landscapes affecting activities control policy*, being a policy with respect to the conservation, management or protection of any landscapes through the implementation of policies and controls relating to animals or plants. The clause sets out what a landscapes affecting activities control policy may contain. Further provisions in relation to the review, preparation and amendment of a landscapes affecting activities control policy are set out in Schedule 2 of the Bill.

Subdivision 9—Staff

32—General manager

This clause provides that each regional landscape board (other than Green Adelaide) must have a general manager, to be appointed by the Chief Executive of the Department on the recommendation of the relevant board. The clause sets out the responsibilities of the general manager and makes provision in relation to the role including designation as an employing authority for the purposes of the *Public Sector Act 2009*, performance agreements and appointment of acting general managers.

33—Staff

This clause sets out the staffing arrangements for regional landscape boards, to be approved by the Minister after consultation with the relevant board.

Subdivision 10—Committees and other bodies

34—Committees and other bodies

This clause provides for the setting up of committees or other bodies by regional landscape boards to advise and assist the board.

Subdivision 11—Power of delegation

35—Power of delegation

This clause provides that a regional landscape board may delegate its functions or powers.

Subdivision 12—Accounts, audit and reports

36—Accounts and audit

A regional landscape board must cause proper accounts to be kept and prepare financial statements for each financial year. The Auditor-General is to audit those accounts and statements.

37—Annual reports

This clause requires that a regional landscape board must provide an annual report to the Minister on its activities for the preceding financial year. The clause sets out the requirements of the report and provides that a copy of the report is to be laid before both Houses of Parliament and is to be made reasonably available to the public by the relevant regional landscape board.

38—Specific reports

The Minister may require a regional landscape board to provide the Minister with a report relating to any matter relevant to the operation of the Bill.

Subdivision 13—Related matters

39—Use of facilities

This clause allows a regional landscape board to make use of the services of the staff, equipment or facilities of an administrative unit of the Public Service, or a public authority, by arrangement with the relevant body.

40—Assignment of responsibility for infrastructure to another person or body

This clause allows a regional landscape board to assign responsibility for the care, control or management of infrastructure to an owner or occupier of land on which the infrastructure is situated (by agreement) or to a third party (with the approval of the Minister). An assignment to an owner or occupier, or to a third party, is effected by agreement. The clause also provides for the assignment to be noted (and a note of rescission or amendment entered if requested) against the instrument of title by the Registrar-General.

41—Appointment of administrator

This clause enables the Minister, in specified circumstances, to appoint an administrator of a regional landscape board.

Part 3—State Landscape Strategy

42—State Landscape Strategy

The Minister will prepare and maintain a plan to be called the *State Landscape Strategy*. The Strategy will set out principles, policies and high level strategic directions for achieving the objects of the measure throughout the State. The clause sets out what is to be included in the Strategy and provides that it will be reviewed at least once in every 10 years.

43—Related provisions

This clause provides for the requirements in relation to establishing or reviewing the State Landscape Strategy, including those relating to consultation, reporting and amendment, and making the Strategy available to the public.

Part 4—Regional and water allocation plans

Division 1—Regional landscape plans and business plans

44—Preparation of regional landscape plans

Each regional landscape board will prepare and maintain a regional landscape plan.

45—Key features of plan

The regional landscape plan will include, in relation to Green Adelaide, a 5 year strategic plan that is focussed on its 7 key priorities, and in the case of any other regional landscape board, a 5 year strategic plan that is focussed on its 5 strategic priorities, and will need to address a number of other specified matters. A regional landscape plan is to be consistent with the State Landscape Strategy and a variety of other plans, policies, strategies or guidelines as prescribed. A regional landscape board must, in preparing or reviewing its regional landscape plan, give due consideration to the plans of other boards insofar as this may be relevant to issues or activities under its plans. A council must, when performing functions or exercising powers under the *Local Government Act 1999* or any other Act, have regard to any regional landscape plan that applies within the relevant area. A regional landscape board may amend its plan at any time, in accordance with the provisions of this measure.

46—Review of plan

This clause provides for the periodic review and amendment of regional landscape plans. The board may review any aspect of its plan at any time, but must undertake a comprehensive review of the plan at least once every 5 years. In reviewing its plan, the board may undertake such consultation as it thinks reasonable, after taking account of any guidelines specified by the Minister, and must also comply with any requirements as to consultation prescribed by the regulations.

47—Consultation associated with preparation of a plan or amendment

A regional landscape board proposing to create or amend a regional landscape plan must undertake such consultation as it determines to be reasonable, after taking account of any guidelines specified by the Minister and must also comply with any requirements as to consultation prescribed by the regulations. This consultation may occur as part of a review of the plan under clause 46. The board must, when furnishing a proposal to the Minister to approve a regional landscape plan, or an amendment to a plan, provide a report to the Minister on the consultation undertaken by the board.

48—Approval of Minister

This clause provides that a regional landscape plan, or an amendment of a regional landscape plan, does not have effect unless or until it has been approved by the Minister. This clause sets out the processes in relation to the approval by the Minister and provides that once approved, a copy of the plan, or the plan as amended, is to be laid

before both houses of Parliament. A regional landscape board must ensure that up-to-date copies of its regional landscape plan are made reasonably available to the public.

49—Annual business plan

This clause provides that a regional landscape board must prepare a business plan for each financial year (an *annual business plan*) and sets out the requirements of the plan and the procedures required in relation to its preparation. In particular, special processes and consultation requirements are set out in relation to specified proposals in relation to levies collected under Part 5 (a *prescribed levy proposal*). If an annual business plan contains a prescribed levy proposal, or is inconsistent with the board's regional landscape plan, the business plan must be approved by the Minister in accordance with the provisions specified. In the case of an annual business plan approved by the Minister that contains a prescribed levy proposal, the Minister must prepare a report on the matter, and must cause a copy of the report to be laid before both Houses of Parliament. The clause sets out provisions in relation to resolutions that may be made by the House of Assembly regarding a prescribed levy proposal contained in a report. A regional landscape board must ensure that up-to-date copies of its annual business plan are made reasonably available to the public.

Division 2—Water allocation plans

50—Preparation of water allocation plans

Each regional landscape board must prepare a water allocation plan for each of the prescribed water resources in its region, and for any prescribed water resource situated in more than one region, which is located in its region. However, the Chief Executive may, if determined by the Minister, prepare a water allocation plan for any prescribed water resource if the whole or any part of the water resource is within the Green Adelaide Region, or the Minister considers that special circumstances apply (which may include where an administrator has been appointed, or a regional landscape board has failed to prepare a water allocation plan in a timely manner). A water allocation plan may relate to more than one prescribed water resource. In relation to the preparation, review or amendment of a water allocation plan, the clause also sets out the consultation required in specified circumstances.

51—Key features of plan

This clause sets out the requirements of a water allocation plan, which includes an assessment of the quantity and quality of water needed by the ecosystems that depend on the water resources and an assessment as to whether taking or use of water from the resource will have a detrimental effect on the quantity or quality of water that is available from any other water resource. The plan must also include an assessment of the capacity of the water resource to meet environmental water requirements, information about the water that is to be set aside for the environment and a statement of the environmental outcomes expected to be delivered on account of the provision of environmental water under the plan. The plan must also set out principles associated with the determination of water access entitlements, and in allocating water, must take into account the present and future needs of the occupiers of land. It must also include a statement of the environmental outcomes expected to be delivered on account of the provision of environmental water under the plan. A water allocation plan may provide for the constitution of one or more consumptive pools for the water resource and assign the same or different purposes to the pool or pools. A water allocation plan may also set out policies and principles in relation to assisting in the regulation of transfers or other dealings with water management authorisations or water access entitlements.

52—Review of plan

A water allocation may be reviewed by a designated entity at any time, but is to be reviewed on a comprehensive basis at least once in every 10 years in order to review the principles reflected in the plan, to assess whether the water allocation plan remains appropriate or requires amendment and to address any other prescribed matters. The designated entity will undertake such consultation as it thinks reasonable, taking into account any guidelines specified by the Minister or prescribed by the regulations for the purposes of this clause. Following a comprehensive review, the designated entity must report to the Minister on the outcome of the review and make a public statement about the outcome in such manner and to such extent as the entity thinks appropriate.

53—Consultation associated with preparation of a plan or amendment

This clause sets out the consultation requirements to be carried out by a designated entity proposing to create or amend a water allocation plan, including where a proposal would lead to a reduction of existing water access entitlements or water allocations in connection with water licences in respect of the water resource, or a change to a consumptive pool. When the designated entity gives a proposal to the Minister to approve a water allocation plan or amendment to a plan, the entity must provide a report on the consultation undertaken by the entity.

54—Approval of Minister

This clause provides that a water allocation plan, or an amendment to a plan does not have effect unless or until it has been approved by the Minister. The Minister may, on receiving a plan proposal, approve the proposal with or without amendment or refer the proposal back to the designated entity for further consideration. On referring the plan proposal back to the designated entity, the entity must take any further action specified by the Minister to reconsider the plan proposal, and the entity must then in turn, refer the proposal back to the Minister. The Minister may

then approve the plan proposal, with or without amendment, refer the plan proposal back to the designated entity or lay the plan proposal aside together with any directions as to what steps should be taken in the circumstances.

55—Early adoption of plan

This clause provides that a regional landscape board may, with the consent of the Minister (and in certain circumstances, the consent of the Minister administering the *Water Industry Act 2012*) implement a draft water allocation plan or amendments to a water allocation plan that have not been approved by the Minister under clause 54. Any disagreement between the Ministers will be referred to the Governor in Executive Council.

Division 3—Related matters

56—Application of Division

This clause provides that this Division applies to a plan under Division 1 or Division 2 of Part 4.

57—Validity of plans

This clause provides that a plan, or a provision of a plan, is not invalid because it is inconsistent with the State Landscape Strategy, and a failure of a regional landscape board to comply with a requirement of this Part cannot be taken to affect the validity of a plan, or any other instrument under this measure.

58—Promotion of River Murray legislation and IGA

A plan that applies to the Murray-Darling Basin or in relation to the River Murray must seek to further the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act, and must be consistent with the terms or requirements of the Murray-Darling Basin Agreement, any relevant resolution of the Ministerial Council under that agreement, and any relevant provisions under the *Water Act 2007* of the Commonwealth.

59—Associated Ministerial consents

The Minister will be required to seek the consent of other Ministers in certain circumstances. Any disagreement between the Ministers will be referred to the Governor in Executive Council.

60—Amendment of plans without formal procedures

This clause sets out the cases where a plan may be amended without following the formal procedures set out in Division 1 or Division 2 of Part 4. The Minister must certify that the amendment is not to be used to effect a reduction in existing water access entitlements or water allocations in connection with water licences, or a change to a consumptive pool, and that the Minister has consulted with the relevant regional landscape board before taking action under subclause (1). The Minister must also prepare a report in relating to the matter and cause a copy to be laid before both Houses of Parliament within 12 sitting days after completing the report.

61—Plans may confer discretionary powers

This clause makes it clear that a plan may confer discretionary powers.

62—Effect of declaration of invalidity

This clause provides that if a part of a plan is found to be invalid, the balance of the plan may continue to have full force and effect.

63—Time for preparation and review of plans

Under this provision, the initial regional landscape plan or water allocation plan prepared under this Bill need not satisfy all the requirements of the Bill but the Minister, a regional landscape board or a designated entity (as the case requires) must take reasonable steps to ensure that the plan is brought into a form that satisfies those requirements by an amendment, or series of amendments, or by the substitution of a comprehensive plan that satisfies those requirements within a period determined by the Minister. Furthermore, if the Minister thinks that the scope of an initial plan will be so limited that no useful purpose will be served by the public and other consultation required by this measure, the Minister may dispense with those requirements.

Part 5—Landscape and water levies Division 1—Levies in respect of land Subdivision 1—Council areas

64—Contributions by constituent councils

This clause establishes a scheme under which councils for the region of a regional landscape board may be required to contribute an amount towards the costs of the board performing its functions under this Bill for a financial year if the board's annual business plan specifies an amount to be contributed. Liability for the amount to be contributed by constituent councils will be shared between them according to a scheme set out in the relevant annual business plan. However, the total amount to be paid by the constituent councils for the region for a particular financial year should not exceed the total amount of the councils' contribution imposed under this Subdivision for the immediately preceding financial year, adjusted by the CPI percentage applying under subclause (4). However, the Minister may allow a higher amount due to the existence of exceptional circumstances as specified in the clause. The clause also provides for the Minister to approve another amount in the case where a regional landscape board did not require a contribution from the constituent councils for the region in relation to the immediately preceding financial year.

65—Payment of contributions by councils

This clause sets out the time for payment by a council of its share.

66—Funds may be expended in subsequent years

This clause makes it clear that money paid by a council under this Subdivision in one financial year may be spent by a regional landscape board in a subsequent financial year.

67—Imposition of levy by councils

This clause enables a council to impose a levy (a *regional landscape levy*) on rateable land in the region of the board to recover the amount of the share paid by the council. The levy will be recoverable as if it were a separate rate under Chapter 10 of the *Local Government Act 1999*. The basis for the levy is to be either the value of rateable land (being capital value, site value or annual value), a fixed charge or the area of rateable land, depending on the scheme set out in the relevant annual business plan.

68—Costs of councils

This clause provides that a regional landscape board must pay an amount on account of the costs of councils in complying with the requirements under this Subdivision, determined in accordance with the regulations. The Minister must give consideration to any submissions made by the LGA in relation to a proposal to make regulations under this provision.

Subdivision 2—Outside council areas

69—Board may declare a levy

This clause provides that a regional landscape board may, by notice in the Gazette, declare a levy under this clause if the annual business plan for the board specifies an amount to be contributed by persons who occupy land outside council areas towards the costs of the board performing its functions under this measure in a financial year. A levy may be declared with respect to land within the relevant area (to be called rateable land). The basis for the levy, as specified in the annual business plan, may be the value of rateable land, a fixed charge or the area of rateable land, or some other prescribed factor. However, the total amount specified by a regional landscape board in an annual business plan for a particular financial year should not exceed the amount imposed by the board under this clause for the immediately preceding financial year, adjusted by the CPI percentage applying under subclause (9). However, the Minister may allow a higher amount due to the existence of exceptional circumstances as specified in the clause. The clause also provides for the Minister to approve another amount in the case where a regional landscape board did not require a contribution under this clause in relation to the immediately preceding financial year. The clause also provides that money paid to a regional landscape board in a financial year may be spent by the board in a subsequent financial year.

70—Liability and payment of levy

This clause provides that the owner of any rateable land will be taken to be the occupier of the land and therefore liable to pay a levy declared under this Subdivision (unless a person other than the owner has assumed liability to pay the levy by notice to the relevant regional landscape board). The relevant regional landscape board must, as soon as is reasonably practicable after the declaration of a levy, serve a notice that includes the factors specified in the clause on the person liable to pay the levy.

Subdivision 3—Related provisions

71—Land across boundaries

Under this clause, in relation to the imposition of a levy under Division 1, the regulations may provide for a scheme assigning land to a particular region or council area where land is located across the boundaries of 2 or more regional landscape management regions or the boundaries of 2 or more councils.

72—Application of levy

This clause makes it clear that nothing in Division 1 prevents any levy raised in one part of the State being applied by a regional landscape board in another part of the State, in accordance with the provisions of an annual business plan. Furthermore, the Minister cannot, by direction or by the exercise of any other power under this Act, require a regional landscape board to apply any levy raised in its region in another part of the State. Nothing in Division 1 limits the requirement to pay amounts into the Landscape Priorities Fund under Part 6 of this measure.

Division 2—Levies in respect of water

73—Interpretation

This clause sets out defined terms for the purposes of Division 2.

74—Declaration of levies

This clause will allow the Minister to declare a levy or levies (a *water levy or levies*) by notice in the Gazette, to be paid by persons who are the holders of any water management authorisations or imported water permits, or are

authorised to take water under clause 103, or are the holders of forest water licences granted in relation to commercial forests. A levy declared by the Minister under this clause must be set at a level that will return an amount that is as near as reasonably practicable to the amount stated in the annual business plan (or plans) of the relevant regional landscape board (or boards). Subclause (7) sets out the various factors in relation to which a levy may be declared under this clause, and the factors on which components comprising the levy, as determined under a scheme set out in the relevant business plan, may be based (such as a fixed charge, or the quantity of water allocated, received, taken or used, etc). The clause also sets out the factors on which different levies may be declared in respect of the same water resource. If a levy that relates to the River Murray has a component based on the effect that the use of water may have on salinity levels associated with the River Murray, money raised from the levy that is attributable to that component must be applied towards reducing salinity levels associated with the River Murray. The clause also provides that a levy cannot be imposed with respect to the taking of water for domestic purposes or for watering stock that are not subject to intensive farming. Furthermore, the amount of a levy imposed in relation to a particular component under subclause (7) in respect of a particular financial year should not exceed the amount imposed for the immediately preceding financial year adjusted by the CPI percentage applying under subsection (16) (unless no levy was imposed in relation to a particular component in the previous financial year, or the Minister determines this is not appropriate in the circumstances).

75—Liability for levy

This clause sets out provisions relating to liability for levies.

76—Notice of liability for levy

The Minister will serve a notice of the amount payable by way of a levy under

Division 2 on the person who is liable to pay the levy.

77—Determination of quantity of water taken

This clause sets out provisions as to the determination of the quantity of water taken for the purposes of determining the amount payable by way of a levy.

78—Cancellation etc of entitlement for non-payment of levy

The Minister will be able to cancel, suspend or vary a water management authorisation or an imported water permit if a levy is not paid, following notice requiring payment is served on the person.

79—Costs associated with collection

A regional landscape board may be required to pay to the Minister an amount determined in accordance with guidelines approved by the Treasurer on account of the costs incurred by the Minister in collecting any levy under Division 2. However, an amount payable by a board cannot exceed an amount to be determined in accordance with the regulations.

Division 3—Special provisions

80—Application of Division

This Division is to apply to an out-of-council levy (an *OC levy*) and a water levy.

81—Interest

Interest will accrue on an unpaid levy, unpaid instalments of a levy and on unpaid interest, in accordance with the regulations. The Minister may release a person suffering financial hardship from liability to pay the whole or part of interest that has accrued under this clause.

82—Discounting levies

The Minister will be able to discount a levy to encourage early payment of a levy, in accordance with a scheme to be prescribed by the regulations.

83—Recovery rights with respect to unpaid levy

This clause provides that, in the case of an OC levy, the levy will be a first charge on rateable land in accordance with a scheme established by the regulations. In the case of a water levy imposed in relation to a site use approval or delivery capacity entitlement, the levy will be a first charge on any land where any water that relates to the relevant water management authorisation is used, in accordance with a scheme established by the regulations. In the case of a water resource works approval, the levy will be a first charge on the land where the relevant works are located, or to which they are connected (taking into account any principles prescribed by the regulations), in accordance with a scheme established by the regulations.

84—Sale of land for non-payment of a levy

This clause sets out a scheme for the sale of land if a levy, or interest in relation to a levy is a first charge on land and has been unpaid for at least 3 years. The Minister will be able to assume title to the land by notice in the Gazette, if it cannot be sold.

Division 4—Related matters

85—Refund of levies

A regional landscape plan, an annual business plan or the regulations may set out natural resources management practices designed to conserve, protect, maintain or improve the quality or state of natural resources of a specified kind that will form the basis of an application for a refund of the levy imposed under Part 6.

86—Declaration of penalty in relation to unauthorised or unlawful taking of water

This clause sets out a scheme that provides for the Minister to make a declaration, by notice in the Gazette, of a penalty in relation to the unauthorised taking of water. The regulations may prescribe sections of Part 6 that apply to a penalty under this provision as though it were a levy.

87—Appropriation of levies, penalties and interest

This clause provides for the application of levies and other amounts declared under this Part.

Part 6—Statutory funds

Division 1—The Landscape Administration Fund

88—The Landscape Administration Fund

There is to be a Landscape Administration Fund in connection with the operation of this measure that is to consist of payments or moneys specified in the clause. The clause also sets out the matters for which the Fund may be applied including making payments to regional landscape boards, making grants or other payments to other persons or bodies for the purposes of this measure, in satisfying any requirements to use levies for a particular purpose, or in paying any amount into the Landscape Priorities Fund that the Minister determines should be held and applied for the purposes of that fund rather than under this clause.

89—Accounts

The Minister must cause proper accounts to be kept of money paid into and out of the Landscape Administration Fund.

90—Audit

The Landscape Administration Fund may be audited by the Auditor-General at any time, and must be so audited at least once in each year.

Division 2—The Landscape Priorities Fund

91—The Landscape Priorities Fund

There is to be a Landscape Priorities Fund in connection with the operation of this measure that is to consist of payments or moneys as set out in the clause. The clause provides that the Landscape Priorities Fund may be applied in addressing any priority for managing, improving or enhancing the State's landscape or natural resources, whether the priority is of sub-regional, regional, cross-regional or State wide significance, in addition to making any other payment required or authorised under this Act or any other law.

92—Accounts

The Minister must cause proper accounts to be kept of money paid into and out of the Landscape Priorities Fund.

93—Audit

The Landscape Priorities Fund may be audited by the Auditor-General at any time, and must be so audited at least once in each year.

Division 3—Regional landscape board funds

94—Regional landscape board funds

Each regional landscape board will be required to establish and maintain and administer a fund for the purposes of this measure. The fund will include money received by the board from the Minister, any money received by the board under this measure or other money received by the board in the performance of its functions or the exercise of its powers. It may also include any other moneys required or authorised by or under this Act or any other law to be paid into the fund. A regional landscape board may apply its fund in implementing its regional landscape plan or annual business plan, any water allocation plan or in initiating or supporting other programs and projects under this measure. The board's fund may also be applied in performing its other functions, defraying any expenses incurred by the board, providing financial assistance to other bodies or persons in accordance with this measure, acting under clause 25 or 26, or making any other payment required or authorised by or under this measure or any other law.

Part 7—Management and protection of land

95—Interpretation

This clause defines terms used in Part 7 of the measure.

96—Special provisions relating to land

This clause will enable a relevant authority to require the owner of land to prepare an action plan if the relevant authority considers that the owner has been (or is likely to be) in breach of the general statutory duty on account of land management practices or activities undertaken in relation to land for which the owner is responsible and those practices or activities have resulted in, or could reasonably be expected to result in, unreasonable degradation of land or an unreasonable risk of degradation of land. The clause sets out factors that are relevant to determining whether a practice or activity involves (or may involve) unreasonable degradation, or an unreasonable risk of degradation, of land. The provision also sets out circumstances where an action plan should not be used.

97—Requirement to implement action plan

An action plan will be imposed by notice in a form approved by the Minister. An owner of land must be given a reasonable period (of at least 21 days) to prepare the action plan. A requirement to prepare an action plan will be subject to review by the Chief Executive. An action plan must set out the measures that the owner proposes to take to address any breach of the general statutory duty, and to comply with the general statutory duty in the future as well as the time frames within which those measures are proposed to be taken. The relevant authority is to either approve the action plan, or after consulting the owner, amend the plan (which may be subject to review by the Chief Executive on application by the owner). It is an offence for the land owner to fail to comply with a notice or fail to implement an action plan. Failing to implement a plan may result in the Chief Executive or a regional landscape board carrying out or causing to be carried out such measures as may be appropriate, or engaging a suitably qualified person to devise and implement measures to address the problems. The costs and expenses of doing so may be recovered as a debt from the relevant owner.

Part 8—Management and protection of water resources

Division 1—General rights in relation to water

98—Right to take water subject to certain requirements

This clause sets out rights in relation to the taking of water. Subject to the provisions of this Bill, or any other Act or law to the contrary, a person who has lawful access to a watercourse, lake or well may take water from the watercourse, lake or well and the occupier of land is entitled to take surface water from the land for any purpose. Furthermore, subject to this Bill or any other Act or law to the contrary, or the provisions of a stormwater management plan incorporated into a regional landscape plan or a water allocation plan under clause 60, a person who has lawful access to any stormwater infrastructure may take water from the infrastructure for any purpose. However, if the water is in a prescribed watercourse, lake or well, or is from a surface water prescribed area, an authorisation under clause 103 or a water allocation that relates to the relevant water resource is required. Also a person must not take water from a watercourse, lake or well that is not prescribed if it would detrimentally affect the ability of another person to exercise a right to take water from the watercourse or lake or from the same underground aquifer, or it would detrimentally affect the enjoyment of the amenity of water in the watercourse or lake by an occupier of land that adjoins the watercourse. However, this does not limit the occupier of land from taking water for domestic purposes or for watering stock (that is not subject to intensive farming) unless, in relation to a prescribed watercourse, lake or well or a surface water prescribed area, that is excluded by the regulation declaring it. Despite the other provisions of this clause, water must not be taken contrary to the provisions of a regional landscape plan, a water allocation plan or a water affecting activities control policy that applies in relation to that water unless the water is taken pursuant to an authorisation under clause 103 or a water allocation that relates to the relevant water resource. This section operates subject to any requirement to have a licence with respect to a commercial forest under Division 6.

99—Declaration of prescribed water resources

This clause provides for the declaration of a prescribed watercourse, lake or well, or a part of the State as a surface water prescribed area, by the Governor by regulation on the recommendation of the Minister. The Minister must undertake a process of public consultation before making a recommendation as set out in the clause. The Minister must not make a recommendation for a regulation declaring a water resource to be a prescribed water resource unless satisfied that the proposed regulation is necessary or desirable for the proper management of the water resource to which it will apply.

Division 2—Control of activities affecting water

Subdivision 1—Water affecting activities control policies

100—Water affecting activities control policies

This clause provides that a prescribed authority may prepare a policy under this clause (a *water affecting activities control policy*) with respect to the conservation, management or protection of a watercourse, lake or well or an area or place containing (or from time to time containing) surface water, within the relevant regional landscape board's region. However, in the case of a prescribed watercourse, lake or well, or a surface water prescribed area, a water affecting activities control policy should not overlap with the provisions of a water allocation plan that is in

operation under this measure in relation to that prescribed water resource. The clause sets out the matters that a water affecting activities control policy may contain or address. Provisions for the review, preparation and amendment of a water affecting activities control policy are set out in Schedule 2 of this measure.

Subdivision 2—Determination of relevant authority

101—Determination of relevant authority

This clause sets out who is the relevant authority for the purposes of granting a water management authorisation or a permit required under Division 2.

Subdivision 3—Control of activities

102—Water affecting activities

This clause controls activities that affect water by requiring, in relation to the taking of water or the undertaking of activities referred to in the clause, a water management authorisation or permit, water allocation, an authorisation under clause 103, compliance with a water allocation plan or water affecting activities control policy, or where the taking or activity is otherwise authorised under the measure (depending on whether or not the water is to be taken from a prescribed watercourse, lake or well or from a surface water prescribed area).

103—Certain uses of water authorised

This clause enables the Minister, by notice in the Gazette, to authorise the taking of water from a prescribed watercourse, lake or well, or the taking of surface water from a surface water prescribed area, for a particular purpose specified in the notice. A notice cannot authorise the taking of water by stopping, impeding or diverting the flow of water for the purpose of collecting the water or diverting the flow of water from a watercourse unless the Minister is satisfied that it is reasonable to allow the water to be taken in this way, after taking into account any criteria prescribed by the regulations for the purposes of this subclause. A notice under this clause may apply generally throughout the State or in relation to a particular watercourse or lake or to wells, or a class of wells, in a particular part of the State, or to a particular surface water prescribed area (including as to particular stormwater infrastructure or class of stormwater infrastructure). An authorisation under this clause may be subject to conditions, as specified in the notice.

104—Activities not requiring a permit

This clause sets out activities for which a permit is not required. For example, a permit is not required for an activity that a person is authorised to undertake by a water management authorisation, or to authorise a person to erect, construct or enlarge contour banks to divert surface water solely for the purpose of preventing or reducing soil erosion (provided that a regional landscape plan, water allocation plan, water affecting activities control policy or an approved action plan under Part 7 allows or provides for this), or to authorise an activity that is otherwise required or authorised under a number of other Acts specified in the clause.

105—Notice to rectify unauthorised activity

This clause enables a relevant authority to direct a person who has undertaken an activity without authority (including by contravening or failing to comply with specified corresponding previous enactments such as the *Natural Resources Management Act 2004*) to rectify the effects of that activity.

106—Notice to maintain watercourse or lake

This clause enables a relevant authority to direct the owner of land to maintain a watercourse or lake that is on or adjoins a watercourse or lake in good condition. If the owner fails to comply with the notice, the relevant authority may enter the land and take the action specified in the notice and such other action as the authority considers appropriate in the circumstances and the authority's costs will be a debt due by the owner to the authority or, if appropriate, the Crown.

107—Restrictions in case of inadequate supply or overuse of water

This clause enables the Minister by notice in the Gazette, to prohibit or restrict the taking of water from a watercourse, lake or well or the taking of surface water, or to limit the quantity of water that may be taken, or to direct that dams, reservoirs, embankments, walls or other structures be modified to allow water to pass over, under or through them in certain cases. These include where the Minister is of the opinion that the quantity of water available can no longer meet the demand or there is a risk that future demand may not be able to be met, or the quality of the water in the watercourse, lake or underground aquifer is affected or likely to be affected. In addition, prohibitions or restrictions may apply under this clause if the Minister is of the opinion that the taking of the water is having a serious effect on another watercourse or lake, or that an underground aquifer is likely to collapse or suffer any other damage due to water being taken from a well. In determining the demands on available water under subclause (1), the need for water of the ecosystems that depend on water from the water resource concerned must be taken into account. Furthermore, the clause provides that the Minister may, if of the opinion that the rate or the manner in which water is taken from a water resource that has not been prescribed is causing, or is likely to cause, damage to ecosystems that depend on the water, by notice served on a person taking water, restrict the rate and times at which the person may take water, or take such action as is specified in the notice to rectify any problems.

108—Specific duty with respect to damage to a watercourse or lake

This clause places a specific duty on the owner of land on which a watercourse or lake is situated, or adjoins a watercourse or lake to take reasonable measures to prevent damage to the bed and banks of the watercourse or the bed, banks or shores of the lake and to the ecosystems that depend on the watercourse or lake. A person who breaches such a duty is not, on account of the breach alone, liable to any civil or criminal action but compliance may be enforced by the issuing of a protection order, a reparation order or authorisation under this measure or by order of the ERD Court under Part 10.

109—Minister may direct removal of dam etc

This clause will enable the Minister, on the recommendation of a regional landscape board, or on the Minister's own initiative after consultation with the relevant board, by notice, to direct the owner of land to remove or modify a dam, embankment, wall or other obstruction or object that collects water, or diverts or impedes the flow of water in a watercourse or flowing over any other land, and that was lawfully placed in or near the watercourse or on the land before the prescribed date. Compensation is payable under clause 224 if a dam, embankment, wall or other obstruction or object must be removed.

Subdivision 4—Permits

110—Permits

This clause provides for the granting of permits by the relevant authority. A relevant authority must take into account the provisions of any relevant water allocation plan or water affecting activities control policy when considering an application for a permit, and must ensure that the permit, if granted, and any conditions of the permit, are not inconsistent with the provisions of such a plan or policy. The granting of a permit must not be contrary to a notice in force under clause 107. Subject to its terms, a permit is binding on and operates for the benefit of the applicant and the owner and occupier of the land to which it relates when it is granted and all subsequent owners and occupiers of the land. A permit is subject to such conditions as are prescribed by this measure or by the regulations, or are specified in the permit by the relevant authority.

111—Requirement for notice of certain applications

This clause requires notice of applications for a permit to be given to the public, prescribed persons and other specified persons, if a water allocation plan or water affecting activities control policy provides for such notice. The clause then allows interested persons to make representations to the relevant authority before a decision is made on the application.

112—Refusal of permit to drill well

This clause allows an authority to refuse a permit to drill a well if the water is so contaminated as to create a risk to the health of people or animals.

Subdivision 5—Provisions relating to wells

113—Well drillers' licences

This clause provides for the granting of well driller's licences by the Chief Executive, subject to such conditions prescribed from time to time by the regulations and to any conditions specified in the licence by the Chief Executive.

114—Renewal of licence

This clause provides for the renewal of well driller's licences.

115—Non-application of certain provisions

This clause enables wells of a class declared by proclamation to be excluded from specified provisions of this Subdivision.

116—Defences

This clause provides a series of defences relating to offences relating to drilling, plugging, backfilling, sealing a well or in relation to other activities with respect to wells without being authorised by a permit or without using the services of a licensed well driller or a person supervised by a licensed well driller.

117—Obligation to maintain well

This clause imposes an obligation on the occupier of land on which a well is maintained to ensure that the well (including the casing, lining, and screen of the well and the mechanism (if any) used to cap the well) is properly maintained.

118—Requirement for remedial or other work

This clause enables the Chief Executive, if satisfied that there is a defect, or other specified problem with a well, to direct the owner or occupier of land on which the well is situated (or in some cases the well driller) that certain work or action be taken with respect to the well.

Division 3—Licensing and associated rights and entitlements

Subdivision 1—Water licences

119—Nature of water licences

This clause provides for the granting of a water licence by the Minister in respect of a prescribed watercourse, lake or well or in respect of the surface water in a surface water prescribed area or part of a surface water prescribed area. A licence may be granted subject to conditions. A water licence provides an entitlement to the licence holder to gain access to a share of water available in the consumptive pool or consumptive pools to which the licence relates, as specified by the licence and after taking into account any factors specified by the relevant water allocation plan or prescribed by the regulations. This entitlement is referred to as a water access entitlement. As well as being subject to conditions attached to a licence, a water access entitlement is subject to a determination of the Minister, by notice in the Gazette, as to the volume of water that is to be made available from a consumptive pool for allocation under this measure during a specified period. The consumptive pool or pools may be affected by water allocations attached to forest water licences (and these allocations must then be taken into account in connection with the operation of the scheme established by this clause). The clause further provides that a water licence is personal property and may pass to another in accordance with the provisions of this measure, or in accordance with any other law for the passing of property (subject to this measure).

120—Water licences—applications and matters to be considered

This clause makes provision for applications for water licences and sets out the matters to be considered by the Minister in granting a licence. Grounds on which the Minister may refuse to grant a licence include that it would be contrary to the provisions of the relevant water allocation plan to grant a water access entitlement under the terms of the licence being sought, or because a water access entitlement under the terms of the licence would relate to water that is so contaminated that its use would create a risk to the health of people or animals. In addition, the Minister's decision to grant a water licence must be made in the public interest and be consistent with any requirements prescribed by the regulations.

121—Issuing of water licences

This clause sets out requirements in relation to the issuing of a water licence including what it must specify and when it takes effect. A water licence remains in force until it is terminated by or under this measure or it expires under the terms of the licence.

122—Variation of water licences

This clause provides for the variation of water licences, either on application of the licensee, or by the Minister in specified circumstances.

123—Transfer of water licences

This clause provides for the transfer of a water licence, or a water access entitlement (or part of an entitlement) under a licence, to another person. A transfer is subject to this measure and the relevant water allocation plan. A transfer requires the approval of the Minister and may be absolute or for a limited period. The Minister may refuse to grant approval for a transfer on the same grounds as those on which the Minister may refuse to grant an application by that person for a licence. The clause sets out additional factors that the Minister must consider in granting or refusing to grant a transfer.

124—Surrender of water licences

This clause enables a licensee to surrender the licence, subject to obtaining the consent of any person with an interest in the licence noted on The Water Register.

Subdivision 2—Allocation of water

125—Allocation of water

This clause sets out the methods by which a water allocation may be obtained. An allocation may be obtained on account of a water access entitlement under a water licence, as a carryover under the provisions of this clause, under an Interstate Water Entitlements Transfer Scheme (IWETS), or from the holder of a forest water licence (subject to any conversion or adjustment under the provisions of any relevant water allocation plan). An allocation may be subject to conditions and is personal property and may pass to another in accordance with the provisions of this measure or, in accordance with any other law for the passing of property (subject to this Bill).

126—Issuing of water allocation

A water allocation granted or issued by the Minister must be consistent with the relevant water access entitlement or IWETS in relation to the volume of water granted, and must be consistent with the provisions of the relevant water allocation plan. A water allocation is subject to conditions prescribed by the regulations or endorsed on a relevant water licence or on the water entitlement itself. The clause further provides that a water allocation may comprise various components that expire on a future date or restrict the purpose for which any component or volume of water may be used.

127—Water allocations—matters to be considered

This clause sets out the grounds on which the Minister may determine not to grant or issue a water allocation.

128—Reduction of water allocation

This clause relates to the ability of the Minister to reduce water allocations in specified circumstances.

129—Variation of water allocations

This clause sets out the circumstances in which a water allocation may be varied by the Minister. The Minister's decision on the variation must be consistent with the relevant water allocation plan, and if the variation relates to conditions attached to the water allocation, it must not be seriously at variance with the relevant water allocation plan. It must also be in the public interest and must be consistent with requirements prescribed by the regulations.

130—Transfer of water allocations

The holder of a water allocation may, with the approval of the Minister, transfer the water allocation to another person, subject to this measure and the relevant water allocation plan. The Minister's decision on the transfer must be consistent with the relevant water allocation plan, must be in the public interest and must be consistent with requirements prescribed by the regulations.

131—Surrender of water allocations

This clause provides that the holder of a water allocation may surrender the water allocation at any time.

Subdivision 3—Water resource works approvals

132—Water resource works approvals—applications and matters to be considered

This clause set out the requirement for a water resource works approval if a person proposes to carry out works in relation to a water resource. The Minister's decision on the grant of an approval must take into account any relevant environmental, social or economic impacts associated with the construction or use of the relevant works, and be consistent with any requirements prescribed by the regulations.

133—Issuing of approvals

This clause sets out what must be specified in relation to a water resource works approval. An approval may be subject to conditions prescribed by the regulations, or specified by the relevant water allocation plan or endorsed on the approval by the Minister. A water resource works approval may be classified in connection with a management zone or zones specified in the relevant water allocation plan.

134—Variation of approvals

This clause provides for the variation of a water resource works approval.

135—Notice provisions

This clause sets out the notice requirements in relation to an application for a water resource works approval or the variation of an approval that falls within a class specified by the relevant water allocation plan for the purposes of this clause.

136—Cancellation if works not constructed or used

This clause provides that the Minister may, in accordance with a scheme prescribed by the regulations, cancel a water resource works approval if the works are not constructed, substantially completed or used, or used to any significant degree over a period prescribed by the regulations.

137—Nature of approval

This clause provides that a water resource works approval applies to the site to which the approval relates and is attached to the land constituting that site.

138—Expiry

This clause provides that a water resource works approval will expire according to its terms if the provisions of the approval so provide.

Subdivision 4—Site use approval

139—Site use approvals—applications and matters to be considered

This clause provides for applications to be made for a site use approval to the Minister. An application must specify the purpose or purposes for which the water is proposed to be used, where the water is proposed to be used, and the prescribed information about the proposed extent, manner and rate of use of the water. The clause sets out the grounds on which the Minister may refuse to grant a site use approval.

140—Issuing of approvals

An site use approval must specify the place where the use is allowed, and the manner and use of water authorised by the approval. An approval will be subject to any prescribed conditions or conditions specified by the relevant water allocation plan or endorsed on the approval by the Minister.

141—Variation of approvals

This clause provides for the variation of a site use approval by the Minister.

142—Notice provisions

This clause sets out the notice requirements in relation to an application for a site use approval or a variation of an approval that falls within a class specified by the relevant water allocation plan for the purposes of this clause. Notice is to be given to the general public, prescribed persons and other persons specified in the water allocation plan.

143—Cancellation

This clause provides that the Minister may, in accordance with a scheme prescribed by the regulations, cancel a site use approval in prescribed circumstances.

144—Nature of approval

This clause makes clear that a site use approval applies to the site to which the approval relates and is attached to the land constituting that site.

145—Expiry

A site use approval will expire according to its terms if the provisions of the approval so provide.

Subdivision 5—Delivery capacity entitlements

146—Delivery capacity entitlements—applications and matters to be considered

This clause sets out the requirements in relation to applications for a delivery capacity entitlement. Applications must be made to the Minister and must specify the water resource in relation to which the delivery capacity entitlement is being sought, the place or area where water is proposed to be taken, prescribed information about the times and rates at which it is proposed to take water, and prescribed information about the extent to which priority is being sought over other delivery capacity entitlements issued in relation to the same water resource (or a specified part of the water resource). The clause sets out the grounds on which the Minister may refuse to grant a delivery capacity entitlement. It also requires that the Minister's decision to grant an entitlement must be made in the public interest and be consistent with any requirements prescribed by the regulations.

147—Issuing of delivery capacity entitlements

A delivery capacity entitlement must specify the terms of the entitlement, and will be subject to any prescribed conditions or conditions specified by the relevant water allocation plan or endorsed on the approval by the Minister. A delivery capacity entitlement may be granted on the basis that it cannot be transferred except in conjunction with the transfer of a specified water licence, water access entitlement or water allocation. Subject to this however, a delivery capacity entitlement is personal property and may pass to another person in accordance with the provisions of this measure or, subject to this measure, in accordance with any other law for the passing of property.

148—Delivery capacity entitlements to relate to point of extraction

This clause provides that a delivery capacity entitlement may be applied to any aspect of the taking of water from the relevant water resource at a point of extraction, but cannot be directly applied to any part of an irrigation system that distributes water after extraction.

149—Variation of delivery capacity entitlements

This clause provides for the variation of a delivery capacity entitlement by the Minister.

150—Transfer of delivery capacity entitlements

This clause sets out a scheme for the transfer of a delivery capacity entitlement. The transfer of an entitlement is subject to the operation of this measure, the relevant water allocation plan and the terms of the delivery capacity entitlement. A transfer may be absolute or for a limited period, and is subject to the approval of the Minister. The Minister may refuse to grant approval for the transfer of a delivery capacity entitlement to a person on the same grounds as those on which the Minister would refuse to grant an application by that person for the entitlement. The clause further sets out matters on which the Minister's decision to grant or refuse the transfer is to be based.

151—Surrender of delivery capacity entitlements

This clause provides for the surrender of a delivery capacity entitlement by the holder at any time.

Subdivision 6—Interstate agreements

152—Interstate agreements

This clause facilitates the recognition of intergovernmental agreements associated with water entitlements under the measure.

Subdivision 7—Related matters

153—Allocation on declaration of prescribed water resource

This clause provides that on the declaration of a watercourse, lake or well as a prescribed watercourse, lake or well or declaration of a part of the State as a surface water prescribed area, an existing user of water from the water resource concerned may continue to use water without a water management authorisation for a certain period as set out in the clause. An existing user is also entitled (subject to various factors set out in the clause) to be granted, without the payment of any purchase price, the necessary water management authorisations, after consultation with the user.

154—Schemes to promote the transfer or surrender of certain entitlements

This clause preserves the ability of the Minister to establish certain schemes by notice in the Gazette to promote the transfer or surrender of water allocations, or class of water allocations, that relate to an area within the Murray Darling Basin, and to promote the surrender of water licences, or class of water licences, that relate to a specified area within the Murray Darling Basin.

155—Consequences of breach of water management authorisations

This clause sets out the consequences of a breach of a water management authorisation and certain other requirements under this Part. The Minister will be able to cancel, suspend or vary a water management authorisation in certain circumstances. A right of appeal will lie to the ERD Court on a decision of the Minister under this clause.

156—Effect of cancellation of water management authorisations

This clause provides that any entitlement under a water management authorisation that has been cancelled under this measure is forfeited to the Minister. On forfeiture of a water licence, water access entitlement, water allocation or delivery capacity entitlement (an entitlement), the Minister must endeavour to sell the entitlement. However, the entitlement must be of sufficient value to cover the cost of sale and any resulting transfer of the entitlement must be consistent with the relevant water allocation plan and the provisions of the entitlement. The proceeds of any such sale are to be applied in the manner specified by this clause.

Division 4—Reservation of excess water by Minister

157—Interpretation

For the purposes of Division 4, this clause defines *reserved water* as water reserved by notice published in the Gazette under clause 158.

158—Reservation of excess water in a water resource

This clause provides for the ability of the Minister to reserve excess water in a water resource that is available for allocation, if satisfied that it is necessary or desirable for the proper management of the water of the resource to reserve the whole or part of that excess water, either from allocation under any circumstances or for allocation subject to restrictions.

159—Allocation of reserved water

This clause sets out certain provisions that apply in relation to the allocation of reserved water (despite the other provisions of this measure).

160—Public notice of allocation of reserved water

If the Minister has reserved water under Division 4, the Minister is required to publish specified information in the Gazette on a quarterly basis.

Division 5—Water conservation measures

161—Water conservation measures

This clause continues the scheme under which the Governor can introduce specific water conservation measures by regulation under this measure. The regulations must be declared to be for the purposes of taking action to provide for the better conservation, use or management of water (longer-term measures), or for the purposes of taking action on account of a situation, or likely situation, that, in the opinion of the Governor, has resulted, or is likely to result, in a decrease of the amount of water available within a water resource (whether prescribed or not) (referred to as short-term measures).

Division 6—Commercial forestry

Subdivision 1—Preliminary

162—Interpretation

This clause defines relevant terms for the purposes of Division 6.

163—Declaration of forestry areas

This clause provides for an area of the State to be a declared forestry area for the purposes of this measure by the Minister by notice in the Gazette. The clause sets out specified requirements that must be satisfied before the Minister can make a declaration under this clause.

Subdivision 2—Licences

164—Forest water licences

This clause provides for the granting of forest water licences by the Minister and sets out the grounds on which the Minister may refuse to grant such a licence. Furthermore, the Minister's decision on the grant of a forest water licence must be consistent with any relevant provisions of the relevant water allocation plan and any requirements prescribed by the regulations. A forest water licence applies to the site of the commercial forest to which the licence relates and is attached to the land constituting the site, or if the forest is the subject of a forest property (vegetation) agreement—the forest vegetation.

165—Allocation of water

This clause provides that a forest water licence must have a water allocation attached to the licence. The water allocation must provide for a quantity of water that is at least equal to the water required to fully offset the impact of the forest on the relevant water resource. This is to be determined in accordance with the hydrological values that are relevant to the commercial forest under the relevant water allocation plan (as at the time of the issue of the licence and as relevant taking into account any expansion or reduction in the size of the forest) and subject to any allowance under a scheme (if any) relating to the management of the forest approved by the Minister for the purposes of this clause. This approval may be subject to such conditions as the Minister thinks fit. The clause also provides that a water allocation (as attached to a forest water licence) is personal property and may pass to another in accordance with the provisions of this measure or, subject to this measure, in accordance with any other law for the passing of property.

166—Variations—allocations

The Minister may vary a water allocation attached to a forest water licence and the decision of the Minister on the variation must be consistent with the relevant water allocation plan.

167—Transfer of allocations

Subject to this measure and the relevant water allocation plan, the holder of a forest water licence may transfer the whole or a part of the water allocation attached to the licence to specified persons. A transfer requires the approval of the Minister. The Minister may not grant approval for the transfer of a water allocation if the result would be that the water allocation attached to the licence would fall below the water required to offset the impact of the forest on the relevant water resource (as determined under the relevant water allocation plan). The clause sets out further matters that are relevant to the Minister's decision to grant or refuse the transfer of a water allocation under this clause.

168—Conditions

A forest water licence will be subject to such conditions prescribed from time to time by the regulations, or endorsed on the licence by the Minister.

169—Variations—conditions

This clause provides for the variation of conditions of a forest water licence by the Minister.

170—Establishment of licence on declaration of areas

This clause provides for a scheme for the issue of a forest water licence on declaration of the relevant declared forestry area.

171—Surrender of licences

A licensee may surrender the licensee's forest water licence in prescribed circumstances.

172—Cancellation of licences

The Minister may cancel a forest water licence in circumstances specified in the relevant water allocation plan or prescribed by the regulations.

Subdivision 3—Offences

173—Offences

It is an offence for a person to contravene clause 163(3) or to contravene or fail to comply with a condition to which a forest water licence under this Division is subject.

Division 7—Interaction with Irrigation Acts

174—Interaction with *Irrigation Act 2009*

This clause sets out provisions that relate to the interaction of this measure with the Irrigation Act 2009.

175—Interaction with Renmark Irrigation Trust Act 2009

This clause sets out provisions that relate to the interaction of this measure with the Renmark Irrigation Trust Act 2009.

Division 8—Related matters

176—Effect of water use on ecosystems

When making a decision under Part 8 of this measure based wholly or in part on an assessment of the quantity of water available during a particular period, the relevant decision maker must take into account the needs of ecosystems that depend on the relevant resource for water.

177—Activities relating to Murray-Darling Basin

When making a decision under Part 8 that relates to an activity within the Murray Darling Basin, or the management, taking, allocation or use of water from a water resource in an area within the Murray Darling Basin, the Minister or other person or body making that decision must take into account the terms or requirements of the Murray Darling Basin Agreement, and any resolution of the Ministerial Council under that agreement (insofar as they may be relevant).

178—Consultation with Minister responsible for *River Murray Act 2003*

This clause provides for consultation with the Minister responsible for the *River Murray Act 2003* by the Minister under this measure acting under Part 8, or in any case or circumstances prescribed by the regulations.

179—Representations by SA Water

If water is discharged into a watercourse or lake in the region of a regional landscape board by SA Water, SA Water may make representations to the board in respect of the performance or exercise by the board of its functions or powers in relation to that water.

180—Water recovery and other rights subject to board's functions and powers

This clause specifies rights that are subject to the performance of functions and duties and the exercise of powers by a regional landscape board or a designated entity under this or any other Act.

181—Water management authorisation is not personal property for the purposes of Commonwealth Act

This clause makes it clear that a water management authorisation is not personal property for the purposes of the *Personal Property Securities Act 2009* of the Commonwealth.

182—Law governing decisions under this Part

This clause makes specific provision with respect to the law to be applied in relation to specified decisions under Part 8, and the provisions of any relevant water allocation plan or water affecting activities control policy that are relevant to the consideration or determination of a matter under that Part.

Part 9—Control of animals and plants

Division 1—Preliminary

183—Preliminary

This clause will enable the Minister, by notice in the Gazette, to declare that specific provisions of the Part apply to specified classes of animals or plants, and also to declare that a specified area is a declared area and to declare prohibitions for those areas and classes of animals or plants. Such a declaration cannot, except in specified circumstances, be made in respect of a class of native animals. The clause further provides for the establishment of three different categories of animals or plants subject to a declaration under this clause.

Division 2—Control provisions

Subdivision 1—Specific controls

184—Movement of animals or plants

This clause creates offences relating to the movement of certain animals or plants into or within a declared area. There is a defence available where the movement was carried out in accordance with a written approval given

by an authorised officer, or the circumstances constituting the offence were not the result of a wilful or negligent act on the part of the defendant. An authorised officer may, subject to any specified conditions, exempt a person from complying with a requirement of this clause. The exemption is to be given in writing, or if given orally, confirmed in writing within 2 business days.

185—Possession of animals or plants

This clause creates offences relating to the keeping or possession of certain animals (either outside or within a declared area for that animal). It also sets out an offence in relation to the possession of certain plants within a declared area for that plant. The penalties for these offences are graduated according to the category of animal or plant.

186—Sale of animals or plants, or produce or goods carrying animals or plants

This clause creates offences relating to the sale of certain animals and plants (and other things carrying certain animals or plants), with the penalties graduated according to the category of animal or plant. There is a defence available where the movement was carried out in accordance with a written approval given by an authorised officer, or the circumstances constituting the offence were not the result of a wilful or negligent act on the part of the defendant. An authorised officer may, subject to any specified conditions, exempt a person from complying with a requirement of this clause. The exemption is to be given in writing, or if given orally, confirmed in writing within 2 business days.

187—Offence to release animals or plants

This clause creates offences relating to the release of certain animals (either within or outside a declared area). It also sets out an offence in relation to the release of certain plants within a declared area for that plant. There is a defence available where the circumstances constituting the offence were not the result of a wilful or negligent act on the part of the defendant, however the defence does not apply where an authorised officer furnished the defendant with a notice warning the defendant of specified matters. The clause also provides that the certain costs incurred as a result of a contravention of the clause can be recovered. An authorised officer may, subject to any specified conditions, exempt a person from complying with a requirement of this clause.

188—Notification of presence of animals or plants

This clause requires an owner of land within a declared area to notify within a prescribed period, the regional landscape board for the area in which the land is situated of the presence of certain animals and plants. The clause further requires a regional landscape board to notify the Chief Executive within 48 hours in the event that the board becomes aware of the presence of certain animals and plants within a declared region within its region (other than by notification under subclause (1)). If the Chief Executive becomes aware of the presence of certain animals or plants on land within a declared area for that animal or plant, other than by notification under subclause (2), the Chief executive is to notify the relevant regional landscape board for the area within 48 hours of that fact, and the locality at which the animal or plant was last seen or found.

189—Requirement to confine certain animals or plants

This clause requires the owner of land within a declared area to comply with the instructions of an authorised officer in relation to the keeping or management of certain animals and plants in the person's possession, with the penalties linked to the category of animal or plant.

190—Owner of land to take action to destroy or control animals or plants

This clause requires the owner of land within a declared area to destroy certain animals and plants on that land. The clause also requires the owner of land within a declared area to control, and keep controlled, certain animals and plants on that land. An owner of land within a declared area for certain animals or plants must take such prescribed measures or measures specified by a relevant authority for the control of those animals or plants, or to subject the animals or plants to specified treatment. A relevant authority may, subject to any conditions, exempt a person from those requirements. Breaching a requirement under this clause does not, in itself, make the person liable to civil action, but the person is subject to the operation of the requirements under clause 191 and Pat 10 in relation to action orders. The clause also requires a regional landscape board to carry out proper measures for the destruction or control of certain animals and plants on road reserves within a declared area for those animals or plants.

191—Action orders

This clause enables a relevant authority to issue to a land owner in breach of clause 190(1), (2) or (3), with an action order. An action order must specify the animals or plants to which it applies, the land or area to which it applies, and the action that is required to be taken to destroy or control the relevant animals or plants. It must also specify the period within which that action is to be taken. It is an offence for a person to fail to comply with an action order. A relevant authority may carry out appropriate measures in view of the failure of the person. The clause confers certain powers on the relevant authority, and reasonable costs and expenses may be recovered from the person to whom the order was issued.

192—Boards may recover certain costs from owners of land adjoining road reserves

This clause allows a regional landscape board, under certain circumstances, to recover costs and expenses for the destruction or control of certain animals or plants on road reserves from owners of land adjoining the road reserve. An unpaid amount may be recovered (with interest) as a debt against the owner, and may also be remitted in whole or in part by the regional landscape board.

193—Destruction or control of animals outside the dog fence by poison and traps

This clause allows an owner of land bounded by and inside the dog fence to lay poison or set traps in accordance with approved proposals on adjoining land immediately outside the dog fence for the purposes of destroying or controlling animals pursuant to this Division. The clause sets out the process for the approval of a proposal.

194—Ability of Minister to control or quarantine any animal or plant

This clause allows the Minister, by notice in the Gazette, for the purpose of controlling, or preventing the spread, of certain animals or plants, or the spread of any disease that may be carried by such an animal or plant, to declare a portion of the State to be a quarantine area. The clause sets out the requirements and prohibitions that a notice under this clause can contain. The Minister may, subject to any conditions, grant an exemption from the operation of a notice, or certain provisions of a notice, under this clause. It is an offence to contravene or fail to comply with a notice or a condition of an exemption.

Subdivision 2—Permits

195—Permits

This clause allows the relevant authority to issue a permit to a person authorising the movement, keeping, possession or sale of certain animals and plants to allow an act, activity or circumstance that would otherwise not be permitted under Subdivision 1. A permit may be subject to conditions. However, a permit may not be issued if a provision of Subdivision 1 acts as an absolute prohibition of the conduct for which a permit is sought. In issuing a permit, or imposing any conditions of a permit, a relevant authority must take into account any relevant provisions of a landscapes affecting activities control policy, and seek to further the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act to the extent they are relevant. The clause also sets out consultation requirements for certain circumstances. It is an offence to contravene or fail to comply with a provision or condition of a permit.

Subdivision 3—Related matters

196—Animal-proof fences

This clause provides that a certificate of the Minister is admissible as proof of certain matters in relation to the *Fences Act 1975*.

197—Offence to damage certain fences

This clause creates an offence for a person to interfere with an animal-proof fence except with the permission of the owner of the land on which the fence is situated. The court may order a person convicted of an offence under this clause to compensate the owner.

198—Offence to leave gates open

This clause creates an offence for a person to leave open a gate in an animal-proof fence except for as long as is reasonably necessary, or with the permission of the owner of the land on which the fence is situated.

199—Protection of certain vegetation and habitats

This clause creates an offence in relation to the clearance of native vegetation in taking measures to control animals or plants under this Part. A person must take all reasonable steps to ensure that clearance is not done except in accordance with the guidelines under the *Native Vegetation Act 1991*, and that damage or destruction to other vegetation is kept to a minimum. The clause also requires compliance with certain requirements set out in a landscapes affecting activities control policy or prescribed by the regulations relating to the protection of certain native animals and their habitats.

Part 10—Enforcement

Division 1—Authorised officers

200—Authorised officers

This clause provides for the Minister to appoint persons to be authorised officers.

201—Identity cards

This clause requires authorised officers be issued with identity cards. Before exercising powers under the measure, an authorised officer must, on request, produce their identity card for inspection.

202—Powers of authorised officers

This clause sets out the powers of authorised officers under the measure. These include powers of entry, inspection, seizure, and the giving of directions. The exercise of powers in relation to residential premises requires the authority of a warrant or that the officer believes on reasonable grounds that a Category 1 or 2 animal (as declared under clause 183) is present on the premises.

203—Provisions relating to seizure

This clause sets out provisions applying when a thing has been seized in the exercise of powers under clause 202.

204—Hindering etc persons engaged in the administration of this Act

This clause creates certain offences relating to persons engaged in the administration of the measure.

Division 2—Civil remedies

Subdivision 1—Orders issued by landscape boards

205—Protection orders

This clause enables a regional landscape board or an authorised officer to issue a protection order to secure compliance with the requirements of the general statutory duty under clause 8, or with a duty under clause 108 in relation to damage to a watercourse or lake. It may also be used to secure compliance with the requirements of Part 8 Division 6, clause 190, a management agreement or any other prescribed requirement. The clause sets out the requirements and procedures in relation to making such an order. A protection order may be appealed to the ERD Court within 21 days. An authorised officer may issue an emergency protection order orally in certain circumstances, but must then confirm the order in writing. It is an offence to refuse or fail to comply with an order.

206—Action on non-compliance with a protection order

This clause allows a relevant authority (that is, a regional landscape board or the Chief Executive) to take the action required by a protection order in the event that the requirements of the order are not complied with. The authority may recover, as a debt from the person who failed to comply with the order, the reasonable costs and expenses incurred in taking action under this clause.

207—Reparation orders

This clause enables a regional landscape board or an authorised officer to issue a reparation order if satisfied that a person has caused harm to a natural resource by contravention of the requirements of the general statutory duty under clause 8, or with a duty under clause 108 in relation to damage to a watercourse or lake. It may also be issued if the board or officer is satisfied harm has been caused due to a contravention of the requirements of Part 8 Division 6, clause 190, a management agreement or any other prescribed requirement. A reparation order may require specific action be taken, or certain payments to be made, or both. The clause sets out requirements and procedures in relation to making such an order. A reparation order may be appealed to the ERD Court within 21 days. An authorised officer may issue an emergency reparation order orally in certain circumstances, but must then confirm the order in writing. It is an offence to refuse or fail to comply with an order.

208—Action on non-compliance with a reparation order

This clause allows a relevant authority (that is, a regional landscape board or the Chief Executive) to take the action required by a reparation order in the event that the requirements of the order are not complied with. The authority may recover, as a debt from the person who failed to comply with the order, the reasonable costs and expenses incurred in taking action under this clause.

209—Reparation authorisations

If satisfied that a person has caused harm to any natural resource by contravention of the requirements of the general statutory duty under clause 8, or with a duty under clause 108 in relation to damage to a watercourse or lake, a relevant authority may issue a reparation authority under which authorised officers or other authorised persons may take specified action on the authority's behalf to make good damage to the natural resource. A reparation authority may also be issued in relation to a contravention of the requirements of Part 8 Division 6, clause 190, a management agreement or any other prescribed requirement. The clause also sets out procedures and requirements in relation to making such an authorisation.

210—Related matter

This clause provides that a person cannot claim compensation from the Crown, a regional landscape board, the Chief Officer, an authorised officer or other authorised person in respect of a requirement imposed by or under this Subdivision, or an act or omission undertaken or made in good faith in the exercise of a power under this Subdivision.

211—Registration

This clause allows the relevant authority to have the Registrar-General register an order or authorisation issued under this Subdivision relating to an activity carried out on land, or requiring a person to take action on or in relation to land. Such an order or authorisation is binding on each owner and occupier from time to time of the land. The Registrar-General must, on application by the relevant authority, cancel the registration of such an order or authorisation and make appropriate endorsements to that effect.

212—Effect of charge

This clause sets out the priority of a charge imposed on land under this Subdivision.

Subdivision 2—Orders made by ERD Court

213—Orders made by ERD Court

This clause sets out the orders that the ERD Court can make, on application, in relation to this measure, and the requirements and procedures in relation to such orders. These orders include orders that may be in the nature of restraining a person from engaging in particular conduct that is in contravention of this measure, or requiring a person to take particular action.

Part 11—Appeals

214—Right of appeal

This clause sets out specific rights of appeal to the ERD Court. An appeal will, in the first instance, be referred to a conference under section 16 of the *Environment, Resources and Development Court Act 1993*.

215—Operation and implementation of decisions or orders subject to appeal

The making of an appeal will not, in itself, affect the operation of any decision, order, direction or restriction to which the appeal relates. However, the Court, or the relevant authority that has made the decision or other action to which the appeal relates, may suspend the operation of the decision or other action if it thinks fit. A suspension may be granted subject to conditions.

216—Powers of Court on determination of appeals

The Court will have a range of powers on the hearing of an appeal, including to confirm, vary or reverse any decision, or substitute any decision, to order or direct a person or body to take such action as the Court thinks fit, and to make consequential or ancillary orders or directions.

Part 12—Management agreements

217—Management agreements

The Minister will be able to enter into a management agreement relating to the protection, conservation, management, enhancement, restoration or rehabilitation of any natural resources, or any other matter associated with furthering the objects of the Bill. The management agreement will be entered into with the owner of the land. The agreement will not have any force or effect under the Bill until a note relating to the agreement is entered on the relevant instrument of title or against the land.

Part 13—Miscellaneous

218—Avoidance of duplication of procedures etc

This clause will allow an authority to accept a document or recognise a procedure under the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth for the purposes of this measure.

219—Native title

Nothing done under this measure will be taken to affect native title in any land or water, unless the effect is valid under a law of the State or the *Native Title Act 1993* of the Commonwealth.

220—Service of notices or other documents

This clause provides for the service of notices or documents.

221—Publication of notices by Minister

This clause provides that if the Minister is authorised to publish a notice under the measure, the Minister should consider the effectiveness of the method that will best bring the notice to the attention of those who will be directly affected by the notice.

222—Money due to Minister

Money that is due to the Minister or another authority may be recovered as if it were unpaid levy.

223—Compulsory acquisition of land

This clause confers on the Minister a specific power to acquire land under the *Land Acquisition Act 1969* for the purposes of the measure.

224—Compensation

This clause provides for the payment of compensation in certain circumstances.

225—Immunity from liability

This clause provides specific protection in relation to an owner of land, the Minister, a person engaged in the administration of the measure, or another authority or person who destroys an animal or plant, captures or removes an animal, or takes other action in relation to the control of animals or plants.

226—Vicarious liability

For the purposes of this measure, an act or omission of an employee or agent will be taken to be an act or omission of the employer or principal unless it is proved that the person was acting otherwise than in the course of the employment or agency.

227—False or misleading information

It will be an offence to provide false or misleading information under the measure.

228—Interference with works or other property

This clause sets out offences relating to interference with infrastructure, works and other property.

229—Criminal jurisdiction of Court

Certain offences prescribed by the regulations will lie within the criminal jurisdiction of the ERD Court.

230—Proceedings for offences

This clause provides for the commencement of proceedings for offences against the measure to be within 5 years of the date on which the offence was alleged to have been committed, and sets out who may commence those proceedings.

231—General defence

This clause provides for a general defence to a charge of an offence under this measure if the defendant proves that the offence was not committed intentionally and did not result from any failure of the defendant to take reasonable care to avoid the commission of the offence.

232—Offences by bodies corporate

These clauses are standard clauses.

233—Additional orders on conviction

This clause will allow a court on recording a conviction under the measure to require a person to take specified action to rectify the consequences of any contravention of the measure or to ensure that a further contravention does not occur, or to pay to the Crown an amount assessed by the court to be equal to any financial benefit that has been gained, or can reasonably be expected to be gained, as a result of the commission of the relevant offence.

234—Continuing offence

A person convicted of an offence will be liable to a penalty with respect to any continuing act or omission.

235—Constitution of Environment, Resources and Development Court

This clause deals with the constitution of the ERD Court when it is exercising jurisdiction under the measure.

236—Evidentiary

This clause provides for the proof of certain matters and the application of various presumptions.

237—Determination of costs and expenses

This clause makes it clear that the costs of an authority under the measure are the full costs that could be charged by an independent contractor.

238—Minister may apply assumptions and other information

The Minister will be able to apply various assumptions for the purposes of the measure.

239—Landscape Scheme Register

This clause requires the Minister to keep a register (the *Landscape Scheme Register*) of water management authorisations, forest water licences, permits, action plans and other prescribed matters. There will be a part of the register that relates to entitlements under Part 8 of the measure as set out in Schedule 4 to be known as *The Water Register*.

240—Confidentiality

A person engaged in the administration of the measure will be required to keep certain information confidential unless the person is acting in the performance of official duties or as required by law or authorised by the Minister.

241—Damage caused by non-compliance with a notice etc

A person who suffers loss as a result of a failure on the part of another person to comply with a requirement relating to an action plan, or an action order or an order issued by a regional landscape board under Part 10 Division 2 Subdivision 1, may recover damages from that other person.

242—Recovery of technical costs associated with contraventions

This clause will allow a specified authority to recover costs and expenses in taking samples or conducting tests, examinations or analyses, in the course of investigating a contravention of the measure.

243—Delegation by Chief Executive

This clause provides that the Chief Executive may delegate a function or power under this measure to another body or person.

244—Incorporation of codes and standards

A notice or regulation under the measure may apply, adopt or incorporate, with or without modification, any code, standard or other appropriate document.

245—Exemption from Act

This clause provides that the Governor may make regulations with respect to exemptions from the operation of the measure.

246—Regulations

This is a general regulation-making clause.

Schedule 1—Regulations

This Schedule sets out various matters for which regulations may be specifically made.

Schedule 2—Activities control policies

This Schedule sets out the provisions that relate to landscapes affecting activities control policies and water affecting activities control policies, including the review, preparation, amendment and approval of such policies.

Schedule 3—Classes of wells in relation to which a permit is not required

This Schedule sets out classes of wells that are exempt from the requirement for a permit.

Schedule 4—The Water Register

This Schedule sets out provisions that relate to the keeping of The Water Register. These include matters relating to the recording of information and management of the Register, the registration of entitlements under Part 8 of the measure, special arrangements in relation to specified transfers, and the registration of security interests.

Schedule 5—Related amendments, repeals and transitional provisions

This Schedule sets out related amendments to other Acts. The *Natural Resources Management Act 2004* is to be repealed. Part 30 of the Schedule sets out various provisions addressing a number of transitional issues associated with the enactment of this new legislation.

Debate adjourned on motion of Dr Close.

STATUTES AMENDMENT (LIQUOR LICENSING) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 February 2019.)

Mr PICTON (Kaurna) (16:07): I indicate that I am the lead speaker for the opposition. Despite that, I still might go a bit shorter than the Minister for Environment did in his speech. I rise to speak on the Statutes Amendment (Liquor Licensing) Bill and indicate that Labor will be supporting this legislation. I am sure the Attorney was waiting on that with baited breath.

As the Attorney indicated in her second reading explanation, this is effectively a tidy up piece of legislation, so presumably not part of the action agenda for real change of the government but more a tidy up of a number of provisions to make sure that there is a bit of work going through the parliament. I am sure there will be a number of speakers to try to pad this out, but a very small number of amendments are being made to the legislation.

As members will know, there was a significant change to our liquor licensing laws through the Anderson review and an act that was passed in 2017 under the previous government. I understand that this seeks to make a number of consequential amendments and transitional provisions to that. They are largely technical in nature, and I understand that they have the support of the range of stakeholders that has been discussed, including but not limited to the AHA. They make amendments to the Liquor Licensing (Liquor Review) Amendment Act 2017 and the Statutes Amendment (Attorney-General's Portfolio) Act 2018.

The amendments to the Liquor Licensing (Liquor Review) Amendment Act 2017 update the powers granted to the commissioner to add, vary, substitute or revoke conditions attached to the licences of premises. The Attorney-General listed a number of licence conditions in her second reading explanation that are no longer relevant. I was reading through a number of them while we were waiting for the Minister for Environment to finish. There are quite a few interesting provisions that were part of conditions, for example that garbage or refuse, including empty bottles or cans, is not to be moved from inside the premises to outside storage bins between the hours of 11pm and 7am the following morning.

I guess that might seem like a sensible idea on some level—presumably it is about reducing noise for residents—but I dare say that under whatever length of time that provision was in place there was probably very little enforcement of it. Whether the liquor licensing commissioner was ever able to enforce that, I am not sure. It has certainly not been an issue that has ever come to my attention as a member of parliament, so I am sure that changing that would not be of great difficulty.

I was also interested to see that there was a condition in some liquor licences that the licensee shall ensure all rubbish—including broken glass, broken beer bottles, stubbies and cans—is removed from nearby streets adjacent/across the road from the licensed premises. I presume that that is a factor where you have premises, particularly pubs, in neighbourhood areas. In my electorate, I can think of the Beach Hotel at Seaford or the Port Noarlunga Hotel at Port Noarlunga where residents would occasionally be affected. I am sure in the Attorney's area it would be the Feathers or something like that. Is that in your electorate?

The Hon. C.L. Wingard interjecting:

Mr PICTON: I cannot say I have ever been to the Feathers. I have driven past it a lot.

The Hon. V.A. CHAPMAN: I only have two hotels in my electorate.

Mr PICTON: What is the other one?

The Hon. V.A. CHAPMAN: The Marryatville.

Mr PICTON: The Marryatville Hotel. I presume that is also in a residential area. I presume that might be an issue in leaving that premises late at night in that there might be broken bottles and things like that. Even though that seems sensible on the face of it, I think a good point is made that the liquor licensing commissioner does not have the ability to enforce that condition at all.

So having conditions that are unable to be enforced by the commissioner seems a bit redundant, given that it is outside the licensed area, that is, adjacent streets. However, I would like to hope that liquor licence holders would see the responsibility of looking after their neighbourhood and, despite that, would make sure that their areas are protected.

There are also a number of issues such as exit lights and entrances to outdoor areas, all of which I think in the gamut of the Anderson review are better dealt with through the planning and development legislation or council regulations, rather than through liquor licensing which is about making sure that the health and safety of the public is protected in liquor licensing venues. Those changes, those tidy ups, as the Attorney has described them, seem sensible. Hopefully they will not have a significant impact on The Marryatville Hotel or the Feathers or Port Noarlunga or the Beach Hotel.

Likewise, amendments to the Statutes Amendment (Attorney-General's Portfolio) Act 2018 resolve issues in relation to proof of age provisions. I am advised that the bill commences the provisions which allow a licensee of a licensed premise, a responsible person or a security guard to request proof of age information. I understand that the Liquor Licensing (Liquor Review) Amendment Act 2017 would otherwise cause these provisions to commence much later this year, which means that in the meantime only a licensee would be able to request proof of age information.

With those brief words on this tidying up legislation, I indicate the opposition's support. There are a small number of questions we will ask at the committee stage, but otherwise I am sure we can secure swift passage of this legislation this afternoon.

Mr ELLIS (Narungga) (16:14): I rise in support of the Statutes Amendment (Liquor Licensing) Bill 2019 and view it as containing quite a bit of common sense; also, the amendments reflect that. In the main, they remove conditions and regulations not relevant to the sale and supply of liquor and, therefore, are not the concern of the liquor and gambling commissioner.

I will always support actions that we take in this place that result in removing duplication or any additional layers of red tape and, most importantly, simplifying paperwork for our hardworking businesses in reducing the confusion and requirements placed upon them when they just want to get on with making a living employing people. Those sorts of steps that we take in this place will be steps that I will always welcome and support, and I am pleased to see them reflected in this bill that makes the liquor licensing system more streamlined.

As I said, this bill does offer those improvements and it streamlines the current licensing process. I have had a couple of inquiries to the Narungga electorate office on this topic from small business owners and non-profit community groups seeking clarification on just what type of liquor licence would suit their needs. A visit to the Consumer and Business Services website can be a complicated task, such is the wealth and depth of information available on it, covering a multitude of topics as well. I recall one small business owner phoning the office in despair because she did not know what type of paperwork to fill out for what type of licence.

She reported that the advice she received from one Consumer and Business Services staff member when she had rung them for help was simply to contact a lawyer to ask them and seek legal advice in order to have the correct licence and not find themselves in any sort of trouble. All she wanted to do was sell local boutique beer in her tourism-related shop and it was a nightmare. So I am certainly supportive of any steps we can take to reduce confusion, simplify paperwork and encourage and help small business to get on and prosper.

The bill before us makes two amendments to legislation to support the ongoing implementation of the review into the Liquor Licensing Act 1997, which was conducted three years ago in 2016 by retired Supreme Court judge, the Hon. Mr Tim Anderson QC, and which is now in stage 3 of implementation. The aim for all who have worked on these amendments, commenced by the previous government and continued with the election of the new government, has been to encourage responsible attitudes towards the promotion, sale, supply, consumption and use of liquor, and this is no doubt important work.

However, any tidying up of the current licence classes and obsolete conditions is welcome and in line with the intent of the 120 recommendations made by Mr Anderson's thorough review of the Liquor Licensing Act 1997. They are to create a modern and flexible licensing system that supports a vibrant hospitality industry in maintaining a safe drinking culture. It is common sense to shift conditions, such as when garbage can be removed from licensed premises, away from liquor regulation and into the domain of council or development approval processes.

What sort of rubbish can be removed and where and at what time, what type of exit lights are required where and on what premises, entry and exit points to smoking areas or outdoor licensed areas to meet noise laws are all regulations that can now rightly be taken off the desk of the liquor and gambling commissioner. They do not belong there as they do not relate to the sale and supply of liquor. The removal of such conditions through this bill accords with Mr Anderson's recommendations and makes way for a smooth transition to the new licensing conditions, which will provide much-needed clarity and improvements for all.

It does so by affording the commissioner absolute discretion to add, substitute, vary or revoke any existing conditions needed as a result of these reforms. The proposed amendments ensure that the commissioner is provided with that necessary discretion, which in turn will ensure that licensees remain aware of their obligations under planning and local council requirements. I am also pleased that it will assist licensees through the transition of their licences into the new liquor licence categories, which is set to commence in mid-2019, and that a new web portal that is described as easy to use will be developed. That will surely be welcomed by the people who have to go through the application process regularly.

The Marshall Liberal government believes in reducing red tape and streamlining government departments and broadly simplifying processes for improved efficiencies. The amendments before us deliver this important commonsense approach. I would like to take this opportunity to acknowledge a couple of the local hotels that we have in the electorate of Narungga for their support over the past little while. I have been a long-time supporter of theirs, having spent quite a bit of time in the local pubs in Kadina.

I would like to acknowledge Trevor Evans from the Wombat Hotel, Darren Cave from the Kadina Hotel and Dion Pomery from the Exchange Hotel, Kadina, who have been great sounding boards for me on both liquor licensing laws and issues they have with running their business in general. I visit them regularly. Indeed, pre-election, I had a trip up and down the peninsula and the electorate to visit as many hotel owners as I could, from Kadina right down through—

An honourable member: How did that go?

Mr ELLIS: It was good. It was an enjoyable few days. I spread it out as best I could so as not to condense it all into one day. Right down the bottom, where there is a growing industry, a number of breweries are opening. A new one is due in Wallaroo soon, and there is one at Minlaton that is now serving at its boutique brewery. There is a new gin distillery just out of Arthurton, which takes the grain from the paddock next door and turns it into gin.

I am not quite sure what the process is called, but it goes from the paddock next door into the distillery facility they have built there. It is the Sunny Hill Distillery, a wonderful place, owned by the Collivers. It is a growing industry on the peninsula. It is value-adding local produce, turning it into beer and spirits. I look forward to continuing to see that growth, and these reforms will make it much easier for those businesses to continue to serve the products they are now developing so masterfully along the peninsula.

In concluding, I would like to acknowledge again the publicans and the hotels up and down the peninsula. They do a wonderful job of serving our, at times, tiny rural communities. Often, the pubs are the lifeblood of a town, and without them there would be nothing there. I also acknowledge the growing industry of breweries, distilleries and boutique beer and spirits on the peninsula. With those few words, I would like to commend the efforts of the Attorney-General to make this liquor licence process easier, simplify it and reduce duplication and red tape. I commend the bill to the house.

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

A quorum having been formed:

The DEPUTY SPEAKER: Is somebody seeking the call? The member for Morphett has the call.

Mr PATTERSON (Morphett) (16:22): Thank you. I will seek the call.

The DEPUTY SPEAKER: Lucky you were standing up, member for Morphett.

Mr PATTERSON: Yes, exactly. I rise today, as others have previously, to speak on the Statutes Amendment (Liquor Licensing) Bill. I note that this bill seeks to amend the liquor review act in order to bring the state's legislative framework further into line with the review of the Liquor Licensing Act 1997 undertaken by the Hon. Tim Anderson QC. The recommendations of the Anderson review were implemented by the former government in the liquor review act commencing in 2017.

There are a few outstanding issues that this government has chosen to address within this bill, which has been at the recommendation of the Commissioner for Liquor and Gambling. It relates to the current licensing process. Notably, within the conditions that are placed upon the licence classes, there are issues that are either irrelevant or are no longer necessary to the object of the Liquor Licensing Act. These provisions are really more related to environmental and planning areas of the law and so should be removed to streamline this liquor licensing legislation and remove any irrelevant conditions.

When the act was passed in 2017, the former government failed to remove these conditions, which were, as I said, recommended in the Anderson review, and so this bill is addressing Mr Anderson's recommendations directly. In his review, Mr Anderson noted that it really is important to distinguish between planning-type matters and indicators of harm through the service of liquor and that there is confusion around whether local councils or, in fact, the liquor licensing authority is responsible.

At present, when considering whether the sale and supply of liquor detract from the amenity of local community life, matters that are considered include drunkenness, offensive or disorderly behaviour, the general harmony of the local environment, the possibility of nuisance or vandalism and not only the resulting inconvenience for local residents from that but also potentially an obstruction of public places, be it the footpaths, the streets or the roads.

When considering harm, there is certainly a need to ensure that the amenity issues, such as the traffic movement, parking, refuse collection and, as I mentioned before, inconvenience for local residents stemming from obstruction of these public places in the local area such as footpaths, streets and roads, should be considered as planning-type matters. If this is to be the case, these should be considered by councils as part of the planning and development approval process rather than by the licensing authority.

Just to clarify this, Mr Anderson recommended in his report and his review a delineation between the two bodies with local councils being responsible for matters pertaining to the venue and its subsequent land use. These matters include the capacity of the venue, the trading hours, any queuing that results, potentially, outside the premises, noise attenuation (particularly related to soundproof measures for the building), traffic management and car parking matters as well. These matters can be dealt with at the planning stage, and any conditions relating to those matters should be on the relevant planning approvals that the building receives.

By contrast, the liquor licensing authority should be responsible for matters pertaining to the supply and consumption of liquor. Some of these include the actual probity of the applicant and the persons responsible for managing the premises, to make sure that they are fit and proper people in the responsible service of liquor, as well as harm minimisation for the patrons, such as making sure that they will be able to get home safely.

Mr Anderson recommended implementing a clear line of delineation of these responsibilities between the relevant planning authorities—i.e. local council—and also the licensing authority. What we are speaking about today and what this bill provides for is to remove some of these conditions currently placed on a liquor licence that are best served as part of planning. In doing so, the Marshall Liberal government is delivering on another promise it took to the election: reducing red tape.

If I could just talk briefly about some of the examples of conditions that this bill seeks to remove, one of these is the regulation of garbage outside licensed premises. It is not to be removed from the inside of the premises to any outside storage bins between the hours of 11 o'clock at night and 7 o'clock the following morning. Common sense says that a condition such as this is not really related to the safe provision and sale of liquor and the supply of it. It really relates more to planning

and development laws and should be a matter for local councils to enforce rather than the liquor licensing legislation.

Another similar condition, which this bill seeks to remove, is the one regulating the removal of rubbish, including glass from broken beer bottles that has been left on the streets that are adjacent to the licensed premises. Again, it is not an issue which the liquor and gambling commissioner has the power to enforce and so should not be included in this legislative framework.

Another condition this bill seeks to remove, which has more relevance to planning laws rather than to the sale and supply of liquor, relates to the placement of exit lights in licensed premises. At present an exit light is required operating from an independent power source above all exits, so you can see that is more to do with planning and is not so much about the supply and sale of liquor.

I note that while noise is certainly an issue that must be addressed in the regulation of licensed premises—they need to be considerate of neighbours—it is not relevant to the sale and supply of liquor. The legislation currently stipulates that the entry and exit points to smoking areas or outdoor licensed areas should remain closed except when in immediate use by the patrons entering or leaving. Again, this needs to be handled in the planning phase.

As I mentioned before, the impact on neighbouring residents is certainly an issue that needs to be taken into account when regulating licensed premises; however, the Anderson review recommended that these noise issues be dealt with by councils. As such, the conditions I mentioned above are set to be removed. Removing conditions such as these ensures that legislation is further brought into line with the recommendations of the Anderson review. As I said before, the removal of these conditions occurred because they were not included in the current act when it was originally passed in 2017.

This government is committed to streamlining government departments, making sure their work and efforts are focused on their area of expertise. In doing so, we reduce red tape. The amendments within this bill will certainly be a step in the right direction and will ensure that premises transitioning from the former licensing scheme to the new classes in November 2019 will be able to do so effectively and smoothly. While this will certainly affect all South Australia, I would like to spend some time talking about my electorate of Morphett. Locally, a number of licensed premises will benefit from this bill becoming South Australian law.

In Glenelg, there is the Moseley Bar and Kitchen, the Jetty Bar and numerous licensed restaurants around Moseley Square and along Jetty Road. The Stamford Grand is very popular, and you can see the sunset, so it is a great place for people to visit on a Sunday, for example, as the sun sets. I remember when I was on the council, its liquor licence came up for review, and one of the conditions was around sound. A condition of the liquor licence was that sound was to be attenuated, and there was considerable debate about whether an acoustic guitar was detrimental to people passing by Moseley Square. I would suggest that it probably is not; it probably adds to the amenity of the area. The conditions that we are seeking to remove are just cut and dried—take it out of the liquor licensing conditions and the responsible provision and sale of alcohol to be undertaken at the Stamford Grand.

The Hon. C.L. Wingard: Talk about the Broadway.

Mr PATTERSON: Absolutely. The minister has read my mind. In Glenelg South, there is the Holdfast Hotel on Brighton Road, the Bay Motel Hotel (BMH), which is very popular with the Sacred Heart Old Collegians, and also the Broadway Hotel, which is proudly family owned and run. These hotels are situated within a residential area and are all surrounded by houses. Those hotels are currently subject to noise regulations from the council and this act in question.

It is quite pertinent that they are subject to noise regulations because the amenity of the area is important to households around there. Some of them have young kids. I live quite close to them, so it is important that they are looked after, but that is best handled in the local area. The Broadway Hotel, for example, is currently run by Mr Mark Falconer. He has emphasised having a family-friendly hotel. Just before he took over from the previous owners, there was a lot of mayhem.

The previous licensee was looking to increase revenue and sought to do that by advertising cheap drinks for university students. They offered a drinks package that was quite well priced for

university students, but unfortunately the consequences were a bit of mayhem in the streets. There were trees being knocked over on the footpath, there was a fair bit of noise and people were jumping fences and stealing things out of other people's yards. There was a bit of contention between the hotel and local residents. Those matters are best dealt with by the police and, in fact, they were, but the root cause is the patronage the licensee of the hotel wants.

When Mark Falconer came on board, he met with me when I was on council. He wanted to repair the reputation of his hotel and has really gone about making it very family friendly. In fact, he said that it was to the detriment of his bottom line but that he cared more for being a good neighbour and making sure that the clientele he tried to attract was on a family-friendly basis. Certainly, he has done that. His $10 schnitzel night on Tuesday you cannot really beat. They have fantastic schnitzels at the Broadway Hotel on Tuesday night.

He has also looked at upgrading the facilities. He has a beautiful beer garden on the broadway itself, where people go for a quiet drink, especially on Sunday afternoons, and it is great. Of course, it is not separated much from the footpath itself—there is a fence—but everyone is really respectful and it has actually added to the vibrancy of the Broadway. There is a beautiful cafe strip, the council has invested some money in the streetscape, and businesses like the Broadway are certainly making it a terrific relaxed place for people to visit, so I encourage people to go down there.

There are other hotels as well, if I move along Morphett Road, such as the Morphett Arms, which has also benefited from good management in recent years. It has had an upgrade to its function rooms and bars and it is a great place to go, especially on a hot day, as it has really good air-conditioning. Not far away, in Plympton, on the corner of Marion Road and Anzac Highway, is the Highway Hotel, which has a great outdoor area with lots of attractions. On Saturday night, my wife's cousin played there in a nineties revival band, which was well received.

The Hon. C.L. Wingard: They always have those fun messages on the board, too, when you drive past.

Mr PATTERSON: That's right. There are also some informative messages as you go past that are very respectful but always give you a chuckle when you are occasionally waiting at the lights to go further into the city. The Highway Hotel is certainly a great place to go. It is also in quite close proximity to a number of residential homes, so it will also benefit from this reduction in red tape.

I should mention that liquor licensing affects not only pubs and hotels but also restaurants and sporting clubs. Within my electorate, there are certainly some fantastic restaurants that are also subject to these liquor licensing laws and there are also some great sporting clubs, such as the Glenelg Football Club on Brighton Road and its attached restaurant, which has undergone quite an upgrade of late. The CEO, Mr Glenn Elliott, and the chairperson of the club, Mr Nick Chigwidden, have really made an effort to turn it around by providing a community area where people can put some money into the club as well, so they are not just relying on gaming.

That has also resulted in the ACH Group moving there. There used to be a function centre, but that has been replaced by ACH. It was a place where especially older people in our community could come. After they have been checked up and looked at medically, they can go downstairs to the Oval Bar or the VP Room. The Oval Bar is fantastic because it opens out onto the oval. There is an alfresco dining area, so it is a great place for family and friends to come along. Kids can go out and run around the oval and have a kick of the footy, while parents can be right there next to them, so I encourage people to go there.

I also mention the Glenelg Life Surfing Club, which I am a member of, and it is a fantastic place to go along to and enjoy a drink while the sun sets. That will also really benefit from these liquor licensing laws, as will some of the bowling clubs in the area, such as the Glenelg Bowling Club and the Novar Gardens Bowling Club, to name a few. A number of clubs and organisations in the electorate of Morphett will certainly benefit from these changes to conditions. These businesses are incredibly important to the state's economy and they are often family owned and run as well.

This government is committed to making it easier to run a business with less red tape and unnecessary regulations and conditions. Another example of this is the government's abolition of payroll tax, which will encourage businesses to hire more staff instead of punish them for hiring staff. Streamlining the Liquor Licensing Act and moving some of the conditions to the planning and local

government regulations will also help businesses to not only grow and employ people but also offer a great service.

As the Marshall Liberal government celebrates its first year in government, it is timely for another bill such as this to be debated in this house to make it easier for businesses to run, to be profitable and to exist within the wider community. I commend the bill to the house.

Mr DULUK (Waite) (16:40): I also rise to say a few words on the Statutes Amendment (Liquor Licensing) Bill 2019 and to thank the Attorney and the office of the CBS for their work in tidying up some anomalies out of the Anderson review several years ago.

As the member for Morphett so eloquently pointed out, the bill before us and the review of the act are making provision for the new licence classes, to which current licenses will be transitioned in November 2019. As part of this transition, Consumer and Business Services are undertaking a review of the current licence conditions, including changing and revoking certain conditions where necessary. I think it is really important that we spend time across all agencies, and obviously CBS are beginning this one, and that as a Liberal government we do what we can to remove red tape and regulation from business, especially from small business, which, as you know, sir, is the backbone of our South Australian economy.

As we mark 12 months from the election of the Marshall Liberal government, one thing in terms of reform and assisting small business has been around payroll tax reduction and increasing the threshold to $1.5 million. For so many businesses across South Australia, particularly in my electorate and including those associated with liquor licensing and the selling of alcohol, that is a very important and welcome small business reform. There is certainly a lot more to do in reform for small businesses, but payroll tax is a really important part. Other things that we need to certainly look at as a government and as policymakers is the cost of energy and the cost of power because that is another big impost on small business.

As a bit of background, the Liquor Licensing (Liquor Review) Amendment Act 2017 was passed in the last parliament. As I said, a lot of the reforms were developed in response to the 2016 review conducted by His Honour Tim Anderson QC. The review made 129 recommendations to create a modern and flexible licensing system that supports a vibrant hospitality industry, while maintaining a safe drinking culture. The state government delivered the 2018-19 state budget last year and, of course, this had several reviews and one of them was around liquor licensing fees. As I understand it, current licences will transition to the new liquor licence categories commencing in mid-2019.

In the current laws, there are some out-of-date provisions that put extra pressure on venues, owners and staff. I like to think that in some cases South Australia is a progressive state, and this government is certainly working towards assisting small businesses and removing that burden on the employers of so many South Australians. There are some old rules that we are looking to remove. The aim of the review is to assess the adequacy, effectiveness and relevance of the licensing regime, identify improvements to modernise the licensing regime and reflect current day community attitudes. There is no doubt that community attitudes have changed in relation to the way we drink and consume alcohol and in relation to where and what we drink as well. The review will promote greater business flexibility and encourage new bold and dynamic business models.

Three objectives of the review were reducing red tape, promoting a safer drinking culture and vibrancy, as I said. That report was released in July 2016, following extensive consultation, including public submissions. In his review, Mr Anderson stated that he believed that the conditions placed on a liquor licence should be relevant to the sale, supply and the consumption of liquor. In that report, Mr Anderson discusses the conditions relating to garbage, noise and planning conditions and recommends the matters are handled by the relevant bodies of local councils.

On that, I think one area where local councils can provide a lot more breadth and improvement in their speed of decision-making for small business is in the way they go about making decisions on granting liquor licences. In one example in my electorate, the City of Mitcham took almost 12 months to approve an extension of a liquor licence for a local cafe. The frustration that causes small business owners who want to provide wonderful product, food and beverage service is

disappointing to them and really slows down their development. Ultimately, the approval was a positive one and that business has gone from strength to strength.

Another recommendation was that the liquor and gambling commissioner be provided with discretion to add, substitute, vary or revoke any existing conditions as a result of reforms. Unfortunately, there was still some red-tape anomalies when the Liquor Licensing Act was passed in 2017. This includes those conditions that are considered a planning consideration rather than a liquor regulation. The reforms that we are discussing today will allow the commissioner to do just that: to use his discretion and consideration to remove that red tape.

Some of the conditions in the current laws that will be removed through these proposed changes and amendments include that premises shall not be promoted as a bar, lounge bar, lounge tavern, in-hotel beer garden, nightclub or karaoke bar. The reason for the removal of this condition is that competing businesses will enforce this as a means to detract potential customers from going to a venue other than their own. That is obviously a condition around competition.

There is a bit of a change around rubbish collection. Currently, the rules state that no rubbish, including empty bottles and cans, can be moved outside or be taken away between the hours of 11pm and 7am. Naturally, this does not relate to the sale or supply of liquor and is a council matter and should be regulated accordingly. One of the other provisions currently is:

- the licensee shall ensure all rubbish, including broken glass, broken beer bottles/stubbies/cans are removed from the nearby streets adjacent/across the road from the licensed premises;

This condition also does not relate to the sale and supply of liquor and concerns the area outside the licensed area. There are some changes around exit lights powered by a source other than the main power. This will be removed. Once again, it falls within council jurisdiction. The same thing applies around smoking areas at licensed venues. They must also remain closed. Once again, that falls into council jurisdiction.

There are a lot of different reforms and conditions that are being cleaned up in this review and I think that is very important. Liquor licensing law is an area that constantly needs to be reviewed and reformed because the hospitality industry more broadly across South Australia is a huge employer of South Australians. There are some aspects that concern me at the moment and are talked about in the general sphere, and that is around smoking in outdoor areas in hotels. There are some people who believe we should further restrict smoking in outdoor areas in hotels.

My personal view is that the rules that are in place at the moment are adequate and that the status quo should remain. If a patron wants to eat a meal in a designated smoking area and only they are in that area and the staff of the hotel do not need to go into that outdoor smoking area, then I think that is an acceptable rule. Many hotels and outdoor licensed venues spent a considerable amount of capital investment in recent years to comply with the current smoking regulations. I believe any change to the current regulations would be to the detriment of the industry and a lot of small business operators in South Australia.

Another thing I think we need to look at long term is the late-night liquor code as it applies to, predominantly, Hindley Street, and around the lockout laws, consumer choice and the discrepancy in terms of the serving of alcohol at certain times, such as serving alcohol in a glass or plastic cup. It is some of the silly rules where you cannot stand up in an outdoor area to have a beer that I find absolutely outrageous. If, after I have just enjoyed a Crows' victory against Hawthorn for example (as I hope we will this Saturday night), I wander down to Hindley Street at 12.01 on the way home, I would appreciate being able to stand up to enjoy my alcoholic beverage or my soda water—and it does not matter if it is a soda water, the same rules apply.

Under the previous government, as part of its small bar reforms and that of the liquor code, I think we went too far in some practices, and I would hate South Australia, in the long run, to go down the path Sydney has with its laneway liquor code which, essentially, has not dealt with the problems but pushed them into other areas. When we look at licensing and at issues around behaviour, intoxication and antisocial behaviour we have to look at those issues, not necessarily at where they occur. That is very important. Those are two issues of concern to me.

I am very envious of the member for Morphett for his rap of the card in terms of the wonderful liquor venues and public areas in his electorate. I would like to say that in the electorate of Waite there are, equally, some fantastic small business operators and family-run businesses that provide fantastic entertainment and food and beverage services. I know they follow this review, and they followed the Anderson review, very closely; it is certainly a matter of interest to them.

Some of my fantastic venues include The Duck Inn at Coromandel Valley. The member for Gibson is a big fan of The Duck Inn. They have wonderful meals, especially on a Thursday and Saturday night and are always packed out. It is run by the very successful Saturno family, who are wonderful employers of South Australians right across the board.

There is the Belair Hotel, which actually began as a Temperance Union venue many years ago, which is quite ironic. It has been a pub for the last 100 years or so and is one of the older licensed venues up my way. There is the Matthews Group and, of course, Chris Codling, who does a great job at The Ed, which has one the best beer gardens in South Australia. I know the Minister for Recreation, Sport and Racing would have loved going to The Ed on Tuesday nights. There is the Torrens Arms Hotel, magnificently run by the Hurley Group, which is also a great venue in my electorate.

Whether it is Celebrations or Belair Fine Wines, they are great supporters of South Australian produce, South Australian wine and beer. More importantly, they are great supporters of South Australian jobs, and one thing we on this side of the house care about so much—which was evident again in question time today—is jobs. We care about getting the balance right, and we cannot have a hospitality industry if we cannot employ young people. For so many people, it is how they get their foot into the job market. My first job was at a licensed venue; it was the Dom Polski Centre where I was a glassy. For my sins, I remember working the 1999 New Year's Eve at the Dom Polski Centre, which was awful because I would rather—

An honourable member interjecting:

Mr DULUK: I was about seven years old, and I was a glassy at the Dom Polski Centre. However, for so many people I know that is how they entered the workforce. Whether it is pulling beers, working as a glassy or working in the kitchen, those skills you learn—

The Hon. D.G. Pisoni interjecting:

Mr DULUK: Unfortunately, I could not become an apprentice like the Minister for Industry and Skills, but it is a wonderful entrance into the workforce and for so many people it becomes their career—the trades and apprenticeships that are offered through hospitality.

Of course, so many of those jobs are in our hospitality industry, in our clubs, pubs and licensed venues. The opportunity they provide, the employment they provide, ensures that governments of all persuasions—and I am glad we are doing it on this side—constantly look at reviewing licensing conditions to ensure we have a well-regulated and well-supported industry in South Australia.

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (16:54): I, too, rise to speak on the Statutes Amendment (Liquor Licensing) Bill 2019 and to make two amendments to the legislation to support the ongoing implementation of the review into the Liquor Licensing Act 1997, conducted in 2016 by the Hon. Tim Anderson QC. The act has now passed and makes provision for two new licence classes for liquor licensing in an attempt to streamline the current licensing process. These licences will be transitioned in November of this year.

In undertaking a tidying up review of the current licence classes before the new licences commence, the Commissioner for Liquor and Gambling noted that there are currently irrelevant or obsolete conditions placed upon licences which realistically are a planning and environmental consideration. Some of these changes proposed through the bill include removing regulations that do not specifically relate to the liquor licensing commissioner's role such as garbage or refuse movements at set times, broken bottles in the streets around licensed premises, exit light regulations and noise issues.

It is important that the government updates this legislation to ensure that it works for the many liquor licence holders across the state, including in my electorate of Chaffey. I note that a number of members on this side have favourite watering holes. They have fond memories of yesteryear, whether they were glassies or worked behind a bar, or whether they were going through the later years of their school life or into uni. Some of the local pubs have always been a good opportunity for employment, working your way into a workforce or working your way through uni.

In the Riverland, it is somewhat different. The pub scene there is made up predominantly of community-owned premises. The majority of the Riverland towns have community-owned hotels and clubs, and that was done during the formation of soldier settlement properties, but it was also set up to support those small communities. It has been an outstanding success. For a little bit of an update, the community-owned hotels normally are run by a community board, of course with a chair, and just like all the boards the board members have roles to play.

We have seen over a number of years that the community hotels have been very successful. We have seen some different models come into play. I know that the Barmera Hotel is a community hotel that has had a number of leaseholders come and go. It is a beautiful big old building, like many of the Riverland hotels, but they continue to need updates and they need more patronage.

We have seen alternative methods used over a number of years. We are seeing the issue around drink-driving and new laws that forbid people to drink and drive. Regional hotels predominantly are not always up the street from your home. In some instances, you have to travel a number of kilometres, many kilometres in most instances. I have to travel almost 150 kilometres from one end of the electorate to get a drink at the other end, and it poses challenges.

If you do not have a designated driver, you have to drink responsibly, of course. But what it gives me is an opportunity when I am passing through a town nowadays to call in, to speak to the publican or the manager of that hotel and see what the vibe of the town is. We know that the majority of our hotels are the vibe of their town.

Last night, I was with the Deputy Premier, who launched a report—Where Everyone Knows Your Name—about the social and psychological value of having a 'local' in Australia. This report, which was undertaken by Professor Robin Dunbar from the University of Oxford, has highlighted the importance of having a local watering hole and what it means to the social fabric. A number of the objectives of the report included ascertaining whether drinkers who are self-identified as local interact differently from casual visitors; evaluating psychological health and wellbeing indicators for people who have a local as a subsection of the general population; and studying and comparing beverage preferences of local and casual drinkers.

The Deputy Premier did an outstanding job in presenting and announcing the report to the group. It typifies just exactly what it means. She put so eloquently how important some of our local watering holes are, particularly in isolated regional areas. Those regional areas are no different whether we are in the electorate of Stuart, in the electorate of Flinders or in the electorate of Chaffey because we have a lot of isolated communities and a lot of hotels, clubs and pubs that are, in some instances, a long way from those people's homes. They have to travel to interact and be part of the social fabric of their community.

The report picked up on isolation and loneliness. Being social and interacting with others is a fundamental feature of human life, and that interpersonal independence is the key to human survival. Many people who live in isolation need to interact with others, and what better way than to go along to your local hotel or club and interact with the community and chew the fat. It is about understanding the local vibe of the day or how the week has been since you were last there. It is also about expressing your views or frustrations in day-to-day life. That is what hotels were once set up for: a social interaction centre. We know that alcohol is regularly consumed by most. Some do not, but most do so as a way of releasing stress and the day-to-day frustrations we face particularly in some of those isolated areas.

The report made six key findings, and I will make mention of all six because they ring true. I know that because I interact with a number of hotels and clubs within my electorate. It is very important that people are able to have an opportunity to speak and be heard, and we know that publicans are very good at that. The first and second findings state:

1. People who have a local are more trusting and satisfied with life;

2. They also have broader friendship and support networks, and identify more closely with their community;

That really does ring true, and I know that too well myself, as once upon a time I would leave home and work down at my vineyard, which was about 50 kilometres from home. I would occasionally take my manager and my workers to the Overland Corner Hotel, and it would give us the opportunity to relax and destress. It is physical work setting up farm properties, particularly establishing new greenfield sites, and the Overland Corner Hotel is a historic 160-year-old mud hut hotel that was built below the 1956 flood level. We know that when the river flooded in 1956 water was up to the ceiling, but it survived. It has a couple of friendly ghosts and a great story to tell, and it gives a lot of those isolated community people the opportunity to come together, particularly after hours, and just sit down and talk about what is going on. Finding No. 3 states:

3. Most people who have a local say they use it for socialising and drinking with other people. Only six per cent of people who identified as having a local said they drank there alone;

Again, it highlights the importance of being able to socialise and interact with other people. Finding No. 4 is that beer is the most commonly consumed beverage for those who have a local. Finding No. 5 is:

5. Women and men appear to socialise in their locals in different ways, with men more likely to engage in intimate conversations and women more likely to converse in larger groups;

I think that pretty much tells the story. In a lot of country pubs, the men stand at the bar and talk about the local men's issues and the women gather and talk about the women's social issues. After a while of conversing, they all come together and compare notes. Finding No. 6 is:

6. Those who lived in rural areas, who were light/moderate drinkers, and had a local, had greater general mental health and less anxiety than those without a local.

That really tells a story about the importance and significance of what a local means to those who live in regional areas or in some form of isolation. It is important to acknowledge that it is okay to go down to a local, drink responsibly and interact socially, making sure that you have a capacity.

The study confirmed that people with locals are more trusting, more satisfied with life and more connected with their community. That is a story that can be told. People who are able to go to their local and engage are much more satisfied with life. They can go down there, come together and talk honestly. We all know that there is always that one person at the bar who has something bigger and better—the fish that he caught was two inches bigger than his mate's, and he always has a tractor that has a couple more horsepower—but, by and large, the banter that goes on in our locals is a great connection with the offerings.

I will come back to some of the pubs and clubs in my electorate of Chaffey because I use all of them as a connection with my constituents. My electorate has a large number of hotels and clubs. As community pubs and clubs, they are owned by the community and the profits made in them go back into the community. More likely, they go back into upgrading those facilities to make sure that they satisfy the needs and the ongoing upgrades that people expect nowadays. They make sure that the pub has cold beer and clean lines and that, if people are looking for some of the new types of beers and cocktails, they can be supplied and attract some of the locals from the area.

We talked about the Barmera Hotel, but the Barmera Country Club Motor Inn is also a great meeting facility on the Barmera golf course and provides a great opportunity for people not only to drop in but also to have a game of golf. It is quite picturesque, almost overlooking Lake Bonney. The Barmera Club is interesting, as it is community owned but also run by the Barmera Monash footy club. They have done an outstanding job, and they have just done a more than $1½ million renovation. It really is an absolute credit to the community, which has stood by the club over a number of challenging years, particularly in 2008-09 when the previous government decided to close Lake Bonney.

They put a regulator at Nappers Bridge. It was absolutely outrageous to think that they would consider closing off the lake, which is the lifeline of the Barmera community, and allow many hundreds of thousands of fish to die. The lake level receded to a point where there was hypersaline

water. The town had a lake that was less than half full, and it almost destroyed the spirit of that community. It drove people from Barmera and some of the neighbouring towns—Loveday, Winkie, Cobdogla—almost to the point of rack and ruin. People felt destroyed and let down by a government that just did not care about what Lake Bonney offered to the community.

I am sure that many people listening here today have been to Barmera, and, hopefully, you have been to Lake Bonney. Many people have been up there and holidayed at the caravan park and utilised the great facilities. We move on. The lake is open. The foreshores are looking superb. We go to the Berri Club, which has a rich history and is now run by the 1834 hotel group. It is a hotel on the banks of the River Murray, and it has had a long history.

I am sure that any of the end-of-year footy trips that go up to the Riverland have been to the Berri Hotel and into The Vines. We all know that the footy players love to go up and check out the Riverland talent, whether it be the boys or the girls. It is always a great meeting venue. Over my years going to the Riverland one of the absolutes was definitely going to The Vines to check out the live entertainment that was put on.

We move on to the Big River Tavern at Berri, which is also part of the Berri Hotel group run by the 1834 group. The Blanchetown Hotel is interesting, and Wes and Danni are the owners. It is a 150-year-old hotel. It is at Lock 1, and they experienced a lot of hardship during the drought; that is, there was water above the lock, but a very much declining river level below the lock. That gave a lot of people concern about just exactly what the future held for any community below Lock 1.

I know that the member for Hammond would attest to that because his communities were put under severe stress, and the majority or all of his electorate is below Lock 1, I believe, and we saw a number of concerns. Those communities rallied, it rained and they lived to tell another tale. By and large, the Blanchetown Hotel is a great hotel. It is loved, particularly by motor bikers. It is an hour and a bit out of Adelaide, which gives them an opportunity to get out of town, clear the cobwebs out of their motorbikes to get up there and have a cold beer. And they have good meals. I think that is the key to success for a lot of these pubs—making sure that they have good steaks or good schnitties so that people will return, or when people go away they are good ambassadors for those pubs.

Of course, the Browns Well footy and netball clubs are run by community football enthusiasts and netball people, and they are great watering holes for that dryland farming community. Sadly, we have almost seen the demise of Browns Well, or Paruna as it is now known. The footy club is the glue, it is the fabric, that holds that community together. We see the independent footy league out there. The Browns Well Bombers have done a great job in recent years winning a couple of premierships with a very, very small farming community that is very passionate about making sure they keep it together.

We move down the river a bit and we call into the Cobdogla Club—again, another club that I regularly visit to have conversations and to connect with the community. One of the great assets of Cobdogla is not only the club but also the Cobdogla Steam Museum with the Humphrey Pump. It is the only working Humphrey Pump in the world. That is a great drawcard, as are the talents of the Cobdogla Tennis Club, which I know is supported by a great community that is very passionate, and that is part of what small regional communities are about: they patronise their club or their pub, and that is exactly what Cobdogla does.

The Cadell Club is also a community-owned club that does a great job. With the declining size in its community, and particularly after the drought, we saw a number of those landowners, horticulturalists, sell their water to the commonwealth and move away. However, by and large the club is doing an outstanding job. They support Morgan and Morgan supports Cadell, and they continue to put on a good meal. They continue to put on cold beer and, again, as I said, that is really important.

The Loxton Club, again, is a community club. Andrew Angeleski is the manager there and he does a great job. The Loxton Hotel, which has been recently renovated with new accommodation, is doing a great job. The Lyrup Community Club has been troubled of late with patronage, but, again, it has been resurrected. It does serve really good meals and cold beer.

The Renmark Club is award winning year after year. Darren Baker does a great job there. The Renmark Hotel is another community hotel, and Adam Buckley is the new manager who has

just come in. The Renmark Country Club has new owners. I also mention the picturesque golf club there, and Jeff Last has now taken it over. The Hahn family at the Paringa Hotel does an outstanding job. Neville Hahn is well known by many, as is his wife, Jill, and they are assisted by Simone and her husband.

The Monash and District Club is another community club that does an outstanding job. The Morgan Commercial Hotel is managed by Andy Imray, and Phil Larson runs the Morgan Terminus Hotel. Phil is renowned for his hospitality. There are many more. I regularly visit those hotels by way of community engagement, and I listen to the community's concerns. I commend the bill to the house.

Matter of Privilege

PAIRING ARRANGEMENTS

The SPEAKER (17:15): Before I call the next speaker, I rise in relation to a privilege matter regarding the Leader of Government Business in relation to pairing. I refer to the matter of privilege raised earlier today in the house by the member for Playford. The member for Playford alleges that the Leader of Government Business has provided incorrect information on the operations of the house which has misrepresented the conventions of the house.

However, before addressing that matter I wish to outline the significance of privilege as it relates to this house and 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. McGee, to which I refer regularly, in *Parliamentary Practice in New Zealand* in my view makes the test for whether or not a matter is a matter of privilege by defining it as a matter that can 'genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties.'

Generally speaking, any act or omission which obstructs or impedes the house in the performance of its functions, or which obstructs or impedes any member or officer of such house in the discharge of his or her duty, or which has a tendency, directly or indirectly, to produce such a result, may be treated as a contempt and therefore be considered a matter of privilege even though there is no precedent of the offence.

I refer to the matter raised by the member for Playford where he asserts that the Leader of Government Business has provided incorrect information on the operation of the house and this can only be seen as allegedly impeding or obstructing the house in the discharge of its duties by misrepresenting the conventions of this house and government policy. In raising this matter of privilege, the member for Playford refers to the following statement made in the house yesterday by the Leader of Government Business.

> The government's view was then and remains now that the pairing conventions that have been operating in this house for decades and that have been applied as far as I am aware since I have been here—although the question has rarely arisen—do not apply to votes that require an absolute majority of 24 members any more than they do for quorums.

In asserting that the statement made by the Leader of Government Business was incorrect, the member for Playford referred to a division that took place in the house on 3 May 2018, on the suspension of standing orders to change the sessional orders. I quote the member for Playford:

> This motion required an absolute majority. A division was then required. The then member for Cheltenham was unable to be present in the parliament, and a pair was requested by the opposition and granted by the government. *Hansard* shows that the then member for Cheltenham was paired for this vote with the Premier.

The member for Playford then goes on to say:

> Clearly, it was the view of the government at this time that a pair should be honoured in the vote on a motion to suspend standing orders, yet the Leader of Government Business, with complete knowledge of what occurred on that day, yesterday asserted the opposite had always occurred in this house.

While I note the apparent contradiction between the position proposed by the Leader of Government Business and the reality of what took place in respect to the division on 3 May 2018, I further note that, on that occasion, the government had sufficient numbers to reach an absolute majority without having to dispense with the pairing arrangement. Finally, I refer to Blackmore's *Practice of the House of Assembly*, at page 103:

> The practice of 'pairing' on a Question is one which is resorted to…for mutual convenience…
>
> There can be no Parliamentary recognition of this proceeding, which is [a] private arrangement…

Therefore, in the Chair's view, I believe the information provided to the house by the Leader of Government Business could not be genuinely regarded as tending to impede or obstruct the house in the discharge of its duties.

Accordingly, I do not propose to give the matter precedence, which would enable any member to pursue this matter immediately, as a matter of privilege. However, my opinion does not prevent the member for Playford or any other member from proceeding with a motion on the specific matter by giving notice in the usual way.

Bills

STATUTES AMENDMENT (LIQUOR LICENSING) BILL

Second Reading

Debate resumed.

Mr PEDERICK (Hammond) (17:19): I rise to make a contribution in support of the Statutes Amendment (Liquor Licensing) Bill 2019. The detail of the bill is to enable the liquor and gambling commissioner to exercise the powers under schedule 2, clause 5(2)(b) of the Liquor Licensing (Liquor Review) Amendment Act 2017 to substitute, vary or revoke any condition to which a liquor licence is subject, not only those imposed under part 3, division 2, as is currently the case. The bill also fixes a legislative commencement issue to ensure that recently passed provisions around requests of proof of age ID are active law prior to November 2019.

The Liquor Licensing (Liquor Review) Amendment Act gives effect to the recommendations of the Anderson review of the Liquor Licensing Act 1997. In particular, the Liquor Licensing (Liquor Review) Amendment Act makes provision for the new licence classes to which current licences will be transitioned in November 2019. Schedule 2 of the Liquor Licensing (Liquor Review) Amendment Act makes transitional provisions in respect of conditions attached to current licences.

As part of the body of administrative work required to transition current licence clauses to the new licence classes, Consumer and Business Services are undertaking a general tidy up of existing conditions on licences, including varying or revoking conditions where necessary. This will apply to the majority of licences to be transitioned and involves irrelevant or obsolete conditions, such as those that are essentially a planning consideration rather than a liquor regulation consideration, and ensuring conditions are expressed in consistent language.

Although the bill already contains transitional provisions permitting the liquor and gambling commissioner to substitute, vary or revoke a condition of a licence, this does not extend to all relevant conditions; therefore, the amendment will enable the liquor and gambling commissioner to exercise the powers under clause 5(2)(b) in respect of any condition in which a liquor licence is subject, not only those imposed under part 3, division 2.

Some of those types of conditions to be revoked or varied through the amendments include that the premises shall not be promoted as a bar, lounge bar, lounge, tavern, inn, hotel, beer garden, club, nightclub or karaoke bar. This type of condition is frequently imposed through conciliation by competing businesses in the area that do not want the new venue to attract their existing customers.

We have already heard from some members in this house that no garbage or refuse, including empty bottles and cans, is to be moved from inside the premises to outside storage bins between the hours of 11pm and 7am the following morning. This type of condition is usually either copied from a development approval or imposed through conciliations. It is to be removed, as it does not relate to the sale and supply of liquor and is a council matter.

The licensee shall ensure that all rubbish, including broken glass, broken beer bottles, stubbies and cans, is removed from nearby streets (adjacent and across the road from the licensed premises). This type of condition is almost always imposed as a result of conciliation with adjacent residents; however, it is to be removed as it does not relate to the sale and supply of liquor and it

concerns areas outside of the licensed area—adjacent streets—and therefore cannot be enforced by the liquor and gambling commissioner.

Exit lights operating from an independent source are required above all exits, including the exit at the northern end of the foyer, adjacent to the restaurant. The abovementioned exits are all to remain open without the use of a key, while the premises are open to the public. This condition is to be removed as it does not relate to the sale and supply of liquor. Matters such as exit lights are issues dealt with by local councils in the planning stages.

Entry/exit points to smoking areas or outdoor licensed areas remain closed, except when in immediate use by patrons entering or leaving the areas. This condition is another condition to be removed on the basis that it is a condition for the purpose of reducing noise to adjacent residents. In line with Mr Anderson's comments that noise issues should be dealt with by councils, these conditions are being removed. There are other conditions regarding outlaw bikie gangs, and many different versions of this condition exist. It is proposed that the conditions be amended so that they are consistent across all locations. This will provide clarity to licensees and enforcement agencies.

The changes and conditions throughout the bill align with the recommendations of the review of Mr Tim Anderson QC. He states in his review report that he believes that conditions placed on a liquor licence should be relevant to the sale, supply and consumption of liquor. He specifically discusses conditions relating to garbage, noise and planning conditions and suggests that such matters should be dealt with by other bodies, such as the relevant planning authority or council. Notably, Mr Anderson specifically recommended that the liquor and gambling commissioner be provided with the absolute discretion to add, substitute, vary or revoke any existing conditions as a result of these reforms. The amendments will ensure that the commissioner is provided with that discretion.

Just as other members have, I want to mention all the hotels in my electorate, and I have caught up with constituents in every one of these. In Pinnaroo, we have the Pinnaroo Hotel and the Golden Grain. We have the Parilla Hotel, which opens at 4.30 in the afternoon and is a very nice stopover when you are driving through the Mallee.

There is the Lameroo Hotel, which is a community hotel. We have the Karoonda Hotel, the Riverside Hotel and Tailem Bend Hotel in Tailem Bend, the Cambrai Hotel, the Murray Bridge Hotel, the Swanport Hotel and the Bridgeport Hotel, which this year will undergo a $40 million redevelopment with 4½ star accommodation, which will be fantastic for the area, alongside a whole lot of other industrial and tourism investment, such as The Bend Motorsport Park in the region.

We have the Pretoria Hotel and the Mannum Hotel in Mannum, the Palmer Hotel, the Bridge Hotel at Langhorne Creek, the Milang Hotel and the Wellington Hotel. Obviously there are many different clubs, such as the Murray Bridge Community Club, bowling clubs and other clubs throughout my electorate.

Liquor licensing is an issue that has been dealt with for many years in different jurisdictions. We have seen that prohibition did not work when tried in the United States. People just mixed it up out the back and got the old still going. Having had a 17 year old, who will turn 18 tomorrow, which is great for a range of reasons, it is difficult in year 12 at school—

The Hon. V.A. Chapman: He can vote.

Mr PEDERICK: Yes, he can vote. That is one more. I will have to talk him into voting for me. It is interesting with students at school in year 12 because there are a lot like Mack who are 17 early in the year. He is going to the University of Adelaide now and going on 18.

Recently, in this house we changed legislation around private parties and I think that is actually a good thing because I have seen firsthand how it works, how students who are underage are checked in. There is security on the door. These private arrangements in private homes are well managed. When you have friends who are 18 and you are 17, it is a difficult issue and not easy to deal with the transition. As a family, you manage it. He has done pretty well.

I want to reflect briefly on old licensing laws. Some of the laws I grew up with included bona fide traveller, which goes against anything to do with drink-driving laws as we have now, where you

had to drive a certain amount of kilometres and hopefully find someone in a hotel on a Sunday if you wanted to get some takeaway drinks. I think you had to cough up your licence with your address on it to show that you were a bona fide traveller.

Way back before then, we had the 6 o'clock swill days. In my shearing career, which happened after the 6 o'clock swill, just for the record, I was shearing with a bloke named Clem Arnold, who has since passed, and he was quite a character. He would always knock off at 5 o'clock. Shearers usually work until 5.30, but he knocked off at 5 o'clock so he could get back to the pub. He never lost that tradition—I do not blame him sometimes—to get back to the hotel, even though those licensing laws have long since changed.

On the subject of shearing, it was interesting what you were paid per head of sheep way back in the day. Once, it was about 86¢. Would you not wish that, member for MacKillop, if you only had to pay 86¢ to get a sheep shorn?

Mr McBride interjecting:

Mr PEDERICK: Yes, I do not think you would get anything shorn for that. I do not think that is even the crutching rate. You used to be able to shear them for 86¢ a head and then it progressively went up to $1.06 and numbers like that. Back in the day, that was all related directly to the price of a schooner in a hotel. It has since gone way out of whack. I think shearing is something like over $3 per head—

The Hon. V.A. Chapman: More than that.

Mr PEDERICK: —north of $3—and obviously with contract rates and value-added rates it can be quite a bit more; obviously, the price of beer is a lot more.

Legislating around alcohol is a time-honoured thing that we need to do. As I have said, prohibition has never worked, including through managing venues and functions. There was an old law that at private dances you had to be 100 yards, I think, from a venue, so often you would find that at a country dance, at somewhere like the Malinong Hall, all the ladies would be left on their own inside with the non-drinking men because the men were in a car 300 feet from the venue having a sneaky Southwark. Why you would drink a Southwark any more is another matter, but that was the beer of the day.

The Hon. D.G. Pisoni: West End is worse.

Mr PEDERICK: Yes. I know that the member for MacKillop wants to say a few words before we do more work on the bill. I would just like to support this legislation, and I think it is sensible that we are taking out things that can be dealt with in planning matters and making sure that we are actually regulating the consumption of alcohol.

Mr McBRIDE (MacKillop) (17:31): It gives me great pleasure to be able to stand in support of this statutes amendment bill to the Liquor Licensing Act. I also support and commend all those who have spoken before me, including those on the other side of the chamber. I want to be supportive of anything to do with reducing red tape for small business. I totally support the Marshall Liberal government in its intentions on coming to power, with one of its main aspirations being to look after small businesses, and the hotel industry is one of those.

In fact, I would have to say that hotel businesses deal with a product that is considered either of great benefit or use to some, but, on the other side of the equation, a product that can be of great harm and a problem for others. That in itself creates issues for the hotel industry. Coming back to what the bill is all about, I think it is about the licensing of the sale and the consumption of liquor in a responsible fashion that meets all the community's needs and looks after every individual as best we can.

Just recently, we heard in the chamber about all the benefits of hotels in our regional areas. Last night, there was an event across the road held by Lion to talk about the benefits of the local that was attended by some of the members of this house, including the members for Reynell and Ramsay, the opposition leader from Croydon, the member for Mawson and then on my own inside the deputy leader from Bragg, the member for Chaffey and the Hon. Terry Stephens. I want to quote the invitation and describe why I wanted to say something on this point. It states:

Across Australia, hotels and licensed clubs are the forum where many of us choose to meet, socialise and celebrate the big moments in our lives. International research suggests that people who have a local have larger support networks, feel more connected with their community and are more satisfied with their lives.

These changes to the Liquor Licensing Act will help make sure that more of us can participate in what I have just described are the Australian Hotels Association's aims and goals. There is nothing more nonsensical than when we bring in regulations and rules that make it harder and harder for people to go about their lives and/or businesses. The fact that we are removing some of the rules from the Liquor Licensing Act to other planning issues can only be of benefit to those who are selling the liquor itself, and putting the rules where they belong. Hopefully, everything we stand for in this chamber, as a government, makes it easier for businesses to carry out their jobs.

As has been described, I hold the seat of MacKillop and there are regional hotels all around my electorate. They not only play an important role in the social needs of my local towns and communities but they also interact with the other clubs. I know the local pub, for instance, would often support the local football club or sporting clubs right across the spectrum; that could be the tennis, and it could be the cricket as well as the football and netball clubs.

Not only that, but when those clubs had functions on, trying to fundraise for the football or netball club, those hotels would respect those clubs and not draw in crowds, not put on any musical events, not put on anything that would distract from those community clubs trying to raise funds. It is well acknowledged that the local pub and its small business operators, the small family businesses operating those pubs, are very well connected.

Going back in time, Australia has absolutely valued those local pubs. Two of the great songs of the great singer Slim Dusty were *A Pub With No Beer* and *Three Rivers Hotel*. Both those songs sing the tune of what it is to have a pub, why they are important and why we would be there.

An honourable member interjecting:

Mr McBRIDE: No, I am not going to be singing any chorus, as has been suggested here in the chamber right now, but I do enjoy listening to *Three Rivers Hotel*. It is a great song and I hope that it never dies out, along with all the music of Slim Dusty.

In today's day and age we see our up-and-coming youth turning into adults and using a piece of technology that disengages them from communication, and perhaps means that they are lonely and in their own little space, yet the hotels are still there as part of that connection. Long may that last, because all the social disengagement that technology is bringing to our youth, the hotels, the pubs and the like can undo that and bring them back together as part of a community.

Our regional areas around Australia are going through tough times and the hotels and pubs throughout the arid lands of Australia, most of which are suffering massive droughts, play an important role in bringing the locals together, making sure life's struggles and vagaries during this dry period can be talked about. People do not feel isolated; they are part of a community that can build for when times change, when the seasons go back in our favour and when we can all go about our normal lives again as we have been accustomed. Believe this: the dry times, the tough times, will come again, and hopefully hotels will still be there to bring our communities together in the good and the bad times.

Coming back to the point about the planning conditions, I commend Mr Anderson QC for conducting this review of liquor licensing and making it easier for the distribution of alcohol, obviously making sure that rules and regulations apply to the distribution and responsible consumption of alcohol but also understanding that hotels and that whole practice has a role to play in Australia's culture. Long may it last. I commend the bill.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:38): I wish to thank all speakers who have contributed to this debate on the Statutes Amendment (Liquor Licensing) Bill 2019 and, in particular, the indication from the member for Kaurna of the support of the opposition for this bill. In a most entertaining manner, the other contributors have educated me in relation to what opportunities I have all over South Australia, wherever their electorates are, in terms of where I might get good food and wine and beverage. So thank you very much.

May I also indicate that the consultation, as has been alluded to by the member for Kaurna, was with the Australian Hotels Association, Clubs SA, the South Australian Wine Industry Association (SAWIA), Restaurant and Catering SA, and the South Australian Independent Retailers, all of whom indicated a positive reaction to the proposals in this bill. I do not think there were any other matters raised by the opposition that have not already been covered in briefings.

Obviously, though, it is important to remember that this bill tidies up the Liquor Licensing (Liquor Review) Amendment Act 2017 in respect of the commencement of some aspects of that legislation. But it also essentially transfers planning and development matters to the attention of local government, rather than having conditions on liquor licensing, and they have no direct import as to the sale and provision of alcoholic beverages. Not only is it consistent with the previous government's position on transferring noise and nuisance matters to local government but it essentially ensures that we do not have overlap.

I will say that one of the areas which has become an issue—and certainly in my electorate it has been identified as an issue that may need some attention—is the question of dealing with Airbnb properties which are used for parties which create a level of jovial conduct, which is the kindest way I can describe it, usually with large numbers and alcohol is consumed. It attracts the concerns of neighbours usually who feel that the noise level, and perhaps even littering around the property, is something that is inconsistent with the quiet occupation of their premises or street. These are matters that we will probably have to look at in due course.

There has been a comprehensive review by Mr Anderson QC, a substantial piece of legislation, rewriting a number of the rules in relation to liquor licensing and, as has been indicated, these are tidying up aspects in this legislation. Members should also be aware that there is a gambling review underway arising out of a second comprehensive report of Mr Anderson QC, one which was kept concealed by the previous government. Nevertheless, as members now know, it is one that we have read, released and acted on in last year's budget with the abolition of the IGA and the implementation of new processes, particularly in relation to gambling initiatives or harm minimisation in gambling initiatives, to bring those up to a standard that is necessary for today.

So we are continuing to work in this area. The types of things that will overlap we will certainly have to give some consideration to, including matters such as the transferability of licences and the different rules that apply, for example, in hotels between the transfer of their liquor licence and the different rules that apply for the transfer of their poker machine licences. These are the sorts of things that we need to work through to make sure that we minimise the regulatory regime which is completely counterproductive and/or unnecessary and also to strengthen areas where there are contemporary areas of weakness.

I thank members for recognising the event co-hosted by the Australian Hotels Association and Lion last night. Many members of the parliament, including from the opposition, attended this event. Reference has been made to the research work that they have undertaken. It is important to recognise the significance of what hotels and restaurants provide regarding an ambience of community connection and social inclusion.

It should not be forgotten that there is a large group in the community across the age group that includes young adults, whose only real friend is usually some electronic device attached to their hand, across to those who are in retirement and, for whatever reason, are relatively disconnected with other social activity. This research highlights being able to be in a place of connection where you walk in the door and are recognised by your name, you know the other people who are there and it is a safe environment not only for the consumption of alcoholic beverages but obviously for social interaction.

As I said last night, we appreciate the fact that they do provide a secure environment, which is part of the envelope of regulatory management that we have around the consumption and sale of liquor, whether it is who gets to sell it, who gets to consume it, where it is sold, what hours it is sold or what the conditions are that apply to it. These are all matters that are part of the regulatory model where it is accepted that the product in the wrong hands—for example, consumed by children or in excess by anyone—can be dangerous, so we have a licensing scheme that sits around it.

It is significant that the Hotels Association is signing up to a contemporary form of social behaviour so that people who connect via dating agencies online who need to have a safe place to meet are encouraged to go to places that are public, secure and provide an environment in which there can be interaction. Apparently, not all of these dating introductions come through with the full promise of the product so, unsurprisingly, some of the meetings are aborted fairly early as you find out that the picture of who you meet does not quite live up to your expectation and you want to get out of that arrangement.

The Ask for Angela campaign, which has been introduced and now signed up to by our hotels, offers a service where someone can go to the bar, speak to a staff member, indicate that they want to contact Angela, which is code to ensure that they have safe egress from the premises and can obtain a taxi or Uber, or some other source of transport, and be able to move on. This is all part of current social expectation, current social activity, and we on this side of the house recognise the importance of the Hotels Association in providing support with these contemporary introductions.

Whilst I enjoyed hearing about the local dance and the restrictions that occurred, one can go through a whole history in South Australia of hotels and public houses and their importance in providing shelter for the travelling salesman. However, we grew up in a time when there had been a history of over a hundred years of the prohibition process and restrictions. In fact, I think our great-grandmothers marched in the streets to introduce 6 o'clock closing. Obviously, time has moved on. I certainly grew up in a time when my mother would sit in the car park waiting for dad to come out.

The Hon. S.C. MULLIGHAN: Deputy Speaker, regrettably some members are being denied the munificence of the Deputy Premier's contribution. I draw your attention to the state of the house.

A quorum having been formed:

The Hon. V.A. CHAPMAN: My mother would wait in the car while my father went into the local hotel, usually to provide cheques for employment for various people who worked in his shearing contracting business. She was not allowed in the hotel because, of course, women were not allowed in the front bar of hotels. They would have a lounge system where women apparently were able to take a drink—an innocuous sherry or something—but that was about it.

I came through an era like that and then, when I was at university and early in my employment, I saw hotels that were, I have to say, in a pretty shabby state. But today, with the introduction of very significant renovations and upgrades, our hotels provide a public place of meeting that is far superior to anything we saw as we grew up. This is across the board in South Australia. They provide a valuable meeting place. They provide a place of magnificent refreshment and a safe and secure environment to consume other refreshments, including alcoholic beverages.

Congratulations to those in the hotel industry and indeed those in the restaurant trades because they, too, provide this environment for the benefit of those who seek to meet and exchange. Again, I thank members for their contribution and thank the opposition for indicating their support for the passage of the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr PICTON: What an interesting second reading debate that was. I have four questions. If everyone is happy, we can burn through them in clause 1 and then pass all the rest.

The Hon. V.A. CHAPMAN: I am happy with that.

Mr PICTON: Excellent. The first one is per other questions to the Attorney. Can you outline which stakeholders you consulted with in the lead-up to the bill and what their position was, and can you release what you received from them?

The Hon. V.A. CHAPMAN: The list is as per my second reading contribution. Secondly, I do not have all of them here. I think that they are all publicly available, but we will check and indicate whether they are. Thirdly, they supported it.

Mr PICTON: In your second reading explanation, you outlined the range of irrelevant and obsolete licence conditions such as garbage, exit lights, etc. For each of those licence conditions, can you tell us how you believe they will be regulated and enforced after the passage of this legislation?

The Hon. V.A. CHAPMAN: I indicate that the conditions for no garbage or refuse; the removal of nearby broken glass, etc., from streets (I am paraphrasing, using these examples); exit lights; obligations for an independent power source, etc., which relate to hotels and restaurants; and the entry and exit points into smoking areas are all dealt with by councils.

In relation to the outlaw bikie gang conditions, they will remain but they will be consistent with the legislation that we have passed, simply by virtue of these amendments. They will be the same. To the best of my knowledge, contraventions are ultimately dealt with by the police, that is, if there are bikies associating, contrary to the anti-association laws.

Mr PICTON: That brings me to my next question, which is in relation to the bikie gang provisions. You obviously referenced the conditions relating to bikie gangs, and there are varying conditions across the licences. Can the Attorney outline the differences between those conditions and how you are intending to reconcile those differences?

The Hon. V.A. CHAPMAN: I am advised that the conditions are expressed differently at present, and obviously they have been introduced over a period of time. They will now be redrafted so that they are all exactly the same. As the member would be aware from legislation through this house, there are rules in relation to material that they can wear, entering a public place, and particular anti-association legislation for organisations that have been declared outlaw gangs.

Mr PICTON: To follow up, you say they are different. Can you outline the current differences between those provisions?

The Hon. V.A. CHAPMAN: I think it is best that we collect some examples and provide them to you between the houses.

Mr PICTON: Lastly, are there any other parts of the Liquor Licensing (Liquor Review) Amendment Act 2017 that are yet to commence, and when are they intended to commence?

The Hon. V.A. CHAPMAN: They are part of the reference of the principal bill, which is to be in November this year.

Clause passed.

Remaining clauses (2 to 4) and title passed.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:57): I move:

That this bill be now read a third time.

Bill read a third time and passed.

EDUCATION AND CHILDREN'S SERVICES 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 3, page 10, after line 17 [clause 3(1)]—Insert:

> *Education Ombudsman* means the Education Ombudsman appointed under Part 10A (and includes a person acting in that office from time to time);

No. 2. Clause 3, page 12, after line 4 [clause 3(1)]—Insert:

school discipline means the manner in which a school regulates or enforces standards of student behaviour and includes—

(a) suspension, exclusion or expulsion of students; and

(b) proactive practices for school staff in their interactions with students; and

(c) practices to reduce bullying in schools;

school discipline policy means the policies, guidelines, legislative requirements and other matters relating to school discipline with which Government schools are obliged to comply;

No. 3. Clause 32, page 29, line 12 [clause 32(1)]—Delete 'Government'

No. 4. Clause 54, page 40, after line 30 [clause 54(2)]—Insert:

(da) a person (not being a teacher at a school to which the review relates) nominated by the Australian Education Union (SA Branch);

No. 5. Clause 82, page 56, line 26 [clause 82(1)]—After 'may' insert:

, with the approval of the governing council of the school,

No. 6. Clause 83, page 57, line 15 [clause 83(1)]—After 'student' insert:

enrolled or attending at a Government or a non-Government school

No. 7. Clause 106, page 68, line 34 [clause 106(2)(b)]—After 'regulations' insert:

and 1 a nominee of the Australian Education Union (SA Branch)

No. 8. New Part, page 79, after line 17—Insert:

Part 10A—Education Ombudsman

Division 1—Preliminary

123A—Interpretation

In this Part—

education service means a service consisting of the provision of—

(a) preschool education; or

(b) primary or secondary education;

education service provider means a person who provides an education service.

Division 2—Appointment and conditions of office

123B—Education Ombudsman

(1) There is to be an Education Ombudsman.

(2) The Education Ombudsman is appointed on conditions determined by the Governor and for a term, not exceeding 5 years, specified in the instrument of appointment.

(3) The Governor may remove the Education Ombudsman from office on the presentation of an address from both Houses of Parliament seeking the Education Ombudsman's removal.

(4) The Governor may suspend the Education Ombudsman from office on the ground of incompetence or misbehaviour and, in that event—

(a) a full statement of the reason for the suspension must be laid before both Houses of Parliament within 3 sitting days of the suspension; and

(b) if, at the expiration of 1 month from the date on which the statement was laid before Parliament, an address from both Houses of Parliament seeking the Education Ombudsman's removal has not been presented to the Governor, the Education Ombudsman must be restored to office.

(5) The office of Education Ombudsman becomes vacant if the Education Ombudsman—

(a) dies; or

(b) resigns by written notice given to the Minister; or

(c) completes a term of office and is not reappointed; or

(d) is removed from office by the Governor under subsection (3); or

(e) becomes bankrupt or applies as a debtor to take the benefit of the laws relating to bankruptcy; or

(f) is convicted of an indictable offence or sentenced to imprisonment for an offence; or

(g) becomes a prohibited person under the *Child Safety (Prohibited Persons) Act 2016*; or

(h) becomes a member of the Parliament of this State or any other State of the Commonwealth or of the Commonwealth or becomes a member of a Legislative Assembly of a Territory of the Commonwealth; or

(i) becomes, in the opinion of the Governor, mentally or physically incapable of carrying out satisfactorily the duties of office.

(6) Except as is provided by this section, the Education Ombudsman may not be removed or suspended from office, nor will the office of the Education Ombudsman become vacant.

123C—Remuneration

The Education Ombudsman is entitled to remuneration, allowances and expenses determined by the Governor.

123D—Acting Education Ombudsman

(1) If for any reason—

(a) the Education Ombudsman is temporarily unable to perform official duties; or

(b) the office of the Education Ombudsman is temporarily vacant,

the Governor may, by notice published in the Gazette, appoint a person to act in the office of the Education Ombudsman and a person so appointed has, while so acting, all the powers, functions and duties of the Education Ombudsman.

(2) A person who is a Public Service employee may be appointed under this section to act in the office of the Education Ombudsman while remaining a Public Service employee for a term not exceeding 3 months and may, on the expiration of that term, be reappointed (provided that the terms of appointment do not exceed 6 months in aggregate in any period of 12 months).

(3) Subject to this Act, the terms and conditions of appointment and employment (including the salary and allowances) of the person appointed under subsection (1) will be as determined, from time to time, by the Governor.

123E—Staff

(1) The Education Ombudsman's staff consists of—

(a) Public Service employees assigned to work in the office of the Education Ombudsman; and

(b) any person appointed under subsection (3).

(2) The Minister may, by notice in the Gazette—

(a) exclude Public Service employees who are members of the Education Ombudsman's staff from specified provisions of the *Public Sector Act 2009*; and

(b) if the Minister thinks that certain provisions should apply to such employees instead of those excluded under paragraph (a)—determine that those provisions will apply,

and such a notice will have effect according to its terms.

(3) The Education Ombudsman may, with the consent of the Minister, appoint staff for the purposes of this Part.

(4) The terms and conditions of employment of a person appointed under subsection (3) will be determined by the Governor and such a person will not be a Public Service employee.

(5) The Education Ombudsman may, by agreement with the Minister responsible for an administrative unit of the Public Service, make use of the services of the staff, equipment or facilities of that administrative unit.

123F—Delegation

(1) Subject to this Act, the Education Ombudsman may delegate a function or power under this Act (other than a prescribed function or power) to a specified body or person (including a person for the time being holding or acting in a specified office or position).

(2) A delegation under this section—

(a) must be by instrument in writing; and

(b) may be absolute or conditional; and

(c) does not derogate from the ability of the Education Ombudsman (as the case requires) to act in any matter; and

(d) is revocable at will.

(3) A function or power delegated under this section may, if the instrument of delegation so provides, be further delegated.

123G—Independence

In performing and exercising functions and powers under this Act, the Education Ombudsman must act independently, impartially and in the public interest, and is not subject to the direction or control of the Minister or the Chief Executive.

Division 3—Investigations

123H—Matters subject to investigation

(1) Subject to this Act, the Education Ombudsman may investigate—

(a) any matter relating to the provision of education services by an education service provider; and

(b) any matter relating to school discipline,

whether the matter occurred, or relates to conduct occurring, before or after the commencement of this section.

(2) The Education Ombudsman—

(a) may make such an investigation—

(i) on receipt of a complaint; or

(ii) on the Education Ombudsman's own initiative; and

(b) must make such an investigation—

(i) on the referral of a matter by the Minister; or

(ii) on the referral of a matter by either House of Parliament, or any committee of either of those Houses, or a joint committee of both Houses of Parliament.

(3) The Education Ombudsman must not investigate a matter on a complaint unless satisfied that the procedures for resolving complaints or disputes, if any, of the relevant education service provider have been used appropriately but without resolution of the complaint.

(4) If an education service provider is a member of a representative organisation the Education Ombudsman must, before commencing an investigation under subsection (2)(a), attempt to resolve the matter in consultation with that representative organisation.

(5) The Education Ombudsman—

(a) may not decline to investigate a matter solely on the ground that the complainant is an employee or agent of the relevant education service provider or that the matter relates to the internal management of the relevant education services provider; but

(b) must decline to investigate a complaint if it relates only to a person's terms and conditions of employment.

123I—Conduct of investigation

(1) An investigation may be conducted in such manner as the Education Ombudsman considers appropriate.

(2) The Education Ombudsman may, at any time, require a complainant—

(a) to provide further information or documents; or

(b) to verify all or any part of the complaint by statutory declaration.

(3) The Education Ombudsman may, at any time, decide to attempt to deal with a complaint by conciliation.

(4) The Education Ombudsman may, if satisfied that the subject of a complaint has been properly resolved by conciliation under subsection (3), determine that the complaint should not be further investigated under this Part.

(5) The regulations may make further provision in relation to the conduct of investigations by the Education Ombudsman, including (without limiting the generality of this subsection)—

(a) prescribing circumstances in which the Education Ombudsman may determine not to conduct an investigation following receipt of a complaint; and

(b) making provision with respect to the procedures to be followed on investigations.

123J—Education Ombudsman to have powers of a Royal Commission

For the purposes of an investigation, the Education Ombudsman has the powers of a commission as defined in the *Royal Commissions Act 1917* and that Act applies as if—

(a) the Education Ombudsman were a commission as so defined; and

(b) the subject matter of the investigation were set out in a commission of inquiry issued by the Governor under that Act.

Division 4—Reports and directions

123K—Reports

(1) The Education Ombudsman—

(a) may prepare a report of the Education Ombudsman's findings and conclusions at any time during an investigation; and

(b) must prepare such a report at the conclusion of an investigation.

(2) The Education Ombudsman may provide copies of a report to such persons as the Education Ombudsman thinks fit, and must, in the case of a matter referred to the Education Ombudsman under section 123H(2)(b)(ii), provide a report to the House or Committee that referred the matter.

(3) A report may contain information, comments, opinions and recommendations for action.

(4) No action lies against the Education Ombudsman in respect of the contents of a report under this section.

(5) The regulations may make further provisions in relation to reports under this section.

123L—Education Ombudsman may direct Minister in relation to school discipline policy

(1) The Education Ombudsman may, by notice in writing, issue a direction to the Minister in relation to school discipline policy.

(2) If, following receipt of a notice under this section, the Minister is of the opinion that, in the circumstances, failure to comply with the terms of the notice would be reasonable and justifiable, the Minister may determine not to comply with the notice (in which case the Minister must advise the Education Ombudsman of that determination, in writing, as soon as practicable).

(3) If the Minister fails to comply with the terms of a notice received under this section the following provisions apply:

(a) the Minister must, at the request of the Education Ombudsman, report to the Education Ombudsman within the time allowed in the request on the reasons for the failure to comply with the notice;

(b) if, following receipt of the Minister's report, the Education Ombudsman is of the opinion that the failure to comply with the notice was unjustified or unreasonable, the Education Ombudsman may make a report on the matter to the Premier;

(c) the Education Ombudsman may forward copies of any report to the Premier to the Speaker of the House of Assembly and the President of the Legislative Council with a request that they be laid before their respective Houses.

(4) A power or function of the Education Ombudsman under this section must not be delegated.

Division 5—Miscellaneous

123M—Annual report

(1) The Education Ombudsman must, on or before 31 October in each year, report to the Minister on the operation of the Education Ombudsman during the preceding financial year.

(2) A report under this section must include the information required by the regulations.

(3) The Minister must, within 12 sitting days after receiving a report under this section, have copies of the report laid before both Houses of Parliament.

No. 9. Clause 141, page 91, after line 10 [clause 141(2)]—Insert:

(ta) any matter relating to the functions and powers of the Education Ombudsman;

At 17:59 the house adjourned until Thursday 21 March 2019 at 11:00.

Answers to Questions

TREASURY AND FINANCE DEPARTMENT

628 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, how many South Australian Executive Service (SAES) level 1 FTE positions were funded in the Department of Treasury and Finance?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

39 SAES level 1 positions were funded in the Department of Treasury and Finance (DTF).

Note: DTF at this time also had 4 non-SAES executive positions that were the equivalent of a SAES1 position.

TREASURY AND FINANCE DEPARTMENT

629 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, how many South Australian Executive Service (SAES) level 2 FTE positions were funded in the Department of Treasury and Finance?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

9 SAES Level 2 positions were funded in the Department of Treasury and Finance (DTF).

Note: DTF at this time also had 3 non-SAES executive positions that were the equivalent of a SAES2 position.

REVENUESA

630 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, how many total public sector FTE positions were funded in RevenueSA?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018, 184.71 FTE positions were funded in RevenueSA.

Class	FTE
SAES2	1
SAES1	1
ASO8	11
ASO7	10.4
ASO6	15.53
ASO5	29.69
ASO4	61.35
ASO3	23.83
ASO2	30.91

SUPER SA

631 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, how many total public sector FTE positions were funded in Super SA?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018, 161.98 FTE positions were funded in Super SA.

Class	FTE
SAES2	1
SAES1	4
MAS3	7

Class	FTE
ASO8	9.7
ASO7	4
ASO6	13.67
ASO5	17.83
ASO4	50.38
ASO3	40.4
ASO2	14

TREASURY AND FINANCE DEPARTMENT

632 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, how many total public sector FTE positions were funded in the Office of the Chief Executive in the Department of Treasury and Finance?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018, 4 FTE positions were funded in the Office of the Chief Executive.

Class	FTE
EXF	1
SAES2	1
ASO6	1
ASO3	1

TREASURY AND FINANCE DEPARTMENT

635 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018 how many total public sector FTE positions were funded in the Public Finance branch of the Department of Treasury and Finance?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Public Finance is no longer a branch of the Department of Treasury and Finance:

- The Revenue and Intergovernmental team is now a part of the Budget and Performance Branch.
- The Accounting Services team is now a part of the SAFA and Accounting Services Branch.

Refer to the respective responses for the number of FTE positions in the branches.

TREASURY AND FINANCE DEPARTMENT

636 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018 how many total public sector FTE positions were funded in Budget Analysis and Performance branch of the Department of Treasury and Finance?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018 68.7 FTE positions were funded in Budget and Performance Branch.

Class	FTE
SAES2	1

Class	FTE
SAES1	7
MAS3	1
ASO8	12.8
ASO7	6.3
ASO6	14.6
ASO5	8.2
ASO4	7.7
ASO3	9.5
ASO2	0.4
ASO1	0.4

TREASURY AND FINANCE DEPARTMENT

637 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018 how many total public sector FTE positions were funded in New Schools Public Private Partnership Branch of the Department of Treasury and Finance?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Following machinery of government changes, the branch is now called Commercial and Economics Branch, and is inclusive of the Economics team, formerly of the Department of the Premier and Cabinet, and the New Schools Public Private Partnership team.

As at 31 December 2018 35.9 FTE positions were funded in the Commercial and Economics Branch of the Department of Treasury and Finance.

Class	FTE
SAES2	1
SAES1	3
ASO8	9.26
ASO7	7
ASO6	6
ASO5	2
ASO4	4
ASO3	1.64
ASO2	2

TREASURY AND FINANCE DEPARTMENT

639 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018 how many public sector FTE positions were funded in Commercial Projects Group branch of the Department of Treasury and Finance?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Following machinery of government changes, the branch is now called Commercial and Economics Branch, and is inclusive of the Economics team, formerly of the Department of the Premier and Cabinet, and the New Schools Public Private Partnership team.

As at 31 December 2018 35.9 FTE positions were funded in the Commercial and Economics Branch of the Department of Treasury and Finance.

Class	FTE
SAES2	1
SAES1	3
ASO8	9.26
ASO7	7
ASO6	6
ASO5	2
ASO4	4
ASO3	1.64
ASO2	2

TREASURY AND FINANCE DEPARTMENT

640 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018 how many total public-sector FTE positions were funded in the South Australian Government Financing Authority (SAFA) branch of the Department of Treasury and Finance?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018, 78.29 FTE positions were funded in the South Australian Government Financing Authority (SAFA).

Class	FTE
SAES2	1
SAES1	4
MAS3	1
ASO8	14.33
ASO7	9.5
ASO6	17.42
ASO5	10.13
ASO4	10.08
ASO3	4.83
ASO2	2
WSE4	1
OPS03	2
OPS04	1

TREASURY AND FINANCE DEPARTMENT

641 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018 how many total public sector FTE positions were funded in CTP Insurance Regulator Branch of the Department of Treasury and Finance?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018, 30.0 FTE positions were funded in CTP Insurance Regulator.

Class	FTE
SAES2	1
SAES1	2
ASO8	4
ASO7	4
ASO6	5
ASO5	5
ASO4	4
ASO3	4
ASO2	1

FUNDS SA

644 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018 how many public sector FTE positions were funded in Funds SA?

1. What is the number of funded FTE positions by classification level?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018 there were no publicly funded employees in Funds SA employed under the Public Sector Act 2009. Funds SA is a self-funded government business enterprise established under the Superannuation Funds Management Corporation of South Australia Act 1995. The corporation operates on a cost-recovery model, funding 44 FTE on this basis as at 31 December 2018.

Funds SA maintains its own enterprise agreement. Funds SA employees comprise a combination of those on contracts, and those on the enterprise agreement. The Funds SA Enterprise Agreement contains a unique salary framework that is different to the state government classification structure.

Consequently, Funds SA has neither publicly funded positions, nor position levels that mirror state government classification levels.

TREASURY AND FINANCE DEPARTMENT

646 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 30 January 2019 how many people were on short-term contracts in the Department of Treasury and Finance?

1. What is the breakdown by branch?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Short-term Contracts Jan 2019	
Budget & Performance	2
Commercial & Economics	9
CTPIR	6
Financial Services	2
Government Services	81

Short-term Contracts Jan 2019	
ICT Services	3
IR & Policy	0
Lifetime Support Auth	10
Office of the Chief Exec	1
Organisation &Governance	18
REVENUE SA	17
SAFA & Acc Services	3
SAFEWORK SA	19
SUPER SA	35
Treasurer's Office	6
Total	212

TREASURY AND FINANCE DEPARTMENT

647 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, what was the number of trainees and graduates employed in the Department of Treasury and Finance?

1. What is the breakdown by branch?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

DTF currently employs 12 graduates. There are no current trainees employed in DTF Branch areas; however, the traineeship program for electorate offices currently employs 54 trainees.

Graduates Dec 2018	Graduates
Budget and Performance	2
Commercial & Economics	1
Public Finance Branch	3
Government Services	6
Total	12

TREASURY AND FINANCE DEPARTMENT

648 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, how many people were on short-term contracts in the Department of Treasury and Finance?

1. What is the breakdown by branch?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Short-term Contracts Dec 2018	
Budget and Performance	2
Commercial & Economics	9
CTPIR	7
Financial Services	6
Government Services	102
ICT Services	9
IR & Policy	0
Lifetime Support Auth	9
Office of the Chief Exec	1
Organisation & Governance	8
RevenueSA	18
SA FINANCING AUTHORITY	3

Short-term Contracts Dec 2018	
SAFEWORK SA	17
Super SA	38
Treasurer's Office	6
Total	235

TREASURY AND FINANCE DEPARTMENT

649 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, what was the number of employees identifying as Aboriginal and Torres Strait Islander, employed in the Department of Treasury and Finance?

1. What is the breakdown by branch?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018, the total number of employees identifying as Aboriginal and Torres Strait Islander employed in the Department of Treasury and Finance was 34.

For privacy reasons, the breakdown by branch has not been provided.

TREASURY AND FINANCE DEPARTMENT

650 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). As at 31 December 2018, what was the number of employees identifying as having a physical or mental disability employed in the Department of Treasury and Finance?

1. What is the breakdown by branch?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As at 31 December 2018, the total number of employees identifying as having a physical or mental disability employed in the Department of Treasury and Finance was 49.

For privacy reasons, the breakdown by branch has not been provided.

CONSULTANTS AND CONTRACTORS

669 The Hon. S.C. MULLIGHAN (Lee) (27 February 2019). Can the Premier advise what consultancies and/or contractor arrangements have been engaged by the Department of the Premier and Cabinet since 30 June 2018?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Details of consultant engagements since 30 June 2018 are provided in the following table:

Consultant	Purpose of consultancy	Total contract estimated cost $
Bound Consulting Group	Organisational development consulting for SA Museum	5,800
CQR Consulting Australia Pty Ltd	Data analytics software risk assessment proposal	22,640
ISDefence Pty Ltd	Business Continuity Program Design for the ICT and Digital Government division	25,850
Joyce Advisory Ltd	Review of the Government's international and interstate engagement Bodies and functions	120,000
KPMG	Provision of independent advice and assistance in relation to the new procurement function in DPC	58,440
KPMG	Audit of NEC services per the Network Management Services (NMS) and Distribution Computing Support Services (DCSS) across government agencies	135,405
Mercer Consulting (Australian) Pty Ltd	Provision of departmental classification and remuneration advice	4,500
Urban Mind	Research and presentation regarding the World Design Capital—Adelaide 2022 bid	6,500
Wayne Eagleson Consulting Ltd	Advice on the development and implementation of a performance management framework for the South Australian Public Service	34,771

Details of contractor engagements since 30 June 2018 are provided in the following table:

Contractor	Purpose	Total contract estimated cost $
Carnegie Mellon University	Internship within Cabinet Office	2,000
DFP Recruitment Services*	Temporary labour hire	-
East West Consultants Pty Ltd	Accountancy support for the Agent-General's office in London	40,000
Enthdegree	Services relating to drafting appropriate media industry KPIs for the new Master Media contract	7,000
Enthdegree	Professional services relating to the drafting of a paper regarding the Master Media Services Levy	2,450
Enthdegree	Provision of a professional independent media service to establish industry standard rate cards to be used in contract negotiation relating to the new Master Media contract	21,155
Harrison McMillan Pty Ltd*	Temporary labour hire	-
Hays Specialist Recruitment*	Temporary labour hire	-
Hudson Global Resources (Aust)*	Temporary labour hire	-
Jimmy Galindo	Update the DPC Trade Database with ABS international trade data	2,250
Life. Registered	Agency data provision to the Office for Data Analytics	19,961
Manpower Services Australia Pty Ltd*	Temporary labour hire	-
Modis Staffing Pty Ltd*	Temporary labour hire	-
NEC IT Services Australia Pty Ltd	Senior technical support for operational and project work on ICT infrastructure and services for the provision of across government ICT services	1,246,960
Paxus Australia Pty Ltd*	Temporary labour hire	-
Peoplebank Australia Ltd*	Temporary labour hire	-
Randstad Pty Ltd*	Temporary labour hire	-
Talent International (SA) Pty Ltd*	Temporary labour hire	-
University of Melbourne	Engagement of PhD student for Business Identity Project within the ICT and Digital Government division	20,000

(*) Temporary labour are engaged under the whole of government contracts with these providers, for which a total estimated cost of the arrangements is on a whole of government basis, not a departmental basis.

HELLOWORLD TRAVEL

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (27 February 2019).

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Mr Andrew Burnes.